

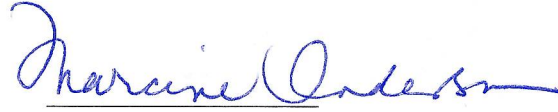
Matter

**KING COUNTY
DEPARTMENT OF EXECUTIVE SERVICES
INQUEST PROGRAM**

**INQUEST INTO THE DEATH OF ANTHONY TOVAR
INQUEST # 19IQ100019**

INTERROGATORIES TO THE INQUEST JURY

DATED 22nd day of March, 2024.



Marcine Anderson
Inquest Administrator



Inquest Program
Department of Executive Services
401 Fifth Avenue, Suite 135
Seattle, WA 98104
206-477-6191
TTY Relay 711

Inquests@kingcounty.gov

**QUESTIONS REGARDING THE FACTS AND CIRCUMSTANCES SURROUNDING
THE DEATH OF ANTHONY TOVAR**

Interrogatory No. 1 On December 12, 2019, was Sergeant Russell Radke on patrol in the area of SE 168th Street and 116th Avenue SE in Renton, Washington?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 2 Was Sergeant Radke driving a marked Renton Police Department vehicle?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 3 Was Sergeant Radke easily recognizable as a police officer?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 4 Did Sergeant Radke observe Anthony Tovar on the sidewalk at the intersection of SE 168th Street and 116th Avenue SE?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 5 Was Anthony Tovar drinking from a bottle of MD20/20 alcohol?

YES ___ NO 2 UNKNOWN 4

Interrogatory No. 6 Did Sergeant Radke approach Mr. Tovar from the 7-11 parking lot?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 7 Was Mr. Tovar wearing a poncho?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 8 Did Mr. Tovar walk away from Sergeant Radke when first contacted at the 7-11 parking lot?

YES 6 NO ___ UNKNOWN ___



Interrogatory No. 9 Did Sergeant Radke call for Mr. Tovar to stop more than once as Mr. Tovar walked across the street away from Sergeant Radke?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 10 Did Mr. Tovar keep walking across SE 168th Street and then 116th Avenue SE after Sergeant Radke told him to stop?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 11 Did Sergeant Radke follow Mr. Tovar on foot across SE 168th Street and then 116th Avenue SE?

YES 6 NO ___ UNKNOWN ___

Questions about Scene 1

Interrogatory No. 12 Did Mr. Tovar display what appeared to be a gun at Sergeant Radke?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 13 Did Mr. Tovar reach for what appeared to be a gun?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 14 Did Mr. Tovar point what appeared to be a gun at Sergeant Radke?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 15 Did Sergeant Radke fire a bullet that struck the ground in front of him?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 16 Did Sergeant Radke fire his gun at Mr. Tovar at Scene 1?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 17 While at Scene 1, was Mr. Tovar still armed with what appeared to be a gun when Sergeant Radke fired his weapon at Mr. Tovar?

YES 6 NO ___ UNKNOWN ___



Inquest Program
Department of Executive Services
401 Fifth Avenue, Suite 135
Seattle, WA 98104
206-477-6191
TTY Relay 711
Inquests@kingcounty.gov

Interrogatory No. 18 Did Sergeant Radke give any warnings to Mr. Tovar before firing his gun at Mr. Tovar at Scene 1?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 19 Was it feasible for Sergeant Radke to warn Mr. Tovar that deadly force would be used before he fired his gun at Scene 1?

YES ___ NO 6 UNKNOWN ___

Interrogatory No. 20 Did Sergeant Radke's shot(s) hit Mr. Tovar at Scene 1?

YES ___ NO 6 UNKNOWN ___

Interrogatory No. 21 Did Sergeant Radke call "shots fired" over the radio at Scene 1?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 22 Did Mr. Tovar possess a real gun?

