BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: S-1337.1/17
ATTY/TYPIST: RB:1el
BRIEF DESCRIPTION: Concerning coroner inquest procedures.
AN ACT Relating to coroner inquest procedures; amending RCW 36.24.020; and adding a new section to chapter 36.24 RCW.

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

Sec. 1. RCW 36.24.020 and 2016 c 13 s 1 are each amended to read as follows:

Any coroner, in his or her discretion, may hold an inquest if the coroner suspects that the death of a person was unnatural, or violent, or resulted from unlawful means, or from suspicious circumstances, or was of such a nature as to indicate the possibility of death by the hand of the deceased or through the instrumentality of some other person: PROVIDED, That, except under suspicious circumstances, no inquest shall be held following a traffic death. If a coroner unreasonably refuses as a matter of policy to conduct an inquest in any case, the county legislative authority, by a majority vote, may call for an inquest to be conducted.

Special consideration should be taken in conducting an inquest when a death results from interaction with law enforcement, and when a death occurs during incarceration and is by unnatural means. Inquests involving law enforcement or in custody death must be conducted within ninety days of completion of the coroner's investigation. In those instances where the deceased is a member of a
federally recognized Indian tribe in Washington state, the coroner
must notify the tribe and include them in the inquest process to the
extent possible.

The coroner in the county where an inquest is to be convened
pursuant to this chapter shall notify the superior court to provide
persons to serve as a jury of inquest to hear all the evidence
concerning the death and to inquire into and render a true verdict on
the cause of death. Jurors shall be selected and summoned in the same
manner and shall have the same qualifications as specified in chapter
2.36 RCW.

At the coroner's request, the superior court shall schedule a
courtroom in which the inquest may be convened, a bailiff, reporter,
and any security deemed reasonably necessary by the coroner. The
coronier and the superior court shall set an inquest date by mutual
agreement. The inquest shall take place within ((eighteen months))
ninety days of the coroner's request to the court. If the superior
court cannot accommodate the inquest for good cause shown, the court
may designate a comparable public venue for the inquest in the
county.

If the superior court is unable to provide a courtroom or
comparable public venue, it shall certify courtroom unavailability in
writing within ((sixty)) fifteen days of the coroner's request and
the inquest shall be scheduled and transferred to another county
within one hundred miles of the requesting county.

The prosecuting attorney having jurisdiction shall be notified in
advance of any such inquest to be held, and ((at his or her
discretion may)) must be present at and assist the coroner in the
conduct of the same. The coroner may adjourn the inquest from time to
time as he or she may deem necessary.

The costs of inquests, including any costs incurred by the
superior court, shall be borne by the county in which the inquest is
requested. Counties shall establish funding reserves to fund inquest
expenditures. When an inquest is transferred to another county due to
unavailability of a courtroom, the county from which such inquest is
transferred shall pay the county in which the inquest is held all
costs accrued for per diem and mileage for jurors and witnesses and
all other costs properly charged to the transferring county.

NEW SECTION. Sec. 2. A new section is added to chapter 36.24
RCW to read as follows:
A juror may submit written questions for a witness, summoned by the coroner under RCW 36.24.050, to the coroner or prosecuting attorney. At the discretion of the coroner, the witness may be compelled to respond to the questions.

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