

2010 -- H 8088

LC02507

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - BLUE ALERT SYSTEM

Introduced By: Representatives Gemma, Almeida, DaSilva, Kilmartin, and Jacquard

Date Introduced: May 05, 2010

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 section:

3 **42-28-3.5. Blue alert - Apprehension of criminals - Public safety. -- (a) The general**
4 assembly hereby finds that violence perpetuated upon peace officers in the line of duty is a
5 serious threat to public safety. The general assembly also finds that time is of the essence in
6 apprehending the individual(s) who perpetrate said violence; and that the implementation of a
7 public alert system is necessary for the preservation of public peace, health and safety.

8 (b) The division of state police, in consultation with municipal state and federal agencies
9 shall develop a voluntary partnership among law enforcement agencies, media outlets and other
10 appropriate entities, including, but not limited to, entities located outside the borders of this state
11 to issue emergency alerts entitled "Blue Alert." The "Blue Alert" system may be activated, in
12 accordance with the provisions contained in this section, when a suspect of a crime involving the
13 death or serious injury of a peace officer has not been apprehended, and the superintendent of the
14 state police, or his or her designee, has determined that a suspect may be a serious threat to public
15 safety. The "Blue Alert" system may also be activated when a peace officer becomes missing
16 while in the line of duty under circumstances warranting concern for such peace officer's safety.

17 (c) The "Blue Alert" program described herein shall include a pro-active emergency
18 public alert plan as part of the response to the death or serious bodily injury of a peace officer.
19 The "Blue Alert" program shall be activated and terminated by the superintendent of the state

1 police, or his or her designee. The division of the state police shall establish criteria, protocols,
2 and procedures necessary for the implementation of this program. Said criteria protocols and
3 procedures shall be predicated upon public safety.

4 (d) For the purpose of this section "peace officer" means any person certified to exercise
5 the powers of arrest.

6 (e) In addition to the powers contained herein, the superintendent of the state police, or
7 his or her designee has the authority to implement the "Blue Alert" system, absent the death or
8 serious bodily injury of a peace officer, if a situation exists which involves a serious threat to
9 public safety and public notification is warranted.

10 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO STATE AFFAIRS AND GOVERNMENT - BLUE ALERT SYSTEM

1 This act would direct the division of state police to establish a public alert system to be
2 utilized when criminal activity results in death or serious injury to a peace officer while in the line
3 of duty. It would also allow utilization of the system in situations that involve a serious threat to
4 public safety.

5 This act would take effect upon passage.

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