

SB 5935 - H AMD 381

By Representative Lovick

ADOPTED 04/14/2003

1 On page 4, after line 26, insert the following:

2 NEW SECTION. **Sec. 5.** (1) Because of the possibility of a
3 disaster of unprecedented size and destruction, including acts of
4 domestic terrorism and civil unrest, that requires law enforcement
5 response for the protection of persons or property and preservation of
6 the peace, the need exists to ensure that the state is adequately
7 prepared to respond to such an incident. There is a need to (a)
8 establish a mechanism and a procedure to provide for reimbursement to
9 law enforcement agencies that respond to help others in time of need,
10 and to host law enforcement agencies that experience expenses beyond
11 the resources of the agencies; and (b) generally to protect the public
12 safety, peace, health, lives, and property of the people of Washington.

13 (2) It is hereby declared necessary to:

14 (a) Provide the policy and organizational structure for large-scale
15 mobilization of law enforcement resources in the state, using the
16 incident command system, through creation of the Washington state law
17 enforcement mobilization plan;

18 (b) Confer upon the chief of the Washington state patrol the powers
19 provided in this chapter;

20 (c) Provide a means for reimbursement to law enforcement
21 jurisdictions that incur expenses when mobilized by the chief under the
22 Washington state law enforcement mobilization plan; and

23 (d) Provide for reimbursement of the host law enforcement agency
24 when it has:

25 (i) Exhausted all of its resources; and

26 (ii) Invoked its local mutual aid network and exhausted those
27 resources.

28 NEW SECTION. **Sec. 6.** Unless the context clearly requires
29 otherwise, the definitions in this section apply throughout this
30 chapter.

1 (1) "Agency" means any general purpose law enforcement agency as
2 defined in RCW 10.93.020.

3 (2) "Board" means the state law enforcement mobilization policy
4 board.

5 (3) "Chief" means the chief of the Washington state patrol.

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

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

11 (6) "Host agency" means the law enforcement agency that requests
12 statewide mobilization under sections 6 through 11 of this act.

13 (7) "Mobilization" means a redistribution of regional and statewide
14 law enforcement resources in response to an emergency or disaster
15 situation.

16 (8) "Mutual aid" means emergency interagency assistance provided
17 without compensation pursuant to an agreement under chapter 39.34 RCW.

18 (9) "Resource coordination" means the effort to locate and arrange
19 for the delivery of resources needed by chief law enforcement officers.

20 (10) "State law enforcement resource coordinator" means a
21 designated individual or agency selected by the chief to perform the
22 responsibilities of that position.

23 NEW SECTION. **Sec. 7.** (1) The state law enforcement mobilization
24 policy board shall be established by the chief and shall have
25 representatives from each of the regions established in section 10 of
26 this act. In carrying out its duty, the board shall consult with and
27 solicit recommendations from representatives of the state and local law
28 enforcement and emergency management organizations, and regional law
29 enforcement mobilization committees.

30 (2) The board shall establish and make recommendations to the chief
31 on the refinement and maintenance of the Washington state law
32 enforcement mobilization plan, including the procedures to be used
33 during an emergency or disaster response requiring coordination of
34 local, regional, and state law enforcement resources.

35 (3) The chief shall review the Washington state law enforcement
36 mobilization plan, as submitted by the board, recommend changes as

1 necessary, and may approve the plan. The plan shall be consistent with
2 the Washington state comprehensive emergency management plan. The
3 chief may recommend the plan for inclusion within the state
4 comprehensive emergency management plan established under chapter 38.52
5 RCW.

6 NEW SECTION. **Sec. 8.** (1) Local law enforcement may request
7 mobilization only in response to an emergency or disaster exceeding the
8 capabilities of available local resources and those available through
9 existing mutual aid agreements. Upon finding that the local
10 jurisdiction has exhausted all available resources, it is the
11 responsibility of the chief to determine whether mobilization is the
12 appropriate response to the emergency or disaster and, if so, to
13 mobilize jurisdictions under the Washington state law enforcement
14 mobilization plan.

15 (2) Upon mobilization, the chief shall appoint a state law
16 enforcement resource coordinator, and an alternate, who shall serve
17 jointly with the chief law enforcement officer from the host agency to
18 command the mobilization effort consistent with incident command system
19 procedures.

20 (3) Upon mobilization, all law enforcement resources including
21 those of the host agency and those that responded earlier under an
22 existing mutual aid or other agreement shall be mobilized.
23 Mobilization may include the redistribution of regional or statewide
24 law enforcement resources to either direct emergency incident
25 assignments or to assignments in communities where law enforcement
26 resources are needed.

