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SENATE BILL 6174

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State of Washington                      61st Legislature                      2009 Regular Session

By Senators Brandland, Marr, and Hatfield

Read first time 04/16/09. Referred to Committee on Judiciary.

1            AN ACT Relating to disclosure of information regarding persons who  
2 are involved in executions; amending RCW 10.95.180; creating a new  
3 section; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            **Sec. 1.** RCW 10.95.180 and 1996 c 251 s 1 are each amended to read  
6 as follows:

7            (1) The punishment of death shall be supervised by the  
8 superintendent of the penitentiary and shall be inflicted by  
9 intravenous injection of a substance or substances in a lethal quantity  
10 sufficient to cause death and until the defendant is dead, or, at the  
11 election of the defendant, by hanging by the neck until the defendant  
12 is dead. In any case, death shall be pronounced by a licensed  
13 physician.

14            (2) All executions, for both men and women, shall be carried out  
15 within the walls of the state penitentiary.

16            (3) Records, materials, and other information that reveal, or could  
17 reasonably lead to discovery of, the identity of persons who directly  
18 participate in an execution under this section, and the physician who

1 pronounces death, are confidential and privileged, are not subject to  
2 public disclosure under chapter 42.56 RCW, and are not subject to  
3 subpoena or discovery in a civil case.

4 NEW SECTION. **Sec. 2.** This act applies retroactively, as well as  
5 prospectively, to all past and future executions.

6 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
7 preservation of the public peace, health, or safety, or support of the  
8 state government and its existing public institutions, and takes effect  
9 immediately.

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