

HOUSE BILL REPORT

HB 1216

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: Representatives Pearson, Kagi, Ahern, O'Brien, Delvin, Lovick and Miloscia.

Brief History:

Committee Activity:

State Government: 2/11/03, 2/14/03 [DPS].

Brief Summary of Substitute Bill

- Creating a law enforcement mobilization policy board and plan

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. 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 Katie Blinn (786-7114).

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 WASPC approved the Washington State Enforcement Mutual Aid/Mobilization Plan (Mobilization Plan).

Summary of Substitute 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 Chief of the Washington State Patrol (Chief); (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 WASPC is directed to establish a State Law Enforcement Mobilization Policy Board (State Board) that is representative of established regions. The State Board reviews and makes recommendations to the Chief on refining and maintaining the Mobilization Plan. The Chief reviews the submitted plan, as well as recommends changes to the plan, and approves the plan for inclusion in the CEMP. The Chief mobilizes jurisdictions under the Mobilization Plan.

Nine regions are designated in the state. These regions may be adjusted by the State Board that is established by the WASPC. 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 WSP; (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. The 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 Board. A regional plan must be consistent with the incident command system, the CEMP, and any regional response plans that have already been adopted and used in the state.

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

Substitute Bill Compared to Original Bill:

The bill places the law enforcement mobilization policy board and plan under RCW 36.28A, the WASPC, rather than the Military Department. The reimbursement of funds is moved out of the Military Department and placed under the WASPC. The bill also creates a procedure for demobilization and reorganizes the format to clarify the language.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: Regional law enforcement mobilization is important to all local and state law enforcement agencies. The fire protection districts and departments have been ahead of the curve in regards to regional mobilization, and with the current situation of the state and our nation, law enforcement needs to have a regional mobilization plan. With a mobilization plan the Chief can call on regions across the state to mobilize in an emergency or disaster. The World Trade Organization riots illustrated a heightened need for a succinct law enforcement mobilization plan and current national affairs show need for a mobilization system for Washington.

Testimony Against: None.

Testified: Larry Erickson, Washington Association of Sheriffs and Police Chiefs.