The Estate of Jeremy R. Dowell, et al. v. Zachary Dwight Yates

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Exhibit A to Complaint

DECLARATION OF RONALD JONAS

RONALD JONAS hereby declares as follows:

1. My name is Ronald Jonas. I am over the age of 18, have personal knowledge of the matters stated in this declaration, and am otherwise competent to testify thereto.

2. I am providing this declaration to recount events that I witnessed on the morning of January 30, 2017 on Highway 99 in Lynnwood, Washington. On this morning, I saw a young man repeatedly shot by a Lynnwood Police Officer. I distinctly remember what I saw that morning. What I saw was highly troubling and distressing. As described in more detail below, I witnessed the Lynnwood police officer shoot a young man multiple times without reason or justification for doing so. The shots that I saw fired at this man were, in my view, completely unwarranted. The shots cannot be characterized as having been fired in self-defense or to prevent harm to the shooting officer or others. Rather, the shooting was wholly unjustified under the circumstances.

3. As of January 2017, I was working as a public employee for the Snohomish County Public Utility District (PUD). My duties required me to travel by public vehicle to various sites around Snohomish County to perform my work.

4. On the morning of January 30, 2017, I was in my assigned Snohomish County PUD work truck. I was travelling northbound on Highway 99 in Lynnwood. The events I witnessed that morning occurred near the Costco store located at 19105 Highway 99.

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5. As I was in my truck heaing northbound on Highway 99 near the Costco store, I looked to my right and noticed police activity in the Costco parking lot located on the east side of Highway 99. Very shortly after noticing police activity in the Costco parking lot, a young man unexpectedly crossed the highway on foot in front of my truck. The man was sort of skipping or jogging across the highway, proceeding from the east side to the west side. I stopped my truck so as not to hit the young man as he crossed the highway, and I momentarily made eye contact with him. The man crossed over to the west side of the highway, and I then watched him proceed northbound on foot as I sat in the cab of my truck.

6. Almost immediately after the young man crossed in front of my truck, a police vehicle suddenly pulled in front of my truck and stopped right in front of me. My truck was blocked by the presence of the police vehicle. There was nowhere for me to go, as my truck and all northbound traffic was now blocked by the police vehicle. I continued to sit in my truck and watched what happened next.

7. I saw a male police officer throw open the door of his police vehicle (the same vehicle that had blocked my truck). The officer immediately jumped out of his vehicle. He did so in a very aggressive and determined manner. After jumping out of his vehicle, he began to pursue the man who had just crossed in front of my vehicle.

8. I momentarily lost sight of the man who had just crossed in front of me. For a few seconds, my view of the man was blocked by a car or some other obstruction. Almost

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instantly, I heard gunshots. It was only seconds from the time the officer jumped out of his car and began to pursue the man that I heard the shots.

9. Although I did not see the first shot because my view of the man had been momentarily blocked, the man then emerged from behind the obstruction. I saw the man stagger and fall into the roadway. From this point on, I had a clear and unobstructed view of what occurred next, and I was clearly able to see the man and the police officer who had pursued him.

10. The man had fallen to the ground in the roadway. He was obviously injured. The man was not being aggressive in any way. He had fallen to the ground and was no longer on his feet. The man was sort of rolling on the ground, holding his wounds. He was not trying to come at or move towards the shooting officer or any other officer or person. He made no threatening move of any kind. All northbound and southbound traffic was now stopped. The man was now down and helpless.

11. What unfolded next shocked me to my core. As the man was on the roadway, the officer who had originally jumped out of his police vehicle was standing in the roadway aiming his firearm at the man. There was nothing about the man's actions at this point that could be characterized as aggressive, combative, or threatening. He was clearly disabled and no reasonable person could have perceived him as a threat. The man was not reaching for anything or exhibiting any behavior that could be characterized as advancing or moving towards anyone. Despite the non-threatening nature of the man's actions at this point, I then

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saw then officer begin to fire his weapon at the man. I heard and saw the officer fire multiple shots at the helpless man. I saw the officer shoot, followed by a very short pause as the man rolled from the effects of being shot, followed by another shot, followed by a very short pause as the man rolled again, followed by another shot. This continued for approximately six shots. The officer was standing above the man and to one side as he fired his weapon and continued to fire. The officer was not firing these shots to protect himself or others, as there were no circumstances suggesting that the man was a threat to the shooting officer or any other person. There was no reason, for example, that the officer could not have safely backed off, away from the man, as all traffic was stopped.

12. I could not believe what I witnessed. Every shot I saw was totally without justification. Neither the shooting officer nor any other person was ever in any kind of jeopardy. The only word I know that describes what I saw is the word murder.

I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

DATED this 1st day of February, 2018 at Bothell, Washington.

Ronald Jonas

Ronald Jonas

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The Estate of Jeremy R. Dowell, et al. v. Zachary Dwight Yates

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Exhibit B to Complaint

DECLARATION OF NADEEM PASHA

NADEEM PASHA hereby declares as follows:

1. My name is Nadeem Pasha. I am over the age of 18, have personal knowledge of the matters stated in this declaration, and am otherwise competent to testify thereto.

