

## Union Calendar No. 32

113<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 180

**[Report No. 113-54]**

To encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

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### IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2013

Mr. GRIMM (for himself, Mr. PASCARELL, Mr. REICHERT, and Mr. PIERLUISI) introduced the following bill; which was referred to the Committee on the Judiciary

MAY 14, 2013

Additional sponsors: Mr. LOBIONDO, Mr. COOPER, Mr. ANDREWS, Mr. KING of New York, Mr. JOHNSON of Ohio, Mr. DUNCAN of Tennessee, Mr. MAFFEI, Mr. RANGEL, Ms. GABBARD, Mr. CONYERS, and Mr. POE of Texas

MAY 14, 2013

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

# **A BILL**

To encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “National Blue Alert  
5 Act of 2013”.

6 **SEC. 2. DEFINITIONS.**

7       In this Act:

8           (1) **COORDINATOR.**—The term “Coordinator”  
9 means the Blue Alert Coordinator of the Depart-  
10 ment of Justice designated under section 4(a).

11           (2) **BLUE ALERT.**—The term “Blue Alert”  
12 means information relating to the serious injury or  
13 death of a law enforcement officer in the line of duty  
14 sent through the network.

15           (3) **BLUE ALERT PLAN.**—The term “Blue Alert  
16 plan” means the plan of a State, unit of local gov-  
17 ernment, or Federal agency participating in the net-  
18 work for the dissemination of information received  
19 as a Blue Alert.

20           (4) **LAW ENFORCEMENT OFFICER.**—The term  
21 “law enforcement officer” shall have the same mean-  
22 ing as in section 1204 of the Omnibus Crime Con-  
23 trol and Safe Streets Act of 1968 (42 U.S.C.  
24 3796b(6)).

1           (5) NETWORK.—The term “network” means  
2           the Blue Alert communications network established  
3           by the Attorney General under section 3.

4           (6) STATE.—The term “State” means each of  
5           the 50 States, the District of Columbia, Puerto Rico,  
6           the United States Virgin Islands, Guam, American  
7           Samoa, and the Commonwealth of the Northern  
8           Mariana Islands.

9   **SEC. 3. BLUE ALERT COMMUNICATIONS NETWORK.**

10          The Attorney General shall establish a national Blue  
11          Alert communications network within the Department of  
12          Justice to issue Blue Alerts through the initiation, facilita-  
13          tion, and promotion of Blue Alert plans, in coordination  
14          with States, units of local government, law enforcement  
15          agencies, and other appropriate entities.

16   **SEC. 4. BLUE ALERT COORDINATOR; GUIDELINES.**

17          (a) COORDINATION WITHIN DEPARTMENT OF JUS-  
18          TICE.—The Attorney General shall assign an existing offi-  
19          cer of the Department of Justice to act as the national  
20          coordinator of the Blue Alert communications network.

21          (b) DUTIES OF THE COORDINATOR.—The Coordi-  
22          nator shall—

23                  (1) provide assistance to States and units of  
24                  local government that are using Blue Alert plans;

1           (2) establish voluntary guidelines for States and  
2 units of local government to use in developing Blue  
3 Alert plans that will promote compatible and inte-  
4 grated Blue Alert plans throughout the United  
5 States, including—

6                   (A) a list of the resources necessary to es-  
7 tablish a Blue Alert plan;

8                   (B) criteria for evaluating whether a situa-  
9 tion warrants issuing a Blue Alert;

10                  (C) guidelines to protect the privacy, dig-  
11 nity, independence, and autonomy of any law  
12 enforcement officer who may be the subject of  
13 a Blue Alert and the family of the law enforce-  
14 ment officer;

15                  (D) guidelines that a Blue Alert should  
16 only be issued with respect to a law enforce-  
17 ment officer if—

18                           (i) the law enforcement agency in-  
19 volved—

20                                   (I) confirms—

21   (aa) the death or serious in-  
22 jury of the law enforcement offi-  
23 cer; or

24   (bb) the attack on the law  
25 enforcement officer and that

1                   there is an indication of the  
2                   death or serious injury of the of-  
3                   ficer; or

4                   (II) concludes that the law en-  
5                   forcement officer is missing in the line  
6                   of duty;

7                   (ii) there is an indication of serious  
8                   injury to or death of the law enforcement  
9                   officer;

10                  (iii) the suspect involved has not been  
11                  apprehended; and

12                  (iv) there is sufficient descriptive in-  
13                  formation of the suspect involved and any  
14                  relevant vehicle and tag numbers;

15                  (E) guidelines—

16                  (i) that information relating to a law  
17                  enforcement officer who is seriously in-  
18                  jured or killed in the line of duty should be  
19                  provided to the National Crime Informa-  
20                  tion Center database operated by the Fed-  
21                  eral Bureau of Investigation under section  
22                  534 of title 28, United States Code, and  
23                  any relevant crime information repository  
24                  of the State involved;

