



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2893

by Rep. Robert F Martwick

SYNOPSIS AS INTRODUCED:

New Act

Creates the Blue Alert System Act. Establishes a statewide alert system known as "Blue Alert" which shall be developed and implemented by the Director of State Police. Provides that the "Blue Alert" system may be activated when a suspect for a crime involving the death or serious injury of a peace officer has not been apprehended and law enforcement personnel have determined that the suspect may be a serious threat to the public and also when a peace officer becomes missing while in the line of duty under circumstances warranting concern for the peace officer's safety. Provides that the Director shall terminate any activation of the "Blue Alert" system with respect to a particular incident if: (1) the suspect or peace officer is located or the incident is otherwise resolved; or (2) the Director determines that the "Blue Alert" system is no longer an effective tool for locating the suspect or peace officer.

LRB098 07712 RLC 37789 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Blue
5 Alert System Act.

6 Section 5. Statewide alert system for suspects of crimes
7 involving death or serious injury of a peace officer; alert
8 system for missing peace officer.

9 (a) As used in this Section:

10 "Department" means the Department of State Police.

11 "Director" means the Director of State Police.

12 "Law enforcement agency" means a law enforcement
13 agency with jurisdiction over the search for a suspect in a
14 case involving the death or serious injury of a peace
15 officer or an agency employing a peace officer who is
16 missing in the line of duty.

17 "Peace officer" has the meaning ascribed to it in
18 Section 2-13 of the Criminal Code of 2012.

19 (b) There is established a statewide alert system known as
20 "Blue Alert" which shall be developed and implemented by the
21 Director.

22 (c) The "Blue Alert" system may be activated when a suspect
23 for a crime involving the death or serious injury of a peace

1 officer has not been apprehended and law enforcement personnel
2 have determined that the suspect may be a serious threat to the
3 public and also when a peace officer becomes missing while in
4 the line of duty under circumstances warranting concern for the
5 peace officer's safety.

6 (d) (1) The Director is the statewide coordinator of the
7 alert system.

8 (2) The Director shall adopt rules and issue directives as
9 necessary to ensure proper implementation of the alert system.
10 The rules and directives shall include instructions on the
11 procedures for activating and deactivating the alert system.

12 (3) The Director shall prescribe forms for use by local law
13 enforcement agencies in requesting activation of the alert
14 system.

15 (4) The Department shall recruit public and commercial
16 television, radio, cable, print, and other media, private
17 commercial entities, State or local governmental entities, the
18 public, and other appropriate persons to assist in developing
19 and implementing the alert system.

20 (5) The Department may enter into agreements with
21 participants in the alert system to provide necessary support
22 for the alert system.

23 (6) A State agency participating in the alert system shall:

24 (A) cooperate with the Department and assist in
25 developing and implementing the alert system;

26 (B) establish a plan for providing relevant

1 information to its officers, investigators, or employees,
2 as appropriate, once the alert system has been activated;
3 and

4 (C) utilize a rapid response telephone system that
5 alerts residents in a targeted area.

6 (7) The Department of the Lottery is directed to develop a
7 method of notifying its vendors within an alert area of an
8 alert in a manner designed to disseminate alert information to
9 customers of retail establishments that sell lottery tickets.

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

16 (1) a law enforcement agency believes that a suspect
17 has not been apprehended;

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

20 (3) sufficient information is available to disseminate
21 to the public that could assist in locating the suspect.

22 The area of the alert may be less than statewide if the
23 Director determines that the nature of the event makes it
24 probable that the suspect did not leave a certain geographic
25 location.

26 (f) Upon notification by a law enforcement agency that a

1 peace officer is missing while in the line of duty under
2 circumstances warranting concern for the peace officer's
3 safety, the Director shall activate the "Blue Alert" system and
4 notify appropriate participants in the "Blue Alert" system if
5 sufficient information is available to disseminate to the
6 public that could assist in locating the missing peace officer.
7 The area of the alert may be less than statewide if the
8 Director determines that the nature of the event makes it
9 probable that the officer is within a certain geographic
10 location.

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

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

20 (1) the suspect or peace officer is located or the
21 incident is otherwise resolved; or

22 (2) the Director determines that the "Blue Alert"
23 system is no longer an effective tool for locating the
24 suspect or peace officer.

25 Law enforcement agencies shall notify the Director
26 immediately when the suspect is located and in custody or the

1 peace officer is found.

2 (i) Any entity or person involved in the dissemination of a
3 "Blue Alert" generated under this Section is not liable for any
4 civil damages arising from that dissemination.