



# BLUE ALERT LEGISLATION

JULY 2018



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U.S. Department of Justice

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# Blue Alert History

In May 2015, the Rafael Ramos and Wenjian Liu National Blue Alert Act of 2015 (42 U.S.C. § 14165 et seq.) became law. This act, known as the Blue Alert Act, establishes a voluntary nationwide system to give an early warning of threats against law enforcement officers.

Named for two fallen New York Police Department (NYPD) officers who were ambushed, the Blue Alert Act is intended to facilitate rapid dissemination of information to law enforcement agencies, the media, and the public that will aid in apprehending violent criminals wanted for killing or seriously injuring a law enforcement officer in the line of duty; in finding an officer who is missing in connection with his or her official duties; or in sharing notice of an imminent and credible threat that an individual intends to cause the serious injury or death of a law enforcement officer.

Officer safety and wellness is a top priority for the Department of Justice, which is committed to implementing the Blue Alert Act. Based on its extensive work and collaborative research on officer safety and wellness, the Office of Community Oriented Policing Services (COPS Office) was designated by the Attorney General to implement the Act and create a National Blue Alert Network. The network is charged with carrying out the following tasks:

- Coordinate Blue Alert plans with state and local governments
- Issue voluntary guidelines and recommendations
- Establish a national Blue Alert information repository
- Provide education and technical assistance to agencies establishing Blue Alert programs
- Develop strategic partnerships with other public and private entities
- Impanel an advisory group to advise states and local agencies

# Blue Alert Plan Elements

Effective Blue Alert plans should contain clearly defined activation criteria and related protocols, including the eight elements listed below. Although voluntary, these recommendations are highly encouraged in order to promote compatible and integrated Blue Alert plans throughout the United States.

- 1. Activation Criteria** – Explicit activation criteria to guide alert decision making
- 2. Requesting an Alert** – Mechanisms and protocols for requesting an alert
- 3. Writing Alerts** – Guidance on writing effective EAS- and WEA-compliant alerts
- 4. Geographical Scope** – Guidance on geographical targeting for effectiveness
- 5. Interstate Coordination** – Protocols to facilitate interstate coordination
- 6. Apprehension Efforts** – Guidance to aid in the apprehension of suspects
- 7. Duration of Alerts** – Guidance on the duration and cancellation of alerts
- 8. Officer Privacy** – Practices and policies to protect the privacy of involved officers

# Blue Alert Legislation

This compendium of Blue Alert legislation is intended to guide state and local law enforcement agencies through the development of Blue Alert legislation by providing examples from other states. The following table depicts threshold activation criteria for the 31 states that have adopted Blue Alert plans through legislation as of June 2018. This table is for quick reference only. Refer to the actual legislation contained in this compendium for more information about specific states.

	AL	AZ	CA	CO	CT	DE	FL	GA	IL	IN	KS	KY	MD	ME	MI	MN	MO	MS	MT	NC	ND	OH	OK	RI	SC	SD*	TN	TX	UT*	VA	WA	
<b>OFFICER STATUS</b>																																
<b>Known violence</b>																																
Killed	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Attempted killing									•																							
Serious bodily injury	•	•	•	•	•	•	•	•		•	•	•	•		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
Life-threatening injury				•																												
Assaulted with deadly weapon		•	•		•		•														•					•			•			
Injured														•																		
<b>Suspected violence</b>																																
Missing	•				•		•	•		•		•		•			•			•	•	•		•	•	•	•	•	•	•	•	
Concerning circumstances	•				•		•			•										•		•									•	
Last location known							•			•		•		•								•										
<b>SUSPECT</b>																																
Poses serious threat to public	•					•		•	•									•													•	•
Imminent threat to public or law enforcement		•	•		•		•				•	•	•	•	•				•		•		•	•	•	•			•	•		
Sufficient description to enlist public	•				•	•		•	•			•		•	•			•	•	•	•	•	•	•	•	•	•			•	•	
Vehicle description or tag		•	•		•		•			•	•	•	•	•	•					•	•		•			•			•	•		
<b>OTHER</b>																																
Alert may help avert further harm		•	•		•		•														•					•			•			
Alert may hasten apprehension		•	•		•		•			•											•					•			•			

\*Blue Alert adopted through executive action – no legislation available to include in compendium

# Activation Criteria Highlights

- 55% of Blue Alert states (17) include provisions for officers missing in the line of duty. In states where a missing officer is a qualifying Blue Alert event, there are typically additional criteria which must be satisfied before an alert can be issued, such as that the circumstances surrounding the missing officer must be of a suspicious or concerning nature.
- Six states allow for activation without injury to an officer if an officer was assaulted with a deadly weapon.
- 61% of Blue Alert states (19) require that there be sufficient descriptive information known about a suspect to enlist the public's assistance.
- 48% of Blue Alert states (15) require a suspect's vehicle description or license tag for activation.

## CODE OF ALABAMA

Title 32. Motor Vehicles and Traffic

Chapter 2. Department of Public Safety

Article 7. Blue Alert System

### Section 32-2-120. Creation of system; activation of alert; powers and duties; boundaries of alert area; termination of alert; liability

- (a) For the purposes of this section, the following terms shall have the following meanings:
- (1) **Alert system.** The Blue Alert system.
  - (2) **Department.** The Department of Public Safety.
  - (3) **Director.** The Director of the Department of Public Safety.
  - (4) **Law Enforcement Agency.** A law enforcement agency with jurisdiction over the search for a suspect in a case involving the death or serious injury of a peace officer or an agency employing a peace officer who is missing in the line of duty.
  - (5) **Peace Officer.** A person who is certified to exercise the power of arrest under the laws of this state.
- (b) There is established a statewide alert system known as Blue Alert which shall be developed and implemented by the director, who is the statewide coordinator of the alert system.
- (c) The alert system may be activated under either of the following circumstances:
- (1) When a suspect of a crime involving the death or serious injury of a peace officer has not been apprehended and law enforcement personnel have determined that the suspect may be a serious threat to the public.
  - (2) When a peace officer becomes missing while in the line of duty under circumstances warranting concern for the safety of the peace officer.
- (d) The director shall do all of the following:
- (1) Adopt rules necessary to ensure the proper implementation of the alert system, including instructions on the procedures for activating and deactivating the alert system.
  - (2) Prescribe forms for use by local law enforcement agencies in requesting activation of the alert system.

(e) The department may do any of the following:

- (1) Recruit public and commercial television, radio, cable, print, and other media, private commercial entities, state or local governmental entities, the public, and other appropriate persons to assist in developing and implementing the alert system.
- (2) Enter into agreements with participants in the alert system to provide necessary support for the alert system.

(f) A law enforcement agency participating in the alert system shall do all of the following:

- (1) Cooperate with the department and assist in developing and implementing the alert system.
- (2) Establish a plan for providing relevant information to its officers, investigators, or employees, as appropriate, once the alert system has been activated.
- (3) Utilize a rapid response telephone system that alerts residents in a targeted area.

(g) Upon notification by a law enforcement agency that a suspect in a case involving death or serious injury of a peace officer has not been apprehended and may be a serious threat to the public, the director shall activate the alert system and notify the appropriate participants in the alert system, as established by rule, if all of the following conditions are met:

- (1) A law enforcement agency believes that a suspect has not been apprehended.
- (2) A law enforcement agency believes that the suspect may be a serious threat to the public.
- (3) Sufficient information is available to disseminate to the public that could assist in locating the suspect.

(h) Upon notification by a law enforcement agency that a peace officer is missing while in the line of duty under circumstances warranting concern for the safety of the peace officer, the director shall activate the alert system and notify the appropriate participants in the alert system, as established by rule, if sufficient information is available to disseminate to the public that could assist in locating the missing peace officer.

(i) The area of the alert may be less than statewide if the director determines that the nature of the event makes it probable that the suspect did not leave a certain geographic location.

(j) Before requesting activation of the alert system, a law enforcement agency shall verify that the criteria described under subsections (g) or (h) have been satisfied. The law enforcement agency shall assess the appropriate boundaries of the alert based on the nature of the suspect and the circumstances surrounding the crime or the last known location of the missing police officer.

(k) The director shall terminate any activation of the alert system with respect to a particular incident if either of the following circumstances occur:

- (1) The suspect or peace officer is located or the incident is otherwise resolved.
- (2) The director determines that the alert system is no longer an effective tool for locating the suspect or peace officer.

(l) A law enforcement agency shall notify the director immediately when the suspect is located and in custody or when the peace officer is found.

(m) An entity or individual involved in the dissemination of an alert generated through the alert system pursuant to this section shall not be liable for any civil damages arising from such dissemination absent unreasonable, wanton, willful, or intentional conduct.

► <http://alisondb.legislature.state.al.us/alison/CodeOfAlabama/1975/Coatoc.htm>

## ARIZONA REVISED STATUTES

Title 41. State Government

Chapter 12. Public Safety

Article 2. Department of Public Safety

### Section 41-1726. Blue alert notification system; requirements

- A. The department shall establish the blue alert notification system as a quick response system designed to issue and coordinate alerts following an attack on a law enforcement officer as described in subsection B of this section.
- B. On the request of an authorized person at a law enforcement agency that is investigating an offense described in paragraph 1 of this subsection, the department shall issue a blue alert if all of the following conditions are met:
1. A law enforcement officer has been killed, suffered serious bodily injury or has been assaulted with a deadly weapon and the suspect has fled the scene of the offense.
  2. A law enforcement agency investigating the offense has determined that the suspect poses an imminent threat to the public or other law enforcement personnel.
  3. A detailed description of the suspect's vehicle or license plate is available for broadcast.
  4. Public dissemination of available information may help avert further harm or accelerate apprehension of the suspect.
- C. If the department issues a blue alert pursuant to this section, the department shall provide the blue alert information to any other entity that provides similar notifications in this state.