2. I was an eyewitness to events that occurred on the morning of January 30, 2017 on Highway 99 in Lynnwood in which a young man was shot by a ~~Lynbwood~~ Lynnwood police officer. I will never forget what I saw that morning. What I saw was so deeply disturbing that the memories haunt me to this day. As described in more detail below, I witnessed the Lynnwood police officer needlessly shoot the young man multiple times without reason or justification for doing so. I firmly believe that this shooting was completely unwarranted. I do not use the term "murder" lightly, but that is the only word that accurately captures what occurred on that morning—the young man was murdered by the Lynnwood police officer.

3. I own a small business in the area of Bothell, Washington. I sometimes visit the Costco store located at 19105 Highway 99 in Lynnwood in order to buy things for my business.

4. I was at the Costco store on the morning of January 30, 2017. While I was in the parking lot, I saw a young man in the Costco parking lot. The man was on foot. He was wearing a backpack. He was walking swiftly through the parking lot, looking back and forth. As he was walking through the Costco parking lot, I noticed that he was being slowly

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followed by a police car. The man was acting strangely, but I did not notice anything threatening about his behavior.

5. I was near the Costco parking lot exit when I noticed the young man run or walk quickly across Highway 99 to the opposite side of the highway. Then the man went back out into the street again. At about this time, I noticed the man had a small knife in his hand. I estimate the blade was a couple of inches long—perhaps the size of a small pocket knife.

6. As the man went back into Highway 99, several police cars parked in about the middle of the highway. Traffic came to a stop. From my vantage point, outside my car on the east side of Highway 99, I had a clear and unobstructed view of what happened next.

7. The young man appeared to be confused, and his actions in going back and forth across the road were strange. It appeared to me that he may have been trying to avoid the police. But now he was in the highway, and so were the officers. Traffic was halted so there were no cars moving on the road.

8. As the young man stood in the highway, he had the small knife in his hand. However, he was keeping his hands down by his side. At no point whatsoever did he raise the knive. He did not move towards any police officer. He made no threatening move whatsoever. He was not acting in a way that was aggressive, threatening, or combative. He simply stood there, perhaps moving a bit back and forth, and appeared to be confused as to

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what was happening around him. He did nothing to indicate an intent to harm any police officer or any other person.

9. There was a considerable distance between the officers and the man. There was no urgency. Because traffic was stopped, the police officers could quite freely move about on the highway without a risk of being hit by a passing motorist.

10. Within moments of approaching the man, a Lynnwood police officer began firing his handgun at the man's chest or abdomen. I was shocked by what I saw. The officer had no reason whatsoever to shoot the man. Nothing about the man's behavior suggested that he was a threat.

11. Upon being shot, the man began to stagger. He could barely stand. There was still considerable distance between the man and the officers. The man was clearly wounded and helpless. While wounded and helpless, the officer continued to fire his handgun into the man's body. I am not certain how many additional times he shot the man, but these shots were obviously designed to kill the man even though he was already gravely injured. Eventually, the man stopped moving.

12. I was emotionally shaken by what I had witnessed. The man was simply murdered. There is no other way to describe it. My memory of the man being shot, and the lack of justification for doing so, is etched into my memory.

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13. Within a few days of witnessing these events, I heard media accounts of the shooting. I decided that whatever law enforcement agency was investigating this needed to know what I had seen. I reached out to the sheriff's office and informed them that I had first-hand information. On February 3, 2017 I was interviewed by detectives with the Snohomish County Multiple Agency Response Team.

14. During the interview, I was clear in telling the detective that the man was not a threat to anyone. I told the detectives that the police did not have to use deadly force. I expected that they would ask me follow up questions and explore with me in detail what I had witnessed and the reasons I felt the shooting was unnecessary. However, they seemed uninterested in learning the details of why I felt deadly force was not justified. The entire interview lasted only about 20 minutes.

15. I expected that I would be called back to be interviewed again, or that the investigators would seek to follow up with me about why I felt that deadly force was not necessary. I provided the investigating detectives with my name, address, phone number and other personal information. I would have gladly spoken with them again and answered more questions. Yet, in the days and weeks and months that followed, I was never again contacted by any detective or official of any kind. It was as if the investigators were not interested in learning the truth.

16. In about the fall of 2017, I learned through the media that the shooting was determined to have been justified. I was shocked. I will repeat here that this shooting was

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completely unjustified and that the word "murder" is the only word that accurately conveys what I witnessed. Should there be additional legal proceedings concerning this shooting, I look forward to the opportunity to testify under oath. I believe the officer who shot this young man should face consequences for this deplorable killing.

I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

DATED this 1 day of February, 2018 at Everett, Washington.

Nadeem Pasha

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The Estate of Jeremy R. Dowell, et al. v. Zachary Dwight Yates

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Exhibit C to Complaint

DECLARATION OF JOHN GROSSI

JOHN GROSSI declares as follows:

1. I am over the age of 18, I have personal knowledge of the facts stated in this declaration, and I am otherwise competent to testify thereto.

