

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

INQUEST INTO THE DEATH OF
EUGENE DEWAN NELSON
INQUEST # 417IQ2075

ORDER FROM PRE-HEARING CONFERENCE
MAY 4, 2023

Family of the decedent:	The Family of Eugene Dewan Nelson represented by Teri Rogers Kemp (family not present at this hearing)
Law enforcement officers and Employing government department:	Kent Police Department and Officer Jacob Reed represented by Jeremy Culumber (officer not present at this hearing)
Inquest Administrator:	Robert McBeth
Inquest Program Attorney:	Claire Thornton and Cady Nicol
Inquest Program Coordinators:	Flo Armah (primary); Kaela Riley (secondary)

Having held a Pre-Hearing Conference on the date noted above, Inquest Administrator (IA) McBeth hereby orders the following:

- 1. Motion to Strike Jury Pool:** The Family's motion to strike the jury pool because it was pulled from available jurors north of I-90, rather than the entire county, is denied. In order to minimize hardship on potential jurors, King County Superior Court defaults to providing a jury panel drawn from either north or south of I-90, depending on the location of the courthouse where jurors will need to report for service. Here, the jury pool that was provided is racially diverse and, although potential jurors were not asked to report their economic circumstances, the potential jurors reported a range of different backgrounds, education levels, and occupations.
- 2. Jury Selection:** After hearing argument from the parties, the Inquest Administrator set aside his proposed for-cause strikes and instead ruled upon the parties' objections for cause. The Administrator accepted all jurors that counsel for both the Family and Department/Involved Officer agreed upon, other than the Family's standing objection regarding the makeup the jury pool as described in section 1 above, and endeavored to liberally grant particularized for cause challenges. Panelists # 3, 5, 6, 19, 24, and 27 have been selected to serve on the jury in this inquest. Should any one of those jurors fail to confirm their attendance, the IA will replace them with the first available of Panelists # 30 and 44.
- 3. Masking Requirements during Inquest Hearing:** During the Inquest Hearing, there will be individuals in the courtroom who are vulnerable to the consequences of airborne infection, including COVID-19. These individuals include both potential jurors and



Inquest Program staff who are considered high risk, as defined by the Center for Disease Control, due to certain medical conditions and/or age. Therefore, all people in the hearing room shall be required to wear a mask or facial covering over their nose and mouth during the Inquest Hearing while the jury is present. Exceptions to this masking requirement will be: witnesses while testifying, counsel while questioning a witness or addressing the Inquest Administrator, and the Inquest Administrator when speaking to jurors or counsel.

4. Motions in limine:

- Whether Eugene Nelson had any prior convictions will NOT be admissible.
- Whether Eugene Nelson had active warrants, including a \$25,000 warrant for the felony of vehicle theft will be admissible. No additional details will be permitted.
- Whether officers were told that Eugene Nelson was subject to an active no contact order will be admissible.
- Whether Eugene Nelson was drinking will NOT be admissible.
- Whether Eugene Nelson may have previously violated a no contact order will NOT be admissible.
- Whether officers were told that Eugene Nelson had previously run from police or was likely to run from police will be admissible.
- Whether Eugene Nelson was driving a stolen vehicle and whether officers were told that Eugene Nelson could be driving a stolen vehicle will NOT be admissible.
- Any information about Eugene Nelson's brothers responding to the scene will NOT be admissible.

Date: May 5, 2023.



Inquest Administrator Robert McBeth