YES ___ NO 6 UNKNOWN ___

Interrogatory No. 23. Did Mr. Tovar continue walking away from Sergeant Radke after Sergeant Radke fired his gun at Mr. Tovar near Scene 1?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 24 After firing shots at Mr. Tovar near Scene 1, did Sergeant Radke continue to order Mr. Tovar to surrender?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 25 Did Sergeant Radke tell Mr. Tovar he did not want to shoot him?

YES ___ NO ___ UNKNOWN 6

Interrogatory No. 26 Did Sergeant Radke tell Mr. Tovar that he needed to follow Sergeant Radke's instructions?

YES 6 NO ___ UNKNOWN ___



Interrogatory No. 27 Did Mr. Tovar comply with Sergeant Radke's instructions at Scene 1?

YES ___ NO b UNKNOWN ___

Interrogatory No. 28 Did Mr. Tovar abandon the item that appeared to be a gun after Sergeant Radke fired the first shot(s)?

YES b NO ___ UNKNOWN ___

Questions about Scene 2

Interrogatory No. 29 Did Mr. Tovar walk north on 116th Avenue SE away from the intersection with SE 168th Street?

YES b NO ___ UNKNOWN ___

Interrogatory No. 30 Did Sergeant Radke follow Mr. Tovar on 116th Avenue SE on foot?

YES b NO ___ UNKNOWN ___

Interrogatory No. 31 Did Mr. Tovar walk in the roadway?

YES b NO ___ UNKNOWN ___

Interrogatory No. 32 Did Sergeant Radke continue to give Mr. Tovar instructions as he followed Mr. Tovar northbound on 116th Avenue SE?

YES b NO ___ UNKNOWN ___

Interrogatory No. 33 Did Mr. Tovar comply with any of these additional instructions?

YES ___ NO b UNKNOWN ___

Interrogatory No. 34 Did Mr. Tovar make any statements to Sergeant Radke in response to Sergeant Radke's instructions?

YES b NO ___ UNKNOWN ___



Inquest Program
Department of Executive Services
401 Fifth Avenue, Suite 135
Seattle, WA 98104
206-477-6191
TTY Relay 711

Interrogatory No. 35 Did Mr. Tovar remove his poncho and shirt and toss his clothing on the ground?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 36 Did Sergeant Radke see a knife at Mr. Tovar's waistband area after Mr. Tovar removed his clothing?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 37 Did Mr. Tovar have more than one knife?

YES ___ NO 6 UNKNOWN ___

Interrogatory No. 38 Did Sergeant Radke radio to request police cars to block traffic and direct any civilian cars out of the area?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 39 Did Officer Charles (Clay) Davis arrive from the south to the location of Sergeant Radke and Mr. Tovar on 116th Avenue SE?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 40 Did Officer Jason Jones arrive from the north to the location of Sergeant Radke and Mr. Tovar on 116th Avenue SE?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 41 Did Officer Davis yell that Mr. Tovar had a knife?

YES ___ NO 1 UNKNOWN 5

Interrogatory No. 42 Was Officer Jones driving a marked Renton Police Department vehicle?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 43 Was Officer Jones easily identifiable as a police officer?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 44 Did Officer Jones have a 40mm less-lethal weapon with him?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 45 Did Officer Jones announce that he was firing a less-lethal weapon?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 46 Did Officer Jones fire the 40mm less-lethal weapon at Mr. Tovar?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 47 Did the 40mm projectile strike Mr. Tovar?

YES ___ NO 1 UNKNOWN 5

Interrogatory No. 48 Did Mr. Tovar have a knife in his hand when Officer Jones fired the 40mm less-lethal weapon?

YES 2 NO ___ UNKNOWN 4

Interrogatory No. 49 Did Mr. Tovar make any attempt to surrender or otherwise comply with any orders after Officer Jones fired the 40mm at him?

YES ___ NO 6 UNKNOWN ___

Interrogatory No. 50 Did Officer Jones return to his vehicle to obtain another 40mm round?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 51 Did Mr. Tovar move towards Officer Jones after the 40mm weapon was fired?

