
SUBSTITUTE HOUSE BILL 1820

State of Washington

62nd Legislature

2011 Regular Session

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

READ FIRST TIME 02/17/11.

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

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, state fire marshals,
15 municipal fire marshals, sworn members of the city fire departments,
16 and agents of the department of fish and wildlife. "Law enforcement
17 officer" also includes an employee of a federal governmental agency who
18 is authorized by law to engage in or supervise the prevention,
19 detection, investigation, or prosecution of, or the incarceration of
20 any person for, any violation of law, and who has statutory powers of
21 arrest.

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

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

35 (a) Procedures to provide support to the investigating law
36 enforcement agency as a resource for the receipt and dissemination of

1 information regarding the suspect and the suspect's whereabouts and/or
2 method of escape;

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

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

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

12 (a) A suspect has not been apprehended;

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

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

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

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

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

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

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

1 privilege a radio or television broadcasting station or cable
2 television system may have under statute or common law for broadcasting
3 or otherwise disseminating information.

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

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

10 NEW SECTION. **Sec. 7.** This act takes effect January 1, 2012.

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