

HOUSE BILL REPORT

ESSB 5270

As Reported by House Committee On:
State Government

Title: An act relating to law enforcement mobilization.

Brief Description: Creating a law enforcement mobilization policy board and plan.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Brandland, Kline, Roach, Kastama, Rasmussen, Johnson, Esser, McCaslin, Kohl-Welles and Winsley).

Brief History:

Committee Activity:

State Government: 3/25/03, 3/28/03 [DPA].

Brief Summary of Engrossed Substitute Bill
(As Amended by House Committee)

- Creating a Law Enforcement Mobilization Policy Board and plan.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass as amended. Signed by 9 members: Representatives Haigh, Chair; Miloscia, Vice Chair; Armstrong, Ranking Minority Member; Shabro, Assistant Ranking Minority Member; Hunt, McDermott, Nixon, Tom and Wallace.

Staff: Anne Warwick (786-7291) and Marsha Reilly (786-7135).

Background:

A comprehensive program of emergency management is administered in the state by the Military Department. The Adjutant General is required to develop a comprehensive, all-hazard emergency plan for the state that includes use of an incident command system when multiple jurisdictions or multiple agencies are involved. Mitigation, preparedness, response, and recovery are the essential components of the Washington State Comprehensive Emergency Management Plan (CEMP). Each county, city, and town is required to establish a local organization for emergency management and prepare a local emergency management plan. The Adjutant General may allow two or more counties or

cities to establish a single local organization. Local plans are submitted to the Adjutant General for recommendations and certification with the CEMP.

The Washington State Patrol (WSP) has general law enforcement authority throughout the entire state. Various state agencies are authorized to provide limited law enforcement. The Washington Association of Sheriffs and Police Chiefs (WASPC) is a nonprofit corporation created by the various sheriffs and police chiefs in the state. State law declares this entity to be "a combination of units of local government." State law allows this entity to assist a county in developing and implementing a law and justice plan and directs this entity to implement an electronic jail booking system. Recently, the membership of the WASPC approved the Washington State Enforcement Mutual Aid/Mobilization Plan (Mobilization Plan).

Summary of Amended Bill:

The state Law Enforcement Mobilization Policy Board (Board) is established by the chief of the WSP. The Board makes recommendations to the chief on the refinement and maintenance of the Mobilization Plan, including procedures used during a response that requires coordination of law enforcement resources, consistent with the incident command system. The Board consults with and solicits recommendations from state and local law enforcement agencies, emergency management organizations, and regional law enforcement mobilization committees.

Regional law enforcement coordinating committees consist of the sheriff of each county in the region, the district commander of the WSP from the region, a number of police chiefs equivalent to the number of counties in the region plus one, and the director of the counties' emergency management offices. Regional committees develop regional law enforcement service plans and work with local governmental agencies to facilitate intergovernmental agreements required to implement regional law enforcement response plans. Regional plans must be approved by the Board. Regional mobilization may be implemented by the chair of the regional mobilization committee.

The Mobilization Plan is included within the CEMP. Mobilization may be declared by the chief when law enforcement resources, beyond those available locally or through existing mutual aid agreements, are needed in response to an emergency or disaster. The chief appoints a state law enforcement resource coordinator who coordinates activities with the chief law enforcement officer of the host agency when the Mobilization Plan is activated. Mobilization may include the redistribution of regional or statewide law enforcement resources to either emergency incident assignments or to assignments in communities where law enforcement resources are needed. The chief, in consultation with the resource coordinator, declares when mobilization ends. The WSP, in consultation with the WASPC and the Office of Financial Management, develops procedures to facilitate reimbursement to mobilized jurisdictions from federal and state

funds.

Amended Bill Compared to Engrossed Substitute Bill:

Places the Board and Mobilization Plan under title 43.43 RCW, WSP, rather than the WASPC.

Appropriation: None.

Fiscal Note: Available on HB 1216 (companion).

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: Mutual aid plans do work. Local law enforcement resources can easily be depleted during a time of emergency. A statewide law enforcement mobilization plan would protect local jurisdictions and provide much needed resources and funding to law enforcement agencies.

Testimony Against: None.

Testified: Senator Brandland, prime sponsor; Tim Schellberg, Washington Association of Sheriffs and Police Chiefs; Ken Irwin, Yakima County Sheriff; and James Jenkins, Pierce County Sheriff's Office.