2. I was an eyewitness to events that occurred on the morning of January 30, 2017 on Highway 99 in Lynnwood in which a young man was shot to death by a Lynnwood police officer. As explained below, I saw the police officer shoot the young man approximately 8-10 times for no apparent reason. Based on my first-hand observations, I believe the officer murdered the young man that morning.

3. I am a district sales manager for Caruso Produce. My territory includes Star Fruits & Vegetables, which is located on Highway 99 in Lynnwood. On the morning of January 30, 2017, I was driving southbound on Highway 99. I was driving a black Ford Escape. As I approached the Costco store, which is located at 19105 Highway 99, I noticed a young man jogging (or fast walking) northbound on the side of the Highway. I also noticed at least two police cars near the Costco side of the road. The young man began to cross the highway when one of the police cars pulled right in front of me. By this point, the traffic on Highway 99 had ground to a halt—no cars were moving in either direction. I was in the left lane, closest to the center of the road. There was another car behind me. From my vantage point in my car, I was in a clear position to see what happened next.

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4. The young man was wearing a backpack. He was not doing anything threatening or making any aggressive movements toward the police or anyone else at the scene. He seemed to be a bit scared and confused and had a "deer in the headlights" look on his face. At most, he may have been trying to get away, but he did not pose any sort of threat to the officers or anyone at the scene.

5. As the young man began to cross Highway 99, I saw a police officer run right by my car with his gun drawn and start shooting him without warning. At first, I thought the officer was firing rubber bullets. Prior to the first few shots, I did not hear the officer (or any others) give the young man any commands. After the first few shots were fired, I heard officers telling the man to "drop" something and to "get down." There was only one officer firing his gun. He continued to shoot the young man, even though the young man was not advancing toward him or doing anything that appeared to be remotely hostile or combative. The shooting officer was only a few feet away from my car, and I had a clear view of what happened. If the young man was moving toward the officer (or engaging in any threatening behavior), I would have noticed it. The only movements I saw the young man make was his body jerking from side to side from the impact of the bullets.

6. Because all traffic was stopped, the shooting officer had more than enough room to back up or move to another position on the highway, if necessary, without a risk of being hit by a passing motorist.

7. After being struck by several more bullets, the young man went down to the ground. After he was down on the ground, clearly injured and defenseless, the officer

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continued to shoot him. The officer shot the young man at least two or three additional times while he was lying completely on the ground.

8. I was shocked and disturbed by what I witnessed. Based on my first-hand observations, there is no doubt in my mind that this was a totally unjustified shooting. I cannot think of a more appropriate word than "murder" to describe what I saw take place that morning in Lynnwood, and I repeatedly used that same word to describe what happened when I was interviewed by detectives that same morning.

9. The officer who killed the young man also recklessly put many other citizens in danger. There were people sitting in their cars on the highway, and on either side of the highway, there are multiple businesses. The officer could have easily shot an innocent bystander, and I felt that it was extremely careless of him to be shooting his gun in this situation. I felt like I was in danger of being shot, and I was surprised and relieved to learn that no one else had been hit by one of the officer's bullets.

10. At some point, I learned through media accounts that the shooting was deemed to be justified. I was shocked by this news. There were a lot of witnesses to the shooting, and I don't see how anyone who saw would happened could concluded it was justified.

11. I have great respect for the police and believe they have very difficult jobs. I have friends who are police officers from my community service work, and I have no ill feelings towards law enforcement. But there is no question in my mind that what happened to that young man was wrong and unjustified.

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12. I would be more than willing to testify about what I witnessed, under oath, and I look forward to the opportunity to do so.

I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

DATED this 1ST day of February, 2018 at Arlington, Washington.

John Grossi

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The Estate of Jeremy R. Dowell, et al. v. Zachary Dwight Yates

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Exhibit D to Complaint

DECLARATION OF STEVEN LONG

STEVEN LONG declares as follows:

1. I am over the age of 18, I have personal knowledge of the facts stated in this declaration, and I am otherwise competent to testify thereto.

2. On the morning of January 30, 2017, I witnessed what I can only describe as a murder by a police officer. The incident took place on Highway 99 in Lynnwood, Washington, where I saw a Lynnwood police officer shoot a young man multiple times for no justifiable reason. I will never forget what I saw that day. It was deeply disturbing and affected me greatly, and I am providing this statement to recount the events I witnessed.

3. As of January 30, 2017, I was working at the U-Haul in Lynnwood, located at 19130 Hwy 99. I had just pulled out of the U-Haul driveway and was heading northbound on Highway 99, when I saw a young man with a backpack running into traffic. I also saw at least two or three patrol cars, one of which pulled in front of me. My vehicle came to a complete stop. By this point, all traffic on Highway 99 was at a standstill.

