

NEWS & COMMENT

Auburn police officer Jeffrey Nelson guilty of murder

Jury reached a verdict in the case of first Washington police officer to be tried under Initiative 940.

By Benjamin Leung • June 27, 2024 2:00 pm



Auburn Police Officer Jeffrey Nelson is escorted out of the courtroom following the guilty verdict at his murder trial June 27, 2024. (Ken Lambert / The Seattle Times / Pool)

Auburn police officer Jeffrey Nelson has been found guilty of one count of second-degree murder and one count of first degree assault related to the 2019 death of Jesse Saray.

The verdict was announced Thursday, June 27, at the Maleng Regional Justice Center in Kent. Nelson is the first officer in Washington to be charged with murder following the passage of Initiative 940, which changed the standard for holding police criminally liable for excessive use of force.

Nelson’s sentence has yet to be decided. His sentencing hearing has been scheduled for Tuesday, July 16.

Jurors heard the closing arguments of King County prosecutors and Nelson’s defense team on June 20 after five weeks of testimonies and presentations of evidence, with opening statements having started on May 16. Jury deliberations began on June 21.

In May 2019, Nelson shot and killed Jesse Sarey after attempting to arrest Sarey for jaywalking. Nelson shot Sarey in the chest, then unjammed his gun and shot him in the head after Sarey had fallen backward in a grocery store parking lot in Auburn.

Prior to Initiative 940, prosecutors had to prove a police officer acted with evil intent when they killed someone in the line of duty in order to charge that officer with murder — essentially an impossible standard to meet.

Under Initiative 940, prosecutors now have to prove that a different, reasonable officer would not have used deadly force in the same situation.

“We want to thank the jury for their time and careful consideration of this case,” stated Casey McNerthney, director of communications for the King County Prosecuting Attorney’s Office, following the announcement of the verdict. “We appreciate the hard work of all parties to get to these important verdicts. All along we felt this was a case that needed to be tried before a jury. Our thoughts continue to be with Mr. Sarey’s loved ones.”



Judge Nicole Gaines Phelps, who oversaw Nelson’s trial, thanked jurors for their service.



“We have been involved and you have been involved with this court as far as jury selection since March and have been involved here in the courtroom, sitting as members of this jury for several months since then,” Judge Phelps stated to the courtroom following the reading of the verdict. “We recognize that this process has not been easy and that it has been disruptive to your friends and family. We thank you for your service and for your dedication.”

The City of Auburn released the following statement from Mayor Nancy Backus and Police Chief Mark Caillier after the verdict was announced:

“The City of Auburn respects the verdict reached by the jury in this tragic situation. Now that the criminal trial has concluded, the City’s internal administrative investigation will proceed in accordance with the City’s employment policies and collective bargaining agreement. A state certification hearing by the Washington State Criminal Justice Training Commission has been scheduled, during which the commission will decide whether Officer Nelson’s certification should be denied, suspended, or revoked. The City of Auburn and the City of Auburn Police Department have worked tirelessly over the years to earn and maintain the trust of our community. We work diligently to maintain professional standards for our residents and engage in ethical and equitable community policing. For those who choose to express their reactions at this trial’s conclusion, we ask that you do so peacefully and within the law.”

Kolby Crossley, public information officer for the Auburn Police Department, stated the department will decline to comment further regarding the verdict.

“We’ve released a statement, and that’s all we’re saying,” Crossley said.





Auburn Police Officer Jeffrey Nelson, flanked by attorneys, stands as two guilty verdicts are handed down June 27 at the King County Maleng Regional Justice Center in Kent. (Ken Lambert / The Seattle Times / Pool)

Other cases

[Nelson has had a troubled history with the Auburn Police Department.](#)

The City of Auburn agreed in 2020 to settle a lawsuit that was brought against it by the family of a man Nelson shot and killed in June 2017. According to the signed settlement document, the cost to the city for settling the case with [Isaiah Obet's estate was \\$1.25 million.](#)

Nelson also killed [Brian Scaman, 48, in May 2011](#) while working for the Auburn Police Department.

A record of incidents involving [Nelson's use of force](#) as well as complaints against Nelson show allegations of misconduct and unacceptable performance throughout his time at the police department. Internal reviews show the department's administration investigated Nelson for behavioral issues, violent behavior, drug usage on duty, sexual harassment, and violations of safety policies and procedures.

Since 2020, [Nelson had been on paid administrative leave](#) from the department while awaiting trial for Sarey's death.





Auburn Police Officer Jeffrey Nelson is taken into custody after two guilty verdicts were handed down by the jury Thursday, June 27, at the King County Maleng Regional Justice Center in Kent. (Ken Lambert / The Seattle Times / Pool)



Auburn Police Officer Jeffrey Nelson, flanked by attorneys, stands as two guilty verdicts are handed down Thursday, June 27, 2024, at the King County Maleng Regional Justice Center in Kent. (Ken Lambert / The Seattle Times / Pool)



Auburn Police Officer Jeffrey Nelson awaits the jury verdict at the King County Maleng Regional Justice Center in Kent on June 27, 2024. (Ken Lambert / The Seattle Times / Pool)

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Smith, Schrier, DelBene and Cantwell released statements in support of President Biden’s Sunday decision to no longer seek re-election.
By [Bailey Josie](#) • July 22, 2024 12:30 pm





Congressman Smith weighs in on Supreme Court and Biden

U.S. Rep. Adam Smith (D) represents Renton, Mercer Island, Tukwila, Des Moines, Federal Way and parts of Seattle, Bellevue, Kent and Auburn.

By [Bailey Josie](#) • July 8, 2024 3:14 pm

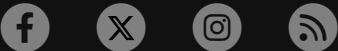


Fourth of July weekend weather: Sunny skies and warm highs

In light of preventable drownings, King County officials are urging the public to be cautious at rivers, lakes and Puget Sound.

July 3, 2024 7:00 am

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