

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1571

Chapter 251, Laws of 2022

67th Legislature
2022 Regular Session

INDIGENOUS PERSONS—PROTECTIONS AND SERVICES—MISSING, MURDERED, AND
SURVIVORS OF HUMAN TRAFFICKING

EFFECTIVE DATE: June 9, 2022

Passed by the House March 7, 2022
Yeas 98 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate March 4, 2022
Yeas 48 Nays 0

DENNY HECK

President of the Senate

Approved March 31, 2022 12:32 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1571** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 1, 2022

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1571

AS AMENDED BY THE SENATE

Passed Legislature - 2022 Regular Session

State of Washington

67th Legislature

2022 Regular Session

By House Public Safety (originally sponsored by Representatives Mosbrucker, Dye, Boehnke, Ybarra, Jacobsen, Dent, Walen, Graham, Robertson, Maycumber, Barkis, Caldier, Goodman, Berry, Chambers, Wylie, Corry, Griffey, Walsh, Eslick, Chase, Sutherland, and Ormsby)

READ FIRST TIME 01/25/22.

1 AN ACT Relating to protections and services for indigenous
2 persons who are missing, murdered, or survivors of human trafficking;
3 amending RCW 36.24.155 and 68.50.320; adding a new section to chapter
4 68.50 RCW; creating new sections; and providing expiration dates.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 68.50
7 RCW to read as follows:

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

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

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

18 (4) Nothing in this section may be construed to contradict the
19 sovereignty or rights of any federally recognized Indian tribe whose
20 traditional lands and territories included parts of Washington.

21 **Sec. 2.** RCW 36.24.155 and 2011 c 16 s 1 are each amended to read
22 as follows:

23 (1) Whenever anyone shall die within a county without making
24 prior plans for the disposition of his or her body and there is no
25 other person willing to provide for the disposition of the body, the
26 county coroner shall cause such body to be entrusted to a funeral
27 home in the county where the body is found. Except in counties where
28 the county coroner or medical examiner has established a preferred
29 funeral home using a qualified bidding process, disposition shall be
30 on a rotation basis, which shall treat equally all funeral homes or
31 mortuaries desiring to participate, such rotation to be established
32 by the coroner after consultation with representatives of the funeral
33 homes or mortuaries in the county or counties involved.

34 (2)(a) The county coroner, upon knowledge that a body is of an
35 indigenous person, shall make reasonable efforts to identify and
36 contact family members prior to entrusting the body to a funeral
37 home, including an attempt to facilitate contact through the regional
38 liaison for missing and murdered indigenous persons pursuant to RCW

1 43.43.874 within 10 days of the county coroner having jurisdiction
2 over the remains.

3 (b) Upon the written request of a family member responsible for
4 the disposition of the body of an indigenous person, the county
5 coroner shall provide a written estimate of the time frame for
6 entrusting the body to the family member or the family member's
7 chosen funeral home, unless doing so would jeopardize an ongoing
8 criminal investigation.

9 NEW SECTION. Sec. 3. (1) Subject to the availability of amounts
10 appropriated for this specific purpose, the department of commerce's
11 office of crime victims advocacy shall award grant funding to
12 establish a pilot project providing wraparound services to indigenous
13 persons who are survivors of trafficking.

14 (2) The department shall establish a competitive grant program to
15 award funding for the pilot project by September 1, 2022.

16 (3) Public agencies, federally recognized tribes, nonprofit
17 community groups, and nonprofit treatment providers, including
18 organizations which provide services such as shelter, counseling, and
19 case management, are eligible to compete for grant funding.

20 (4) The grant recipient shall use the grant funds to develop or
21 maintain a center capable of providing wraparound services to at
22 least 50 indigenous persons who are survivors of trafficking,
23 including:

- 24 (a) Short-term and long-term shelter;
- 25 (b) Food;
- 26 (c) Nonemergency health care;
- 27 (d) Mental health counseling and treatment;
- 28 (e) Substance abuse prevention, assessment, and treatment;
- 29 (f) Case management and care coordination;
- 30 (g) Education and special education services;
- 31 (h) Vocational training;
- 32 (i) Legal services, protection, and advocacy; and
- 33 (j) Transportation.

34 (5) The grant recipient shall provide a report to the department
35 on the results of the pilot project by October 1, 2023. The
36 department shall provide a report on the pilot project to the
37 governor and appropriate committees of the legislature by December 1,
38 2023.

39 (6) This section expires January 1, 2024.