4. I was sitting in my vehicle watching the events unfold. I had a clear view of what transpired. I saw an officer quickly get out of his patrol car with his gun drawn. The officer went towards the young man. As the officer approached him, the young man's hands were down to his sides. He was not doing anything threatening or aggressive. There was considerable distance between the officer and the young man. Traffic was completely stopped,

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and there was nothing preventing the officer from backing up if he felt it was necessary to do so. The man was neither charging the officer nor even advancing in his direction. He was just standing there when, suddenly, the officer began shooting him. The man went down to the ground, and the officer continued to shoot him. I saw the officer shoot the man approximately nine times in total.

5. I did not see the man do anything at any point that would remotely justify him being shot by the police even once. When the man first went down to the ground, he appeared to be trying to get up. However, he was not lunging at anyone or making any aggressive movements. He was badly injured and defenseless, and the officer kept shooting him again and again. The man was lying face down on the ground, practically motionless, when the last two shots were fired.

6. In addition to unnecessarily shooting the young man, it was extremely reckless of the officer to be firing his gun in the middle of Highway 99, with people sitting in their cars and with businesses on either side of the highway. An innocent bystander could have easily been killed that day.

7. Following the shooting, I gave a short, handwritten statement to the police at the scene in the Costco parking lot. I provided them with my address and phone numbers. I was expecting to be called in for an interview and was more than willing to cooperate in their investigation. I did receive a phone call, which I missed, and I called back and left a message.

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I would have been happy to answer any questions and/or describe what I witnessed in detail. However, no one returned my call.

8. At some point, I heard media accounts that the shooting was deemed justified. I found this hard to believe. What I witnessed that day was the totally unjustified killing of a human being who did not pose a threat to officers or to anyone else. I was not the only witness to the shooting, and I recall other witnesses who, like me, were disturbed by the shooting and thought it was completely unnecessary.

9. I would be more than willing to testify about what I witnessed, under oath, and I look forward to the opportunity to do so.

I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

DATED this 1st day of February, 2018 at Tulalip, Washington.

Steven Long

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The Estate of Jeremy R. Dowell, et al. v. Zachary Dwight Yates

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Exhibit E to Complaint

DECLARATION OF VINCE PETOSA

VINCE PETOSA declares as follows:

1. I am over the age of 18, I have personal knowledge of the facts stated in this declaration, and I am otherwise competent to testify thereto.

2. In January 2017, I witnessed a police officer shoot a man multiple times on Highway 99 in Lynnwood, Washington. As explained below, I do not think the shooting was necessary or justified.

3. I am a retired restaurant owner, currently living in Edmonds, Washington, with my wife. On the morning of January 30, 2017, I was driving north on Highway 99, when a police car came up behind me with its lights flashing. At first, I thought I was being pulled over. The police car then stopped on the highway—blocking northbound traffic. I also noticed at least one other police car with its lights flashing on the southbound side of the road. I stopped my car in the middle of the highway. Traffic in all directions was halted. At around the same time, I saw a man crossing Highway 99.

4. I then witnessed the officer in the northbound lane get out his car, run towards the man, and start shooting him. The shooting officer was yelling, "Drop the knife" to the man in between shots. My best estimate is that the officer was 25 feet from the man when he began shooting. The officer fired multiple shots at the man. I could see the man's body moving side to side as he was being struck by bullets.

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5. The reason I thought the shooting was unnecessary is that the man was not advancing on the officer or charging at him. As he was being shot, he remained in the same location. He only movement was his body going back and forth as he was being struck by bullets. There was considerable distance between him and the shooting officer. Because traffic was stopped, the officer could have safely backed up if necessary. There was no risk of him being hit by a car. And although the man may have had a knife, which I did not even notice, he was not brandishing it, waiving it around, or displaying it in a threatening manner. Based on my observations, he did not pose a threat to the officer who was shooting him or to anyone else on the scene.

6. I am not the only witness who thinks this was an unnecessary shooting. After the incident, multiple people at the scene were discussing what they had just witnessed. Everyone was upset by the officer's actions. No one thought the situation warranted deadly force. The consensus was that the shooting was totally unjustified, and I am in full agreement with this.

7. I also felt that it was extremely reckless of the officer to be firing his gun in the middle of Highway 99, particularly with businesses on either side of the highway. An innocent bystander could have easily been shot.

8. If I am asked to testify in court about the events I witnessed that morning, I will do so without hesitation.

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I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

DATED this 2 day of February, 2018 at Edmonds, Washington.

Vince Petosa

Vince Petosa

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The Estate of Jeremy R. Dowell, et al. v. Zachary Dwight Yates

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Exhibit F to Complaint

DECLARATION OF RACHEL HODSON

RACHEL HODSON declares as follows:

1. I am over the age of 18, I have personal knowledge of the facts stated in this declaration, and I am otherwise competent to testify thereto.

2. I witnessed an incident that took place on the morning of January 30, 2017 on Highway 99 in Lynnwood, Washington, during which a young man was shot to death by a Lynnwood police officer. Based on my first-hand observations, I believe the officer murdered the young man that morning. If called to do so, I will willingly testify in court about what I witnessed.

