

1 SB180
2 135590-2
3 By Senators Scofield, Sanford, Dial, Williams, Taylor, Brooks,
4 Reed, Whatley, Blackwell, Ward, Glover, Allen, Holley,
5 Brewbaker and Bussman
6 RFD: Governmental Affairs
7 First Read: 07-FEB-12

1 SB180

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4 ENROLLED, An Act,

5 To create the Blue Alert system; to give the
6 Director of the Department of Public Safety the authority to
7 oversee the alert system and adopt rules to implement the
8 alert system; to give the department certain authority; to
9 require a law enforcement agency participating in the alert
10 system to meet certain conditions; and to limit the liability
11 of an entity or individual involved in the dissemination of an
12 alert generated through the alert system.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. (a) For the purposes of this section, the
15 following terms shall have the following meanings:

16 (1) ALERT SYSTEM. The Blue Alert system.

17 (2) DEPARTMENT. The Department of Public Safety.

18 (3) DIRECTOR. The Director of the Department of
19 Public Safety.

20 (4) LAW ENFORCEMENT AGENCY. A law enforcement agency
21 with jurisdiction over the search for a suspect in a case
22 involving the death or serious injury of a peace officer or an
23 agency employing a peace officer who is missing in the line of
24 duty.

1 (5) PEACE OFFICER. A person who is certified to
2 exercise the power of arrest under the laws of this state.

3 (b) There is established a statewide alert system
4 known as "Blue Alert" which shall be developed and implemented
5 by the director, who is the statewide coordinator of the alert
6 system.

7 (c) The alert system may be activated under either
8 of the following circumstances:

9 (1) When a suspect of a crime involving the death or
10 serious injury of a peace officer has not been apprehended and
11 law enforcement personnel have determined that the suspect may
12 be a serious threat to the public.

13 (2) When a peace officer becomes missing while in
14 the line of duty under circumstances warranting concern for
15 the safety of the peace officer.

16 (d) The director shall do all of the following:

17 (1) Adopt rules necessary to ensure the proper
18 implementation of the alert system, including instructions on
19 the procedures for activating and deactivating the alert
20 system.

21 (2) Prescribe forms for use by local law enforcement
22 agencies in requesting activation of the alert system.

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

24 (1) Recruit public and commercial television, radio,
25 cable, print, and other media, private commercial entities,

1 state or local governmental entities, the public, and other
2 appropriate persons to assist in developing and implementing
3 the alert system.

4 (2) Enter into agreements with participants in the
5 alert system to provide necessary support for the alert
6 system.

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

9 (1) Cooperate with the department and assist in
10 developing and implementing the alert system.

11 (2) Establish a plan for providing relevant
12 information to its officers, investigators, or employees, as
13 appropriate, once the alert system has been activated.

14 (3) Utilize a rapid response telephone system that
15 alerts residents in a targeted area.

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

23 (1) A law enforcement agency believes that a suspect
24 has not been apprehended.

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

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

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

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

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

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

4 (1) The suspect or peace officer is located or the
5 incident is otherwise resolved.

6 (2) The director determines that the alert system is
7 no longer an effective tool for locating the suspect or peace
8 officer.

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

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

17 Section 2. This act shall become effective on the
18 first day of the third month following its passage and
19 approval by the Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB180
Senate 16-FEB-12
I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris
Secretary

House of Representatives
Passed: 22-MAR-12

By: Senator Scofield