HOUSE DOCKET, NO. 2682 FILED ON: 1/21/2011

HOUSE . . . . . No. 2390

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:

An Act establishing the Massachusetts child AMBER Alert plan.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael A. Costello	*1st Essex*

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HOUSE . . . . . No. 2390

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

The Commonwealth of Massachusetts

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:

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

"AMBER Alert", America's Missing Broadcast Emergency Response Alert.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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