
HOUSE BILL 1065

State of Washington

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By Representatives O'Brien, Ballasiotes, Delvin, Lovick and Haigh

Read first time 01/15/2001. Referred to Committee on State Government.

1 AN ACT Relating to law enforcement mobilization; and adding a
2 new chapter to Title 38 RCW.

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

4 NEW SECTION. **Sec. 1.** Because of the possibility of a natural
5 disaster, an act of domestic terrorism, or civil unrest that
6 requires law enforcement response for the protection of persons or
7 property and preservation of the peace, the need exists to ensure
8 that the state is adequately prepared to respond to such an
9 incident. There is a need to establish a mechanism and a
10 procedure to provide for reimbursement to law enforcement agencies
11 that respond to help others in time of need, and to host law
12 enforcement agencies that experience expenses beyond the resources
13 of the agencies, and generally to protect the public safety,
14 peace, health, lives, and property of the people of Washington.
15 It is hereby declared necessary to:

16 (1) Provide the policy and organizational structure for large-
17 scale mobilization of law enforcement resources in the state

1 through creation of the Washington state law enforcement
2 mobilization plan;

3 (2) Confer upon the adjutant general the powers provided in
4 this chapter;

5 (3) Provide a means for reimbursement to law enforcement
6 jurisdictions that incur expenses when mobilized by the adjutant
7 general under the Washington state law enforcement mobilization
8 plan; and

9 (4) Provide for reimbursement of the host law enforcement
10 agency when it has:

11 (a) Exhausted all of its resources; and

12 (b) Invoked its local mutual aid network and exhausted those
13 resources. Upon implementation of state law enforcement
14 mobilization, the host resources shall become state law
15 enforcement mobilization resources consistent with the law
16 enforcement mobilization plan. It is the intent of the
17 legislature that mutual aid and other interlocal agreements
18 providing for enhanced emergency response be encouraged as
19 essential to the public peace, safety, health, and welfare, and
20 for the protection of the lives and property of the people of the
21 state of Washington. If possible, mutual aid agreements should be
22 without stated limitations as to resources available, time, or
23 area. Nothing in this chapter shall be construed or interpreted
24 to limit the eligibility of any nonhost fire protection authority
25 for reimbursement of expenses incurred in providing law
26 enforcement resources for mobilization.

27 NEW SECTION. **Sec. 2.** Unless the context clearly requires
28 otherwise, the definitions in this section apply throughout this
29 chapter.

30 (1) "Agency" means any general purpose law enforcement agency
31 as defined by law.

32 (2) "Adjutant general" means the adjutant general of the
33 military department.

34 (3) "Department" means the military department.

35 (4) "State law enforcement coordinator" means a designated
36 individual or agency selected by the Washington association of

1 sheriffs and police chiefs executive board to perform the
2 responsibilities of that position.

3 (5) "Chief law enforcement officer" means the chief of police
4 or sheriff responsible for law enforcement services in the
5 jurisdiction in which the emergency is occurring.

6 (6) "Jurisdiction" means a general authority Washington law
7 enforcement agency as defined in RCW 10.93.020.

8 (7) "General authority Washington peace officer" means a
9 general authority Washington peace officer as defined in RCW
10 10.93.020.

11 (8) "Mobilization" means that law enforcement resources beyond
12 those available through existing agreements will be requested and
13 when available, sent in response to an emergency or disaster
14 situation that has exceeded the capabilities of available local
15 resources. During a large-scale emergency, mobilization may
16 include the redistribution of regional or statewide law
17 enforcement resources to either direct emergency incident
18 assignments or to assignments in communities where law enforcement
19 resources are needed. When mobilization is declared and
20 authorized as provided in this chapter, all law enforcement
21 resources including those of the host law enforcement jurisdiction
22 shall be mobilized under this chapter, including those that
23 responded earlier under an existing mutual aid or other
24 agreement. All nonhost law enforcement authorities providing
25 resources in response to a mobilization declaration shall be
26 eligible for expense reimbursement as provided by this chapter
27 from the time of the mobilization declaration.

28 (9) "Mutual aid" means emergency interagency assistance
29 provided without compensation under an agreement between
30 jurisdictions under chapter 39.34 RCW.