► <http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/41/01726.htm>

## CALIFORNIA CODE

Government Code

Title 2. Government of the State of California

Division 1. General

Chapter 7. California Emergency Services Act

Article 6.5. Accessibility to Emergency Information and Services

### Section 8594.5

- (a) For purposes of this section, "blue alert" means a quick response system designed to issue and coordinate alerts following an attack upon a law enforcement officer as described in subdivision (b).
- (b) In addition to the circumstances described in Section 8594, upon the request of an authorized person at a law enforcement agency that is investigating an offense described in paragraph (1), the California Highway Patrol shall activate the Emergency Alert System and issue a blue alert if all of the following conditions are met:
- (1) A law enforcement officer has been killed, suffers serious bodily injury, or is assaulted with a deadly weapon, and the suspect has fled the scene of the offense.
  - (2) A law enforcement agency investigating the offense has determined that the suspect poses an imminent threat to the public or other law enforcement personnel.
  - (3) A detailed description of the suspect's vehicle or license plate is available for broadcast.
  - (4) Public dissemination of available information may help avert further harm or accelerate apprehension of the suspect.
  - (5) The California Highway Patrol has been designated to use the federally authorized Emergency Alert System for the issuance of blue alerts.
- (c) The blue alert system incorporates a variety of notification resources and developing technologies that may be tailored to the circumstances and geography of the underlying attack. The blue alert system shall utilize the state-controlled Emergency Digital Information System, local digital signs, focused text, or other technologies, as appropriate, in addition to the federal Emergency Alert System, if authorized and under conditions permitted by the federal government.

*California Code cont'd*

(d) On or before December 31, 2011, the California Highway Patrol shall augment the department's public Internet Web site to include a blue alert link that describes the "blue alert" process, objectives, and available quick responses. The Internet Web site shall explain that the term blue alert will communicate that a law enforcement officer has been attacked or killed and that the scope of an alert will be tailored to the circumstances of the offense and available technologies.

▶ [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&sectionNum=8594.5](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=8594.5)

## COLORADO REVISED STATUTES

Title 24. Government – State

Principal Departments

Article 33.5. Public Safety

Part 4. Colorado Bureau of Investigation

### **C.R.S. 24-33.5-416.5. Blue alert program – definitions - rules**

(1) The general assembly hereby finds that:

(a) A person who kills or inflicts a life-threatening injury upon a peace officer poses a serious and imminent threat to the safety of the public;

(b) When a person kills or inflicts a life-threatening injury upon peace officer, the first few hours after the act are critically important to apprehending the person; and

(c) It is therefore necessary to create an alert system to facilitate the immediate apprehension of such persons by law enforcement agencies of the state.

(2) As used in this section, unless the context otherwise requires:

(a) “Blue alert” means an alert issued by the bureau pursuant to the provisions of this section.

(b) “Designated broadcaster” means a broadcaster that is designated by rules promulgated pursuant to paragraph (e) of subsection (4) of this section to receive and broadcast a blue alert.

(c) “Notification period” means the period of time established by rules promulgated pursuant to paragraph (c) of subsection (4) of this section, during which time a blue alert shall remain effective unless it is cancelled by the bureau as described in paragraph (g) of subsection (3) of this section.

(d) “Peace officer” means:

(I) Any peace officer described by the provisions of part 1 of article 2.5 of title 16, C.R.S.; and

(II) A federal law enforcement officer who is authorized to carry a firearm and make arrests for violations of federal law.

(e) “Program” means the blue alert program created pursuant to paragraph (a) of subsection (3) of this section.

(3) (a) To facilitate the immediate apprehension of persons who kill or inflict life-threatening injuries upon peace officers, there is hereby created the blue alert program to be implemented by the bureau on and after January 1, 2012. The program shall be a coordinated effort among the bureau, law enforcement agencies, and the state's public and commercial television and radio broadcasters.

(b) Using procedures established by rules promulgated pursuant to subsection (4) of this section, a law enforcement agency may notify the bureau after verifying that a peace officer has been killed or has received a life-threatening injury and the suspect or suspects have fled the scene of the offense.

(c) Upon receipt of a notice from a law enforcement agency that a peace officer has been killed or has received a life-threatening injury and the suspect or suspects have fled the scene of the offense, the bureau, using procedures established by rules promulgated pursuant to subsection (4) of this section, shall confirm the accuracy of the information and issue a blue alert.

(d) The bureau shall send the blue alert, including the notification period associated with the blue alert, to each designated broadcaster to be broadcast at designated intervals as specified in rules promulgated pursuant to subsection (4) of this section.

(e) A blue alert shall include:

- (I) All appropriate information that the reporting law enforcement agency has that may assist in the apprehension of the suspect or suspects;
- (II) A statement instructing anyone with information related to the killing or injuring of the peace officer to contact his or her local law enforcement agency; and
- (III) A warning that the suspect or suspects are dangerous and that members of the public should not attempt to apprehend the suspect or suspects themselves.

(f) A federal, state, or local law enforcement agency that locates or apprehends the suspect or suspects shall notify the bureau as soon as practicable of such fact.

(g) A blue alert shall be cancelled when the bureau notifies the designated broadcaster that the suspect or suspects have been apprehended or at the end of the notification period, whichever occurs first.

(4) On or before November 1, 2011, the executive director of the department of public safety shall promulgate rules in accordance with the "State Administrative Procedure Act", article 4 of this title, for the implementation of the program. The rules shall include, but need not be limited to:

(a) Procedures for a law enforcement agency to use to notify the bureau that a peace officer has been killed or has received a life-threatening injury and the suspect or suspects have fled the scene of the offense;

- (b) Procedures for the bureau to follow in confirming the reporting law enforcement agency's information and reporting the information to each designated broadcaster;
- (c) The establishment of a notification period to be used for each blue alert;
- (d) The intervals at which designated broadcasters shall issue a blue alert; and
- (e) A list of designated broadcasters who have volunteered to participate in the broadcasting of blue alerts.

▶ <http://www.lexisnexis.com/hottopics/colorado/>

## STATE OF CONNECTICUT

House Bill No. 6007

Public Act No. 13-24

### An Act Concerning “Blue Alerts”

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective October 1, 2013*) (a) The Department of Emergency Services and Public Protection shall establish an emergency alert system to assist law enforcement agencies in the apprehension of persons suspected of killing or seriously injuring peace officers or in the location of missing peace officers. The department shall develop and implement policies and procedures for the operation and administration of the system including, but not limited to, procedures for a law enforcement agency to request activation of the system and guidelines to ensure that the dissemination of information will not compromise the investigation of the offense or disappearance or violate the privacy of the peace officer who is the subject of the alert or of the officer’s next-of-kin.

(b) The department may activate the system and issue an alert only if it determines, after consultation with the law enforcement agency requesting such activation, that:

(1) A peace officer:

(A) Has been assaulted by another person resulting in such officer’s death or serious physical injury or has been assaulted by another person with a deadly weapon, and the person suspected of such assault

(i) has not been apprehended, and

(ii) poses an imminent threat to the public or other peace officers, or

(B) is missing while in the performance of such officer’s duties under circumstances warranting concern for such officer’s safety;

(2) Sufficient descriptive information is available to disseminate to the public concerning

(A) the suspect or the suspect’s vehicle or other means of escape, or

(B) the circumstances of the peace officer’s disappearance; and

(3) Dissemination of such information to the public could assist in apprehending the suspect, locating the missing peace officer or averting injury to any other person.

*State of Connecticut cont'd*

(c) As used in this section, “peace officer”, “serious physical injury” and “deadly weapon” have the same meanings as provided in section 53a-3 of the general statutes.

Approved May 28, 2013

▶ <https://www.cga.ct.gov/2013/act/pa/pdf/2013PA-00024-R00HB-06007-PA.pdf>

## DELAWARE CODE

Title 11. Crimes and Criminal Procedure

Part V. Law Enforcement Administration

Chapter 85. State Bureau of Identification

Subchapter VIII. Blue Alert Program for Apprehension of Persons Suspected  
of Killing or Injuring Law Enforcement Officers

### Section 8584. Definitions

(a) "ACIM Alert Program" means the "A Child Is Missing Alert Program," a national rapid-response communication network that offers free assistance to law-enforcement agencies to aid in the recovery, identity, or apprehension of missing persons through the use of immediate public notification and dissemination of information via telephone in a targeted community.

(b) "Gold Alert Program" means the program established in subchapter VII of this chapter to aid in the identification and location of certain missing persons.

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

(d) "Law-enforcement agency" means a government agency or any subunit thereof which performs the administration of criminal justice pursuant to statute or executive order, and which allocates a substantial part of its annual budget to the administration of criminal justice. For the purposes of this subchapter, such agencies shall include, but are not limited to, the following:

- (1) The Delaware State Police;
- (2) All law-enforcement agencies and police departments of any political subdivision of this State;
- (3) The Department of Correction; and
- (4) The Department of Justice.

(e) "Law-enforcement officer" includes police officers, the Attorney General and the Attorney General's deputies, sheriffs and their regular deputies, agents of the State Division of Alcohol and Tobacco Enforcement, correctional officers, state fire marshals, municipal fire marshals that are graduates of a Delaware Police Academy which is accredited/authorized by the Council on Police Training, sworn members of the City of Wilmington Fire Department who have graduated from a Delaware Police Academy which is authorized/accredited by the Council on Police Training, environmental protection officers, enforcement agents of the Department of Natural Resources and Environmental Control, and constables. For purposes

of this subchapter, "law-enforcement officer" also includes an employee of a federal governmental agency who is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and who has statutory powers of arrest. For purposes of this subchapter, sheriffs and their regular deputies shall not have any arrest authority.

#### **§ 8585. Establishment of the Delaware Blue Alert Program**

Each investigating law-enforcement agency shall implement an alert program, consistent with the ACIM Alert Program and the Gold Alert Program, for the apprehension of persons suspected of killing or seriously injuring law-enforcement officers, and may promulgate necessary rules and regulations for implementing the program. The rules and regulations shall include the following:

- (1) Procedures for the use of the Delaware Information Analysis Center to provide support to the investigating law-enforcement agency as a resource for the receipt, analysis, and dissemination of information regarding the suspect and the suspect's whereabouts and/or method of escape;
- (2) The process for reporting the information to designated media outlets in Delaware; and
- (3) Procedures for the investigating law-enforcement agency to determine quickly whether an officer has been "seriously injured or killed" and a Blue Alert therefore needs to be activated.

#### **§ 8586. Activation of the Blue Alert Program**

(a) The Blue Alert Program shall be activated when a suspect for a crime involving the death or serious injury of a law-enforcement officer has not been apprehended and may be a serious threat to the public. Upon notification by an investigating law-enforcement agency that a suspect in a case involving the death or serious injury of a peace officer has not been apprehended and may be a serious threat to the public, the investigating law-enforcement agency shall activate the Blue Alert system and shall notify appropriate participants in the Blue Alert system, as established by regulations promulgated pursuant to this subchapter, when the investigating law-enforcement agency believes that:

- (1) A suspect has not been apprehended;
- (2) A suspect may be a serious threat to the public; and
- (3) Sufficient information is available to disseminate to the public that could assist in locating and apprehending the suspect.