YES ___ NO 3 UNKNOWN 3

Interrogatory No. 52 Did Sergeant Radke fire his gun at Mr. Tovar at Scene 2?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 53 Did Sergeant Radke fire three shots at Mr. Tovar at Scene 2?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 54 Did Sergeant Radke warn Mr. Tovar that deadly force, as defined in Jury Instruction 8, would be used before firing his weapon at Mr. Tovar at Scene 2?

YES ___ NO 6 UNKNOWN ___

Interrogatory No. 55 Was it feasible for Sergeant Radke to warn Mr. Tovar that deadly force would be used at Scene 2?

YES 2 NO 4 UNKNOWN ___

Interrogatory No. 56 Did any bullets fired from Sergeant Radke's weapon at Scene 2 strike Mr. Tovar?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 57 Did one of the bullets strike Mr. Tovar in the neck?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 58 Did one of the bullets strike Mr. Tovar in the lower left back?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 59 When Sergeant Radke fired his weapon at Mr. Tovar at Scene 2, did Mr. Tovar have a knife in his hand?

YES 3 NO ___ UNKNOWN 3

Interrogatory No. 60 When Sergeant Radke fired shots at Mr. Tovar at Scene 2, were other Renton Police Department officers present?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 61 Did officers handcuff Mr. Tovar after he was shot?

YES 6 NO ___ UNKNOWN ___



Inquest Program
Department of Executive Services
401 Fifth Avenue, Suite 135
Seattle, WA 98104
206-477-6191
TTY Relay 711
Inquests@kingcounty.gov

Questions about Medical Aid

Interrogatory No. 62 Did any Renton Police Department officers request medical aid to respond to the scene?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 63 Did any Renton Police Department officers present at the time of the shooting provide medical aid to Mr. Tovar?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 64 Did any Renton Police Department officers have first aid equipment for gunshot wounds readily available?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 65 Did Renton Regional Fire Authority firefighters and medics respond to the scene?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 66 Did Renton Regional Fire Authority firefighters and medics provide medical aid to Mr. Tovar?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 67 Did Renton Regional Fire Authority firefighters and medics transport Mr. Tovar to Harborview Medical Center?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 68 Did staff at Harborview Medical Center provide medical aid to Mr. Tovar?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 69 Did Mr. Tovar die at Harborview Medical Center at approximately 5:06 p.m. on December 12, 2019?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 70 Did any of the shots fired by Sergeant Radke at Scene 2 cause the death of Mr. Tovar?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 71 Did the firing of 40mm less-lethal weapon by Officer Jones cause the death of Mr. Tovar?

YES ___ NO 6 UNKNOWN ___

QUESTIONS REGARDING WHETHER THE INVOLVED OFFICERS COMPLIED WITH RENTON POLICE DEPARTMENT POLICIES AND TRAININGS

Use of Force

Interrogatory No. 72 Did Renton Police Department Policy 300.4 regarding the use of force apply to the actions of Sergeant Radke during this incident?

YES 5 NO 1 UNKNOWN ___

Interrogatory No. 73 If the policy applied, did Sergeant Radke's actions during this incident comply with Renton Police Department Policy 300.4 authorizing the use of force?

YES 5 NO ___ UNKNOWN ___ DID NOT ANSWER 1

Interrogatory No. 74 If the policy applied, did Officer Radke comply with the training he received on Renton Police Department Policy 300.4 regarding the use of force?

YES 5 NO ___ UNKNOWN ___ DID NOT ANSWER 1



King County
Inquest Program
Department of Executive Services
401 Fifth Avenue, Suite 135
Seattle, WA 98104
206-477-6191
TTY Relay 711
Inquests@kingcountv.gov

Interrogatory No. 75 Did Renton Police Department Policy 300.4 regarding the use of force apply to the actions of Officer Jones during this incident?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 76 If the policy applied, did Officer Jones' actions during this incident comply with Renton Police Department Policy 300.4 authorizing the use of force?

