CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE HOUSE BILL 1820

Chapter 37, Laws of 2012

62nd Legislature
2012 Regular Session

BLUE ALERT SYSTEM--ATTACKS ON LAW ENFORCEMENT

EFFECTIVE DATE: 06/07/12

Passed by the House February 29, 2012
Yeas 98  Nays 0

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate March 2, 2012
Yeas 48  Nays 0

BRAD OWEN
President of the Senate

Approved March 15, 2012, 2:12 p.m.

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is ENGROSSED SUBSTITUTE HOUSE BILL 1820 as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER
Chief Clerk

CHRISTINE GREGOIRE
Governor of the State of Washington

Secretary of State
State of Washington

March 15, 2012
AN ACT Relating to the blue alert system; and adding a new chapter
to Title 10 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. There is currently no system in place in
Washington state to expedite the apprehension of violent criminals who
seriously injure or kill local, state, or federal law enforcement
officers. Other states have adopted blue alert systems to achieve this
objective. The legislature declares that it is necessary to create a
statewide blue alert system to speed the apprehension of violent
criminals who kill or seriously injure local, state, or federal law
enforcement officers.

NEW SECTION. Sec. 2. The definitions in this section apply
throughout this chapter unless the context clearly requires otherwise.
(1) "Blue alert system" means a quick response system designed to
issue and coordinate alerts following an attack upon a law enforcement
officer.
(2) "Investigating law enforcement agency" means the law
enforcement agency that has primary jurisdiction over the area or has been delegated and accepted investigatory responsibility in which a law enforcement officer has been seriously injured or killed.

(3) "Law enforcement agency" means a general law enforcement agency as defined in RCW 10.93.020 and a limited law enforcement agency as defined in RCW 10.93.020. Such agencies shall include, but are not limited to, the following:

(a) The Washington state patrol;
(b) All law enforcement agencies and police departments of any political subdivision of the state; and
(c) The department of corrections.

(4) "Law enforcement officer" includes police officers, the attorney general and the attorney general's deputies, sheriffs and their regular deputies, corrections officers, tribal law enforcement officers, park rangers, state fire marshals, municipal fire marshals, sworn members of the city fire departments, county and district firefighters, and agents of the department of fish and wildlife. "Law enforcement officer" also includes an employee of a federal governmental agency who is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and who has statutory powers of arrest.

(5) "Officer's employing law enforcement agency" means the law enforcement agency by which the officer is employed.

NEW __ SECTION. Sec. 3. (1) Within existing resources, the Washington state patrol, in partnership with the Washington association of sheriffs and police chiefs, shall develop and implement a plan, commonly known as a blue alert system, consistent with the Amber alert program, endangered missing person advisory plan, and the missing person clearinghouse, for voluntary cooperation between local, state, tribal, and other law enforcement agencies, state government agencies, radio and television stations, and cable and satellite systems to enhance the public's ability to assist in apprehending persons suspected of killing or seriously injuring a law enforcement officer. The blue alert system shall include the following:

(a) Procedures to provide support to the investigating law
enforcement agency as a resource for the receipt and dissemination of
information regarding the suspect and the suspect's whereabouts and/or
method of escape;
(b) The process for reporting the information to designated media
outlets in Washington; and
(c) Criteria for the investigating law enforcement agency to
determine quickly whether an officer has been seriously injured or
killed and a blue alert therefore needs to be requested.
(2) The investigating law enforcement agency may request activation
of the blue alert system and notify appropriate participants in the
blue alert system, when the investigating law enforcement agency
believes that:
(a) A suspect has not been apprehended;
(b) A suspect may be a serious threat to the public;
(c) Sufficient information is available to disseminate to the
public that could assist in locating and apprehending the suspect;
(d) Release of the information will not compromise the
investigation; and
(e) Criteria to ensure that releasing the victim information is
proper, as to avoid improper next of kin notification.
(3) When a blue alert is activated, the investigating law
enforcement agency shall provide descriptive information under the
criminal justice information act, chapter 10.98 RCW, and the national
crime information center system.
(4) The investigating law enforcement agency shall terminate the
blue alert with respect to a particular suspect when the suspect is
located or the incident is otherwise resolved, or when the
investigating law enforcement agency determines that the blue alert
system is no longer an effective tool for locating and apprehending the
suspect.

NEW SECTION. Sec. 4. No cause of action shall be maintained for
civil damages in any court of this state against any radio or
television broadcasting station or cable television system, or the
employees, officers, directors, managers, or agents of the radio or
television broadcasting station or cable television system, based on
the broadcast of information supplied by law enforcement officials
pursuant to the provisions of this chapter. Nothing in this section
shall be construed to limit or restrict in any way any immunity or
privilege a radio or television broadcasting station or cable
television system may have under statute or common law for broadcasting
or otherwise disseminating information.

NEW SECTION. Sec. 5. If any provision of this act or its
application to any person or circumstance is held invalid, the
remainder of the act or the application of the provision to other
persons or circumstances is not affected.

NEW SECTION. Sec. 6. Sections 1 through 4 of this act constitute
a new chapter in Title 10 RCW.

Passed by the House February 29, 2012.
Passed by the Senate March 2, 2012.
Approved by the Governor March 15, 2012.
Filed in Office of Secretary of State March 15, 2012.