
HOUSE BILL 1820

State of Washington 62nd Legislature 2011 Regular Session

By Representatives Hope, Llias, Rivers, Ryu, Moscoso, Morris, Hurst, Condotta, Jenkins, Fitzgibbon, Klippert, Johnson, Sells, Reykdal, Billig, Maxwell, and Kelley

Read first time 02/03/11. Referred to Committee on Public Safety & Emergency Preparedness.

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) "Amber alert" has the same meaning as described in RCW
15 9A.76.177.

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

1 (3) "Endangered missing person advisory plan" has the same meaning
2 as described in RCW 13.60.050.

3 (4) "Investigating law enforcement agency" means the law
4 enforcement agency that has primary jurisdiction over the area in which
5 a law enforcement officer has been injured or killed.

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

10 (a) The Washington state patrol;

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

13 (c) The department of corrections.

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

24 (7) "Missing person clearinghouse" has the same meaning as
25 described in chapter 13.60 RCW.

26 NEW SECTION. **Sec. 3.** (1) Each investigating law enforcement
27 agency shall implement an alert system, consistent with the Amber alert
28 program, endangered missing person advisory plan, and the missing
29 person clearinghouse, for the apprehension of persons suspected of
30 killing or seriously injuring law enforcement officers, and may
31 promulgate necessary rules and regulations for implementing the
32 program. The rules shall include the following:

33 (a) Procedures to provide support to the investigating law
34 enforcement agency as a resource for the receipt, analysis, and
35 dissemination of information regarding the suspect and the suspect's
36 whereabouts and/or method of escape;

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

3 (c) Procedures for the investigating law enforcement agency to
4 determine quickly whether an officer has been seriously injured or
5 killed and a blue alert therefore needs to be activated.

6 (2) The blue alert system shall be activated when a suspect for a
7 crime involving the death or serious injury of a law enforcement
8 officer has not been apprehended and may be a serious threat to the
9 public. Upon notification by an investigating law enforcement agency
10 that a suspect in a case involving the death or serious injury of a law
11 enforcement officer has not been apprehended and may be a serious
12 threat to the public, the investigating law enforcement agency shall
13 activate the blue alert system and shall notify appropriate
14 participants in the blue alert system, as established by rules adopted
15 pursuant to this chapter, when the investigating law enforcement agency
16 believes that:

17 (a) A suspect has not been apprehended;

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

19 (b) Sufficient information is available to disseminate to the
20 public that could assist in locating and apprehending the suspect.

21 (3) When a blue alert is activated pursuant to subsection (2) of
22 this section, the investigating law enforcement agency shall provide
23 descriptive information under the criminal justice information act,
24 chapter 10.98 RCW, and the national crime information center system.

25 (4) When an investigating law enforcement agency receives notice
26 that a law enforcement officer has been seriously injured or killed,
27 the agency shall send an alert to designated media outlets in
28 Washington. The alert must include all appropriate information that
29 may assist in the speedy apprehension of the suspect, including a
30 statement instructing any person with information relating to the
31 incident causing the serious injury or death of the law enforcement
32 officer to contact the investigating law enforcement agency.

33 (5) The investigating law enforcement agency shall assess the
34 appropriate boundaries of the blue alert based on the nature of the
35 suspect and the circumstances surrounding the crime. The blue alert
36 area may be less than statewide if the investigating law enforcement
37 agency determines that the nature of the event makes it probable that
38 the suspect did not leave a designated geographic location.

1 NEW SECTION. **Sec. 4.** (1) The investigating law enforcement agency
2 shall terminate the blue alert with respect to a particular suspect
3 when the suspect is located or the incident is otherwise resolved, or
4 when the investigating law enforcement agency determines that the blue
5 alert system is no longer an effective tool for locating and
6 apprehending the suspect.

7 (2) The investigating law enforcement agency shall notify other law
8 enforcement agencies, the national crime information center, and other
9 appropriate participants in the blue alert system, when a blue alert
10 for a particular suspect has been terminated. The investigating law
11 enforcement agency shall also notify the designated media outlets when
12 a blue alert for a particular suspect has been terminated.

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

17 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act constitute
18 a new chapter in Title 10 RCW.

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

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