

114TH CONGRESS
1ST SESSION

S. 665

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, is missing in connection with the officer's official duties, or an imminent and credible threat that an individual intends to cause the serious injury or death of a law enforcement officer is received, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 4, 2015

Mr. CARDIN (for himself, Mr. GRAHAM, Mr. LEAHY, Mr. GRASSLEY, Mr. DURBIN, Mr. PORTMAN, Mr. WHITEHOUSE, Mr. BLUNT, Mr. COONS, Mr. HOEVEN, Mrs. BOXER, Mr. WARNER, Ms. HEITKAMP, Mr. BROWN, Mr. TILLIS, Mr. CORNYN, Mrs. SHAHEEN, and Mr. MCCONNELL) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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, is missing in connection with the officer's official duties, or an imminent and credible threat that an individual intends to cause the serious injury or death of a law enforcement officer is received, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Rafael Ramos and
3 Wenjian Liu National Blue Alert Act of 2015”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

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

9 (2) **BLUE ALERT.**—The term “Blue Alert”
10 means information sent through the network relat-
11 ing to—

12 (A) the serious injury or death of a law en-
13 forcement officer in the line of duty;

14 (B) an officer who is missing in connection
15 with the officer’s official duties; or

16 (C) an imminent and credible threat that
17 an individual intends to cause the serious injury
18 or death of a law enforcement officer.

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

24 (4) **LAW ENFORCEMENT OFFICER.**—The term
25 “law enforcement officer” shall have the same mean-
26 ing as in section 1204 of the Omnibus Crime Con-

1 trol and Safe Streets Act of 1968 (42 U.S.C.
2 3796b).

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

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

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

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

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

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

23 (b) DUTIES OF THE COORDINATOR.—The Coordi-
24 nator shall—

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

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

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

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

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

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

20 (i) the law enforcement agency in-
21 volved—

22 (I) confirms—

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

1 (bb) the attack on the law
2 enforcement officer and that
3 there is an indication of the
4 death or serious injury of the of-
5 ficer; or

6 (II) concludes that the law en-
7 forcement officer is missing in connec-
8 tion with the officer's official duties;

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

12 (iii) the suspect involved has not been
13 apprehended; and

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

17 (E) guidelines that a Blue Alert should
18 only be issued with respect to a threat to cause
19 death or serious injury to a law enforcement of-
20 ficer if—

21 (i) a law enforcement agency involved
22 confirms that the threat is imminent and
23 credible;

1 (ii) at the time of receipt of the
2 threat, the suspect is wanted by a law en-
3 forcement agency;

4 (iii) the suspect involved has not been
5 apprehended; and

6 (iv) there is sufficient descriptive in-
7 formation of the suspect involved and any
8 relevant vehicle and tag numbers;

9 (F) guidelines—

10 (i) that information should be pro-
11 vided to the National Crime Information
12 Center database operated by the Federal
13 Bureau of Investigation under section 534
14 of title 28, United States Code, and any
15 relevant crime information repository of
16 the State involved, relating to—

17 (I) a law enforcement officer who
18 is seriously injured or killed in the
19 line of duty; or

20 (II) an imminent and credible
21 threat to cause the serious injury or
22 death of a law enforcement officer;

23 (ii) that a Blue Alert should, to the
24 maximum extent practicable (as deter-
25 mined by the Coordinator in consultation

1 with law enforcement agencies of States
2 and units of local governments), be limited
3 to the geographic areas most likely to fa-
4 cilitate the apprehension of the suspect in-
5 volved or which the suspect could reason-
6 ably reach, which should not be limited to
7 State lines;

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

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

19 (i) the issuance of Blue Alerts
20 through the network; and

21 (ii) the extent of the dissemination of
22 alerts issued through the network;

23 (3) develop protocols for efforts to apprehend
24 suspects that address activities during the period be-
25 ginning at the time of the initial notification of a

1 law enforcement agency that a suspect has not been
2 apprehended and ending at the time of apprehension
3 of a suspect or when the law enforcement agency in-
4 volved determines that the Blue Alert is no longer
5 effective, including protocols regulating—

6 (A) the use of public safety communica-
7 tions;

8 (B) command center operations; and

9 (C) incident review, evaluation, debriefing,
10 and public information procedures;

11 (4) work with States to ensure appropriate re-
12 gional coordination of various elements of the net-
13 work;

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

19 (A) to the maximum extent practicable,
20 representation from the various geographic re-
21 gions of the United States; and

22 (B) members who are—

23 (i) representatives of a law enforce-
24 ment organization representing rank-and-
25 file officers;

- 1 (ii) representatives of other law en-
2 forcement agencies and public safety com-
3 munications;
- 4 (iii) broadcasters, first responders,
5 dispatchers, and radio station personnel;
6 and
- 7 (iv) representatives of any other indi-
8 viduals or organizations that the Coordi-
9 nator determines are necessary to the suc-
10 cess of the network;
- 11 (6) act as the nationwide point of contact for—
- 12 (A) the development of the network; and
- 13 (B) regional coordination of Blue Alerts
14 through the network; and
- 15 (7) determine—
- 16 (A) what procedures and practices are in
17 use for notifying law enforcement and the pub-
18 lic when—
- 19 (i) a law enforcement officer is killed
20 or seriously injured in the line of duty;
- 21 (ii) a law enforcement officer is miss-
22 ing in connection with the officer's official
23 duties; and

1 (iii) an imminent and credible threat
2 to kill or seriously injure a law enforce-
3 ment officer is received; and

4 (B) which of the procedures and practices
5 are effective and that do not require the ex-
6 penditure of additional resources to implement.

7 (c) LIMITATIONS.—

8 (1) VOLUNTARY PARTICIPATION.—The guide-
9 lines established under subsection (b)(2), protocols
10 developed under subsection (b)(3), and other pro-
11 grams established under subsection (b), shall not be
12 mandatory.

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

22 (3) PRIVACY AND CIVIL LIBERTIES PROTEC-
23 TIONS.—The guidelines established under subsection
24 (b) shall—

1 (A) provide mechanisms that ensure that
2 Blue Alerts comply with all applicable Federal,
3 State, and local privacy laws and regulations;
4 and

5 (B) include standards that specifically pro-
6 vide for the protection of the civil liberties, in-
7 cluding the privacy, of law enforcement officers
8 who are seriously injured or killed in the line of
9 duty, is missing in connection with the officer's
10 official duties, or who are threatened with death
11 or serious injury, and the families of the offi-
12 cers.

13 (d) COOPERATION WITH OTHER AGENCIES.—The
14 Coordinator shall cooperate with the Secretary of Home-
15 land Security, the Secretary of Transportation, the Chair-
16 man of the Federal Communications Commission, and ap-
17 propriate offices of the Department of Justice in carrying
18 out activities under this Act.

19 (e) RESTRICTIONS ON COORDINATOR.—The Coordi-
20 nator may not—

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

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

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

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

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