

MASTER



King County

Department of Executive Services

Inquest Program

401 Fifth Avenue, Suite 135
Seattle, WA 98104

206-477-6191

TTY Relay 711

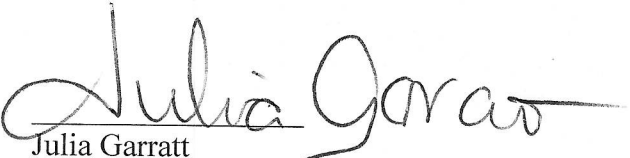
Webpage: kingcounty.gov/inquests

Email: Inquests@kingcounty.gov

INQUEST INTO THE DEATH OF JOSEPH W. PEPPAN, #18IQ37295

INTERROGATORIES TO THE JURY PANEL

DATED this 25th day of October, 2023.


Julia Garratt
Inquest Administrator

**INTERROGATORIES ABOUT THE CIRCUMSTANCES AND CAUSES OF THE DEATH OF
JOSEPH PEPPAN**

Interrogatory No. 1: Did King County Sheriff Deputies have a search warrant for the residence located at 19028 16th Avenue NE, Shoreline, Washington, including a felony arrest warrant for Mr. Joseph Peppan?

YES X6 NO _____ UNKNOWN _____

Interrogatory No. 2: Prior to the service of a search warrant, did King County Sheriff Deputies have information that Mr. Peppan was known to possess a “large” handgun on his person, as well as having access to other firearms inside the residence?

YES X6 NO _____ UNKNOWN _____

Interrogatory No. 3: During the preparations to serve the warrant did King County Sheriff Deputies stop a vehicle near I-5 that had left the residence to determine if it was Mr. Peppan?

YES X6 NO _____ UNKNOWN _____

Interrogatory No. 4: Did deputies determine that Mr. Peppan was not in the vehicle?

YES X6 NO _____ UNKNOWN _____

Interrogatory No. 5: Prior to the service of a search warrant, did members of the TAC 30 team position themselves around the residence as part of a plan to serve the search warrant?

YES X6 NO _____ UNKNOWN _____

Interrogatory No. 6: Did Deputy Steven Shalloway position himself at a window outside of Mr. Peppan’s bedroom as part of the “Port and Cover” team?

YES X6 NO _____ UNKNOWN _____

Interrogatory No. 7: At approximately 4:30 am, did TAC 30 team members knock on the front door and verbally announce, “police with a search warrant, come to the door”?

YES X6 NO _____ UNKNOWN _____

Interrogatory No. 8: Did any of the residents at the home answer or open the door after the knock and announce by TAC 30?

YES _____ NO X6 UNKNOWN _____

Interrogatory No. 9: Did Robert Hinds testify that he did not hear anyone knocking at the door?

YES X6 NO ___ UNKNOWN ___

Interrogatory No. 10: Following the knock and announce, did TAC 30 members enter the residence through an unlocked front door after being given a "breach" order by the on-scene supervisor?

YES X6 NO ___ UNKNOWN ___

Interrogatory No. 11: As TAC 30 members "cleared" the residence, did they continue to announce, "police search warrant" or words to that effect?

YES X6 NO ___ UNKNOWN ___

Interrogatory No. 12: At the command of "breach," did a TAC 30 team member break the window into Mr. Peppan's room?

YES X6 NO ___ UNKNOWN ___

Interrogatory No. 13: Upon the breaking of the window, did Deputy Shalloway announce "police with a search warrant" or words to the effect?

YES X6 NO ___ UNKNOWN ___

Interrogatory No. 14: Did Deputy Shalloway observe Mr. Peppan on his bed?

YES X6 NO ___ UNKNOWN ___

Interrogatory No. 15: Did Deputy Shalloway issue commands to Mr. Peppan, "police show me your hands" or words to that effect?

YES X6 NO ___ UNKNOWN ___

Interrogatory No. 16: Did Mr. Peppan have enough time to obey Deputy Shalloway's command to show his hands?

YES X6 NO ___ UNKNOWN ___

Interrogatory No. 17: Did Mr. Peppan fail to follow Deputy Shalloway's command and begin to reach for something?

YES X6 NO ___ UNKNOWN ___

Interrogatory No. 18: Did Deputy Shalloway observe Mr. Peppan sit up in his bed with a firearm in his hand, pointing it up toward the ceiling?

