

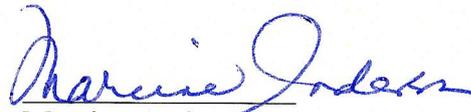
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**KING COUNTY  
DEPARTMENT OF EXECUTIVE SERVICES  
INQUEST PROGRAM**

**INQUEST INTO THE DEATH OF MIGUEL BARRAZA-LUGO  
INQUEST # 19IQ00131**

**INTERROGATORIES TO THE INQUEST JURY**

DATED 14<sup>th</sup> day of November 2023.



Marcine Anderson  
Inquest Administrator



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**QUESTIONS REGARDING THE FACTS AND CIRCUMSTANCES SURROUNDING  
THE DEATH OF MR. BARRAZA-LUGO**

*Questions about the Auburn Police Pursuit*

**Interrogatory No. 1:** At about 11:51 PM on January 6, 2019, did Officer Michael Garcia observe a white 2005 Chevrolet Silverado truck improperly passing another vehicle?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 2:** Did Officer Garcia activate his emergency lights and attempt to initiate a traffic stop of the white Chevrolet Silverado?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 3:** Did the driver of the white Chevrolet Silverado stop in response to Officer Garcia's attempts to pull him or her over?

YES Q NO 6 UNKNOWN Q

**Interrogatory No. 4:** Was Miguel Barraza-Lugo driving the white Chevrolet Silverado at all times relevant to this inquest?

YES Q NO Q UNKNOWN 6

**Interrogatory No. 5:** Did Officer Garcia continue to follow the white Chevrolet Silverado with lights and sirens activated while the white Chevrolet Silverado continued to drive on without stopping?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 6:** Did Officer Garcia attempt a Pursuit Immobilization Technique, otherwise known as a PIT maneuver, by using his vehicle to make contact with the white Silverado?

YES 6 NO Q UNKNOWN Q



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**Interrogatory No. 7:** Did the white Chevrolet Silverado get turned around and drive off, traveling the wrong way down the road at a high rate of speed?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 8:** Did Officer Garcia terminate his pursuit of the white Chevrolet Silverado?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 9:** Did another Auburn officer deploy spike strips that contacted a tire or tires on the white Chevrolet Silverado?

YES 6 NO Q UNKNOWN Q

*Questions about the Kent Police Pursuit*

**Interrogatory No. 10:** Were Kent police officers made aware that the white Chevrolet Silverado was heading toward Kent?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 11:** At about 11:58 PM, did Kent police officers, including Officer Matthew Kilner and Officer Lisa Hartley, initiate a pursuit after seeing the white Chevrolet Silverado pass their police vehicles?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 12:** Did Officer Kilner observe smoke coming from the front passenger tire of the white Chevrolet Silverado?

YES 6 NO Q UNKNOWN Q



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**Interrogatory No. 13:** Did Officer Kilner activate his emergency lights and sirens in an attempt to stop the vehicle?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 14:** Did Mr. Barraza-Lugo stop in response to the Kent officers' attempts to pull him over?

YES Q NO 6 UNKNOWN Q

**Interrogatory No. 15:** Did Officer Kilner attempt a Pursuit Immobilization Technique, otherwise known as a PIT Maneuver?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 16:** Was the white Chevrolet Silverado traveling at about 30-35 MPH at the time Officer Kilner attempted a PIT maneuver?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 17:** Were there other vehicles or pedestrians placed in danger by the PIT maneuver performed by Officer Kilner?

YES Q NO 6 UNKNOWN Q

**Interrogatory No. 18:** Was the PIT maneuver performed by Officer Kilner successful?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 19:** Did Officer Hartley radio that there had been a successful PIT maneuver?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 20:** Did Officer Hartley attempt to pin the truck by moving the front bumper of her vehicle against the front bumper of the white Chevrolet Silverado?

YES 6 NO Q UNKNOWN Q



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*Questions about the Shooting*

**Interrogatory No. 21:** Did Officer Kilner get out of his police vehicle shortly after the white Chevrolet Silverado came to a stop??

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 22:** After the PIT maneuver, did Mr. Barraza-Lugo attempt to accelerate his truck towards Officer Hartley's vehicle?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 23:** Did the white Chevrolet Silverado make contact with Officer Hartley's vehicle?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 24:** Did Officer Kilner leave his position behind his own police vehicle and move toward the passenger side of the white Chevy Silverado?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 25:** Did Officer Kilner loudly order Mr. Barraza-Lugo to stop the truck?

YES 3 NO Q UNKNOWN 3

**Interrogatory No. 26:** As Officer Kilner approached the passenger side of the white Chevrolet Silverado, did Mr. Barraza-Lugo turn his head to look at Officer Kilner?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 27:** As Officer Kilner stood off the passenger side of the white Chevrolet Silverado, did Mr. Barraza-Lugo point a revolver at Officer Kilner?