3. I am an employee of a business called Associated Glass, which is located at 18930 WA-99 in Lynnwood. I was working at Associated Glass on the morning of January 30, 2017. I was sitting at my desk, on the phone with a customer, when I heard two loud shots ring out, followed by some screaming. At first, I thought it was a car backfiring, but then I looked out the window and saw a police officer pointing a gun at a man, and I realized that what I heard was gunshots. I immediately told the customer that I had to go because there was a police incident going on outside. I hung up the phone and watched the events unfold. I had a clear and unobstructed view of the scene, which took place approximately 35 feet in front of me on Highway 99.

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4. I heard the officer tell the man to "put down the knife" after shooting him at least two times. The officer was pointing his gun at the man, who was wearing a backpack. There were two other officers at the scene. The young man was not advancing towards any of the officers or making any threatening movements or gestures. He hands were at his sides, and he was just stumbling as if he was trying to keep his balance. After being shot, the man went down and was squirming around on the ground—still alive but clearly wounded. Although I could not see what happened before the first two shots were fired, I did not see any threatening behavior by the man at any point. And what happened next is the most disturbing thing I've ever seen.

5. After the man was down on the ground, the officer shot him at least six more times. For some of the shots he was on his knees. I could not tell if he was trying to get up, but it was clear to me that he did not pose any sort of threat to the officer or to anyone else at the scene. For the last several shots, the man was literally lying down on the ground, barely moving, wounded and defenseless. I could not see any conceivable justification for shooting this man six times when he was down on the ground. This was not an act of self-defense by the shooting officer. It was an act of aggression by him, and it was not warranted by anything the injured man was doing.

6. Because all traffic was stopped during the incident, the shooting officer had more than enough room to back up or move to another position on the highway, if necessary, without risk of being hit by a passing motorist. At no point was the officer or anyone else in

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danger. The man he was shooting was not combative and never even took a step in the shooting officer's direction. From what I saw, there was absolutely no reason to use lethal force.

7. I am not the only one who felt that the shooting was unjustified. There were multiple eyewitnesses to the incident, and everyone I saw who witnessed the shooting was upset by the officer's actions. In addition, immediately after the shooting, I heard another officer at the scene ask the shooting officer, "What did you do?" as if he could not believe what the shooting officer had just done.

8. The officer who killed the young man also recklessly put many other citizens in danger. There are multiple businesses on either side of the highway, including Associated Glass. There were also people standing in the alleyway adjacent to Associated Glass who were in the officer's line of fire. The officer could have easily shot an innocent bystander, and I felt that it was extremely careless of him to be spraying bullets in this situation. Luckily, no one else was killed by one of his bullets.

9. Based on everything I saw that morning, there is no doubt in my mind that this was an unjustified shooting. I gave a handwritten statement that morning and was interviewed by detectives, and I made it clear to them that I thought the shooting was unnecessary and that I did not think that there was any reason for the officer to kill the man. I gave the investigating detectives my address and phone number. However, I was never called in for any follow-up interviews.

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10. I am willing to testify about what I witnessed, under oath, and I look forward to the opportunity to do so.

I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

DATED this 5 day of February, 2018 at Lynnwood, Washington.

Rachel Hodson

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The Estate of Jeremy R. Dowell, et al. v. Zachary Dwight Yates

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Exhibit G to Complaint

DECLARATION OF CURTIS OLSON

CURTIS OLSON declares as follows:

1. I am over the age of 18, I have personal knowledge of the facts stated in this declaration, and I am otherwise competent to testify thereto.

2. I am a former employee of a business called Associated Glass, located at 18930 Highway 99 in Lynnwood. I was working as an employee of Associated Glass in January of 2017.

3. On the morning of January 30, 2017, I was working at Associated Glass in the warehouse area located towards the rear of the building. While I was in the warehouse area, I suddenly heard two loud "pops" or "bangs." My first thought was that an exhaust pipe had exploded outside. Not knowing what the sound was, but realizing it was unusual, I ran outside the building to see what was going on.

4. When I ran outside the building, I went down the side of the building and got nearer to Highway 99. I was looking in the direction of Highway 99 and had a clear view of what was happening in front of me. I saw a uniformed police officer aiming a gun at a man. The man the police officer was pointing the gun at was standing in or near the highway. Traffic on the highway was stopped in both directions and I saw police vehicles blocking the roadway.

5. I saw that the man had what appeared to be a small knife in his hand. However, the knife was down at the man's side and pointing down at the ground. I observed that the man

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did not appear to pose any kind of threat to the police officer nor to anyone else. The man was not doing anything aggressive. He was not moving towards the police officer. He was not making any threatening or aggressive movements whatsoever. He was not displaying any kind of threatening or aggressive posturing. He did nothing to indicate that he intended to harm the officer or anyone else. There was nothing about the man's actions that made me fear for the safety of the officer who was pointing the gun, nor for my safety or the safety of anyone else. The man appeared to be distraught and was stumbling somewhat from the effects of having been shot. Because traffic was stopped on the highway, the officer could have freely backed up and put distance between himself and the man had he desired to do so.

