

# HOUSE BILL REPORT

## SHB 1725

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### As Passed Legislature

**Title:** An act relating to the creation of an endangered missing person advisory designation for missing indigenous persons.

**Brief Description:** Concerning the creation of an endangered missing person advisory designation for missing indigenous persons.

**Sponsors:** House Committee on Public Safety (originally sponsored by Representatives Lekanoff, Goodman, Berry, Taylor, Valdez, Bateman, Macri, Peterson, Ramel, Simmons, Orwall, Chopp, Stonier, Harris-Talley and Frame; by request of Attorney General).

**Brief History:**

**Committee Activity:**

Public Safety: 1/14/22, 1/20/22 [DPS].

**Floor Activity:**

Passed House: 1/28/22, 95-0.

Senate Amended.

Passed Senate: 3/3/22, 46-0.

House Concurred.

Passed House: 3/7/22, 98-0.

Passed Legislature.

<p><b>Brief Summary of Substitute Bill</b></p> <ul style="list-style-type: none"><li>• Requires the Washington State Patrol to establish a Missing Indigenous Person Alert designation as a part of its Endangered Missing Person Advisory plan.</li></ul>
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### HOUSE COMMITTEE ON PUBLIC SAFETY

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Goodman, Chair; Johnson, J., Vice Chair;

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

Mosbrucker, Ranking Minority Member; Klippert, Assistant Ranking Minority Member; Davis, Graham, Griffey, Hackney, Orwall, Ramos, Simmons, Thai and Young.

**Staff:** Corey Patton (786-7388).

**Background:**

The America's Missing Broadcast Emergency Response (AMBER) Alert system is a system in which broadcasters, cable systems, and law enforcement agencies voluntarily cooperate to assist in finding abducted children. The Washington State Patrol (WSP) is the lead agency for the AMBER Alert plan in Washington. An AMBER Alert may be activated directly by a local law enforcement agency that has either an approved local AMBER Alert plan or a mutual aid agreement with an agency that has an approved plan or directly by the WSP if the local law enforcement agency does not have an approved plan.

The WSP is also responsible for operating a Missing Children and Endangered Person (MCEP) Clearinghouse. The MCEP Clearinghouse involves the 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 recovering endangered missing persons who do not qualify for inclusion in an AMBER Alert. In an instance where a missing person does not qualify for an alert under the AMBER Alert system, an Endangered Missing Person Advisory (EMPA) alert may be activated. A "missing endangered person" is a person who is believed to be in danger due to a specified condition or circumstance and who is a person with a developmental disability, a vulnerable adult, or a person diagnosed with Alzheimer's disease or other age-related dementia. Washington's EMPA plan includes a Silver Alert designation to assist in the recovery of missing endangered persons age 60 or older.

**Summary of Substitute Bill:**

The Washington State Patrol must establish a Missing Indigenous Person Alert designation as a part of its Endangered Missing Person Advisory plan, for voluntary cooperation between local, state, tribal, and other law enforcement agencies, state government agencies, radio and television stations, cable and satellite systems, and social media pages and sites to enhance the public's ability to assist in recovery efforts.

"Missing Indigenous Person Alert" means the designated title of a missing endangered person advisory that will be used on a variable message sign and text of the highway advisory radio message when used as part of an activated advisory to assist in the recovery of a missing Indigenous person.

The definition of "missing endangered person" is expanded to include missing Indigenous women or persons.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) This bill is a collaborative effort to support women of color and protect the next generation of women. Indigenous women go missing in Washington state at rates higher than any other demographic and are often targeted for human trafficking. The exact scope of the problem is uncertain because it is difficult to accurately determine how many women are missing. Indigenous women experience a lack of media coverage and a disparity in information sharing when they are reported missing. Young Indigenous women are warned about the high rates of missing and murdered Indigenous women and told not to go out alone at night. No woman should be taught that her life is at risk because of who she is or where she comes from. This crisis began as a women's issue, and it remains primarily a women's issue. This bill provides tools to law enforcement and addresses some of the inequities in information sharing and media coverage for Indigenous communities, which will deter criminal activity and begin to change the outcomes for missing Indigenous people. This bill is one step on a journey towards justice and healing for victims and their communities.

This bill will allow smaller news organizations in rural communities to gather and disseminate information about individual incidents and the overarching problem as a whole. The new alert designation will provide more visibility to missing Indigenous person reports that would otherwise go unnoticed. However, given the lack of critical roadside infrastructure in some regions, voluntary cooperation to broadcast alerts will not be sufficient. Nothing in this bill's definition of missing endangered person specifically identifies or prioritizes Indigenous people.

(Opposed) None.

(Other) The idea of creating an alert designation for missing Indigenous persons is well-intended. However, this bill does not provide criteria for putting a missing Indigenous person alert on a reader board. Additional clarification is needed to ensure that reader boards will display appropriate information, such as a license plate number or a description of a vehicle, that can be used to correctly identify a missing Indigenous person.

**Persons Testifying:** (In support) Representative Debra Lekanoff, prime sponsor; Karen Condon, Confederated Tribes of the Colville Reservation; Mark Allen, Washington State Association of Broadcasters; Sharon Miracle, Yakima Valley Community Foundation; Catherine Edwards, Central Council Tlingit and Haida Indian Tribes of Alaska; Annie

Forsman-Adams, Attorney General's Office; Carolyn DeFord, Missing and Murdered Native Americans; Rosalie Fish, Washington State Coalition Against Domestic Violence; Charlene Tillequots, Yakama Nation; and Rowland Thompson, Allied Daily Newspapers and Washington State Association of Broadcasters.

(Other) Neil Weaver, Washington State Patrol.

**Persons Signed In To Testify But Not Testifying:** None.