

Yakima coroner at odds with pathologist over disturbing jail death

Oct. 30, 2024



Yakima County Coroner Jim Curtice at the coroner's office on Feb. 24, 2020. (Amanda Ray / Yakima Herald-Republic, file)

By Daniel Beekman

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Yakima County's embattled coroner declined to implicate the county in a controversial jail death this summer, even after the pathologist who conducted the autopsy reclassified the death from "natural" to "negligent homicide."

Rather than following that recommendation, Coroner Jim Curtice changed the death certificate to "accident," without explaining the reasoning behind his choice, according to records newly obtained by The Seattle Times.

In doing so, Curtice likely made the wrong call, according to outside experts contacted by The Times who have described the case as a homicide.

It's the latest revelation among many about the disturbing death of Hien Trung Hua, a 41-year-old man suffering from a mental health crisis who was shackled, hit and held in a dangerous position by jail guards last year.

And it's the latest point of controversy involving Curtice, an elected official who has come under scrutiny for his part in Hua's case and for other alleged behavior. Police accused Curtice last month of taking illicit drugs from dead people through his work, using them in his office and lying about it.

Yakima County's elected commissioners, sheriff and auditor have called on him to resign. So has the Yakima Herald-Republic's editorial board. Curtice, who's been on leave for weeks, didn't return a request for comment.

Gov. Jay Inslee's office hasn't responded to a request by Hua's cousin earlier this month for an independent investigation of Hua's death and Curtice's conduct. The office is still reviewing the request, a spokesperson said. State Attorney General Bob Ferguson's office said it lacks authority to investigate or prosecute a criminal case without a referral from the governor or county prosecutor.

"We want long-term solutions," so people like Hua don't continue dying in Washington jails, said Hua's cousin, Celyna Ly, in an interview Monday.

Hua's mother has filed a \$50 million tort claim against the county. But no one has been held accountable for Hua's death at this point, Ly said, or for what his loved ones view as a potential attempted cover-up, she said.

The back story

Although Hua died in the county jail almost a year ago, many details about his demise didn't become public until The Times reported on it.

The Times compared how Hua was treated by the criminal justice system to how Curtice was treated when suffering a mental health crisis last year.

Both men lashed out physically and were detained by law enforcement officers. Curtice was hospitalized, spent time recovering and returned to his job without facing charges, whereas Hua was sent to jail and died.

Unlike medical examiners, who are appointed based on their medical expertise, coroners don't need to be doctors. Responsible for investigating suspicious, untimely and violent deaths, they coordinate with police, liaise with relatives and contract with pathologists who perform autopsies.



Jeffrey Reynolds, the pathologist who performed the autopsy on Hien Trung Hua, poses for a portrait on July 16 in Yakima. (Nick Wagner / The Seattle Times)

Forensic pathologist Jeffrey Reynolds last year initially labeled Hua's manner of death an "accident," based on the autopsy. Days later, Reynolds changed it to "natural," based on lab tests. He blamed heart problems that began before Hua's struggle with the jail guards. In both instances, Curtice concurred.

Subsequent investigations of Hua's death by police and county officials cited those findings and mostly cleared the jail of responsibility.

But outside experts contacted by The Times raised concerns, saying Hua's struggle with the jail guards likely caused or contributed to his death.

After reporting by The Times prompted Reynolds to watch surveillance videos of Hua's struggle with the guards for the first time, he changed his mind.

In July, the pathologist decided Hua died at least partly because of his struggle and how he was restrained: facedown, in violation of a jail policy. Reynolds decided the manner of death was actually "negligent homicide."

Coroner's choice



Hien Trung Hua (Courtesy photo / The Seattle Times)

Reynolds updated Hua's autopsy report on July 18. Curtice responded by revising Hua's coroner report and death certificate on July 24, the new records show.

As usual, Curtice followed the pathologist's lead with regard to the cause of death. But this time, he went against Reynolds with regard to the manner of death. Rather than "negligent homicide" or "homicide," he chose "accident."

In medical-legal death investigations, generally, a homicide is when the volitional action of one person causes the death of another, while an accident is a death by chance, without a volitional action. Homicides can be criminal but don't have to be.

Medical-legal determinations matter because they provide bereaved people with answers and because they feed public health data, said Nicole Jackson, director of autopsy and after-death services at UW Medicine in Seattle. Policymakers need to know how many homicides are occurring in jails, she said.

Although Curtice told Reynolds he was rejecting “negligent homicide,” the coroner didn’t explain why, Reynolds said in an interview this month.

“It’s the coroner’s right to make that decision but I think it’s a very strange decision,” considering the circumstances of Hua’s death and the most recent recommendation from Reynolds, said Kathryn Scherpelz, associate director of autopsy and after-death services at UW Medicine in Seattle.

Jackson agreed with Scherpelz that Hua’s death was a homicide, because the guards used force. Ideally, the autopsy report and death certificate should match, she added.

“You don’t want two different records,” Jackson said. “That’s the perfect breeding ground for confusion, uncertainty and doubt.”

What’s next

Curtice landed in trouble in August after he was hospitalized with drugs in his system and told police someone had tried to poison him at work. He indicated that Chief Deputy Coroner Marshall Slight was the most likely suspect.

After failing a polygraph test, Curtice admitted to taking drugs from dead people for his own use, according to police, who have asked a prosecutor to criminally charge Curtice with evidence tampering, making false statements and official misconduct. The prosecutor has yet to announce a decision.

Because Curtice was independently elected, he can only be removed from office by voters, either in a regular election or a special recall election.

Reynolds, who came out of retirement in 2022 to help Yakima County cope with a shortage of forensic pathologists, will stop conducting autopsies if Curtice returns to work, he said. Slight may also walk away if Curtice returns, Reynolds said, suggesting the coroner’s office could cease to function.

The whole situation is a mess, said Tim Hall, a Yakima attorney whose firm is representing Hua’s mother in her lawsuit against the county.

Hua was mistreated in jail; the police and county investigations cited deficient work by the coroner’s office; Curtice is facing drug allegations; and Hua’s autopsy report and death certificate say different things, Hall said.

“If there is a case that calls out for independent review, this is it,” he said.