(b) When a Blue Alert is activated pursuant to subsection (a) of this section, the investigating law-enforcement agency shall provide the descriptive information to the Delaware Criminal Justice Information System and the National Crime Information Center system. The investigating law-enforcement agency shall also notify the Delaware Information Analysis Center, which shall make all necessary notifications and provide appropriate assistance to the investigating law-enforcement agency.

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

(d) The investigating law-enforcement agency shall assess the appropriate boundaries of the Blue Alert based on the nature of the suspect and the circumstances surrounding the crime. The Blue Alert area may be less than statewide if the investigating law-enforcement agency determines that the nature of the event makes it probable that the suspect did not leave a designated geographic location.

#### **§ 8587. Termination of a Blue Alert**

(a) The investigating law-enforcement agency shall terminate the Blue Alert with respect to a particular suspect when the suspect is located or the incident is otherwise resolved, or when the investigating law-enforcement agency determines that the Blue Alert system is no longer an effective tool for locating and apprehending the suspect.

(b) The investigating law-enforcement agency shall notify other law-enforcement agencies, Delaware Criminal Justice Information System, National Crime Information Center, the Delaware Information Analysis Center, and other appropriate participants in the Blue Alert system, when a Blue Alert for a particular suspect has been terminated. The investigating law-enforcement agency shall also notify the designated media outlets when a Blue Alert for a particular suspect has been terminated.

► <http://delcode.delaware.gov/title11/c085/sc08/index.shtml>

## FLORIDA STATUTES

### Title XLVI. Crimes

#### Chapter 784. Assault; Battery; Culpable Negligence

#### **Section 784.071. Assault or battery on a law enforcement officer; missing while in line of duty; blue alert**

(1) At the request of an authorized person employed at a law enforcement agency, the Department of Law Enforcement, in cooperation with the Department of Highway Safety and Motor Vehicles and the Department of Transportation, shall activate the emergency alert system and issue a blue alert if all of the following conditions are met:

- (a) 1. A law enforcement officer has been killed, has suffered serious bodily injury, or has been assaulted with a deadly weapon; or
- 2. A law enforcement officer is missing while in the line of duty under circumstances evidencing concern for the law enforcement officer's safety;
- (b) The suspect has fled the scene of the offense;
- (c) The law enforcement agency investigating the offense determines that the suspect poses an imminent threat to the public or to other law enforcement officers;
- (d) A detailed description of the suspect's vehicle, or other means of escape, or the license plate of the suspect's vehicle is available for broadcasting;
- (e) Dissemination of available information to the public may help avert further harm or assist in the apprehension of the suspect; and
- (f) If the law enforcement officer is missing, there is sufficient information available relating to the officer's last known location and physical description, and the description of any vehicle involved, including the license plate number or other identifying information, to be broadcast to the public and other law enforcement agencies, which could assist in locating the missing law enforcement officer.

(2)(a) The blue alert shall be immediately disseminated to the public through the emergency alert system by broadcasting the alert on television, radio, and the dynamic message signs that are located along the state's highways.

- (b) If a traffic emergency arises requiring that information pertaining to the traffic emergency be displayed on a highway message sign in lieu of the blue alert information, the agency responsible for displaying information on the highway message sign is not in violation of this section.

► [http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0700-0799/0784/Sections/0784.071.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0700-0799/0784/Sections/0784.071.html)

## GEORGIA CODE

Title 35. Law Enforcement Officers and Agencies

Chapter 3. Georgia Bureau of Investigation

Article 8. Alert Systems for Unapprehended Suspects

### **Section 35-3-191. State-wide alert system for suspects of crimes involving death or serious injury of peace officer; alert system for missing peace officer**

(a) There is established a state-wide alert system known as “Blue Alert” which shall be developed and implemented by the director.

(b) As used in this Code section, the term:

(1) “Law enforcement agency” means a law enforcement agency with jurisdiction over the search for a suspect in a case involving the death or serious injury of a peace officer or an agency employing a peace officer who is missing in the line of duty.

(2) “Peace officer” means a person who is certified to exercise the powers of arrest.

(c) The “Blue Alert” system may be activated when a suspect for a crime involving the death or serious injury of a peace officer has not been apprehended and law enforcement personnel have determined that the suspect may be a serious threat to the public and also when a peace officer becomes missing while in the line of duty under circumstances warranting concern for such peace officer’s safety.

(d) The provisions of Code Sections 35-3-173, 35-3-175, and 35-3-178 shall also apply to “Blue Alert” as set forth in this Code section.

(e) Upon notification by a law enforcement agency that a suspect in a case involving the death or serious injury of a peace officer has not been apprehended and may be a serious threat to the public, the director shall activate the “Blue Alert” system and notify appropriate participants in the “Blue Alert” system, as established by rule, if:

(1) A law enforcement agency believes that a suspect has not been apprehended;

(2) A law enforcement agency believes that the suspect may be a serious threat to the public; and

(3) Sufficient information is available to disseminate to the public that could assist in locating the suspect.

The area of the alert may be less than state wide if the director determines that the nature of the event makes it probable that the suspect did not leave a certain geographic location.

(f) Upon notification by a law enforcement agency that a peace officer is missing while in the line of duty under circumstances warranting concern for such peace officer's safety, the director shall activate the "Blue Alert" system and notify appropriate participants in the "Blue Alert" system if sufficient information is available to disseminate to the public that could assist in locating the missing peace officer. The area of the alert may be less than state wide if the director determines that the nature of the event makes it probable that the officer is within a certain geographic location.

(g) Before requesting activation of the "Blue Alert" system, a law enforcement agency shall verify that the criteria described by subsection (e) or (f) of this Code section have been satisfied. The law enforcement agency shall assess the appropriate boundaries of the alert based on the nature of the suspect and the circumstances surrounding the crime or the last known location of the missing peace officer.

(h) The director shall terminate any activation of the "Blue Alert" system with respect to a particular incident if:

- (1) The suspect or peace officer is located or the incident is otherwise resolved; or
- (2) The director determines that the "Blue Alert" system is no longer an effective tool for locating the suspect or peace officer.

Law enforcement agencies shall notify the director immediately when the suspect is located and in custody or the peace officer is found.

(i) Any entity or individual involved in the dissemination of a "Blue Alert" generated pursuant to this Code section shall not be liable for any civil damages arising from such dissemination.

► <http://law.justia.com/codes/georgia/2010/title-35/chapter-3/article-8/35-3-191/>

## ILLINOIS COMPILED STATUTES

Chapter 20. Executive Branch

20 ILCS 2605/. Civil Administrative Code of Illinois. (Department of State Police Law)

Article 2605. Department of State Police

### Section 2605-600. Crimes Against Police Officers Advisory

(a) For purposes of this Section:

“Attempt” has the meaning ascribed to that term in Section 8-4 of the Criminal Code of 2012.

“Concealment of homicidal death” has the meaning ascribed to that term in Section 9-3.4 of the Criminal Code of 2012.

“First degree murder” has the meaning ascribed to that term in Section 9-1 of the Criminal Code of 2012.

“Involuntary manslaughter” and “reckless homicide” have the meanings ascribed to those terms in Section 9-3 of the Criminal Code of 2012.

“Second degree murder” has the meaning ascribed to that term in Section 9-2 of the Criminal Code of 2012.

(b) A coordinated program known as the Crimes Against Police Officers Advisory is established within the Department of State Police. The purpose of the Crimes Against Police Officers Advisory is to provide a regional system for the rapid dissemination of information regarding a person who is suspected of committing or attempting to commit any of the offenses described in subsection (c).

(c) The Department of State Police shall develop an advisory to assist law enforcement agencies when the commission or attempted commission of the following offenses against a peace officer occur:

- (1) first degree murder;
- (2) second degree murder;
- (3) involuntary manslaughter;
- (4) reckless homicide; and
- (5) concealment of homicidal death.

- (d) Law enforcement agencies participating in the advisory may request assistance when:
- (1) the agency believes that a suspect has not been apprehended;
  - (2) the agency believes that the suspect may be a serious threat to the public; and
  - (3) sufficient information is available to disseminate to the public that could assist in locating the suspect.
- (e) The Department of State Police shall reserve the authority to determine if dissemination of the information will pose a significant risk to the public or jeopardize the investigation.
- (f) The Department of State Police may partner with media and may request a media broadcast concerning details of the suspect in order to obtain the public's assistance in locating the suspect or vehicle used in the offense, or both.

► <http://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=002026050HArt%2E+2605&ActID=345&ChapterID=5&SeqStart=100000&SeqEnd=-1>

## **INDIANA CODE**

Title 10. Public Safety

Article 13. State Police Data and Information Programs

Chapter 8. Blue Alert Program

### **IC 10-13-8-1. “Blue alert”**

Sec. 1. As used in this chapter, “blue alert” means the transmission of information about a law enforcement officer who is killed, seriously injured, or missing in the line of duty under a blue alert program.

### **IC 10-13-8-2. “Blue alert program”**

Sec. 2. As used in this chapter, “blue alert program” means a program in which the department transmits information about a law enforcement officer who is killed, seriously injured, or missing in the line of duty to broadcasters and electronic billboard operators who:

- (1) have agreed to participate in the program; and
- (2) immediately and repeatedly broadcast the information to the general public.

### **IC 10-13-8-3. “Broadcaster”**

Sec. 3. As used in this chapter, “broadcaster” means the operator of a radio or television station.

### **IC 10-13-8-4. “Law enforcement agency”**

Sec. 4. As used in this chapter, “law enforcement agency” means an agency or department of the state or a political subdivision that:

- (1) has jurisdiction over the search for a suspect in a case involving the death or serious injury of a law enforcement officer; or
- (2) employs a law enforcement officer who is missing in the line of duty.