YES X6 NO ___ UNKNOWN ___

Interrogatory No. 19: Did deputies describe this as being held in the “ready position”?

YES X6 NO ___ UNKNOWN ___

Interrogatory No. 20: When Deputy Alvarez first approached Mr. Peppan’s bedroom, was the sliding door partially open?

YES X6 NO ___ UNKNOWN ___

Interrogatory No. 21: Did Deputy Baker slide the door to Mr. Peppan’s bedroom open?

YES X6 NO ___ UNKNOWN ___

Interrogatory No. 22: As Deputy Alvarez stood at the doorway to Mr. Peppan’s bedroom, did he observe Mr. Peppan holding a firearm?

YES X6 NO ___ UNKNOWN ___

Interrogatory No. 23: As Deputy Herrera stood at the doorway to Mr. Peppan’s bedroom, did he observe Mr. Peppan holding a firearm?

YES 5 NO ___ UNKNOWN 1

Interrogatory No. 24: Did Mr. Peppan begin to point a handgun at or towards any of the TAC 30 members?

YES 5 NO ___ UNKNOWN 1

Interrogatory No. 25: Did any TAC 30 members give Mr. Peppan any commands including “show your hands” or “drop the gun?”

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 26: Did Mr. Peppan obey any commands from deputies?

YES ___ NO 6 UNKNOWN ___

Interrogatory No. 27: Did any TAC 30 members warn Mr. Peppan that he would be shot if he did not comply with commands?

YES ___ NO 6 UNKNOWN ___

Interrogatory No. 28: Was it possible for the deputies to warn Mr. Peppan that deadly force may be used?

Deputy George Alvarez	YES	___	NO	<u>6</u>	UNKNOWN	___
Deputy Jesse Herrera	YES	___	NO	<u>6</u>	UNKNOWN	___
Deputy Steven Shalloway	YES	<u>6</u>	NO	___	UNKNOWN	___

Interrogatory No. 29: Did any of the following deputies fire their rifles at Joseph Peppan?

Deputy George Alvarez	YES	<u>6</u>	NO	___	UNKNOWN	___
Deputy Jesse Herrera	YES	<u>6</u>	NO	___	UNKNOWN	___
Deputy Steven Shalloway	YES	<u>6</u>	NO	___	UNKNOWN	___

Interrogatory No. 30: Did Deputy Herrera shoot through the interior bedroom wall?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 31: Could Deputy Herrera see Mr. Peppan when he fired his rifle?

YES 3 NO ___ UNKNOWN 3

Interrogatory No. 32: Did any of the shots fired by the deputies strike Joseph Peppan?

Deputy George Alvarez	YES	<u>6</u>	NO	___	UNKNOWN	___
Deputy Jesse Herrera	YES	___	NO	___	UNKNOWN	<u>6</u>
Deputy Steven Shalloway	YES	<u>6</u>	NO	___	UNKNOWN	___

Interrogatory No. 33: At the time he fired his rifle, did each of the following deputies have reason to believe that Mr. Peppan was acting in a manner that presented an imminent risk of death or serious injury to the deputies or others?

Deputy George Alvarez	YES	<u>6</u>	NO	___	UNKNOWN	___
Deputy Jesse Herrera	YES	<u>6</u>	NO	___	UNKNOWN	___
Deputy Steven Shalloway	YES	<u>6</u>	NO	___	UNKNOWN	___

Interrogatory No. 34: Did Mr. Peppan die as the result of one or more shots fired by the deputies?

Deputy George Alvarez	YES	<u>6</u>	NO	___	UNKNOWN	___
Deputy Jesse Herrera	YES	___	NO	___	UNKNOWN	<u>6</u>
Deputy Steven Shalloway	YES	<u>6</u>	NO	___	UNKNOWN	___

Interrogatory No. 35: Did TAC 30 members provide medical aid and/or lifesaving measures to Mr. Peppan?

YES 6 NO ___ UNKNOWN ___

Interrogatory No. 36: Did the toxicology report show Mr. Peppan's blood had cocaine and morphine in his system?

YES 6 NO ___ UNKNOWN ___

INTERROGATORIES ABOUT WHETHER THE DEPUTIES COMPLIED WITH KING COUNTY SHERIFF'S OFFICE POLICIES AND TRAINING

DE-ESCALATION

Interrogatory No. 37: When TAC 30 members initially contacted Mr. Peppan, was it safe under the totality of the circumstances for them to use de-escalation tactics?

