

SSB 5270 - S AMD 92  
By Senator Brandland

ADOPTED 03/16/2003

1 Strike everything after the enacting clause and insert the  
2 following:

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

14 (2) It is hereby declared necessary to:

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

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

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

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

26 (i) Exhausted all of its resources; and

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

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

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

6        (2) "Board" means the state law enforcement mobilization policy  
7 board.

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

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

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

14        (6) "Host agency" means the law enforcement agency that requests  
15 statewide mobilization under sections 2 through 7 of this act.

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

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

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

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

26        NEW SECTION.    **Sec. 3.** (1) The state law enforcement mobilization  
27 policy board shall be established by the chief and shall have  
28 representatives from each of the regions established in section 6 of  
29 this act. In carrying out its duty, the board shall consult with and  
30 solicit recommendations from representatives of the state and local law  
31 enforcement and emergency management organizations, and regional law  
32 enforcement mobilization committees.

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

1 (3) The chief shall review the Washington state law enforcement  
2 mobilization plan, as submitted by the board, recommend changes as  
3 necessary, and may approve the plan. The plan shall be consistent with  
4 the Washington state comprehensive emergency management plan. The  
5 chief may recommend the plan for inclusion within the state  
6 comprehensive emergency management plan established under chapter 38.52  
7 RCW.

8 NEW SECTION. **Sec. 4.** (1) Local law enforcement may request  
9 mobilization only in response to an emergency or disaster exceeding the  
10 capabilities of available local resources and those available through  
11 existing mutual aid agreements. Upon finding that the local  
12 jurisdiction has exhausted all available resources, it is the  
13 responsibility of the chief to determine whether mobilization is the  
14 appropriate response to the emergency or disaster and, if so, to  
15 mobilize jurisdictions under the Washington state law enforcement  
16 mobilization plan.

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

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

29 (4) For the duration of the mobilization:

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

35 (b) All law enforcement authorities providing resources in response  
36 to a mobilization declaration shall be eligible for expense  
37 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. 5.** (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. 6.** (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;

35 (i) Southwest region - Wahkiakum, Cowlitz, Clark, and Skamania  
36 counties.

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

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

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

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

29 NEW SECTION. **Sec. 7.** The state patrol in consultation with the  
30 Washington association of sheriffs and police chiefs and the office of  
31 financial management shall develop procedures to facilitate  
32 reimbursement to jurisdictions from funds appropriated specifically for  
33 this purpose when jurisdictions are mobilized under the Washington  
34 state law enforcement mobilization plan.

35 Nothing in this chapter shall be construed or interpreted to limit  
36 the eligibility of any nonhost law enforcement authority for

1 reimbursement of expenses incurred in providing law enforcement  
2 resources for mobilization.

3 NEW SECTION. **Sec. 8.** Sections 2 through 7 of this act are each  
4 added to chapter 36.28A RCW."

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5 On page 1, line 1 of the title, after "mobilization;" strike the  
6 remainder of the title and insert "adding new sections to chapter  
7 36.28A RCW; and creating a new section."

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