6. I then watched as the officer proceeded to shoot the man several additional times. I was shocked by what I saw. At no time immediately prior to or during the course of the shots I witnessed did the man do anything that would justify him being shot. He was not being aggressive, purposefully moving towards the officer, making any threatening movements, or doing anything that suggested he intended to harm the officer or anyone else. He was simply standing there with his arms down and stumbling somewhat as the officer repeatedly shot him. Due to the lack of any aggression by the man being shot, I believe the shooting was completely unjustified and unnecessary.

7. As the officer was shooting the man, he began giving the man commands to "drop the knife" or words to that effect. I did not hear any commands given or shouted prior to the first shots I heard, but only with regard to the series of shots I witnessed. The man

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seemed confused and disoriented as he was being shot, and there was virtually no time for him to react to any commands the officer was giving him before he would be shot again.

8. I saw two other officers (a male and a female) aiming their guns in the direction of the man as well, but these officers did not fire their guns.

9. The officer who was firing his gun was firing the general direction of Associated Glass where my co-workers and I were. I felt it was very reckless for the officer to be firing in our direction. A stray bullet could have easily hit one of us. I saw the impact from a bullet on concrete and realized that I was in danger of being hit.

10. I observed the man who was being shot fall to the ground. Fearing that I could be hit by a stray bullet, I then ran into the Associated Glass building. I heard at least two additional shots fired after I saw the man fall to the ground. I did not see these last shots, but I heard them fired after the man had fallen.

11. There is no question in my mind that the shots I witnessed were unjustified, excessive, reckless, and unnecessary.

I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

DATED this 17th day of February, 2018 at Snohomish, Washington.

Curtis Olson

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The Estate of Jeremy R. Dowell, et al. v. Zachary Dwight Yates

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Exhibit H to Complaint

DECLARATION OF JAMES MUNN

JAMES MUNN declares as follows:

1. I am over the age of 18, I have personal knowledge of the facts stated in this declaration, and I am otherwise competent to testify thereto.

2. I witnessed certain events that occurred on the morning of January 30, 2017 on Highway 99 in Lynnwood in which a young man was shot to death by a Lynnwood Police Officer.

3. I am the owner of a business called Associated Glass, located at 18930 Highway 99 in Lynnwood. On the morning of January 30th, I was standing outside Associated Glass on the south side of the business examining a customer's car.

4. While outside Associated Glass, I unexpectedly heard two loud "pops" which I realized to be gunshots. I recognized the sound of a bullet whizzing past near to where I was standing. ~~I did not hear any police officer say or announce anything at or around the time that these two initial shots were fired.~~ I heard commands to get on the ground or drop the knife or words to that effect.

5. Fearing for my safety, I ran inside the building. The building abuts Highway 99. There are large glass windows facing Highway 99 so that a person standing in the showroom area of my business can clearly see outside and observe what is happening on Highway 99 outside the store. I was standing inside the building where I could look out the

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store windows, and from my vantage point I could see what was unfolding right in front of my store.

6. I observed a young man and several police vehicles. The young man had been shot. He was bent over and stumbling from the effects of having been shot. A police officer was aiming a gun at the man. Traffic was stopped.

7. As I watched, I observed that the young man was not being aggressive toward the police officer or anyone else. He was not charging or moving towards the police officer or anyone else. Although I later learned that he had a knife, I did not see the man raise the knife or act with the purpose of hurting the shooting officer or anyone else with it. The man seemed to be disoriented and hurt by the effects of the shots and was stumbling or staggering without purpose. I did not see any threatening behavior by the man.

8. After the initial shots were fired, the officer aiming his gun at the man began saying, "drop the knife." At about this time, I then observed the officer who was aiming his gun at the man shoot the man multiple additional times. In my opinion, these shots were not justified. I felt that these shots were not taken by the officer in self-defense. I believe that these shots were excessive and unnecessary. I estimate that the shooting officer was about 15 feet away from the injured man as he was taking these shots. Because traffic was stopped on Highway 99, the officer could have easily walked backwards and put more distance between himself and the young man had he desired to do so.

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9. The officer was shooting in the general direction of my business. I felt that it was very reckless of him to be taking these shots, as bullets coming in the direction of my business put me, my employees, and my customers at risk of being hit.

10. I have great respect for the police and believe they have very difficult jobs. I have friends who are in law enforcement and have no ill feelings towards the police or law enforcement. But there is no question in my mind that the shots I witnessed were unjustified, excessive, reckless, and unnecessary.

I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

DATED this 13th day of February, 2018 at Lynnwood, Washington.

James Munn

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The Estate of Jeremy R. Dowell, et al. v. Zachary Dwight Yates

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Exhibit I to Complaint

DECLARATION OF ROBERT COX

ROBERT COX hereby declares as follows:

1. My name is Robert Cox. I am over the age of 18, have personal knowledge of the matters stated in this declaration, and am otherwise competent to testify thereto.

