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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE POLICE

Introduced By: Representatives Walsh, Martin, DaSilva, Johnston, and Carnevale

Date Introduced: January 11, 2011

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 42-28 of the General Laws entitled "State Police" is hereby
2 amended by adding thereto the following sections:

3 **42-28-3.5. Blue Alert system.** – (a) There is established a state-wide alert system known
4 as "Blue Alert" which shall be developed and implemented by the division of state police.

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

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

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

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

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

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

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

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

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

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

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

- 21 (1) The suspect or peace officer is located or the incident is otherwise resolved; or
22 (2) The division determines that the "Blue Alert" system is no longer an effective tool for
23 locating the suspect or peace officer. Law enforcement agencies shall notify the division
24 immediately when the suspect is located and in custody or the peace officer is found.

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

27 **42-28-3.6. Blue Alert procedures for protocol and implementation.** – The division of
28 state police shall establish protocols and procedures to implement a "Blue Alert." The protocols
29 and procedures shall be updated as may be necessary in consultation with the entities and
30 agencies involved in the "Blue Alert" process to provide effective and efficient procedures to
31 assist law enforcement agencies, broadcast media and other cooperating agencies or entities in
32 providing an emergency alert to the public in response to a death or serious injury of a peace
33 officer while on duty.

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1 SECTION 2. This act shall take effect on July 1, 2011.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE POLICE

1 This act would establish a "Blue Alert" system to assist in the apprehension of criminal
2 suspects who are involved in the murder or serious injury of law enforcement personnel.

3 This act would take effect on July 1, 2011.

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