

HOUSE No. 02390

The Commonwealth of Massachusetts

PRESENTED BY:

Michael A. Costello

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act establishing the Massachusetts child AMBER Alert plan.

PETITION OF:

NAME: _____ | DISTRICT/ADDRESS: _____

HOUSE No. 02390

By Mr. Costello of Newburyport, a petition (accompanied by bill, House, No. 2390) of [petitioners] relative to establishing the Massachusetts child AMBER Alert plan to assist in the recovery of abducted children through prompt notification Joint Committee on Public Safety and Homeland Security.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act establishing the Massachusetts child AMBER Alert plan.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 22C of the General Laws, as so appearing in the 2008 Official Edition, is
2 hereby amended by inserting before the definition of “colonel” the following definition:-

3 “AMBER Alert”, America’s Missing Broadcast Emergency Response Alert.

4 SECTION 2. Chapter 22C of the General Laws, as so appearing, is hereby amended by inserting
5 after section 69 the following section: -

6 Section 70. (a) The state police shall establish and maintain the Massachusetts Child AMBER
7 Alert Plan to assist in the recovery of abducted children through prompt notification to the
8 general public and appropriate law enforcement authorities. The state police shall establish such
9 protocols and procedures as are necessary for the effective operation of this system and shall
10 educate and inform local law enforcement agencies and the public with regard to its availability.

11 (b) Once a law enforcement agency has confirmed that a child has been abducted and that the
12 circumstances of the abduction indicate that the child is in serious danger of bodily harm or
13 death, the confirming agency will obtain descriptive information for the AMBER Alert, contact
14 the state police to provide the descriptive information to the state police and identify a point of
15 contact within their agency.

16 (c) The law enforcement agency reporting the missing child shall obtain a picture of the missing
17 child from the party filing the missing persons report.

18 (d) The following criteria shall be met before the state police activate the Amber Alert:

19 (1) A child of the age of seventeen years or younger has been abducted;

20 (2) The child is in danger of serious bodily harm or death; and

21 (3) There is enough descriptive information to believe that an AMBER Alert will help locate the
22 child.

23 (e) The state police shall notify appropriate departments and agencies, including but not limited
24 to the Massachusetts department of transportation, Massachusetts emergency management
25 agency, the Massachusetts state lottery commission, of the activation of the AMBER Alert.

26 (f) The state police shall notify the broadcast media serving the commonwealth of the
27 establishment of a state wide AMBER Alert Plan and invite their voluntary participation. The
28 participating media shall voluntarily agree, upon notice from the state police, to transmit
29 emergency alerts to inform the public of a child abduction that has occurred within their
30 broadcast service regions.

31 (g) The law enforcement agency reporting the missing child shall enter all relevant information
32 on said child into the National Crime Information Center database, as operated by the federal
33 bureau of investigation.

34 (h) The AMBER Alert shall remain activated for four hours or until terminated upon the
35 direction of the colonel.

36 (i) The AMBER Alert shall not be activated for children considered to be runaways, or incidents
37 involving child custody disputes, except in cases of parental abduction if a threat of bodily harm
38 or death exists against the child.

39 (j) The state police may coordinate with the authorities of the various states and the federal
40 government that are responsible within their respective jurisdictions for the recovery of abducted
41 children to establish and execute the procedures appropriate to the effective fulfillment of its
42 responsibilities under this section.

43 (k) All 911 operators and other appropriate personnel as determined by the secretary shall be
44 trained on the Massachusetts Child AMBER Alert Plan applications and protocols. Re-training
45 shall be included in the in-service training curriculum for such personnel.

46 (l) The colonel of the state police in conjunction with the secretary of the executive office of
47 public safety and security shall adopt rules and regulations necessary to implement this section.