2. On January 30, 2017, I witnessed a Lynnwood police officer shoot and kill a man on Highway 99 in Lynnwood, Washington without justification or reason. The shooting I witnessed can only be described by me as a murder. I was deeply troubled by what I saw, and I am providing this declaration to detail what I witnessed.

3. On the morning of January 30, 2017 I was having my car examined at a business located on Highway 99 in Lynnwood, Washington. The business is called Associated Glass, and is located on the west side of Highway 99 across from the Costco.

4. I was standing outside Associated Glass in an adjacent alleyway that runs east-west and intersects with Highway 99. As I was standing there, two police cars pulled up in approximately the middle of Highway 99 and stopped. They stopped in a position that caused traffic on Highway 99 to come to a halt. At almost the same time, I noticed a man running north along the sidewalk.

5. I saw an officer jump out of his police car. He did so in a very aggressive manner.

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6. Suddenly, and without any warning, the officer who jumped out of the car took aim at the man with his handgun and began firing at him. The officer did not tell the man to stop or give him any other commands before he began to shoot. He did not give the man a chance to do anything before shooting him. I was stunned and taken aback by what I saw. The man did absolutely nothing to justify getting shot. He did not move towards the police officer, make a threatening motion, or advance towards the police officer or anyone else. The officer opened fire on him suddenly and without warning.

7. I feared for my own safety. The officer was shooting in the general direction of where I was standing. I could easily have been hit by a stray bullet, and anyone else who was in the vicinity could also have been hit.

8. Having been shot, the man stumbled onto the highway. The officer who shot him then said, "drop the knife" and began firing more rounds at the man. Very little time passed between each statement to "drop the knife" and the additional shots. As with the first shots, these additional shots were fired at the man without any reason whatsoever. The man had been hit and was clearly injured, and he was not threatening, advancing at, or otherwise posing a threat to the shooting officer or to any other person. The man made no purposeful movement towwars the shooting officer or any other officer or person; he was simply stumbling around, as one would imagine a person might do after being shot. And since traffic was stopped, there is no reason that the shooting officer or any officers could not have safely put distance between themselves and the man if that was their goal.

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9. I ran into the building and watched what happened next out of the building's windows. I had a clear view of what transpired. The man had now been hit multiple times. He was on the pavement in the highway and was no longer standing. As the man was on the ground, defenseless and injured from multiple gunshots, the officer was yelling at the man while pointing his gun at him. The man looked as if he might be trying to push himself up, but the man was not doing anything threatening or aggressive. He was not coming at the officer or anyone else. He was clearly incapacitated and badly hurt. While the man was on the ground, and posing no threat whatsoever, the shooting officer continued to fire at him. At some point, the man was lying completely on the ground and not trying to get up, but the officer continued to shoot at him anyway. Eventually, the man appeared to be dead. The officers approached him and removed a small knife that appeared to be attached to the man's wrist by a cord or string.

10. I saw this man shot numerous times, and every shot was unjustified. There was no point in time when the man was purposely advancing towards the shooting officer, attempting to harm him or anyone else in any way, or doing anything that could be perceived as threatening or aggressive.

I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

DATED this 1 day of February, 2018 at Soldotna, Washington.

Robert Cox

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The Estate of Jeremy R. Dowell, et al. v. Zachary Dwight Yates

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Exhibit J to Complaint

DECLARATION OF JOHN AQUILAR

JOHN AQUILAR declares as follows:

1. I am over the age of 18, I have personal knowledge of the facts stated in this declaration, and I am otherwise competent to testify thereto.

2. On the morning of January 30, 2017, I was driving a vehicle northbound on Highway 99 near the Costco in Lynnwood, Washington. While in my vehicle, I witnessed a police officer shoot a man multiple times under circumstances that I believe to have been totally unjustified, unnecessary and wrong.

3. As I was driving my vehicle, I saw a man go across Highway 99 on foot. Shortly thereafter, I observed police vehicles in the vicinity of the man and officers on foot.

4. As I watched, I observed one of the officers shoot the man. When I first saw the man shot, he was not threatening anyone or moving towards any officer in an aggressive or threatening way. I found it very disturbing that this man would be shot when he was standing there, not being aggressive or threatening anyone.

5. What I saw next was even more disturbing. The man was injured and helpless. The officer was saying something to the man but, without giving the man any chance to respond, the officer kept shooting him. He was not moving towards anyone, threatening anyone, or doing anything aggressive when the officer was shooting him. He was helpless and

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hurt. I could not believe what I was seeing. There was no justification whatsoever for the officer to be shooting this incapacitated and injured man.

6. Although I believe the man had something in his hand at some point, possibly a knife, he most definitely was not threatening anyone with whatever he had. He did not raise the object, point it at anyone, make any motions with it, threaten anyone with it, or move in anyone's direction in a way that even suggested that he intended to harm anyone.

I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

DATED this 03 day of _____, 2018 at Everett, Washington.