**IC 10-13-8-5. "Law enforcement officer"**

Sec. 5. As used in this chapter, "law enforcement officer" mean sany of the following:

- (1) A state police officer.
- (2) A county sheriff.
- (3) A county police officer.
- (4) A correctional officer.
- (5) An excise police officer.
- (6) A county police reserve officer.
- (7) A city police officer.
- (8) A city police reserve officer.
- (9) A conservation enforcement officer.
- (10) A town marshal.
- (11) A deputy town marshal.
- (12) A probation officer.
- (13) A state educational institution police officer appointed under IC 21-39-4.
- (14) A gaming agent of the Indiana gaming commission.
- (15) A person employed by a political subdivision (as defined in IC 36-1-2-13) and appointed as a special deputy under IC 36-8-10-10.6.
- (16) A school corporation police officer appointed under IC 20-26-16.
- (17) A police officer of a public or private post-secondary educational institution whose board of trustees has established a police department under IC 21-17-5-2 or IC 21-39-4-2.

**IC 10-13-8-6. Operation of blue alert program**

Sec. 6. The department shall operate a blue alert program.

**IC 10-13-8-7. Authority to issue blue alert**

Sec. 7. A blue alert may be issued by the department if:

- (1) requested by a law enforcement agency; and
- (2) the department makes the determination required under section 8 of this chapter.

**IC 10-13-8-8. Grounds for issuing blue alert**

Sec. 8. (a) The department may issue a blue alert only if the department determines that:

- (1) a law enforcement officer:
  - (A) has been killed or seriously injured while in the line of duty and:
    - (i) the suspect has not been apprehended; and
    - (ii) the suspect poses an imminent threat to the public or other law enforcement personnel; or
  - (B) is missing while in the line of duty under circumstances warranting concern for the officer's safety;
- (2) disseminating information to the public may assist in:
  - (A) identifying and apprehending the suspect; or
  - (B) locating the missing law enforcement officer; and
- (3) there is sufficient information for dissemination to the public regarding:
  - (A) the missing law enforcement officer's last known location; and
  - (B) the physical description of any:
    - (i) suspect; or
    - (ii) vehicle involved or the vehicle's license plate number.

(b) The department shall determine the geographic boundaries of the area in which the blue alert shall be issued.

(c) Before a blue alert may be issued, the law enforcement agency requesting the alert shall provide information to the department that is required by the guidelines adopted by the department under section 10 of this chapter.

**IC 10-13-8-9. Agreements with program participants**

Sec. 9. (a) The department may enter into an agreement with one (1) or more:

- (1) broadcasters; or
  - (2) electronic billboard operators;
- to issue blue alerts under a blue alert program established under this chapter.

(b) The superintendent shall designate staff responsible for the operation of the blue alert program.

### **IC 10-13-8-10. Program operating guidelines**

Sec. 10. The department shall adopt guidelines for the operation and administration of the blue alert program, including the following:

- (1) Procedures for a law enforcement agency to notify the department of the circumstances described in section 8(a)(1) of this chapter.
- (2) The information that a law enforcement agency must provide to the department before issuing a blue alert.
- (3) Procedures for the department to follow in confirming a law enforcement agency's information and reporting the information to each designated broadcaster or electronic billboard operator.
- (4) Guidelines governing the voluntary blue alert program agreement between the department and a broadcaster. The agreement may include the following provisions:
  - (A) Upon receiving a notification as part of the blue alert program, the broadcaster shall broadcast the information contained in the notice on an intermittent basis for a period of time as provided in the agreement between the department and the broadcaster.
  - (B) The broadcaster shall treat the blue alert notification as an emergency.
  - (C) The broadcaster shall ensure that the facsimile transmission machine or other communication device used to receive a blue alert notification is:
    - (i) generally available to receive a blue alert notification; and
    - (ii) located such that the broadcaster will immediately become aware of an incoming blue alert notification.
- (5) Guidelines governing the voluntary blue alert program agreement between the department and an electronic billboard operator. The agreement may include the following provisions:
  - (A) Upon receiving a notification as part of the blue alert program, the electronic billboard operator shall display the information contained in the notice on an intermittent basis for a period of time as provided in the agreement between the department and the electronic billboard operator.
  - (B) The electronic billboard operator shall treat the blue alert notification as an emergency.

(C) The electronic billboard operator shall ensure that the facsimile transmission machine or other communication device used to receive a blue alert notification is:

- (i) generally available to receive a blue alert notification; and
- (ii) located such that the electronic billboard operator will immediately become aware of an incoming blue alert notification received during days and times when staff is present to receive a blue alert notification.

(D) A limitation on the days and times that the electronic billboard operator is required to have staff present to receive a blue alert notification.

(6) The guidelines may require department staff, upon a determination by the department to issue a blue alert, to immediately send by facsimile transmission or other means of communication the information that the department considers necessary to one (1) or more electronic billboard operators participating in the blue alert program if the blue alert occurs during a period when the electronic billboard operator has agreed to have staff present to receive a blue alert notification.

(7) Guidelines to ensure that releasing victim information is proper, as to avoid improper next of kin notification.

(8) Guidelines to ensure that release of the information will not compromise the investigation.

#### **IC 10-13-8-11. Program participant duty to broadcast or display blue alert**

Sec. 11. A broadcaster or an electronic billboard operator participating in the blue alert program shall immediately display information that the department considers necessary to the general public in accordance with the blue alert program agreement between the department and the broadcaster or operator.

#### **IC 10-13-8-12. Civil immunity for broadcast or display of blue alert**

Sec. 12. (a) A broadcaster or electronic billboard operator that has agreed to participate in the blue alert program and that:

- (1) receives a blue alert notification from the department; and
- (2) broadcasts or displays information contained in the notification that the department considers necessary;

is immune from civil liability based on the broadcast or display of the information received from the department.

(b) If:

- (1) a person enters into an agreement with the department to establish or maintain a blue alert web site;  
and
- (2) the agreement provides that only the department has the ability to place information on the web site;

the person is immune from civil liability for the information placed on the web site by the department. However, this subsection does not affect the applicability of IC 34-13-3 to the department.

#### **IC 10-13-8-13. Notifying department of apprehension of suspect or location of missing officer**

Sec. 13. A law enforcement agency that locates or apprehends the suspect or locates the missing law enforcement officer described in section 8(a)(1) of this chapter shall notify the department as soon as practicable.

#### **IC 10-13-8-14. Grounds for terminating a blue alert**

Sec. 14. The department shall terminate a blue alert if:

- (1) the suspect or missing law enforcement officer is located or the incident is otherwise resolved; or
- (2) the department determines that the blue alert system is no longer an effective tool for locating the suspect or the missing law enforcement officer.

#### **IC 10-13-8-15. Report to National Crime Information Center**

Sec. 15. When a blue alert is issued, the law enforcement agency that requests the blue alert shall report information regarding the circumstances described in section 8(a)(1) of this chapter to the National Crime Information Center (NCIC) data base.

#### **IC 10-13-8-16. Federal emergency alert system**

Sec. 16. This chapter does not authorize the use of the federal emergency alert system unless otherwise authorized by federal law.

► <http://iga.in.gov/legislative/laws/2016/ic/titles/010/articles/013/chapters/008/>

## KANSAS STATE LEGISLATURE

### House Concurrent Resolution No. 5029

A CONCURRENT RESOLUTION urging the Kansas bureau of investigation to establish a blue alert system for the state of Kansas.

WHEREAS, A Blue Alert is designed to speed the apprehension of violent criminals who kill or seriously injure law enforcement officers; and

WHEREAS, Eighteen states currently have the Blue Alert in place, while other states and the federal government are considering establishing a Blue Alert; and

WHEREAS, The four criteria for issuance of a Blue Alert are: (1) A law enforcement officer must have been killed or seriously injured by an offender; (2) the investigating law enforcement agency must determine that the offender poses a serious risk or threat to the public and other law enforcement personnel; (3) a detailed description of the offender's vehicle, vehicle tag or partial tag must be available for broadcast to the public; and (4) the investigating law enforcement agency of jurisdiction must recommend activation of the Blue Alert; and

WHEREAS, All Kansans respect and are grateful for the service of the men and women who serve as law enforcement officers and are deeply saddened whenever an officer is killed or injured; and

WHEREAS, The Legislature desires that a Blue Alert system be established in the State of Kansas; and

WHEREAS, Kansas already has in place similar systems; Amber-Alerts for abducted children, and Silver Alerts for missing senior citizens; and

WHEREAS, The most efficient and effective means of establishing a Blue Alert system in Kansas would be for the Kansas Bureau of Investigation, using its existing authorities, to establish a Blue Alert system: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Kansas Legislature urges the Kansas Bureau of Investigation to establish a Blue Alert system for the State of Kansas and urges all law enforcement agencies and other appropriate organizations and people to lend support to this effort.

► <http://www.kansas.gov/kbi/PDF/Blue%20Alert%20HCR.pdf>

## KENTUCKY REVISED STATUTES

### Chapter 16. State Police

#### **Section 16.177. Operation and administration of Kentucky Blue Alert System – Administrative regulations**

- (1) The Department of Kentucky State Police in cooperation with the Justice and Public Safety Cabinet, Transportation Cabinet, the Division of Emergency Management of the Department of Military Affairs, broadcasters, and the news media shall operate a system to notify the public when a peace officer has been killed, injured, or is missing in the line of duty and the department determines that public notification might aid in the apprehension of a suspect or the recovery of the officer. The system shall be known as the Kentucky Blue Alert System.
- (2) The Kentucky Blue Alert System shall utilize existing resources, including but not limited to electronic highway signs; the Amber Alert System; law enforcement communications systems; electronic media; local, regional, and statewide media providers; and the Emergency Alert System, if authorized and under conditions permitted by the federal government.
- (3) The Department of Kentucky State Police shall promulgate administrative regulations for the operation and administration of the Kentucky Blue Alert System.

#### **§ 16.179 When public alert may be issued – Duties of requesting agency, department, and all law enforcement agencies in Kentucky**

- (1) No public alert using the Kentucky Blue Alert System shall be issued unless requested by a law enforcement agency and, upon consultation with that agency, the department determines:
  - (a) That a peace officer has been killed, seriously injured, or is missing in the line of duty;
  - (b) That public notification is the most appropriate method of locating the officer or identifying and locating a suspected offender who poses an imminent threat to the public or other law enforcement personnel;
  - (c) That there is sufficient information available relating to the officer's last known location and the physical description of any suspected offender or vehicle involved that could be broadcast to assist in locating the officer or suspected offender; and
  - (d) The geographic area in which the notification shall be made.

(2) The requesting agency shall provide the information required by administrative regulation to the Department of Kentucky State Police prior to activation of the Kentucky Blue Alert System.

