

State Government

HB 1065

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

Sponsors: *Representatives O'Brien, Ballasiotes, Delvin, Lovick and Haigh.*

Brief Summary of Bill

- *A system of law enforcement mobilization is established for the state that is similar to the existing system of fire services mobilization.*
- *The system includes: (1) A state mobilization plan to provide large-scale mobilizations of law enforcement resources by action of the Adjutant General; (2) regional mobilization plans that are consistent with the state plan; and (3) a reimbursement system if federal and state funds are available.*

Hearing Date: *1/24/01*

Staff: *Steve Lundin (786-7127).*

Background:

A. Emergency Management Program.

A comprehensive program of emergency management is administered in the state by the Military Department. The Adjutant General is the director of 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. In the event of a disaster beyond local control, the Governor, through the Adjutant General, is responsible to assume

operational control over all or any part of emergency management functions in the state.

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 state comprehensive emergency management plan.

B. Fire Service Mobilization Plan.

A state fire mobilization system is provided consisting of: (1) A state mobilization plan with mutual aid agreements to provide large-scale mobilizations of fire fighting resources by action of the Adjutant General; (2) regional mobilization plans that are consistent with the state plan; and (3) a reimbursement system, if federal and state funds are available, to reimburse a host jurisdiction if its resources are exhausted and to reimburse outside jurisdictions mobilizing under the state plan.

An eight-member State Fire Protection Policy Board is appointed by the Governor, composed of representatives of various groups and interests, including counties, cities, fire chiefs, the insurance industry, a fire commissioner, and fire fighters. The policy board reviews and makes recommendations for refining the state fire services mobilization plan. The Adjutant General reviews the submitted plan, recommends changes, and approves the plan for inclusion in the state comprehensive emergency management plan. The state Fire Services Mobilization Plan must be consistent with and made part of the state comprehensive emergency management plan.

The Adjutant General mobilizes jurisdictions under the state fire services mobilization plan. The Director of Fire Protection, who is appointed by the chief of the Washington State Patrol, serves as the coordinator whenever the fire services mobilization plan is mobilized.

Seven regions are designated in the state, with a regional Fire Defense Board in each region consisting of two members from each member county. Each board develops a regional service plan for mutual aid responses that is consistent with the incident command system and state fire services mobilization plan. Each regional plan must be approved by the state Fire Protection Policy Board.

The Military Department, in conjunction with the Office of Financial Management, is directed to develop procedures to facilitate reimbursement of jurisdictions from appropriate federal and state moneys when they are mobilized.

C. Law Enforcement.

The state constitution provides for a sheriff in each county. A sheriff is the chief law enforcement officer throughout the entire county, including within cities and towns. A city may establish a police department, with a police chief as its chief law enforcement officer, and a town may appoint a town marshal as its chief law enforcement officer. Various special districts are authorized to establish limited law enforcement agencies.

The Washington State Patrol 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 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.

Summary of Bill:

A system of law enforcement mobilization is established for the state that is similar to the existing system of fire services mobilization. The system includes: (1) A state mobilization plan to provide large-scale mobilizations of law enforcement resources by action of the Adjutant General; (2) regional mobilization plans that are consistent with the state plan; and (3) a reimbursement system, if federal and state funds are available, to reimburse a host jurisdiction if its resources are exhausted and to reimburse outside jurisdictions mobilizing under the state plan.

The Washington Association of Sheriffs and Police Chiefs is directed to establish the state law enforcement mobilization policy board that is representative of established regions. The board reviews and makes recommendations to the Adjutant General on refining and maintaining the state law enforcement mobilization plan. The Adjutant General reviews the submitted plan, as well as recommends changes to the plan, and approves the plan for inclusion in the state comprehensive emergency management plan. The state plan must be consistent with, and is made part of, the state comprehensive emergency management plan.

The Adjutant General mobilizes jurisdictions under the state law enforcement mobilization plan. The state law enforcement coordinator, who is an individual or agency selected by the Washington Association of Sheriffs and Police Chiefs, serves as the coordinator whenever mobilization occurs.

Nine regions are designated in the state, with a regional fire defense board established in each region. (Note, Adams County was not included in any region.) These regions may be adjusted by the state law enforcement policy board that is established by the Washington Association of Sheriffs and Police Chiefs. A regional law enforcement coordinating committee is created in each of these regions composed of: (1) The sheriff of each included county; (2) the district commander of the Washington State Patrol; (3) a number of police

chiefs in the region equal to one more than the number of counties in the region; and (4) the director of the counties' emergency management office. (Which county director is not specified.)

Regional boards develop regional service plans that include provisions for "organized" law enforcement agencies to respond across jurisdictional lines. Each regional plan must be approved by the state law enforcement policy board. A regional plan must be consistent with the incident command system, the state comprehensive emergency management plan, and any regional response plans that have already been adopted and used in the state.

The Military Department, in conjunction with the Office of Financial Management, is directed to develop procedures to facilitate reimbursement of jurisdictions from appropriate federal and state moneys when they are mobilized.

Rulemaking Authority: *No express authority.*

Effective Date: *Ninety days after adjournment of session in which bill is passed.*

Appropriation: *None.*

Fiscal Note: *Not Requested.*