1 NEW SECTION. **Sec. 4.** (1) Subject to the availability of amounts
2 appropriated for this specific purpose, the department of commerce's
3 office of crime victims advocacy shall award grant funding to
4 increase the visibility and accessibility of services and resources
5 for indigenous persons who are survivors of trafficking.

6 (2) The office of crime victims advocacy shall establish a
7 competitive grant program to award funding by September 1, 2022.

8 (3) Local agencies, federally recognized tribes, nonprofit
9 community groups, and nonprofit treatment providers currently engaged
10 in providing services or resources to survivors of human trafficking
11 are eligible to compete for grant funding.

12 (4) The department shall award 10 grants, five to eligible
13 applicants in cities west of the crest of the Cascade mountains and
14 five to eligible applicants in cities east of the crest of the
15 Cascade mountains.

16 (5) Grant recipients shall collaborate with the two liaisons for
17 missing and murdered indigenous persons pursuant to RCW 43.43.874 to
18 develop and implement a campaign to increase the visibility and
19 accessibility of services and resources for indigenous persons who
20 are survivors of human trafficking, including:

21 (a) Development of methods to help convey information discreetly
22 and effectively, such as through the use of easily recognizable logos
23 and symbols;

24 (b) Increased signage for relevant antitrafficking hotlines in
25 frequently visited areas, such as truck stops, gas stations, and
26 hotels; and

27 (c) Increased online promotion.

28 (6) Grant recipients shall provide a report to the department on
29 the results of their campaigns by October 1, 2023. The department
30 shall provide a report to the governor and appropriate committees of
31 the legislature by December 1, 2023.

32 (7) This section expires January 1, 2024.

33 **Sec. 5.** RCW 68.50.320 and 2020 c 45 s 2 are each amended to read
34 as follows:

35 When a person reported missing has not been found within thirty
36 days of the report, or at any time the investigating agency suspects
37 criminal activity to be the basis of the victim being missing, the
38 sheriff, chief of police, county coroner or county medical examiner,
39 or other law enforcement authority initiating and conducting the

1 investigation for the missing person shall: (1) File a missing
2 person's report with the Washington state patrol missing and
3 unidentified persons unit; (2) initiate the collection of DNA samples
4 from the known missing person and their family members for nuclear
5 and mitochondrial DNA testing along with the necessary consent forms;
6 (3) ask the missing person's family or next of kin to give written
7 consent to contact the dentist or dentists of the missing person and
8 request the person's dental records; and (4) enter the case into the
9 national crime information center system through the Washington state
10 patrol electronic database. Upon knowledge from the national crime
11 information center system, the Washington state patrol's crime
12 information center, or similar or subsequent authority, that a person
13 in custody at a jail, or being released from custody, is the subject
14 of a missing person's report, the jail shall notify the agency of
15 original jurisdiction for the missing person's report.

16 The missing person's dentist or dentists shall provide diagnostic
17 quality copies of the missing person's dental records or original
18 dental records to the sheriff, chief of police, county coroner or
19 county medical examiner, or other law enforcement authority, when
20 presented with the written consent from the missing person's family
21 or next of kin or with a statement from the sheriff, chief of police,
22 county coroner or county medical examiner, or other law enforcement
23 authority that the missing person's family or next of kin could not
24 be located in the exercise of due diligence or that the missing
25 person's family or next of kin refuse to consent to the release of
26 the missing person's dental records and there is reason to believe
27 that the missing person's family or next of kin may have been
28 involved in the missing person's disappearance.

29 As soon as possible after collecting the DNA samples, the
30 sheriff, chief of police, or other law enforcement authority shall
31 submit the DNA samples to the appropriate laboratory. Dental records
32 shall be submitted as soon as possible to the Washington state patrol
33 missing and unidentified persons unit.

34 The descriptive information from missing person's reports and
35 dental data submitted to the Washington state patrol missing and
36 unidentified persons unit shall be recorded and maintained by the
37 Washington state patrol missing and unidentified persons unit in the
38 applicable dedicated missing person's databases.

39 When a person reported missing has been found, the sheriff, chief
40 of police, coroner or medical examiner, or other law enforcement

1 authority shall report such information to the Washington state
2 patrol.

3 The dental identification system shall maintain a file of
4 information regarding persons reported to it as missing. The file
5 shall contain the information referred to in this section and such
6 other information as the Washington state patrol finds relevant to
7 assist in the location of a missing person.

8 The files of the dental identification system shall, upon
9 request, be made available to law enforcement agencies attempting to
10 locate missing persons.

Passed by the House March 7, 2022.

Passed by the Senate March 4, 2022.

Approved by the Governor March 31, 2022.

Filed in Office of Secretary of State April 1, 2022.

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