27 (4) For the duration of the mobilization:

28 (a) Host agency resources shall become state law enforcement
29 mobilization resources, under the command of the state law enforcement
30 resource coordinator and the chief law enforcement officer from the
31 host agency, consistent with the state law enforcement mobilization
32 plan and incident command system procedures; and

33 (b) All law enforcement authorities providing resources in response
34 to a mobilization declaration shall be eligible for expense
35 reimbursement as provided by this chapter.

1 (5) The chief, in consultation with the regional law enforcement
2 resource coordinator, shall determine when mobilization is no longer
3 required and shall then declare the end to the mobilization.

4 NEW SECTION. **Sec. 9.** (1) The state law enforcement resource
5 coordinator, or alternate, shall serve in that capacity for the
6 duration of the mobilization.

7 (2) The duties of the coordinator are to:

8 (a) Coordinate the mobilization of law enforcement and other
9 support resources within a region;

10 (b) Be primarily responsible for the coordination of resources in
11 conjunction with the regional law enforcement mobilization committees,
12 in the case of incidents involving more than one region or when
13 resources from more than one region must be mobilized; and

14 (c) Advise and consult with the chief regarding what resources are
15 required in response to the emergency or disaster and in regard to when
16 the mobilization should end.

17 NEW SECTION. **Sec. 10.** (1) Regions within the state are initially
18 established as follows and may be adjusted as necessary by the state
19 law enforcement policy board, but should remain consistent with the
20 Washington state fire defense regions:

21 (a) Central region - Grays Harbor, Thurston, Pacific, and Lewis
22 counties;

23 (b) Lower Columbia region - Kittitas, Yakima, and Klickitat
24 counties;

25 (c) Mid-Columbia region - Chelan, Douglas, and Grant counties;

26 (d) Northeast region - Okanogan, Ferry, Stevens, Pend Oreille,
27 Spokane, Adams, and Lincoln counties;

28 (e) Northwest region - Whatcom, Skagit, Snohomish, San Juan, and
29 Island counties;

30 (f) Olympic region - Clallam and Jefferson counties;

31 (g) South Puget Sound region - Kitsap, Mason, King, and Pierce
32 counties;

33 (h) Southeast region - Benton, Franklin, Walla Walla, Columbia,
34 Whitman, Garfield, and Asotin counties;

1 (i) Southwest region - Wahkiakum, Cowlitz, Clark, and Skamania
2 counties.

3 (2) Within each of the regions there is created a regional law
4 enforcement mobilization committee. The committees shall consist of
5 the sheriff of each county in the region, the district commander of the
6 Washington state patrol from the region, a number of police chiefs
7 within the region equivalent to the number of counties within the
8 region plus one, and the director of the counties' emergency management
9 office. The police chief members of each regional committee must
10 include the chiefs of police of each city of ninety-five thousand or
11 more population, and the number of members of the committee shall be
12 increased if necessary to accommodate such chiefs. Members of each
13 regional mobilization committee shall select a chair, who shall have
14 authority to implement the regional plan, and a secretary as officers.
15 Members serving on the regional mobilization committees shall not be
16 eligible for reimbursement for meeting-related expenses from the state.

17 (3) The regional mobilization committees shall work with the
18 relevant local government entities to facilitate development of
19 intergovernmental agreements if any such agreements are required to
20 implement a regional law enforcement mobilization plan.

21 (4) Regional mobilization committees shall develop regional law
22 enforcement mobilization plans that include provisions for organized
23 law enforcement agencies to respond across municipal, county, or
24 regional boundaries. Each regional mobilization plan shall be
25 consistent with the incident command system, the Washington state law
26 enforcement mobilization plan, and regional response plans adopted
27 prior to the effective date of this act.

28 (5) Each regional plan, adopted under subsection (4) of this
29 section shall be approved by the state law enforcement mobilization
30 policy board before implementation.

31 NEW SECTION. **Sec. 11.** The state patrol in consultation with the
32 Washington association of sheriffs and police chiefs and the office of
33 financial management shall develop procedures to facilitate
34 reimbursement to jurisdictions from funds appropriated specifically for
35 this purpose when jurisdictions are mobilized under the Washington
36 state law enforcement mobilization plan.

1 Nothing in this chapter shall be construed or interpreted to limit
2 the eligibility of any nonhost law enforcement authority for
3 reimbursement of expenses incurred in providing law enforcement
4 resources for mobilization.

5 NEW SECTION. **Sec. 12.** Sections 6 through 11 of this act are each
6 added to chapter 43.43 RCW."

7 Renumber the remaining section consecutively and correct the title
8 and any internal references accordingly.

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