03-03-18

John Aguilar

John Aguilar

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The Estate of Jeremy R. Dowell, et al. v. Zachary Dwight Yates

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Exhibit K to Complaint

DECLARATION OF ANTHONY MICALLEF

ANTHONY MICALLEF hereby declares as follows:

1. My name is Anthony Micallef. I am over the age of 18, have personal knowledge of the matters stated in this declaration, and am otherwise competent to testify thereto.

2. I witnessed certain events on the morning of January 30, 2017 and am providing this declaration to describe what I witnessed. By way of background, I am a veteran of the United States Army. I served as a tank system mechanic in the Army for approximately six years. I now work as a vehicle mechanic at A&T Auto Care Center, which is located on Highway 99 in Lynnwood, Washington. I was working at A&T Auto Care Center as of January 30, 2017.

3. In connection with my normal duties at A&T Auto Care Center, I was taking a car for a test drive on the morning of January 30, 2017. I was following one of the routes I often take for test drives. I took the car from our place of business and proceeded north on 60th Avenue West. When I got to 190th St. SW, I turned right. This put me eastbound on 190th St. SW. 190th Street SW is a relatively narrow stretch of road that becomes a sort of alleyway, eventually intersecting with Highway 99. Where 190th St. SW intersects with Highway 99, there is a business called Associated Glass. Directly across Highway 99 from this intersection is the north side of the Costco, located on the east side of Highway 99.

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4. As I was proceeding down the last little bit of alleyway, I was approaching Highway 99 intending to turn right. However, before I got to the intersection of the alleyway and Highway 99, I witnessed a scene I will never forget. Specifically, I saw a police officer shoot at a man who was on Highway 99. I saw the man as he fell and then saw the officer shoot the man additional times while the man was on the ground.

5. I was stunned, shocked and upset by what I saw. The man who was shot was not doing anything that might be characterized as aggressive or threatening. He was not moving towards the officer, advancing on anyone, or doing anything that could be interpreted as hostile or menacing toward anyone at all. The shots I saw were totally unjustified.

6. It was also extremely reckless for this officer to be shooting in the manner that he was. From my experience in the military, I am familiar with the sound of passing or ricocheting bullets. From my position, in the alley, I could hear the sound of bullets passing by the car I was in. This is an area in which there are many businesses and people, and a bullet could have easily hit me or another bystander.

7. I remained on the scene immediately following the shooting. I was not the only person who was upset by the officer's actions. Other people at the scene were also upset and began telling the police officers that the shooting was unjustified and that the shooting officer had no legitimate reason to shoot the man. People were saying things to the officers like "Why did you shoot him?!" Immediately after the shooting ended, as I and others were telling the officers how we were upset to have seen a man shot for no reason, an officer

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approached us in a very menacing and threatening manner. He was red in the face, extremely angry and emotionally out of control. He began yelling at us. He yelled words to the effect of, "You don't know what we go through!" and "You don't know what we do for a living!" I felt that he was trying to intimidate us and influence us not to tell what we had seen. I am not someone who is easily intimidated, but this officer was behaving in a way that was so out of control that I did feel intimidated.

I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

DATED this 1 day of February, 2018 at Lynnwood, Washington.

Anthony Micallef

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The Estate of Jeremy R. Dowell, et al. v. Zachary Dwight Yates

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Exhibit L to Complaint

DECLARATION OF JOEY JACOB

JOEY JACOB declares as follows:

1. I am over the age of 18, I have personal knowledge of the facts stated in this declaration, and I am otherwise competent to testify thereto.

2. I am the manager of an auto service and repair shop called Bucky's, located at 19210 Hwy 99 in Lynnwood, Washington. On the morning of January 30, 2017, a young man came into Bucky's and politely asked if he could use the bathroom. I said yes, and he thanked me. On the way out, the young man gave me a fist bump. Our interaction in the store was completely normal and pleasant.

3. As the young man left Bucky's, I saw him jog east across the Highway 99 to the Furniture World parking lot. I also noticed a police car that appeared to be following him. I watched the young man go back and forth across the highway a few times. He was generally heading in a northbound direction towards Costco. I was curious about what was going on, and I started walking north on the west side of the street to see what was happening. I noticed patrol cars with lights flashing on both sides of the highway near the Costco. Traffic was at a standstill in both directions.

4. I was standing near the U-Haul, which is located north of Bucky's on the west side of Highway 99, when I saw an officer exit his patrol car and head toward the young man. Other officers got out of their cars as well. Almost immediately after that, I heard about 8-10

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gunshots. Although I did not have a clear view of the shooting, I did not see the young man charging toward any of the officers or do anything that appeared threatening from my vantage point.

5. Following the incident, I was asked to make a handwritten statement by a female officer. When I asked her why the young man was shot, she expressed surprise by the actions of the shooting officer. I recall her saying, "We thought the officer was going to tase him. We were just as shocked as everyone else when he began shooting," or words to that effect. The female officer who took my statement and who made these comments signed the bottom of my statement as "L Pool."

6. I would be more than willing to testify about what I saw and heard, if asked to do so.

I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

DATED this 8 day of February, 2018 at Edmonds WA, Washington.

Joey Jacob

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