YES 6 NO ___ UNKNOWN ___

Answer the following two questions only if you answered "YES" to the above question (#37), otherwise move to # 40.

Interrogatory No. 38: Did the deputies comply with KCSO 6.00.020 discussing when to use de-escalation tactics?

Deputy George Alvarez	YES <u>6</u>	NO ___ UNKNOWN ___
Deputy Jesse Herrera	YES <u>6</u>	NO ___ UNKNOWN ___
Deputy Steven Shalloway	YES <u>6</u>	NO ___ UNKNOWN ___

Interrogatory No. 39: Did the deputies comply with training they received on when to use de-escalation tactics?

Deputy George Alvarez	YES <u>6</u>	NO ___ UNKNOWN ___
Deputy Jesse Herrera	YES <u>6</u>	NO ___ UNKNOWN ___
Deputy Steven Shalloway	YES <u>6</u>	NO ___ UNKNOWN ___

Interrogatory No. 40: Once Mr. Peppan displayed the firearm, was it safe under the totality of the circumstances for them to use de-escalation tactics?

YES ___ NO 6 UNKNOWN ___

Answer the following two questions only if you answered "YES" to the above question (#40), otherwise move to # 43.

Interrogatory No. 41: Did the deputies comply with KCSO 6.00.020 discussing when to use de-escalation tactics?

Deputy George Alvarez	YES ___	NO ___ UNKNOWN ___
Deputy Jesse Herrera	YES ___	NO ___ UNKNOWN ___
Deputy Steven Shalloway	YES ___	NO ___ UNKNOWN ___

Interrogatory No. 42: Did the deputies comply with training they received on when to use de-escalation tactics?

Deputy George Alvarez	YES	___	NO	___	UNKNOWN	___
Deputy Jesse Herrera	YES	___	NO	___	UNKNOWN	___
Deputy Steven Shalloway	YES	___	NO	___	UNKNOWN	___

USE OF DEADLY FORCE

Interrogatory No. 43: Did the deputies comply with KCSO 6.00.030 discussing when deadly force is authorized?

Deputy George Alvarez	YES	<u>6</u>	NO	___	UNKNOWN	___
Deputy Jesse Herrera	YES	<u>6</u>	NO	___	UNKNOWN	___
Deputy Steven Shalloway	YES	<u>6</u>	NO	___	UNKNOWN	___

Interrogatory No. 44: Did the deputies comply with training they received on when to use deadly force?

Deputy George Alvarez	YES	<u>6</u>	NO	___	UNKNOWN	___
Deputy Jesse Herrera	YES	<u>3</u>	NO	___	UNKNOWN	<u>3</u>
Deputy Steven Shalloway	YES	<u>4</u>	NO	<u>1</u>	UNKNOWN	<u>1</u>

Interrogatory No. 45: Did the deputies exhaust every reasonable means of apprehension before using deadly force?

Deputy George Alvarez	YES	<u>6</u>	NO	___	UNKNOWN	___
Deputy Jesse Herrera	YES	<u>36</u>	NO	___	UNKNOWN	<u>3</u>
Deputy Steven Shalloway	YES	<u>46</u>	NO	<u>1</u>	UNKNOWN	<u>1</u>

Interrogatory No. 46: Did the deputies comply with KCSO 6.00.030(5) on when to issue a verbal warning prior to using deadly force?

Deputy George Alvarez	YES	<u>6</u>	NO	___	UNKNOWN	___
Deputy Jesse Herrera	YES	<u>6</u>	NO	___	UNKNOWN	___
Deputy Steven Shalloway	YES	<u>6</u>	NO	___	UNKNOWN	___

**INTERROGATORIES ABOUT WHETHER JOSEPH W. PEPPAN'S DEATH
WAS OCCASIONED BY CRIMINAL MEANS?**

Answer the remaining interrogatories only if you found that Joseph Peppan died from the use of deadly force by any of the following listed deputies (Interrogatory # 34):

Interrogatory No. 47: Was the firing of his rifle necessary to overcome actual resistance to an order issued by any deputies with respect to the following listed deputies?

