
ENGROSSED SUBSTITUTE HOUSE BILL 1820

State of Washington

62nd Legislature

2012 Regular Session

By House Public Safety & Emergency Preparedness (originally sponsored by Representatives Hope, Llias, Rivers, Ryu, Moscoso, Morris, Hurst, Condotta, Jenkins, Fitzgibbon, Klippert, Johnson, Sells, Reykdal, Billig, Maxwell, and Kelley)

READ FIRST TIME 02/17/11.

1 AN ACT Relating to the blue alert system; and adding a new chapter
2 to Title 10 RCW.

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

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

12 NEW SECTION. **Sec. 2.** The definitions in this section apply
13 throughout this chapter unless the context clearly requires otherwise.

14 (1) "Blue alert system" means a quick response system designed to
15 issue and coordinate alerts following an attack upon a law enforcement
16 officer.

17 (2) "Investigating law enforcement agency" means the law

1 enforcement agency that has primary jurisdiction over the area or has
2 been delegated and accepted investigatory responsibility in which a law
3 enforcement officer has been seriously injured or killed.

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

8 (a) The Washington state patrol;

9 (b) All law enforcement agencies and police departments of any
10 political subdivision of the state; and

11 (c) The department of corrections.

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

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

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

36 (a) Procedures to provide support to the investigating law

1 enforcement agency as a resource for the receipt and dissemination of
2 information regarding the suspect and the suspect's whereabouts and/or
3 method of escape;

4 (b) The process for reporting the information to designated media
5 outlets in Washington; and

6 (c) Criteria for the investigating law enforcement agency to
7 determine quickly whether an officer has been seriously injured or
8 killed and a blue alert therefore needs to be requested.

9 (2) The investigating law enforcement agency may request activation
10 of the blue alert system and notify appropriate participants in the
11 blue alert system, when the investigating law enforcement agency
12 believes that:

13 (a) A suspect has not been apprehended;

14 (b) A suspect may be a serious threat to the public;

15 (c) Sufficient information is available to disseminate to the
16 public that could assist in locating and apprehending the suspect;

17 (d) Release of the information will not compromise the
18 investigation; and

19 (e) Criteria to ensure that releasing the victim information is
20 proper, as to avoid improper next of kin notification.

21 (3) When a blue alert is activated, the investigating law
22 enforcement agency shall provide descriptive information under the
23 criminal justice information act, chapter 10.98 RCW, and the national
24 crime information center system.

25 (4) The investigating law enforcement agency shall terminate the
26 blue alert with respect to a particular suspect when the suspect is
27 located or the incident is otherwise resolved, or when the
28 investigating law enforcement agency determines that the blue alert
29 system is no longer an effective tool for locating and apprehending the
30 suspect.

31 NEW SECTION. **Sec. 4.** No cause of action shall be maintained for
32 civil damages in any court of this state against any radio or
33 television broadcasting station or cable television system, or the
34 employees, officers, directors, managers, or agents of the radio or
35 television broadcasting station or cable television system, based on
36 the broadcast of information supplied by law enforcement officials
37 pursuant to the provisions of this chapter. Nothing in this section

1 shall be construed to limit or restrict in any way any immunity or
2 privilege a radio or television broadcasting station or cable
3 television system may have under statute or common law for broadcasting
4 or otherwise disseminating information.

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

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

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