

Rep. Nico Rios
March 24th, 2023
Senate Committee on State and Local Government
Introduction to HB 1363

Madam Chairman and Members of the Senate Committee on State and Local Government,

I am Representative Nico Rios of District 23 located on the Northwest side of Williston in Williams County. I am here to introduce House Bill 1363 and speak in support of passage of this bill.

On Wednesday December 14th, there was a murder in my district. The suspect allegedly murdered his wife of one month. Police responded to a 911 call reporting a dead body of a woman outside. Police show up, find the deceased victim, but the suspect is gone. There's a 36 hour manhunt for the suspect. They eventually arrest him on the evening of December 15th. Charges were filed Friday morning on December 16th.

While in custody on Wednesday December 21st the suspect was asked to sign a form that would have released the victim's body to her family so they could prepare for a funeral. The suspect refused and told the detective that he would sign the forms after he made some phone calls. It was not until the owner of the Emerson-Coughlin Funeral Home in Williston, Seth Coughlin had reached out to the suspect's attorney that he decided to sign the forms. This was on Thursday December 29th.

It took eight days. This was way too long for a grieving family to have to see their dead daughter's body in limbo while they waited on the suspect to sign the release form.

House Bill 1363 addresses that by adding language to parts b. and c. of subsection 1 of century code 23-06-03.

Currently the law allowed for this to happen by not considering if the deceased was murdered or allegedly murdered by the spouse when it came to the duty of final disposition. House Bill 1363 changes that. House bill 1613 will exempt the spouse from duty of final disposition if he has been arrested for the murder of the deceased spouse, or has admitted to the murder of the deceased spouse. Only when intentionally and feloniously killing the deceased spouse.

I am certain the changes to the language here will address this problem. Please support House Bill 1363.