Deputy George Alvarez	YES <u>6</u>	NO ___ UNKNOWN ___
Deputy Jesse Herrera	YES <u>6</u>	NO ___ UNKNOWN ___
Deputy Steven Shalloway	YES <u>6</u>	NO ___ UNKNOWN ___

Interrogatory No. 48: Did the following listed deputies shoot their rifle in the discharge of a legal duty?

Deputy George Alvarez	YES <u>6</u>	NO ___ UNKNOWN ___
Deputy Jesse Herrera	YES <u>6</u>	NO ___ UNKNOWN ___
Deputy Steven Shalloway	YES <u>6</u>	NO ___ UNKNOWN ___

Interrogatory No. 49: Was the firing of his rifle by any of the following listed deputies necessary to arrest or apprehend Mr. Peppan?

Deputy George Alvarez	YES <u>6</u>	NO ___ UNKNOWN ___
Deputy Jesse Herrera	YES <u>5</u>	NO ___ UNKNOWN <u>1</u>
Deputy Steven Shalloway	YES <u>6</u>	NO ___ UNKNOWN ___

Interrogatory No. 50: Did any of the following deputies reasonably believe that Mr. Peppan had committed or was committing a felony?

Deputy George Alvarez	YES <u>6</u>	NO ___ UNKNOWN ___
Deputy Jesse Herrera	YES <u>6</u>	NO ___ UNKNOWN ___
Deputy Steven Shalloway	YES <u>6</u>	NO ___ UNKNOWN ___

Interrogatory No. 51: Did any of the following deputies reasonably believe that Mr. Peppan, if not apprehended, posed a threat of serious physical injury to themselves or others?

Deputy George Alvarez	YES <u>6</u>	NO ___ UNKNOWN ___
Deputy Jesse Herrera	YES <u>6</u>	NO ___ UNKNOWN ___
Deputy Steven Shalloway	YES <u>6</u>	NO ___ UNKNOWN ___

Interrogatory No. 52: Was the use of deadly force by any of the following deputies justifiable, as defined in Instruction No. 10?

Deputy George Alvarez	YES <u>6</u>	NO ___ UNKNOWN ___
Deputy Jesse Herrera	YES <u>6</u>	NO ___ UNKNOWN ___
Deputy Steven Shalloway	YES <u>6</u>	NO ___ UNKNON ___

Answer the following two Interrogatories (Interrogatories No. 53 & 54) only if you answered "NO" to the previous interrogatory (Interrogatory #52)

✓ **Interrogatory No. 53:** If you found that the use of force by any of the following deputies was not justifiable, was the use of force by such deputy done with malice, as defined in Instruction No. 10?

Deputy George Alvarez	YES	___	NO	___	UNKNOWN	___
Deputy Jesse Herrera	YES	___	NO	___	UNKNOWN	___
Deputy Steven Shalloway	YES	___	NO	___	UNKNOWN	___

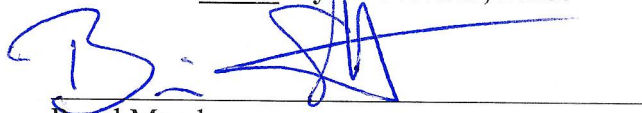
✓ **Interrogatory No. 54:** If you found that the use of force by any of the following deputies was not justifiable, was the use of force by such deputy not in good faith, as defined in Instruction No. 10?

Deputy George Alvarez	YES	___	NO	___	UNKNOWN	___
Deputy Jesse Herrera	YES	___	NO	___	UNKNOWN	___
Deputy Steven Shalloway	YES	___	NO	___	UNKNOWN	___

Interrogatory No. 55: Did any of the following deputies cause the death of Mr. Peppan by criminal means, as defined in Instruction No. 10?

Deputy George Alvarez	YES	___	NO	<u>6</u>	UNKNOWN	___
Deputy Jesse Herrera	YES	___	NO	<u>6</u>	UNKNOWN	___
Deputy Steven Shalloway	YES	___	NO	<u>6</u>	UNKNOWN	___

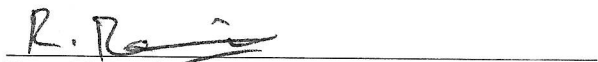
Dated this 26 day of October, 2023.