(3) If it is determined by the department that public notification shall be initiated, the department shall notify the public and private agencies and organizations that will provide the notification and provide those agencies and organizations with the information that the department deems necessary.

(4) All law enforcement agencies in the Commonwealth shall cooperate with the department in the provision and dissemination of information regarding any peace officer who has been killed, seriously injured, or is missing in the line of duty.

(5) No law enforcement agency, other than the department, shall activate the Kentucky Blue Alert System without the authority of the department.

► <http://www.lrc.ky.gov/statutes/chapter.aspx?id=37120>

## MARYLAND CODE

Article. Public Safety

Title 3. Law Enforcement

Subtitle 6. Missing Persons

### Section 3-605. Blue Alert Program

- (a) (1) in this section the following words have the meanings indicated.
- (2) "law enforcement agency" means a state, county, or municipal police department or agency, or a sheriff's department.
- (3) "missing offender" means an individual:
- (i) whose whereabouts are unknown;
  - (ii) who is suspected of killing or seriously injuring a law enforcement officer;
  - (iii) whose disappearance poses a serious threat to the public and other law enforcement personnel;
- and
- (iv) whose vehicle the reporting law enforcement agency is able to describe, including any information about the vehicle's registration plate.
- (b) (1) The Department of State Police shall establish a Blue Alert program to provide a system for rapid dissemination of information to assist in locating and apprehending a missing offender.
- (2) The Department of State Police shall:
- (i) adopt guidelines and develop procedures for issuing a Blue Alert for a missing offender;
  - (ii) provide training to local law enforcement agencies on the guidelines and procedures to be used to make and handle a report of a missing offender;
  - (iii) provide assistance to a local law enforcement agency, as necessary, to assist in the location and apprehension of a missing offender;
  - (iv) recruit public and commercial television and radio broadcasters, local volunteer groups, and other members of the public to assist in developing and implementing a Blue Alert; and

*Maryland Code cont'd*

(v) consult with the State Highway Administration and the Governor's Division of Emergency Management to establish a plan for providing information relevant to a Blue Alert to the public through the dynamic message sign system located across the state.

(c) a law enforcement officer or agency that apprehends a missing offender who is the subject of a Blue Alert immediately shall notify The Department of State Police and the law enforcement agency that filed the report resulting in the Blue Alert that the missing offender has been apprehended.

► [http://mgaleg.maryland.gov/2017rs/statute\\_google/gps/3-605.pdf](http://mgaleg.maryland.gov/2017rs/statute_google/gps/3-605.pdf)

## MAINE REVISED STATUTES

Title 25. Internal Security and Public Safety

Part 5. Public Safety

Chapter 260. Blue Alert Program

### Section 2221. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. **Blue Alert.** “Blue Alert” means a notice provided under this chapter to the public through certain state agencies and the media.
2. **Blue Alert Program.** “Blue Alert Program” means the statewide alert program regarding killed, injured or missing law enforcement officers developed and implemented under this chapter.
3. **Department.** “Department” means the Department of Public Safety.
4. **Law enforcement officer.** “Law enforcement officer” has the same meaning as in section 3701, subsection 3.
5. **Media.** “Media” means print, radio, Internet-based communication systems or other methods of communicating information to the public.

### §2222. Blue Alert Program

1. **Blue Alert Program.** In accordance with this chapter and with the cooperation of the Department of Transportation, the Maine Turnpike Authority, a statewide organization representing broadcast groups in the State, the Office of the Governor and appropriate law enforcement agencies, the department shall develop and implement the Blue Alert Program as provided in subsection 2.
2. **Program elements.** The Blue Alert Program must be developed and implemented using existing resources and activated when, in the line of duty, a law enforcement officer has been killed or injured or is missing, there is sufficient information available regarding the law enforcement officer’s last known location or physical description of an offender or vehicle involved and the department determines that a public notification may aid in:
  - A. Apprehending a suspected offender who poses an imminent threat to the public or to law enforcement personnel; or
  - B. Locating a missing law enforcement officer.

3. **Standards of procedure.** The Blue Alert Program must include standards of procedure for local law enforcement agencies to determine that a condition under subsection 2 exists to notify the department to activate a Blue Alert, a plan for providing relevant information to the public through an existing system of dynamic message signs located across the State when necessary and training for all law enforcement officers.

4. **Rules.** The department may adopt routine technical rules pursuant to title 5, chapter 375, subchapter 2-A to carry out the purposes of this chapter.

► <http://legislature.maine.gov/statutes/25/title25ch260sec0.html>

## MICHIGAN COMPILED LAWS

Chapter 28. Michigan State Police  
Act 167 of 2015. Michigan Blue Alert Act

### Section 28.691. Short title

Sec. 1. This act shall be known and may be cited as the “Michigan blue alert act”.

### §28.693 “Law enforcement officer” defined.

Sec. 3. As used in this act, “law enforcement officer” means that term as defined in section 2 of the commission on law enforcement standards act, 1965 PA 203, MCL 28.602.

### §28.695. Michigan blue alert plan; establishment and maintenance by department of state police; design

Sec. 5.

- (1) The department of state police shall establish and maintain the Michigan blue alert plan.
- (2) The Michigan blue alert plan shall be designed to rapidly disseminate useful information in a predetermined manner to radio and television stations within this state.

### §28.697. Activation; conditions

Sec. 7. A Michigan blue alert shall be activated only in accordance with policies established by the department of state police and if all of the following conditions apply:

- (a) A law enforcement officer has been killed or seriously injured and the law enforcement agency investigating the incident has information identifying an individual as a suspect connected to the incident.
- (b) The law enforcement agency that is investigating the suspect determines that the suspect poses a serious risk or threat to the public and other law enforcement personnel.
- (c) The law enforcement agency investigating the suspect has obtained the suspect’s name or can provide a detailed physical description of the suspect, or the suspect’s vehicle, vehicle registration plate numbers or letters, or partial registration plate numbers or letters to be made available for broadcast to the public.
- (d) The law enforcement agency investigating the suspect recommends that the state police activate the blue alert.

► [http://www.legislature.mi.gov/\(S\(ob1mhoac23smmdyvluo0b31o\)\)/mileg.aspx?page=getObject&objectName=mcl-Act-167-of-2015](http://www.legislature.mi.gov/(S(ob1mhoac23smmdyvluo0b31o))/mileg.aspx?page=getObject&objectName=mcl-Act-167-of-2015)

## MINNESOTA STATUTES

Chapters 625–634. Criminal Procedure; Peace Officers; Privacy of Communications

Chapter 626. Peace Officers; Searches; Pursuit; Mandatory Reporting

### Section 626.96. Blue Alert system

Subdivision 1. **Establishment.** The commissioner of public safety shall establish a Blue Alert system to aid in the identification, location, and apprehension of an individual or individuals suspected of killing or seriously wounding a local, state, or federal law enforcement officer. The commissioner shall coordinate with local law enforcement agencies and public and commercial television and radio broadcasters to provide an effective alert system.

Subd. 2. **Criteria and procedures.** The commissioner, in consultation with the Board of Peace Officer Standards and Training, the Minnesota Police and Peace Officers Association, the Minnesota Chiefs of Police Association, the Minnesota Sheriffs Association, the Minnesota chapter of the National Emergency Number Association, the Minnesota chapter of the Association of Public Safety Communications Officials, and the commissioner of transportation, shall develop criteria and procedures for the Blue Alert system. By October 1, 2015, the commissioner shall adopt criteria and procedures for the Blue Alert system.

Subd. 3. **Oversight.** The commissioner shall regularly review the function of the Blue Alert system and revise its criteria and procedures to provide for efficient and effective public notification.

Subd. 4. **Scope.** The Blue Alert system shall include all state and local agencies capable of providing urgent and timely information to the public, together with broadcasters and other private entities that volunteer to participate in the dissemination of urgent public information.

Subd. 5. **Additional notice.** The commissioner may notify authorities and entities outside of the state upon verification that the criteria established under this section have been met.

Subd. 6. **False reports.** A person who knowingly makes a false report that triggers an alert under this section is guilty of a misdemeanor.

► <https://www.revisor.mn.gov/statutes/?id=626>

## MISSISSIPPI CODE

Title 45. Public Safety and Good Order

Chapter 1. Department of Public Safety

### Section 45-1-151. Blue alert program established; definitions; activation; termination of activation

- (1) There is established a statewide alert system known as "Blue Alert" which shall be developed and implemented by the Bureau of Investigation of the Department of Public Safety.
- (2) As used in this section, unless the context requires a different definition, the following terms shall have the following meanings:
  - (a) "Law enforcement agency" means a law enforcement agency with jurisdiction over the search for a suspect in a case involving the death or serious injury of a peace officer.
  - (b) "Peace Officer" means a law enforcement officer as defined in Section 45-6-3.
  - (c) "Director" means the director of the Bureau of Investigation.
- (3) The "Blue Alert" system may be activated when a suspect for a crime involving the death or serious injury of a peace officer has not been apprehended, and law enforcement personnel have determined that the suspect may be a serious threat to the public.
- (4) Upon notification by a law enforcement agency that a suspect in a case involving the death or serious injury of a peace officer has not been apprehended and may be a serious threat to the public, the director shall activate the "Blue Alert" system and notify appropriate participants in the "Blue Alert" system, as established by rule, if:
  - (a) A law enforcement agency believes that a suspect has not been apprehended;
  - (b) A law enforcement agency believes that the suspect may be a serious threat to the public; and
  - (c) Sufficient information is available to disseminate to the public that could assist in locating the suspect.

The area of the alert may be less than statewide if the director determines that the nature of the event makes it probable that the suspect did not leave a certain geographic location.

- (5) Before requesting activation of the "Blue Alert" system, a law enforcement agency shall verify that the criteria described by this section have been satisfied. The law enforcement agency shall assess the appropriate boundaries of the alert based on the nature of the suspect and the circumstances surrounding the crime.

*Mississippi Code cont'd*

(6) The director shall terminate any activation of the "Blue Alert" system with respect to a particular suspect if:

- (a) The suspect is located or the incident is otherwise resolved; or
- (b) The director determines that the "Blue Alert" system is no longer an effective tool for locating the suspect.

(7) Any entity or individual involved in the dissemination of a "Blue Alert" generated pursuant to this section shall not be liable for any civil damages arising from that dissemination.

