COMMITTEE REPORT

February 1, 2012

**H. 4636**

Introduced by Reps. Tallon, J.R. Smith, Hixon, Pope, Delleney, Corbin, Bedingfield, G.R. Smith, Lucas, Hamilton, Stringer, Ryan, Owens, Horne, Pinson, Thayer, Putnam, Murphy, Pitts, Spires, Brannon, Chumley, Lowe, Allison, Anthony, Quinn, Bingham, Ballentine, Bannister, Hearn, D.C. Moss, Hardwick, Parker, Cole, Forrester, Limehouse, Gilliard, Sottile, McEachern and Frye

S. Printed 2/1/12--S. [SEC 2/2/12 12:20 PM]

Read the first time January 26, 2012.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 4636) to amend the Code of Laws of South Carolina, 1976, by adding Article 16 to Chapter 3, Title 23 so as to establish the Blue Alert Program that is designed, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking SECTION 1, page 1, lines 23-42, and page 2, lines 1-25, in its entirety, and inserting:

/ SECTION 1. Chapter 3, Title 23 of the 1976 Code is amended by adding:

“Article 16

Blue Alert Program

Section 23‑3‑1400. (A) The ‘Blue Alert Program’ is established within the South Carolina Law Enforcement Division (SLED). The purpose of the program is to assist law enforcement in the apprehension of a suspect who allegedly kills, seriously injures, or abducts a law enforcement officers by rapidly disseminating information regarding the suspect, and to reduce the suspect’s ability to flee thereby posing a serious threat to the safety of others.

(B) SLED shall adopt guidelines and establish procedures for issuing a blue alert, including the rapid dissemination of information regarding suspects through the use of the South Carolina Department of Transportation’s electronic traffic signage system and other law enforcement mechanisms. The Chief of SLED shall act as the program’s statewide coordinator.

(C) To aid in hindering a suspect’s ability to flee and threaten citizens, communities, and other law enforcement personnel, SLED shall encourage and recruit television and radio broadcasters and other organizations to assist in the program by quickly disseminating information regarding the suspect.

(D) A blue alert may be issued if:

(1) a local, state, or federal law enforcement officer is killed, seriously injured, or abducted; and

(2) the law enforcement agency of jurisdiction:

(a) determines that a suspect poses a serious risk or threat to the public and other law enforcement personnel;

(b) possesses sufficient information that could assist in locating the suspect, including information regarding the suspect’s vehicle; and

(c) recommends the issuance of a blue alert to SLED.

(E) SLED may issue a blue alert upon confirmation of the requirements of Subsection (D). Upon issuance of a blue alert, information that could assist in locating a suspect may be displayed across the State via the South Carolina Department of Transportation’s electronic traffic signage system and other law enforcement mechanisms. Also, the information may be disseminated to organizations assisting with the program.

(F) A blue alert may be canceled at the request of the law enforcement agency of jurisdiction or by the Chief of SLED when appropriate.” /

Renumber sections to conform.

Amend title to conform.

JOHN M. KNOTTS, JR. for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 16 TO CHAPTER 3, TITLE 23 SO AS TO ESTABLISH THE BLUE ALERT PROGRAM THAT IS DESIGNED TO APPREHEND A SUSPECT THAT ALLEGEDLY KILLS, SERIOUSLY INJURES, OR ABDUCTS A LAW ENFORCEMENT OFFICER BY RAPIDLY DISSEMINATING INFORMATION REGARDING THE SUSPECT.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 3, Title 23 of the 1976 Code is amended by adding:

“Article 16

Blue Alert Program

Section 23‑3‑1400. (A) The Blue Alert Program is established within the South Carolina Law Enforcement Division (SLED). The program is designed to apprehend a suspect that allegedly kills, seriously injures, or abducts a law enforcement officer by rapidly disseminating information regarding the suspect. The purpose of the program is to reduce the suspect’s ability to flee thereby posing a serious threat to the safety of others.

(B) SLED shall adopt guidelines and establish procedures for issuing a blue alert, which include the rapid dissemination of information regarding the suspect through the use of the South Carolina Department of Transportation electronic traffic signage system and other law enforcement mechanisms. The Director of SLED shall act as the statewide coordinator of the program.

(C) To aid in hindering the suspect’s ability to flee and to threaten citizens, communities, and other law enforcement personnel, SLED shall encourage and recruit television and radio broadcasters and other organizations to assist in the program by quickly disseminating information regarding the suspect.

(D) A blue alert shall be issued if:

(1) a local, state, or federal law enforcement officer is killed, seriously injured, or abducted; and

(2) the law enforcement agency of jurisdiction:

(a) determines that the suspect poses a serious risk or threat to the public and other law enforcement personnel;

(b) possesses sufficient information that could assist in locating the suspect, including information regarding the suspect’s vehicle; and

(c) recommends the issuance of a blue alert to SLED.

(E) Upon confirmation of the requirements of subsection (D), SLED shall issue a blue alert. Upon activation, the information that could assist in locating the suspect shall be displayed across the State via South Carolina Department of Transportation message signs and other law enforcement mechanisms. Also, the information shall be disseminated to organizations assisting the program.

(F) A blue alert may be canceled at the request of the law enforcement agency of jurisdiction or by the Director of SLED when appropriate.”

SECTION 2. This act takes effect upon approval by the Governor.

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