



FRANKLIN COUNTY

BOARD OF COMMISSIONERS

BRAD PECK
DISTRICT 1

ROBERT E. KOCH
DISTRICT 2

RICK MILLER
DISTRICT 3

KEITH JOHNSON
COUNTY ADMINISTRATOR

January 29, 2016

Honorable Dan Blasdel
Franklin County Coroner
1016 N. 4th Ave.
Pasco, WA 99301

Dear Mr. Blasdel,

We understand you have scheduled a coronor's inquest on February 24, 2016 to inquire into the death of Antonio Zambrano-Montes. Your statutory authority to call for an inquest does not supersede or preclude the applicability of other statutory obligations.

The statute authorizing coroner inquests indicates that the costs of the inquest must be borne by the county. However RCW 36.24.020 does not grant you an exception from participating in the county budgeting process to fund such matters. The proper procedure was for you to present an estimate of expenditures for the inquest as called for in RCW 36.40.040.

RCW 36.40, provides a formal and mandatory budgeting process in which all county officials must participate. You spoke openly in 2015 about the potential for an inquest, and therefore should have submitted a budget request to fund such an activity. While processes exist to handle unanticipated funding needs that arise after a budget has been adopted, that is irrelevant to this discussion as you knew in 2015 that you intended to call an inquest.

Only the legislative body of the County can authorize the expenditure of county funds, and this board has not approved expenditures for your proposed inquest. Consequently, we are obliged to notify you that you do not have the budgetary authorization to proceed with an inquest.

We feel further obliged to remind you that RCW 36.40.130 provides that the unauthorized expenditure of county resources by an elected official can result in the personal liability of that official for those costs. Without budgetary authority, this means that you could be held personally responsible for the cost of the scheduled inquest.

You are hereby advised that the County will reject any and all expenditures associated with an inquest into the death of Mr. Zambrano-Montes as these funds have not been appropriated in the 2016 budget. We are mandated to take this action by RCW 36.40.130, which provides in part, "...the county commissioners shall approve no claim for any expenditure in excess of the detailed budget appropriations or as revised under the provisions of RCW 36.40.100 through 36.40.130..."

It is our understanding that the statutory purpose of an inquest is twofold, 1) to assist the Coroner in determining the cause of death and 2) to render an advisory verdict on questions defined by statute to include who died, the cause of the death and circumstances surrounding the death including identification of any actors who may be criminally liable for the death.

Had you submitted a formal budget request for an inquest, or should you seek funding under an alternative process, we will be obliged to consider such request against the statutory purposes for an inquest.

However, in this case you have already determined the cause of death as reported on a death certificate. Moreover, the County Prosecutor has already announced a charging decision, thus negating the necessity of holding an inquest to assist the prosecutor in making a charging decision. Therefore we would indeed be challenged to justify the expenditure of taxpayer funds for an inquest under the present circumstances.

If there is additional information which is pertinent to this matter we ask that you meet with County Administrator Keith Johnson at your earliest opportunity.

Respectfully yours,

Franklin County Board of Commissioners


Rick Miller, Chairman


Robert Koch, Commissioner


Brad Peck, Commissioner