▶ <http://law.justia.com/codes/mississippi/2014/title-45/chapter-1/blue-alert-system/section-45-1-151>

## STATE OF MISSOURI

Title XL.

Additional Executive Departments

### Chapter 650

650.520. Law enforcement, suspects in the killing or seriously wounding of, alert system created — department to develop and administer — false report, penalty. —

1. There is hereby created a statewide program called the “Blue Alert System” referred to in this section as the “system” to aid in the identification, location, and apprehension of any individual or individuals suspected of killing or seriously wounding any local, state, or federal law enforcement officer.
2. For the purposes of this section, “law enforcement officer” means any public servant having both the power and duty to make arrests for violations of the laws of this state, and federal law enforcement officers authorized to carry firearms and to make arrests for violations of the laws of the United States.
3. The department of public safety shall develop regions to provide the system. The department of public safety shall coordinate local law enforcement agencies and public commercial television and radio broadcasters to provide an effective system. In the event that a local law enforcement agency opts not to set up a system and a killing or serious wounding of a law enforcement officer occurs within the jurisdiction, it shall notify the department of public safety who will notify local media in the region.
4. The blue alert system shall include all state agencies capable of providing urgent and timely information to the public together with broadcasters and other private entities that volunteer to participate in the dissemination of urgent public information. At a minimum, the blue alert system shall include the department of public safety, highway patrol, department of transportation, and Missouri lottery.
5. The department of public safety shall have the authority to develop, implement, and manage the blue alert system.
6. Participation in a blue alert system is entirely at the option of local law enforcement agencies, federally licensed radio and television broadcasters, and other private entities that volunteer to participate in the dissemination of urgent public information.

7. Any person who knowingly makes a false report that triggers an alert under this section is guilty of a class A misdemeanor; except that, if the false report results in serious physical injury or death, such person is guilty of a class E felony.

8. The department of public safety may promulgate rules for the implementation of the blue alert system. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.

(L. 2017 S.B. 34)

▶ <http://revisor.mo.gov/main/OneSection.aspx?section=650.520&bid=34725&hl=>

## STATE OF MONTANA

### Title 44. Law Enforcement § 44-2-801

#### Blue alert program

- (1) There is a state alert system known as the blue alert program within the department of justice.
- (2) Upon request by a law enforcement agency, the department may activate the blue alert program if the department determines that:
  - (a) a peace officer has been killed or seriously injured in the line of duty;
  - (b) an individual suspected to have caused the death or injury is at large;
  - (c) a law enforcement agency has determined that the individual referred to in subsection (2)(b) poses a serious threat to the public, other peace officers, or both; and
  - (d) sufficient information exists about the individual referred to in subsection (2)(b) or about the death or injury so that the activation of the program would materially assist in the capture of the individual.
- (3) Upon activation of the blue alert program, the department shall notify the following entities in the state or area in which the alert is established:
  - (a) all law enforcement agencies;
  - (b) individuals who, because of their proximity to the geographic area in which the death or injury occurred, may have observed the death or injury or the escape of the individual referred to in subsection (2)(b) or may themselves become a victim of that individual;
  - (c) individuals who may have a special relationship to the individual referred to in subsection (2)(b), such as a relative of that individual or a peace officer or other person within the criminal justice system who knows the individual; and
  - (d) other persons who the department determines would benefit from the notice.

(4) The department shall terminate the blue alert when it determines that the individual referred to in subsection (2)(b) has been apprehended or when it determines that the blue alert will no longer materially assist in the capture of the individual.

(5) The department shall adopt rules to implement this section.

(6) As used in this section, the following definitions apply:

(a) "Law enforcement agency" has the meaning provided in 44-11-303 .

(b) "Peace officer" has the meaning provided in 46-1-202 .

▶ <https://codes.findlaw.com/mt/title-44-law-enforcement/mt-code-ann-sect-44-2-801.html>

## NORTH CAROLINA GENERAL STATUTES

Chapter 143B. Executive Organization Act of 1973

Article 13. Department of Public Safety

Part 5. Division of Emergency Management

Subpart B. North Carolina Center for Missing Persons

### Section 143B-1023. North Carolina Blue Alert System established

- (a) There is established within the North Carolina Center for Missing Persons the Blue Alert System. The purpose of the Blue Alert System is to aid in the apprehension of a suspect who kills or inflicts serious bodily injury on a law enforcement officer by providing a statewide system for the rapid dissemination of information regarding the suspect. The term "serious bodily injury" is as defined in G.S. 14-32.4(a).
- (b) The Center shall make every effort to rapidly disseminate information on a suspect when the following criteria are met:
- (1) A law enforcement officer is killed or suffers serious bodily injury.
  - (2) A law enforcement agency with jurisdiction (i) determines that the suspect poses a threat to the public and other law enforcement personnel and (ii) possesses information that may assist in locating the suspect, including information regarding the suspect's vehicle, complete or partial license plate information, and a detailed description of the suspect, or that a law enforcement officer is missing while on duty under circumstances warranting concern for the law enforcement officer's safety.
  - (3) The head of a law enforcement agency with jurisdiction recommends the issuance of a blue alert to the Center.
- (c) The Center shall adopt guidelines and develop procedures for the statewide implementation of the Blue Alert System and shall provide education and training to encourage radio and television broadcasters to participate in the alert.
- (d) The Center shall consult with the Department of Transportation and develop a procedure for the use of overhead permanent changeable message signs to provide information on a suspect when the criteria established in subsection (b) of this section are met. The Center and the Department of Transportation shall develop guidelines for the content, length, and frequency of any message to be placed on the overhead permanent changeable message sign pursuant to the issuance of a blue alert.
- (e) The Center shall consult with the Division of Emergency Management in the Department of Public Safety to develop a procedure for the use of the Blue Alert System to provide information on a suspect when the criteria established in subsection (b) of this section are met.

► [http://www.ncleg.net/EnactedLegislation/Statutes/PDF/BySection/Chapter\\_143B/GS\\_143B-1023.pdf](http://www.ncleg.net/EnactedLegislation/Statutes/PDF/BySection/Chapter_143B/GS_143B-1023.pdf)

## NORTH DAKOTA CENTURY CODE

Title 54. State Government

Chapter 54-12. Attorney General

### Section 54-12-32. Blue alert notice system

1. Upon the request of a law enforcement agency that is investigating an offense against a law enforcement officer, the bureau of criminal investigation shall activate a blue alert public notice to aid in the apprehension of an individual who is a suspect in an offense if:
  - a. An individual has threatened a law enforcement officer with a deadly weapon, has used a deadly weapon against a law enforcement officer, has caused a law enforcement officer to suffer serious bodily injury or death, or the officer has been abducted or is missing while on duty;
  - b. The individual has fled the scene of the offense and a description of the individual or the individual's vehicle is available for broadcast;
  - c. The law enforcement agency investigating the offense has determined the individual poses a threat to the public or other law enforcement personnel; and
  - d. Dissemination of available information to the public may help avert further harm or assist in the apprehension of the suspect.
2. The bureau of criminal investigation, in cooperation with the highway patrol and the division of state radio of the department of emergency services, shall prepare an operational plan to prepare for and respond to requests for activation of a blue alert notice.
3. As used in this section, the term "blue alert notice" means a quick response and notice that is issued after an individual has threatened a law enforcement officer with a deadly weapon, used a deadly weapon against a law enforcement officer, caused a law enforcement officer to suffer serious bodily injury or death, or the officer has been abducted or is missing while on duty, and the individual has left the scene of the offense.

► <http://www.legis.nd.gov/cencode/t54c12.pdf>

## OHIO REVISED CODE

Title [55] LV. ROADS. Highways - Bridges  
Chapter 5502. Department of Public Safety

### Section 5502.53. Statewide blue alert program

(A) As used in this section:

“Cable system” has the meaning defined in section 2913.04 of the Revised Code.

“Law enforcement agency” means an organization or unit made up of law enforcement officers as defined in section 2901.01 of the Revised Code.

(B) There is created the statewide blue alert program that consists of a statewide system for the rapid dissemination of information to speed the apprehension of persons suspected of killing or seriously injuring law enforcement officers and to aid in the location of missing law enforcement officers. The governor shall organize the program as a coordinated effort among the governor’s office, the department of public safety, the attorney general, law enforcement agencies, the state’s public and commercial television and radio broadcasters, the state’s cable systems, and others as considered necessary by the governor.

(C) A statewide blue alert shall be activated if all of the following activation criteria are met:

- (1) A local law enforcement agency confirms that a law enforcement officer has been seriously injured or killed, and a suspect has not been apprehended, or that a law enforcement officer is missing while on duty under circumstances warranting concern for the law enforcement officer’s safety.
- (2) There is sufficient descriptive information about the suspect or the circumstances surrounding a law enforcement officer’s injury, death, or disappearance to indicate that activation of the alert may help locate a suspect or a missing law enforcement officer.

Nothing in this division prevents the activation of a local or regional emergency alert program that may impose different criteria for the activation of a local or regional emergency alert.

(D) A radio broadcast station, television broadcast station, or cable system participating in the statewide blue alert program, and a director, officer, employee, or agent of a station or system participating in the program, is immune from liability for damages for any loss allegedly caused by or resulting from the station’s or system’s broadcast or cablecast of, or failure to broadcast or cablecast, any information pursuant to the statewide blue alert program.

(E) The statewide blue alert program shall be operated in such a manner that it complements and does not conflict with similar federal alert programs.