YES 6 NO Q UNKNOWN Q



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**Interrogatory No. 28:** Did Mr. Barraza-Lugo fire his revolver in Officer Kilner's direction?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 29:** Was Officer Kilner or any other person struck by any bullet(s) fired by Mr. Barraza-Lugo?

YES Q NO 6 UNKNOWN Q

**Interrogatory No. 30:** Did Officer Kilner verbally warn Mr. Barraza-Lugo that deadly force would be used?

YES Q NO 6 UNKNOWN Q

**Interrogatory No. 31:** Was it feasible for Officer Kilner to give a verbal warning that deadly force would be used?

YES Q NO 6 UNKNOWN Q

**Interrogatory No. 32:** Did Officer Kilner fire his gun at Mr. Barraza-Lugo?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 33:** Did Officer Gunderson radio that shots had been fired?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 34:** Did more than fifteen seconds elapse between officers' reports of a successful PIT maneuver and shots fired?

YES Q NO 6 UNKNOWN Q



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**Interrogatory No. 35:** Was Mr. Barraza-Lugo struck by any bullet(s) fired by Officer Kilner?

YES 6 NO 0 UNKNOWN 0

**Interrogatory No. 36:** Did one of the gunshot wounds cause Mr. Barraza-Lugo to instantly lose the ability to move his limbs?

YES 6 NO 0 UNKNOWN 0

**Interrogatory No. 37:** Did any officer other than Officer Kilner discharge a firearm during this incident?

YES 0 NO 6 UNKNOWN 0

*Questions about Medical Aid*

**Interrogatory No. 38:** Did officers request medical aid?

YES 6 NO 0 UNKNOWN 0

**Interrogatory No. 39:** Did officers quickly gain access to the white Chevrolet Silverado and begin rendering aid to Mr. Barraza-Lugo?

YES 6 NO 0 UNKNOWN 0

**Interrogatory No. 40:** Did the officers observe that Mr. Barraza-Lugo was unresponsive and had sustained multiple gunshot wounds?

YES 6 NO 0 UNKNOWN 0

**Interrogatory No. 41:** Did medics arrive on scene shortly after midnight to take over medical aid?

YES 2 NO 0 UNKNOWN 4



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**Interrogatory No. 42:** Did Mr. Barraza-Lugo die in Kent, WA between midnight and 1:00 AM on January 7, 2019?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 43:** Did Mr. Barraza-Lugo die as a result of one or more shots fired by Officer Kilner?

YES 6 NO Q UNKNOWN Q

**QUESTIONS REGARDING WHETHER OFFICER KILNER COMPLIED WITH KENT POLICE DEPARTMENT POLICIES AND TRAININGS**

*Motor Vehicle Pursuits*

**Interrogatory No. 44:** Did Kent Police Department Policy Manual Section 15.50 regarding motor vehicle pursuits apply to Officer Kilner's actions during this incident?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 45:** Did Officer Kilner's actions during this incident comply with Kent Police Department Policy 15.50 regarding motor vehicle pursuits?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 46:** Did Officer Kilner comply with the training he received regarding Kent Police Department Policy 15.50 regarding motor vehicle pursuits?

YES 6 NO Q UNKNOWN Q

*Forcible Stopping*

**Interrogatory No. 47:** Did Kent Police Department Policy Manual Section 15.130 regarding forcible stopping apply to Officer Kilner's actions during this incident?

YES 6 NO Q UNKNOWN Q



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**Interrogatory No. 48:** Did Officer Kilner's actions during this incident comply with Kent Police Department Policy 15.130 regarding forcible stopping?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 49:** Did Officer Kilner comply with the training he received about implementing Kent Police Department Policy 15.130 regarding forcible stopping?

YES 6 NO Q UNKNOWN Q

*Limitations on Deadly Force*

**Interrogatory No. 50:** Did Kent Police Department Policy Manual Section 3.80 regarding limitations on the use of deadly force apply to Officer Kilner's actions during this incident?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 51:** Did Officer Kilner's actions during this incident comply with Kent Police Department Policy 3.80's limitations on when the use of deadly force is authorized?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 52:** Did Officer Kilner comply with the training he received about implementing Kent Police Department Policy 3.80 regarding use of deadly force ?

YES 6 NO Q UNKNOWN Q

*Requesting Medical Aid*

**Interrogatory No. 53:** Did Kent Police Department Policy Manual Section 3.40 regarding requesting medical aid apply to Officer Kilner's actions during this incident?

YES 6 NO Q UNKNOWN Q



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**Interrogatory No. 54:** Did Officer Kilner comply with Kent Police Department Policy 3.40 regarding requesting medical aid?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 55:** Did Officer Kilner's actions in this incident comply with the training he received about implementing Kent Police Department Policy 3.40 regarding requesting medical aid?

YES 6 NO Q UNKNOWN Q

**QUESTIONS DETERMINING WHETHER MR. BARRAZA-LUGO'S DEATH WAS OCCASIONED BY CRIMINAL MEANS**

**Interrogatory No. 56:** Did Officer Kilner meet the "good faith standard," as defined in Instruction No. 9?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 57:** Was Officer Kilner's use of deadly force legally justifiable, as defined in Instruction No. 10?

