

RCW 68.50.325 Indigenous persons—Identification of remains—Spiritual practices. (1) A county coroner having jurisdiction over human remains pursuant to RCW 68.50.010 shall, upon knowledge that the remains are of an indigenous person, cooperate with law enforcement to attempt to identify and immediately contact family members and any affected tribes, tribal organizations, and communities prior to removal or disturbance of the remains, except as deemed necessary by the county coroner and law enforcement in the interest of safety or to preserve evidence for any ongoing criminal investigation. Efforts to contact family members and affected tribes, tribal organizations, and communities must include an attempt to facilitate contact through the regional liaison for missing and murdered indigenous persons pursuant to RCW 43.43.874 within 10 days of the county coroner having jurisdiction over the remains.

(2) If contact is successfully made, the county coroner shall afford an opportunity for a family member or a representative from any affected tribes, tribal organizations, or communities to visit the remains for the purpose of conducting any spiritual practices or ceremonies to honor or recognize the indigenous person's passing. A family member or representative's activities may not interfere with or jeopardize the integrity of any ongoing criminal investigation. The county coroner and the lead investigator from the law enforcement agency of jurisdiction must provide the family member or representative with a list containing any conduct the family member or representative is prohibited from doing when interacting with the remains, including an explanation of why the conduct is prohibited. The family member or representative may not conduct any practices or ceremonies until the county coroner and the lead investigator provide their authorization.

(3) For the purposes of this section, "affected tribes" has the same meaning as in RCW 68.50.645.

(4) Nothing in this section may be construed to contradict the sovereignty or rights of any federally recognized Indian tribe whose traditional lands and territories included parts of Washington. [2022 c 251 § 1.]