

# HOUSE BILL REPORT

## SSB 6295

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### As Reported by House Committee On: Judiciary

**Title:** An act relating to clarifying the venue in which coroner's inquests are to be convened and payment of related costs.

**Brief Description:** Clarifying the venue in which coroner's inquests are to be convened and payment of related costs.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Hasegawa and McCoy).

#### **Brief History:**

##### **Committee Activity:**

Judiciary: 2/23/16, 2/26/16 [DP].

#### **Brief Summary of Substitute Bill**

- Requires a superior court, upon request of a coroner, to schedule a courtroom and court staff for an inquest, or to designate a comparable public venue if no courtroom can be made available.
- Provides that, if no courtroom or comparable public venue is available for an inquest, the inquest must be transferred to another county within 100 miles.
- States that a county's responsibility for inquest costs includes superior court costs, as well as the costs associated with transferring the inquest to another county in applicable cases.

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### HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass. Signed by 10 members: Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman, Hansen, Kirby, Kuderer, Muri and Orwall.

**Minority Report:** Do not pass. Signed by 2 members: Representatives Haler and Klippert.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Minority Report:** Without recommendation. Signed by 1 member: Representative Stokesbary.

**Staff:** Omeara Harrington (786-7136).

**Background:**

Any coroner, at his or her discretion, may hold an inquest if the coroner suspects that the death of a person was unnatural, violent, resulted from unlawful means, resulted from suspicious circumstances, or was a suicide or homicide. The prosecuting attorney having jurisdiction in the county in which the inquest is held may be present and assist the coroner.

Upon calling an inquest, the coroner must notify the superior court to provide persons to serve as an inquest jury. The inquest jury is tasked with hearing evidence concerning the death and rendering a true verdict on the cause of death. The coroner may summon witnesses who have knowledge of the facts of the death and may issue subpoenas to compel witnesses to attend and testify. In all cases where murder or manslaughter is thought to have been committed, the testimony of inquest witnesses must be reduced to writing and filed with the clerk of court.

The county in which an inquest is held is responsible for the cost of the inquest.

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**Summary of Bill:**

At a coroner's request, a superior court must schedule a courtroom in which an inquest may be convened, and must provide a bailiff, reporter, and any security deemed reasonably necessary by the coroner. The inquest must take place within 18 months of the request at a date set by mutual agreement of the coroner and the court. If the superior court is unable to accommodate the inquest for good cause shown, it may designate a comparable public venue for the inquest in the county.

If the superior court cannot provide a courtroom or comparable public venue, it must certify the unavailability in writing within 60 days of the coroner's request. In such situations, the inquest must be transferred to another county within 100 miles of the requesting county.

The county's responsibility for inquest costs includes the costs incurred by the superior court. With respect to inquests that are transferred to a different county, the requesting county must pay the host county for the costs of the inquest, including all costs accrued for per diem and mileage for jurors and witnesses.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) This bill is very important to the people of Franklin County and the City of Pasco, as it arose from an officer-involved shooting incident that took place there. The coroner requested a courtroom, however, no courtroom was available so the coroner had to rent a public venue. Under this bill, the coroner can request a courtroom, and if no courtroom is available, the inquest could be held in an adjoining county. This will provide consistency and fairness for all coroners. It is a good bill that makes sense for taxpayers.

(Opposed) None.

**Persons Testifying:** Senator Hasegawa, prime sponsor; Michael Shaw, Washington Association of County Officials and Washington Association of Coroners and Medical Examiners; and Nina Martinez, Latino Civic Alliance.

**Persons Signed In To Testify But Not Testifying:** None.