YES 6 NO Q UNKNOWN Q

**Interrogatory No. 58:** Did Officer Kilner cause Mr. Barraza-Lugo's death by criminal means, as defined in Instruction Nos. 8 to 10?

YES 0 NO 6 UNKNOWN Q



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DATED this 14<sup>th</sup> day of November 2023.



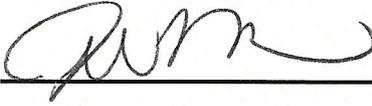
Panel Foreperson



Panel Member



Panel Member



Panel Member



Panel Member



Panel Member



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Juror No. 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>1</u> :	the year of the vehicle was not of record in testimony or evidence that I recall or noted. So- in answering "yes" I am making an inference and accepting that this was a fact established at some point during the investigation
Interrogatory No. <u>4</u> :	there was time when the suspect and vehicle were not visible to law enforcement
Interrogatory No. <u>7</u> :	"High rate of speed" is subjective and unclear. Based on testimony, I inferred that the driver accelerated away from Ofc. Garcia's vehicle and felt okay answering yes.
Interrogatory No. <u>9</u> :	Based on testimony of CAD reports / chatter, I believe this happened, but it felt unconfirmed / circumstantial to me since the officer who deployed the spike strip did not testify and I did not see any flat tires in photographic evidence
Interrogatory No. <u>28</u> :	I believe that Ofc. Kilner believed he was fired upon and I believe the other officers believed that Mr. Barraza-Lugo fired his <del>rev</del> revolver. It is unclear to me why the swabs of Mr. B-Lugo's hands were not admitted as evidence.

Juror No. 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> :	<u>timelines are uncertain here</u>
Interrogatory No. <u>42</u> :	<u>I based this answer on Dr. Yarid's testimony that Mr. B-Lugo died instantly based on the location of one of his wounds. Other <del>estate</del> attempts to clarify or establish timelines were unclear to me.</u>
Interrogatory No. <u>  </u> :	
Interrogatory No. <u>  </u> :	
Interrogatory No. <u>  </u> :	

Juror No. 3

### 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>4</u> :	<del>What suspect was not confirmed in Auburn arrest it is reasonably probable that he was given that he was driving up Canyon Rd. The alternative of switching desks in the fire house the pursuit was picked back up &amp; not feasible.</del> Unable to confirm identity of suspect in the Auburn case. It was implied but I am not confident in the answer.
Interrogatory No. <u>9</u> :	Relying on the various testimonies that referenced the CAD data
Interrogatory No. <u>25</u> :	Kilmer was sole witness able to state he yelled. No other officers confirmed. Rosser actually stated he did not hear any commands
Interrogatory No. <u>41</u> :	No testimony could clearly identify when medics showed up and the term "shortly" is subjective
Interrogatory No. <u>56</u> :	Answering "Yes" as more probable than not, however there is still some doubt if a "good faith" reasonable would have acted the same way

Juror No. 4

### 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>4</u> :	<u>Vehicle was NOT in sight at all times</u> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
Interrogatory No. <u>25</u> :	<u>Statement under oath by Officer Kerner</u> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
Interrogatory No. <u>7</u> :	<u>High rate of speed subjective. Heard on radio vehicle 40 mph.</u> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
Interrogatory No. <u>  </u> :	<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
Interrogatory No. <u>  </u> :	<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

**JUROR EXPLANATION FORM**

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Interrogatory No. <u>4</u> :	No one said they confirmed Miguel Barrera-Lugo was the driver. Did not hear if he was registered owner of truck - confirmed with wallet ID at end of pursuit
Interrogatory No. <u>7</u> :	High rate of speed is subjective. went with testimony of Off. Barrera that he heard engine pickup sound
Interrogatory No. <u>15</u> :	No one else could confirm this, Kellner said he did. Was able to understand why others did not hear him.
Interrogatory No. <u>14</u> :	Did not hear anyone state the time medicals arrived. Off Gynforth did not want to respond as it would be a guess to the answer.
Interrogatory No. <u>  </u> :	

Juror No. 6

### 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>4</u> :	Miguel Barraza-Lugo was never positively identified as the driver of the truck until the end of the pursuit. Police lost contact with the vehicle for a couple minutes. I can not positively determine with proof given that he was the driver at all times.
Interrogatory No. <u>5</u> :	I cannot make an affirmative statement, Kilners statement was that he did order Lugo to stop, however no other testimonies confirm that they heard any voice commands.
Interrogatory No. <u>11</u> :	Shortly is a very subjective term, nor was a confirmed time stamp or report made to specifically indicate what time the medics arrived on scene so I am unable to answer yes or no.
Interrogatory No. <u>10</u> :	Mr. Barraza-Lugo died on scene in Kent due to a gunshot that was instantly fatal.
Interrogatory No. <u>  </u> :	