► <http://codes.ohio.gov/orc/5502>

## OKLAHOMA STATUTES

Title 47. Motor Vehicles

Chapter 2. The Department of Public Safety

### Section 47-2-316. Oklahoma Blue Alert Act

- A. This act shall be known and may be cited as the "Oklahoma Blue Alert Act".
- B. As used in this act, "law enforcement officer" means any duly appointed person who is charged with the responsibility of maintaining public order, safety and health by the enforcement of all laws, ordinances or orders of this state or any of its political subdivisions and who is authorized to bear arms in execution of his or her responsibilities including reserve force deputies, reserve municipal police officers and tribal law enforcement officers who are commissioned pursuant to an agreement authorized by Section 1221 of Title 74 of the Oklahoma Statutes.
- C. The Department of Public Safety shall develop and implement a statewide blue alert system. The statewide blue alert system shall be designed to rapidly disseminate useful information in a predetermined manner to statewide media outlets.
- D. The Commissioner of Public Safety shall be the statewide coordinator of the blue alert system. The Commissioner shall adopt rules and issue directives as necessary to ensure proper implementation of the alert. An Oklahoma Blue Alert shall be activated only in accordance with policies established by the Department of Public Safety and if all of the following conditions apply:
1. A law enforcement officer has been killed or seriously injured and the law enforcement agency investigating the incident has information identifying an individual as a suspect connected to the incident;
  2. The law enforcement agency that is investigating the suspect determines that the suspect poses a serious risk or threat to the public and other law enforcement personnel;

3. The law enforcement agency investigating the suspect has obtained either:
    - a. the name of the suspect,
    - b. a detailed physical description of the suspect, or
    - c. a description of the vehicle of the suspect, vehicle registration plate numbers or letters or partial vehicle registration plate numbers or letters; and
  4. The law enforcement agency investigating the suspect recommends that the Department of Public Safety activate the Blue Alert.
- E. The Commissioner may notify authorities and entities outside the State of Oklahoma upon verification that the criteria established under this section have been met.
- F. The Commissioner shall annually review the function of the blue alert system and revise its criteria and procedures to provide for efficient and effective statewide public notification.

► <http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=478532>

## 2014 RHODE ISLAND GENERAL LAWS

Title 42 - State Affairs and Government

Chapter 42-28 - State Police

Section 42-28-3.5 - Blue Alert system.

### Universal Citation: RI Gen L § 42-28-3.5 (2014)

§ 42-28-3.5 Blue Alert system.

(a) There is established a state-wide alert system known as "Blue Alert" which shall be developed and implemented by the division of state police.

(b) As used in this section, the term:

(1) "Law enforcement agency" means a law enforcement agency with jurisdiction over the search for a suspect in a case involving the death or serious injury of a peace officer or an agency employing a peace officer who is missing in the line of duty;

(2) "Peace officer" means a person who is certified to exercise the powers of arrest.

(c) The "Blue Alert" system may be activated when a suspect for a crime involving the death or serious injury of a peace officer has not been apprehended and law enforcement personnel have determined that the suspect may be a serious threat to the public and also when a peace officer becomes missing while in the line of duty under circumstances warranting concern for such peace officer's safety.

(d) Upon notification by a law enforcement agency that a suspect in a case involving the death or serious injury of a peace officer has not been apprehended and may be a serious threat to the public, or that a police officer is missing in the line of duty under circumstances warranting concern for such peace officer's safety, the division shall activate the "Blue Alert" system and notify appropriate participants in the "Blue Alert" system, as established by rule, if:

(1) A law enforcement agency believes that a suspect has not been apprehended;

(2) A law enforcement agency believes that the suspect may be a serious threat to the public; and

(3) Sufficient information is available to disseminate to the public that could assist in locating the suspect, or the missing peace officer. The area of the alert may be less than statewide if the division determines that the nature of the event makes it probable that the suspect did not leave a certain geographic location.

- (e) Before requesting activation of the "Blue Alert" system, a law enforcement agency shall verify that the criteria described in subsection (d) of this section has been satisfied. The law enforcement agency shall assess the appropriate boundaries of the alert based on the nature of the suspect and the circumstances surrounding the crime or the last known location of the missing peace officer.
- (f) The division shall terminate the "Blue Alert" with respect to a particular incident if:
  - (1) The suspect or peace officer is located or the incident is otherwise resolved; or
  - (2) The division determines that the "Blue Alert" system is no longer an effective tool for locating the suspect or peace officer. Law enforcement agencies shall notify the division immediately when the suspect is located and in custody or the peace officer is found.
- (i) Any entity or individual involved in the dissemination of a "Blue Alert" generated pursuant to this section shall not be liable for any civil damages arising from such dissemination.

► <https://law.justia.com/codes/rhode-island/2014/title-42/chapter-42-28/section-42-28-3.5/>

## **SOUTH CAROLINA CODE OF LAWS**

Title 23. Law Enforcement and Public Safety

Chapter 3. South Carolina Law Enforcement Division

Article 16. Blue Alert Program

### **Section 23-3-1400. Blue alert program established; adoption of guidelines and procedures**

(A) The “Blue Alert Program” is established within the South Carolina Law Enforcement Division (SLED). The purpose of the program is to assist law enforcement in the apprehension of a suspect who allegedly kills, seriously injures, or abducts a law enforcement officer by rapidly disseminating information regarding the suspect, and to reduce the suspect’s ability to flee thereby posing a serious threat to the safety of others.

(B) SLED shall adopt guidelines and establish procedures for issuing a blue alert, including the rapid dissemination of information regarding a suspect through the use of the South Carolina Department of Transportation’s electronic traffic signage system and other law enforcement mechanisms. The Chief of SLED shall act as the program’s statewide coordinator.

(C) To aid in hindering a suspect’s ability to flee and threaten citizens, communities, and other law enforcement personnel, SLED shall encourage and recruit television and radio broadcasters and other organizations to assist in the program by quickly disseminating information regarding the suspect.

(D) A blue alert may be issued if:

- (1) a local, state, or federal law enforcement officer is killed, seriously injured, or abducted; and
- (2) the law enforcement agency of jurisdiction:
  - (a) determines that a suspect poses a serious risk or threat to the public and other law enforcement personnel;
  - (b) possesses sufficient information that could assist in locating the suspect, including information regarding the suspect’s vehicle; and
  - (c) recommends the issuance of a blue alert to SLED.

(E) SLED may issue a blue alert upon confirmation of the requirements of subsection (D). Upon issuance of a blue alert, information that could assist in locating a suspect may be displayed across the State via the South Carolina Department of Transportation's electronic traffic signage system and other law enforcement mechanisms. Also, the information may be disseminated to organizations assisting with the program.

(F) A blue alert may be canceled at the request of the law enforcement agency of jurisdiction or by the Chief of SLED when appropriate.

► <http://www.scstatehouse.gov/code/t23c003.php>

## TENNESSEE CODE

Title 38 - Prevention And Detection Of Crime  
Chapter 6 - Tennessee Bureau of Investigation  
Part 1 - General Provisions

### Section 38-6-122. Blue Alert system

- (a) There is established within the Tennessee bureau of investigation (TBI) the Blue Alert system. The purpose of the Blue Alert system is to provide a statewide system for the rapid dissemination of information to speed the apprehension of violent criminals who kill or seriously injure law enforcement officers and to aid in the location of missing law enforcement officers.
- (b) If the TBI receives a report that involves the death or serious injury of a law enforcement officer in which the suspect has not been apprehended or involves a law enforcement officer missing while in the line of duty under circumstances warranting concern for such law enforcement officer's safety, the TBI shall issue an alert providing for rapid dissemination of information statewide regarding such suspect or law enforcement officer, as appropriate. The TBI shall make every effort to disseminate the information as quickly as possible when the status of the suspect or missing law enforcement officer has been reported to a law enforcement agency.
- (c) The TBI shall adopt uniform guidelines and procedures for issuing an alert for such persons and shall provide education and training to encourage radio and television broadcasters to participate in the alert. The guidelines and procedures shall ensure that specific health information about any suspect or law enforcement officer is not made public through the alert or otherwise.
- (d) The TBI shall consult with the department of transportation and develop a procedure for the use of overhead permanent changeable message signs to provide information on a missing suspect or law enforcement officer meeting the criteria of this section when information is available that would enable motorists to assist in the recovery of the missing person. The TBI and the department of transportation shall develop guidelines for the content, length, and frequency of any message to be placed on an overhead permanent changeable message sign.
- (e) The TBI may use the statewide infrastructure of the America's Missing Broadcast Emergency Response (AMBER) Alert to the extent permissible to facilitate the Blue Alert system.
- (f) Any entity or individual involved in the dissemination of a Blue Alert generated pursuant to this section shall not be liable for any civil damages arising from such dissemination.

► <http://law.justia.com/codes/tennessee/2015/title-38/chapter-6/part-1/section-38-6-122/>

## TEXAS

Government Code 411.443

Subchapter P

Blue Alert System

### **Sec. 411.441. DEFINITIONS. In this subchapter:**

- (1) "Alert system" means the statewide blue alert system that is developed and implemented under this subchapter.
- (2) "Law enforcement agency" means a law enforcement agency with jurisdiction over the investigation of an alleged offense that resulted in the death or serious bodily injury of a law enforcement officer.
- (3) "Law enforcement officer" means a person who is a peace officer under Article 2.12, Code of Criminal Procedure, or a person who is a federal law enforcement officer, as defined by 5 U.S.C. Section 8331(20).
- (4) "Serious bodily injury" has the meaning assigned by Section 1.07, Penal Code.

Added by Acts 2017, 85th Leg., R.S., Ch. 417 (S.B. 1138), Sec. 1, eff. September 1, 2017.

Sec. 411.442. BLUE ALERT SYSTEM. With the cooperation of the Texas Department of Transportation, the office of the governor, and other appropriate law enforcement agencies in this state, the department shall develop and implement a statewide blue alert system to be activated to aid in the apprehension of an individual suspected of killing or causing serious bodily injury to a law enforcement officer.

Added by Acts 2017, 85th Leg., R.S., Ch. 417 (S.B. 1138), Sec. 1, eff. September 1, 2017.

Sec. 411.443. ADMINISTRATION. (a) The director is the statewide coordinator of the alert system.

(b) The director shall adopt rules and issue directives as necessary to ensure proper implementation of the alert system. The rules and directives must include:

- (1) the procedures to be used by a law enforcement agency to verify whether:
  - (A) an individual is suspected of killing or causing serious bodily injury to a law enforcement officer and is not yet apprehended; and
  - (B) the activation of the alert system would aid in the apprehension of that individual;
- (2) a description of the circumstances under which a law enforcement agency is required to report a missing suspect to the department; and
- (3) the procedures to be used by an individual or entity to report information about a missing suspect to designated media outlets in Texas.

(c) The director shall prescribe forms for use by law enforcement agencies in requesting activation of the alert system.

Added by Acts 2017, 85th Leg., R.S., Ch. 417 (S.B. 1138), Sec. 1, eff. September 1, 2017.

Sec. 411.444. DEPARTMENT TO RECRUIT PARTICIPANTS. The department shall recruit public and commercial television and radio broadcasters, private commercial entities, state or local governmental entities, the public, and other appropriate persons to assist in developing and implementing the alert system.

