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Sponsors:	
Attachments:	

1 ..Title

2 AN ORDINANCE proposing an amendment to the King
3 County Charter to clarify when an inquest will be held and
4 to require the county to assign an attorney to represent the
5 family of the decedent in the inquest proceeding; amending
6 Section 895 of the King County Charter; and submitting the
7 same to the qualified voters of the county for their approval
8 or rejection at the next general election occurring more than
9 forty-five days after the enactment of this ordinance.

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11 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

12 **SECTION 1. Findings:**

13 A. The inquest process serves the public function of fact finding related to a
14 death and involves formal legal proceedings, discovery and examination of persons,
15 including law enforcement personnel and expert witnesses.

16 B. There is a public benefit in providing publicly financed legal counsel to
17 families of the decedents wishing to fully participate in the inquest process. The inquest
18 process is a proceeding involving introduction of evidence and examining of witnesses,
19 including law enforcement personnel and experts. Publicly financed legal counsel will
20 allow all families to fully and equitably participate in the inquest process regardless of
21 financial means. Inquests serve a public function of determining the cause and

22 circumstances of any death involving a member of a law enforcement agency in the
23 performance of the member's duties. The findings of an inquest help the public, family
24 members of decedents and policy makers understand the causes and circumstances of the
25 decedent's death. Public financing of legal counsel for all families of decedents will
26 better ensure each party to an inquest will have equal opportunity to participate.
27 Increasing such participation will bolster the transparency of the inquest process, thus
28 furthering the recognized public function of an inquest.

29 SECTION 2. There shall be submitted to the voters of King County for their
30 approval and ratification or rejection, at the next general election to be held in this county
31 occurring more than forty-five days after the enactment of this ordinance, an amendment
32 to Section 895 of the King County Charter to read as follows:

33 **895. Mandatory Inquests.**

34 An inquest shall be held to investigate the causes and circumstances of any death
35 ~~((involving))~~ where a member of ((the)) any law enforcement agency's ((of the county in
36 ~~the performance of the member's duties))~~ action, decision or possible failure to offer the
37 appropriate care may have contributed to an individual's death. For the purposes of this
38 section, "member of any law enforcement agency" includes a commissioned officer,
39 noncommissioned staff and agent of any local or state police force, jail, detention facility
40 or corrections agency. The county shall assign an attorney to represent the family of the
41 decedent in the inquest proceeding, but the family has the option of accepting the
42 attorney or not.

43 SECTION 3. The clerk of the council shall certify the proposition to the county
44 elections director, in substantially the following form, with such additions, deletions or

45 modifications as may be required by the prosecuting attorney:

46 Shall Section 895 of the King County Charter be amended to clarify that
47 inquests are required when a law enforcement agency's action, decision or
48 possible failure to offer appropriate care may have contributed to an
49 individual's death and to provide an attorney at the county's expense to
50 represent the decedent's family in the inquest?

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