1 (ii) that a Blue Alert should, to the  
2 maximum extent practicable (as deter-  
3 mined by the Coordinator in consultation  
4 with law enforcement agencies of States  
5 and units of local governments), be limited  
6 to the geographic areas most likely to fa-  
7 cilitate the apprehension of the suspect in-  
8 volved or which the suspect could reason-  
9 ably reach, which should not be limited to  
10 State lines;

11 (iii) for law enforcement agencies of  
12 States or units of local government to de-  
13 velop plans to communicate information to  
14 neighboring States to provide for seamless  
15 communication of a Blue Alert; and

16 (iv) providing that a Blue Alert  
17 should be suspended when the suspect in-  
18 volved is apprehended or when the law en-  
19 forcement agency involved determines that  
20 the Blue Alert is no longer effective; and  
21 (F) guidelines for—

22 (i) the issuance of Blue Alerts  
23 through the network; and

24 (ii) the extent of the dissemination of  
25 alerts issued through the network;

1           (3) develop protocols for efforts to apprehend  
2 suspects that address activities during the period be-  
3 ginning at the time of the initial notification of a  
4 law enforcement agency that a suspect has not been  
5 apprehended and ending at the time of apprehension  
6 of a suspect or when the law enforcement agency in-  
7 volved determines that the Blue Alert is no longer  
8 effective, including protocols regulating—

9                   (A) the use of public safety communica-  
10 tions;

11                   (B) command center operations; and

12                   (C) incident review, evaluation, debriefing,  
13 and public information procedures;

14           (4) work with States to ensure appropriate re-  
15 gional coordination of various elements of the net-  
16 work;

17           (5) establish an advisory group to assist States,  
18 units of local government, law enforcement agencies,  
19 and other entities involved in the network with initi-  
20 ating, facilitating, and promoting Blue Alert plans,  
21 which shall include—

22                   (A) to the maximum extent practicable,  
23 representation from the various geographic re-  
24 gions of the United States; and

25                   (B) members who are—



- 1 (i) representatives of a law enforce-  
2 ment organization representing rank-and-  
3 file officers;
- 4 (ii) representatives of other law en-  
5 forcement agencies and public safety com-  
6 munications;
- 7 (iii) broadcasters, first responders,  
8 dispatchers, and radio station personnel;  
9 and
- 10 (iv) representatives of any other indi-  
11 viduals or organizations that the Coordi-  
12 nator determines are necessary to the suc-  
13 cess of the network;
- 14 (6) act as the nationwide point of contact for—
- 15 (A) the development of the network; and
- 16 (B) regional coordination of Blue Alerts  
17 through the network; and
- 18 (7) determine—
- 19 (A) what procedures and practices are in  
20 use for notifying law enforcement and the pub-  
21 lic when a law enforcement officer is killed or  
22 seriously injured in the line of duty; and
- 23 (B) which of the procedures and practices  
24 are effective and that do not require the ex-  
25 penditure of additional resources to implement.

1 (c) LIMITATIONS.—

2 (1) VOLUNTARY PARTICIPATION.—The guide-  
3 lines established under subsection (b)(2), protocols  
4 developed under subsection (b)(3), and other pro-  
5 grams established under subsection (b), shall not be  
6 mandatory.

7 (2) DISSEMINATION OF INFORMATION.—The  
8 guidelines established under subsection (b)(2) shall,  
9 to the maximum extent practicable (as determined  
10 by the Coordinator in consultation with law enforce-  
11 ment agencies of States and units of local govern-  
12 ment), provide that appropriate information relating  
13 to a Blue Alert is disseminated to the appropriate  
14 officials of law enforcement agencies, public health  
15 agencies, and other agencies.

16 (3) PRIVACY AND CIVIL LIBERTIES PROTEC-  
17 TIONS.—The guidelines established under subsection  
18 (b) shall—

19 (A) provide mechanisms that ensure that  
20 Blue Alerts comply with all applicable Federal,  
21 State, and local privacy laws and regulations;  
22 and

23 (B) include standards that specifically pro-  
24 vide for the protection of the civil liberties, in-  
25 cluding the privacy, of law enforcement officers

1           who are seriously injured or killed in the line of  
2           duty and the families of the officers.

3           (d) COOPERATION WITH OTHER AGENCIES.—The  
4 Coordinator shall cooperate with the Secretary of Home-  
5 land Security, the Secretary of Transportation, the Chair-  
6 man of the Federal Communications Commission, and ap-  
7 propriate offices of the Department of Justice in carrying  
8 out activities under this Act.

9           (e) RESTRICTIONS ON COORDINATOR.—The Coordi-  
10 nator may not—

11           (1) perform any official travel for the sole pur-  
12 pose of carrying out the duties of the Coordinator;

13           (2) lobby any officer of a State regarding the  
14 funding or implementation of a Blue Alert plan; or

15           (3) host a conference focused solely on the Blue  
16 Alert program that requires the expenditure of Fed-  
17 eral funds.

18           (f) REPORTS.—Not later than 1 year after the date  
19 of enactment of this Act, and annually thereafter, the Co-  
20 ordinator shall submit to Congress a report on the activi-  
21 ties of the Coordinator and the effectiveness and status  
22 of the Blue Alert plans that are in effect or being devel-  
23 oped.

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