Panel Member



Panel Member



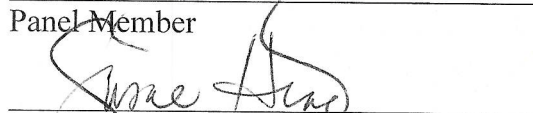
Panel Member



Panel Member



Panel Member



Panel Member

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. __: 20	Possible but not reasonable
Interrogatory No. __: 34	No idea which bullets killed him so "unknown" as to who fired which bullet - but definitely killed by bullet
Interrogatory No. __: 32	Assume Herraran shots hit him but not sure
Interrogatory No. __:	
Interrogatory No. __:	

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.

<p>Interrogatory No. <u>23</u>:</p>	<p>I believe it is the case that Mr. Herrera did not when he plucked up - but not sure if he could've seen Mr. Peppan after shifting right.</p>
<p>Interrogatory No. <u>28</u>:</p>	<p>Possible, but not required or reasonable.</p>
<p>Interrogatory No. <u>44</u></p>	<p>Alvarez - Made training error not knowing bullets, but that doesn't relate to 'instinct' Shalloway - His choice of backstop is a bit questionable a bit, but reasonable as it hits corner of lounge room. Herrera - I believe Herrera saw the gun & may have started shooting with Mr. Peppan in sight - but probably do not sure he had him in sight throughout till</p>
<p>Interrogatory No. <u>46</u></p>	<p>Shalloway could've warned about 'or we'll shoot' - but under circumstances it is reasonable he didn't. The Policy says 'Should' not 'shall'</p>
<p>Interrogatory No. <u>34</u>:</p>	<p>We don't know whose bullet killed, guessing 2 of deputies were in good position.</p>

he was no longer a threat

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>46</u> :	It was possible to issue a warning that deadly force will be used for Shalby was, and he did not issue that warning, but the rule says "should" and not "shall"
Interrogatory No. <u>51</u> :	when starting the mission, they had no reason to believe Peppen would be violent. But when they saw the gun, they did.
Interrogatory No. <u>21</u> :	Too much conflicting testimony on Herrera's pos positioning
Interrogatory No. <u> </u> :	
Interrogatory No. <u> </u> :	

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>14</u> :	Yes, but not clear where on the bed he was when he saw sat up.
Interrogatory No. <u>23</u> :	The furniture in the house did not seem consistent with Alvarez's claimed positioning, so we thought he was further over. With that positioning, it's not clear whether he would have been in position to see Peppan, and testimony about positioning seemed unreliable.
Interrogatory No. <u>24</u> :	Not clear whether a small movement could be interpreted as "starting to point"
Interrogatory No. <u>38</u> :	It was a very broad policy, so they all tripped complen by saying anything
Interrogatory No. <u>44</u> :	Shalloway didn't know his backstop when he fired, and could have hit his teammates or innocent civilians.

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>28</u> :	For Shalbray, it may have been possible to warn, but not reasonable.
Interrogatory No. <u>34</u> :	He died as a result of shots fired but impossible to know which one(s) were fatal and shot by which Deputy
Interrogatory No. ___:	
Interrogatory No. ___:	
Interrogatory No. ___:	

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.

<p>Interrogatory No. <u>23</u>:</p>	<p>I don't know if the deputies gear was big that both Alvarez and Herrera could both stand in the doorway with a view of Mr. Peppan holding the firearm.</p>
<p>Interrogatory No. <u>34</u>:</p>	<p>Peppan certainly died from multiple gunshot wounds, but I don't know who fired the shots that killed him.</p>
<p>Interrogatory No. <u>14</u>:</p>	<p>Shalloway: I don't know if Shalloway had enough knowledge of his backstop based on the 3 holes in the wall.</p>
<p>Interrogatory No. <u> </u>:</p>	<p></p>
<p>Interrogatory No. <u> </u>:</p>	<p></p>

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. ²³ __: YES	^{actively} Not clear from the testimony where Peppan was sitting and also not clear where Herrera was standing in relationship to the door. Had more likely than not Herrera saw Peppan holding a firearm.
Interrogatory No. ³⁰ __: YES UNKNOWN YES	Cannot be determined whose deputies' shots killed Peppan but reason to believe that each had responsibility and contributed to his death. Unsure about Herrera.
Interrogatory No. ³¹ __: YES	Based mostly on Herrera's questions
Interrogatory No. __:	
Interrogatory No. __:	