Ohio Legislative Service Commission

Bill Analysis

Joseph G. Aninao

Am. S.B. 258

129th General Assembly
(As Reported by H. Transportation, Public Safety & Homeland Security)

Sens. Manning and Patton, Balderson, Hite, Hughes, LaRose, Widener, Eklund, Gentile, Burke, Schiavoni, Turner, Bacon, Beagle, Brown, Cafaro, Coley, Daniels, Faber, Jones, Kearney, Lehner, Obhof, Oelslager, Sawyer, Schaffer, Skindell, Smith, Tavares, Wagoner

Reps. Combs, Damschroder, R. Hagan, Johnson, McClain, McGregor, O'Brien, Patmon, Ruhl, Uecker

BILL SUMMARY

- Creates the Statewide Blue Alert Program to rapidly disseminate information related to the killing of or serious injury to law enforcement officers and to aid in the location of missing law enforcement officers.
- Establishes criteria for activating an alert under the program.
- Grants immunity to a broadcaster with regard to alerts.

CONTENT AND OPERATION

The bill creates the Statewide Blue Alert Program, which is a statewide system for the rapid dissemination of information to speed the apprehension of persons suspected of killing or seriously injuring law enforcement officers and also to aid in the location of missing law enforcement officers. The bill requires the Governor to organize the program as a coordinated effort among the Governor's office, the Department of Public Safety, the Attorney General, law enforcement agencies, the state's public and commercial television and radio broadcasters, the state's cable systems, and others as the Governor considers necessary.[1] The bill requires the program to be operated in such a manner that it complements and does not conflict with similar federal alert programs.[2]

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[1] R.C. 5502.53(B).

[2] R.C. 5502.53(E).

Under the bill, a statewide blue alert must be activated if both of the following activation criteria are met:

(1) A local law enforcement agency confirms that a law enforcement officer has been seriously injured or killed, and a suspect has not been apprehended, or that a law enforcement officer is missing while on duty under circumstances warranting concern for the law enforcement officer's safety.

(2) There is sufficient descriptive information about the suspect or the circumstances surrounding a law enforcement officer's injury, death, or disappearance to indicate that activation of the alert may help locate a suspect or a missing law enforcement officer.

This provision does not prevent the activation of a local or regional emergency alert program that may impose different criteria for the activation of a local or regional emergency alert.[3]

The bill provides immunity from liability for a radio broadcast station, television broadcast station, or cable system participating in the Statewide Blue Alert Program. The immunity extends to a director, officer, employee, or agent of a station or system participating in the program. These persons will not be liable for damages for any loss allegedly caused by or resulting from the station's or system's broadcast or cablecast of, or failure to broadcast or cablecast, any information under the alert program.[4]

HISTORY

ACTION	DATE
Introduced	11-21-11
Reported, S. Highways & Transportation	12-14-11
Passed Senate (33-0)	12-14-11
Reported, H. Transportation, Public Safety & Homeland Security	02-02-12

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[3] R.C. 5502.53(C).

[4] R.C. 5502.53(D).