Added by Acts 2017, 85th Leg., R.S., Ch. 417 (S.B. 1138), Sec. 1, eff. September 1, 2017.

Sec. 411.445. STATE AGENCIES. (a) A state agency participating in the alert system shall:

- (1) cooperate with the department and assist in developing and implementing the alert system; and
- (2) establish a plan for providing relevant information to its officers, investigators, or employees, as appropriate, once the alert system has been activated.

(b) In addition to its duties as a state agency under Subsection (a), the Texas Department of Transportation shall establish a plan for providing relevant information to the public through an existing system of dynamic message signs located across the state.

Added by Acts 2017, 85th Leg., R.S., Ch. 417 (S.B. 1138), Sec. 1, eff. September 1, 2017.

Sec. 411.446. NOTIFICATION TO DEPARTMENT. (a) A law enforcement agency that receives notice of an individual who is suspected of killing or causing serious bodily injury to a law enforcement officer and who has not yet been apprehended shall:

- (1) confirm the accuracy of the information; and
- (2) if the agency believes the missing suspect poses a threat to other law enforcement officers and to the public, provide notice to the department.

(b) A law enforcement agency providing notice to the department under Subsection (a) shall include with that notice a detailed description of the missing suspect and, if applicable, any available portion of the license plate number of a motor vehicle being used by the suspect.

Added by Acts 2017, 85th Leg., R.S., Ch. 417 (S.B. 1138), Sec. 1, eff. September 1, 2017.

Sec. 411.447. ACTIVATION OF BLUE ALERT SYSTEM. (a) When a law enforcement agency notifies the department under Section 411.446, the department shall confirm the accuracy of the information and, if confirmed, immediately issue an alert through the alert system in accordance with department rules.

(b) In issuing the alert, the department shall send the alert to designated media outlets in Texas. Following receipt of the alert, participating radio stations and television stations and other participating media outlets may issue the alert at designated intervals to assist in locating the missing suspect.

(c) The department shall also send the alert to:

- (1) any appropriate law enforcement agency;
- (2) the Texas Department of Transportation; and
- (3) a state agency described by Section 411.445.

Added by Acts 2017, 85th Leg., R.S., Ch. 417 (S.B. 1138), Sec. 1, eff. September 1, 2017.

Sec. 411.448. CONTENT OF ALERT. The alert must include:

- (1) all appropriate information that is provided by the law enforcement agency under Section 411.446 and that may lead to the apprehension of the missing suspect; and
- (2) a statement instructing any person with information related to the missing suspect to contact a law enforcement agency.

Added by Acts 2017, 85th Leg., R.S., Ch. 417 (S.B. 1138), Sec. 1, eff. September 1, 2017.

Sec. 411.449. TERMINATION OF ALERT SYSTEM. (a) The director shall terminate any activation of the alert system with respect to a particular missing suspect not later than the earlier of the date on which:

- (1) the missing suspect is apprehended;
- (2) the department receives evidence that the missing suspect has left this state; or
- (3) the department determines that the alert system will no longer aid in the apprehension of the missing suspect.

(b) A law enforcement agency that apprehends a missing suspect who is the subject of an alert under this subchapter shall notify the department as soon as possible that the missing suspect has been apprehended.

Added by Acts 2017, 85th Leg., R.S., Ch. 417 (S.B. 1138), Sec. 1, eff. September 1, 2017.

► <https://statutes.capitol.texas.gov/Docs/GV/htm/GV.411.htm#411.443>

## **CODE OF VIRGINIA**

Title 52. Police (State)

Chapter 7.3. Virginia Blue Alert Plan

### **Section 52-34.7. Definitions**

As used in this chapter, unless the context requires a different meaning:

“Law-enforcement agency” means a law-enforcement agency with jurisdiction over the search for a suspect in a case involving the death or serious injury of a law-enforcement officer or an agency employing a law-enforcement officer who is missing in the line of duty.

“Law-enforcement officer” means any full-time or part-time employee of the Department of State Police or a police department or sheriff’s office that is a part of or administered by the Commonwealth or any political subdivision thereof, and any campus police officer appointed under Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title 23.1, who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic, or highway laws of the Commonwealth.

### **§ 52-34.8. Establishment of the Virginia Blue Alert Program**

The Department of State Police shall establish a Blue Alert Program in the Commonwealth and develop policies for its implementation. The Blue Alert Program may be activated when a suspect for a crime involving the death or serious injury of a law-enforcement officer has not been apprehended and may be a serious threat to the public or when a law-enforcement officer is missing while in the line of duty under circumstances warranting concern for the law-enforcement officer’s safety. The Department of State Police shall (i) establish procedures and standards by which a local law-enforcement agency may assess whether the conditions for a Blue Alert have been met and report such information to the Department of State Police, (ii) inform local law-enforcement officials of the policies and procedures for the Blue Alert Program set by the Department, and (iii) assist in determining the geographic scope of a particular Blue Alert.

### **§ 52-34.9. Activation of Blue Alert Program**

A. Upon notification by a law-enforcement agency that a suspect in a case involving the death or serious injury of a law-enforcement officer has not been apprehended and may be a serious threat to the public, the Department of State Police shall confirm that (i) a suspect has not been apprehended, (ii) the suspect may be a serious threat to the public, and (iii) sufficient information is available to disseminate to the public that could assist in locating the suspect.

B. Upon notification by a law-enforcement agency that a law-enforcement officer is missing while in the line of duty under circumstances warranting concern for such law-enforcement officer's safety, the Department of State Police shall confirm this information and determine whether sufficient information is available to disseminate to the public that could assist in locating the missing law-enforcement officer.

C. Upon verification that conditions set forth in subsection A or B have been met, the Department of State Police shall activate the Blue Alert Program.

D. The area of the alert may be less than statewide if the Department of State Police determines that the nature of the event makes it probable that the suspect did not leave a certain geographic location or if the nature of the event makes it probable that the missing law-enforcement officer is within a certain geographic location. The Department of State Police shall assess the appropriate boundaries for the alert based on the nature of the suspect, the circumstances surrounding the crime or the last known location of the missing law-enforcement officer.

E. The Blue Alert shall include such information as the Department of State Police deems appropriate that will assist in the apprehension of the suspect or the locating of the missing law-enforcement officer.

F. A law-enforcement agency shall notify the Department of State Police immediately when the suspect is located or the law-enforcement officer is found or the incident is otherwise resolved.

G. The Department of State Police shall terminate any activation of the Blue Alert Program with respect to a particular incident if (i) the suspect or law-enforcement officer is located or the incident is otherwise resolved or (ii) the Department of State Police determines that the Blue Alert Program is no longer an effective tool for locating the suspect or law-enforcement officer.

► <https://law.lis.virginia.gov/vacode/title52/chapter7.3/>

## 2015 REVISED CODE OF WASHINGTON

Title 10. Criminal Procedure

Chapter 10.108. Blue Alert System

RCW 10.108.010. Declaration

There is currently no system in place in Washington state to expedite the apprehension of violent criminals who seriously injure or kill local, state, or federal law enforcement officers. Other states have adopted blue alert systems to achieve this objective. The legislature declares that it is necessary to create a statewide blue alert system to speed the apprehension of violent criminals who kill or seriously injure local, state, or federal law enforcement officers.

### RCW 10.108.020. Definitions

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- (1) "Blue alert system" means a quick response system designed to issue and coordinate alerts following an attack upon a law enforcement officer.
- (2) "Investigating law enforcement agency" means the law enforcement agency that has primary jurisdiction over the area or has been delegated and accepted investigatory responsibility in which a law enforcement officer has been seriously injured or killed.
- (3) "Law enforcement agency" means a general [authority Washington] law enforcement agency as defined in RCW 10.93.020 and a limited [authority Washington] law enforcement agency as defined in RCW 10.93.020. Such agencies shall include, but are not limited to, the following:
  - (a) The Washington state patrol;
  - (b) All law enforcement agencies and police departments of any political subdivision of the state; and
  - (c) The department of corrections.
- (4) "Law enforcement officer" includes police officers, the attorney general and the attorney general's deputies, sheriffs and their regular deputies, corrections officers, tribal law enforcement officers, park rangers, state fire marshals, municipal fire marshals, sworn members of the city fire departments, county and district firefighters, and agents of the department of fish and wildlife. "Law enforcement officer"

also includes an employee of a federal governmental agency who is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and who has statutory powers of arrest.

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

### **RCW 10.108.030. Blue alert system – Plan-Activation-Termination**

(1) Within existing resources, the Washington state patrol, in partnership with the Washington association of sheriffs and police chiefs, shall develop and implement a plan, commonly known as a blue alert system, consistent with the Amber alert program, endangered missing person advisory plan, and the missing person clearinghouse, for 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 apprehending persons suspected of killing or seriously injuring a law enforcement officer. The blue alert system shall include the following:

- (a) Procedures to provide support to the investigating law enforcement agency as a resource for the receipt and dissemination of information regarding the suspect and the suspect's whereabouts and/or method of escape;
- (b) The process for reporting the information to designated media outlets in Washington; and
- (c) Criteria for the investigating law enforcement agency to determine quickly whether an officer has been seriously injured or killed and a blue alert therefore needs to be requested.

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

- (a) A suspect has not been apprehended;
- (b) A suspect may be a serious threat to the public;

- (c) Sufficient information is available to disseminate to the public that could assist in locating and apprehending the suspect;
- (d) Release of the information will not compromise the investigation; and
- (e) Criteria to ensure that releasing the victim information is proper, as to avoid improper next of kin notification.

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

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

#### **RCW 10.108.040. Liability immunity**

No cause of action shall be maintained for civil damages in any court of this state against any radio or television broadcasting station or cable television system, or the employees, officers, directors, managers, or agents of the radio or television broadcasting station or cable television system, based on the broadcast of information supplied by law enforcement officials pursuant to the provisions of this chapter. Nothing in this section shall be construed to limit or restrict in any way any immunity or privilege a radio or television broadcasting station or cable television system may have under statute or common law for broadcasting or otherwise disseminating information.

► <http://app.leg.wa.gov/RCW/default.aspx?cite=10.108>



**COPS**

*Community Oriented Policing Services*  
**U.S. Department of Justice**

U.S. Department of Justice  
Office of Community Oriented Policing Services  
145 N Street NE  
Washington, DC 20530

To obtain details on COPS Office programs, call  
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