
**Public Safety & Emergency Preparedness
Committee**

HB 1820

Brief Description: Implementing the blue alert system.

Sponsors: Representatives Hope, Liias, Rivers, Ryu, Moscoso, Morris, Hurst, Condotta, Jinkins, Fitzgibbon, Klippert, Johnson, Sells, Reykdal, Billig, Maxwell and Kelley.

Brief Summary of Bill

- Requires law enforcement agencies to develop a Blue Alert system to notify the public and other agencies about people suspected of injuring or killing law enforcement officers.

Hearing Date: 2/15/11

Staff: Parker Howell (786-5793) and Yvonne Walker (786-7841).

Background:

America's Missing Broadcast Emergency Response (AMBER) Alert System.

Washington's AMBER Alert system provides a method to rapidly alert the public to the details of alleged child abductions through the media. The AMBER Alert system is meant to assist with recovery of abducted children through voluntary cooperation between broadcasters, cable systems, and local and state law enforcement agencies.

When a local law enforcement agency determines that an incident qualifies under criteria set for the AMBER Alert system, the agency may activate an AMBER Alert directly in certain circumstances, or submit the information to the Washington State Patrol (WSP). The agency or the WSP notifies the Washington State Emergency Management Division, which issues the AMBER Alert to radio and television media through the Emergency Alert System (EAS). Radio and television media broadcast the information about the abduction provided through the EAS.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

An incident must meet certain criteria before an alert is sent, such as that the child must be abducted and not a runaway and be believed to be in danger of death or serious bodily injury. Broadcasted information typically includes a picture or description of the missing child, details of the abduction, the name and a picture or description of the suspected abductor, and information about the vehicle used by the abductor. The WSP also notifies the Department of Transportation (DOT) of the AMBER Alert, and the DOT places the AMBER Alert information on highway traffic signs.

Missing Persons Resources.

The WSP's Missing and Unidentified Persons Unit oversees efforts to recover missing persons. The WSP runs a Missing Children Clearinghouse (clearinghouse) to distribute information about missing children to local law enforcement agencies, school districts, the Department of Social and Health Services, and the public. The clearinghouse includes a toll-free, 24-hour telephone hotline. The WSP also must maintain a regularly updated computerized link with national and statewide missing-person systems or clearinghouses.

The WSP also promulgates an Endangered Missing Person Advisory Plan to foster voluntary cooperation between law enforcement and state-government agencies and the media to enhance the public's ability to assist in recovering endangered missing persons who do not qualify for inclusion in an AMBER Alert.

Blue Alert Systems.

At least seven states, including Maryland, Texas, and Florida, have enacted "Blue Alert" systems modeled on AMBER Alert systems. Blue Alerts notify law enforcement and the public about descriptions of people suspected of injuring or killing law enforcement officers.

Summary of Bill:

Law enforcement agencies must implement a Blue Alert system to apprehend people suspected of killing or seriously injuring law enforcement officers. The system must be consistent with the AMBER Alert system, the Missing Person Clearinghouse, and the Endangered Missing Person Advisory Plan.

Law enforcement officers include: police officers, the Attorney General and his or her deputies, sheriffs and their regular deputies, corrections officers, state and local fire marshals, the Washington Department of Fish and Wildlife agents, and federal law enforcement officers.

The Blue Alert system shall be activated when a person suspected of a crime involving the death or serious injury of an officer has not been apprehended and may be a serious threat to the public. The investigating agency (the agency that has primary jurisdiction over the area in which the crime occurred) shall activate the Blue Alert system and notify appropriate participants, as established in rules. The agency must believe that:

- a suspect has not been apprehended;
- the suspect may be a serious threat to the public; and
- sufficient information is available to disseminate to the public to assist in apprehending the suspect.

When a Blue Alert is activated, the investigating agency must provide descriptive information under the Washington Criminal Justice Information Act and the National Crime Information Center system. The Blue Alert must include all appropriate information that may assist in the speedy apprehension of the suspect, including a statement instructing any person with information relating to the incident to contact the investigating agency.

The investigating agency shall assess the appropriate boundaries for the Blue Alert based on the nature of the suspect and the circumstances of the crime. The Blue Alert may be issued in an area smaller than the entire state if the nature of the event makes it probable that the suspect did not leave a designated geographic area.

An investigating agency must terminate the Blue Alert when it determines the system is no longer an effective tool for locating and apprehending the suspect. The investigating agency must notify other law enforcement agencies, the National Crime Information Center, and the media when a Blue Alert is terminated.

Agencies may issue rules and regulations to implement the program, including: procedures to support the investigating law enforcement agency as a resource for the receipt, analysis, and dissemination of information about the suspect and the suspect's whereabouts or methods of escape; the process for reporting information to designated media outlets; and procedures for the investigating agency to determine quickly whether an officer has been seriously injured or killed and a Blue Alert must be activated.

Appropriation: None.

Fiscal Note: Requested on February 8, 2011.

Effective Date: The bill takes effect on January 1, 2012.