YES 6 NO ___ UNKNOWN ___ DID NOT ANSWER ___

Interrogatory No. 77 If the policy applied, did Officer Jones comply with the training he received on Renton Police Department Policy 300.4 regarding the use of force?

YES 6 NO ___ UNKNOWN ___ DID NOT ANSWER ___

Use of Deadly Force

Interrogatory No. 78 Did Renton Police Department Policy 300.5 regarding the use of deadly force apply to Sergeant Radke's actions during this incident?

YES 5 NO ___ UNKNOWN 1

Interrogatory No. 79 If the policy applied, did Sergeant Radke's actions during this incident comply with Renton Police Department Policy 300.5 regarding the use of deadly force?

YES 3 NO 2 UNKNOWN 1 DID NOT ANSWER ___

Interrogatory No. 80 If the policy applied, did Sergeant Radke comply with the training he received on Renton Police Department Policy 300.5 regarding the use of deadly force?

YES 3 NO 2 UNKNOWN ___ DID NOT ANSWER 1

Interrogatory No. 81 Did Renton Police Department Policy 300.5 regarding the use of deadly force apply to Officer Jones' actions during this incident?

YES ___ NO 6 UNKNOWN ___



Inquest Program
Department of Executive Services
401 Fifth Avenue, Suite 135
Seattle, WA 98104
206-477-6191
TTY Relay 711
Inquests@kingcounty.gov

Interrogatory No. 82 If the policy applied, did Officer Jones' actions during this incident comply with Renton Police Department Policy 300.5 regarding the use of deadly force?

YES NO UNKNOWN 6 DID NOT ANSWER

Interrogatory No. 83 If the policy applied, did Officer Jones comply with the training he received on Renton Police Department Policy 300.5 regarding the use of deadly force?

YES NO UNKNOWN 6 DID NOT ANSWER

Control Devices and Techniques

Interrogatory No. 84 Did Renton Police Department Policy 303 on Control Devices and Techniques apply to Officer Jones' actions during this incident?

YES 6 NO UNKNOWN

Interrogatory No. 85 If the policy applied, did Officer Jones' actions during this incident comply with Renton Police Department Policy 303 on Control Devices and Techniques?

YES 6 NO UNKNOWN DID NOT ANSWER

Interrogatory No. 86 If the policy applied, did Officer Jones' actions during this incident comply with the training he received on Renton Police Department Policy 303 on Control Devices and Techniques?

YES 6 NO UNKNOWN DID NOT ANSWER

De-escalation

Interrogatory No. 87 Did Renton Police Department Policy 431.6 on de-escalation apply to Sergeant Radke's actions during this incident?

YES 6 NO UNKNOWN



Inquest Program
Department of Executive Services
401 Fifth Avenue, Suite 135
Seattle, WA 98104
206-477-6191
TTY Relay 711
Inquests@kingcounty.gov

Interrogatory No. 88 If the policy applied, did Sergeant Radke's actions during this incident comply with Renton Police Department Policy 431.6 on de-escalation?

YES 6 NO ___ UNKNOWN ___ DID NOT ANSWER ___

Interrogatory No. 89 If the policy applied, did Sergeant Radke comply with the training he received on Renton Police Department Policy 431.6 regarding de-escalation?

YES 6 NO ___ UNKNOWN ___ DID NOT ANSWER ___

Interrogatory No. 90 Did Renton Police Department Policy 431.6 on de-escalation apply to Officer Jones' actions during this incident?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 91 If the policy applied, did Officer Jones' actions during this incident comply with Renton Police Department Policy 431.6 on de-escalation?

YES 6 NO ___ UNKNOWN ___ DID NOT ANSWER ___

Interrogatory No. 92 If the policy applied, did Officer Jones comply with the training he received on Renton Police Department Policy 431.6 regarding de-escalation?

YES 6 NO ___ UNKNOWN ___ DID NOT ANSWER ___

Biased-Based Policing

Interrogatory No. 93 Did Renton Police Department Policy 401 on biased-based policing apply to Sergeant Radke's actions during this incident?