31 (10) "Resource coordination" means the effort to locate and
32 arrange for the delivery of resources needed by chief law
33 enforcement officers and incident commanders. Resource
34 coordination involving the mobilization of law enforcement and
35 other support resources within a region is the responsibility of
36 the regional law enforcement coordinator. In the case of
37 incidents involving more than one region or when resources from
38 more than one region must be mobilized, the state law enforcement

1 coordinator has the primary responsibility for resource
2 coordination in conjunction with the regional fire resource
3 coordinators.

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5 NEW SECTION. **Sec. 3.** The state law enforcement mobilization
6 policy board shall be established by the Washington association of
7 sheriffs and police chiefs and shall be representative of the
8 established regions. The board shall review and make
9 recommendations to the adjutant general on the refinement and
10 maintenance of the Washington state law enforcement mobilization
11 plan; which shall include the procedures to be used during an
12 emergency or disaster response requiring coordination of local,
13 regional, and state law enforcement jurisdiction resources. In
14 carrying out this duty, the law enforcement mobilization policy
15 board shall consult with and solicit recommendations from
16 representatives of the state and local law enforcement and
17 emergency management organizations, and regional law enforcement
18 mobilization committees. The Washington state law enforcement
19 mobilization plan shall be consistent with, and made a part of the
20 Washington state comprehensive emergency management plan. The
21 adjutant general shall review the law enforcement mobilization
22 plan as submitted by the law enforcement mobilization policy
23 board, recommend changes that may be necessary, and approve the
24 law enforcement mobilization plan for inclusion within the state
25 comprehensive emergency management plan. It is the responsibility
26 of the adjutant general to mobilize jurisdictions under the
27 Washington state law enforcement mobilization plan. The
28 Washington state association of sheriffs and police chiefs shall
29 appoint a state law enforcement resources coordinator and an
30 alternate who shall serve in that capacity when the law
31 enforcement mobilization plan is activated.

32 NEW SECTION. **Sec. 4.** Regions within the state are initially
33 established as follows but may be adjusted as necessary by the
34 state law enforcement policy board, but should remain consistent
35 with the Washington state fire defense regions:

36 (1) **Central region** - Grays Harbor, Thurston, Pacific, and Lewis
37 counties;

1 (2) **Lower Columbia region** - Kittitas, Yakima, and Klickitat
2 counties;

3 (3) **Mid-Columbia region** - Chelan, Douglas, and Grant counties;

4 (4) **Northeast region** - Okanogan, Ferry, Stevens, Pend Oreille,
5 Spokane, and Lincoln counties;

6 (5) **Northwest region** - Whatcom, Skagit, Snohomish, San Juan,
7 and Island counties;

8 (6) **Olympic region** - Clallam and Jefferson counties;

9 (7) **South Puget Sound region** - Kitsap, Mason, King, and Pierce
10 counties;

11 (8) **Southeast region** - Benton, Franklin, Walla Walla, Columbia,
12 Whitman, Garfield, and Asotin counties;

13 (9) **Southwest region** - Wahkiakum, Cowlitz, Clark, and Skamania
14 counties.

15 Within each of these regions there is created a regional law
16 enforcement coordinating committee. The committee shall consist
17 of the sheriff of each county in the region, the district
18 commander of the Washington state patrol and a number of police
19 chiefs within the region equivalent to the number of counties
20 within the region plus one, and the director of the counties'
21 emergency management office. Members of each regional board shall
22 select a chair and a secretary as officers. Members serving on
23 the regional boards shall do so on a voluntary capacity and are
24 not eligible for reimbursement for meeting-related expenses from
25 the state. Regional committees shall develop regional law
26 enforcement service plans that include provisions for organized
27 law enforcement agencies to respond across municipal, county, or
28 regional boundaries. Each regional plan shall be consistent with
29 the incident command system, the Washington state law enforcement
30 mobilization plan, and regional response plans already adopted and
31 in use in the state. The regional boards shall work with the
32 relevant local government entities to facilitate development of
33 intergovernmental agreements if any such agreements are required
34 to implement a regional law enforcement response plan. Each
35 regional plan shall be approved by the state law enforcement
36 mobilization policy board before implementation.

37 NEW SECTION. **Sec. 5.** The department in consultation with the

1 office of financial management shall develop procedures to
2 facilitate reimbursement to jurisdictions from appropriate federal
3 and state funds when jurisdictions are mobilized by the adjutant
4 general under the Washington state law enforcement mobilization
5 plan. The department shall ensure that these procedures provide
6 reimbursement to the host agency in as timely a manner as
7 possible.

8 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act
9 constitute a new chapter in Title 38 RCW.

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