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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

EMANUEL FAIR,

Plaintiff,

v.

KING COUNTY, a political subdivision of the
State of Washington; *et al.*,

Defendants.

NO. 2:21-cv-01706-JHC

**(REVISED) STIPULATION AND
AGREED ORDER DIRECTING
DEFENDANT KING COUNTY TO
RELEASE CERTAIN
NONCONVICTION DATA**

**NOTE ON MOTION CALENDAR:
JULY 25, 2024**

COME NOW Plaintiff and Defendant King County, by and through their respective counsel,
who jointly stipulate and agree as follows:

1. Plaintiff has served discovery requests (Interrogatory No. 25 and Request for
Production No. 38) on Defendant King County seeking nonconviction data of certain identified
individuals which is maintained by the King County Department of Adult and Juvenile Detention
("DAJD"). The requested information includes:

- a. The individuals' race, as reflected in the DAJD's classification system; and
- b. The length of incarceration in the DAJD facility(ies) on the cause number identified
for each individual.

2. Defendant King County objects to the discovery requests to the extent RCW
10.97.050(4) and RCW 70.48.100(2) prohibits the distribution of nonconviction data and records
of a person held in confinement by a Washington criminal justice agency, such as the DAJD,
without a court order authorizing and directing the information be made available for a particular

1 purpose.

2 3. Defendant King County furthermore requests that any information provided in
3 response to the subject discovery requests be protected by the Second Amended Stipulated
4 Protective Order (Dkt. # 113).

5 4. Based upon the stipulation set forth above, the Parties stipulate to the filing of the
6 proposed Agreed Order below.

7 IT IS SO STIPULATED this 25th day of July, 2024:

8 GALANDA BROADMAN, PLLC

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16 King County Prosecuting Attorney

17 /s/ Carla B. Carlstrom

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Attorneys for Defendant King County

1 **AGREED ORDER**

2 Pursuant to the Stipulation above and RCW 10.97.050(4) and 70.48.100(2), the Court
3 hereby authorizes and directs Defendant King County’s DAJD to make the race and length of
4 incarceration data for the individuals identified in Plaintiff’s Interrogatory No. 25 and Request for
5 Production No. 38 available to Plaintiff for use in this litigation. The Court furthermore orders that
6 any information made available to Plaintiff pursuant to this Agreed Order shall constitute
7 “Confidential Information” and be subject to the Second Amended Protective Order herein.

8 DATED this 25th day of July, 2024.

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11 John H. Chun
12 United States District Judge
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