YES 5 NO ___ UNKNOWN 1

Interrogatory No. 94 If the policy applied, did Sergeant Radke's actions during this incident comply with Renton Police Department Policy 401 on biased-based policing?

YES ___ NO 1 UNKNOWN 5 DID NOT ANSWER ___



Inquest Program
Department of Executive Services
401 Fifth Avenue, Suite 135
Seattle, WA 98104
206-477-6191
TTY Relay 711
Inquests@kingcounty.gov

Interrogatory No. 95 If the policy applied, did Sergeant Radke comply with the training he received on Renton Police Department Policy 401 regarding biased-based policing?

YES 1 NO ___ UNKNOWN 5 DID NOT ANSWER _____

Interrogatory No. 96 Did Renton Police Department Policy 401 on biased-based policing apply to Officer Jones' actions during this incident?

YES 6 NO ___ UNKNOWN _____

Interrogatory No. 97 If the policy applied, did Officer Jones' actions during this incident comply with Renton Police Department Policy 401 on biased-based policing?

YES 5 NO ___ UNKNOWN 1 DID NOT ANSWER _____

Interrogatory No. 98 If the policy applied, did Officer Jones comply with the training he received on Renton Police Department Policy 401 regarding biased-based policing?

YES 4 NO ___ UNKNOWN 2 DID NOT ANSWER _____

QUESTIONS DETERMINING WHETHER MR. TOVAR'S DEATH WAS OCCASIONED BY CRIMINAL MEANS

Interrogatory No. 99 Did Sergeant Radke cause Mr. Tovar's death by criminal means, as defined in Instruction Nos. 9 and 10?

YES 1 NO 3 UNKNOWN 2

Interrogatory No. 100 Did Officer Jones cause Mr. Tovar's death by criminal means, as defined in Instruction Nos. 9 and 10?

YES ___ NO 6 UNKNOWN _____



Inquest Program
Department of Executive Services
401 Fifth Avenue, Suite 135
Seattle, WA 98104
206-477-6191
TTY Relay 711
Inquests@kingcounty.gov

By initialing this document, the Presiding Juror attests that they have accurately recorded each juror's answers to each Interrogatory in this document.

DATED this 26 day of March, 2024.

Presiding Juror SM (initials)



Juror No. 1,2

JUROR EXPLANATION FORM

If desired, you may provide a written explanation of any of your answers to the interrogatories. You need only provide a written explanation when you believe that a written explanation of your answer would provide information helpful in explaining or interpreting your answer.

Interrogatory No. <u>87</u> :	<p>^{All} We answered yes - to Scene 1. ^{This applied} We did not all agree that this applied at scene 2.</p>
Interrogatory No. <u>88</u> :	<p>^{All} We answered yes as to what occurred at scene 1. We did not all agree that this applied at scene 2.</p>
Interrogatory No. <u>89</u> :	<p>We all answered yes as to what occurred at scene 1. We did not all agree that this applied at scene 2.</p>
Interrogatory No. <u>90</u> :	<p>Officer Jones</p>
Interrogatory No. <u> </u> :	

Juror No. 2,1

JUROR EXPLANATION FORM

If desired, you may provide a written explanation of any of your answers to the interrogatories. You need only provide a written explanation when you believe that a written explanation of your answer would provide information helpful in explaining or interpreting your answer.

Interrogatory No. <u>41</u> :	We watched Exh 107. 334. We can't hear an officer say "knife" but unknown which officer said it.
Interrogatory No. <u>47</u> :	2 conflicting answers from witnesses. Medical Examiner did not find evidence of Mr. Tovar being struck by a 40mm. officer Meador said he saw the 40mm hit Mr. Tovar.
Interrogatory No. <u>81</u> :	officer Jones did not use deadly force.
Interrogatory No. <u>82</u> :	officer Jones did not use deadly force. - 2
Interrogatory No. <u>83</u> :	officer Jones did not use deadly force.