

STATE OF NEW YORK

6318--A

2021-2022 Regular Sessions

IN ASSEMBLY

March 12, 2021

Introduced by M. of A. STERN, GRIFFIN, BRABENEC, GANDOLFO, DURSO, RA --
read once and referred to the Committee on Governmental Operations --
recommitted to the Committee on Governmental Operations in accordance
with Assembly Rule 3, sec. 2 -- committee discharged, bill amended,
ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to establishing a blue
alert system to aid in the apprehension of any individuals suspected
of killing or seriously wounding any law enforcement officer

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. The executive law is amended by adding two new sections
2 837-w and 837-x to read as follows:

3 § 837-w. Blue alert system. 1. There is established within the divi-
4 sion the blue alert system referred to in this section as the "system"
5 which is a statewide program to aid in the identification, location and
6 apprehension of any individual or individuals suspected of killing or
7 seriously wounding any local, state, or federal law enforcement officer.

8 2. For the purposes of this section, "law enforcement officer" means
9 any public servant having both the power and duty to make arrests for
10 violations of the laws of the state of New York, and federal law
11 enforcement officers authorized to carry firearms and to make arrests
12 for violations of the laws of the United States.

13 3. The division shall develop regions within the state for the opera-
14 tion of the system. The division shall coordinate with local law
15 enforcement agencies and public commercial television and radio broad-
16 caster organizations to effectuate alerts under the system. In the event
17 that a local law enforcement agency opts not to operate a system and a
18 law enforcement officer is killed or seriously wounded within the juris-
19 isdiction of such local agency, it shall notify the division who shall
20 provide information to local media organizations in the affected region.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 4. The blue alert system shall include all state agencies capable of
2 providing urgent and timely information to the public together with
3 television and radio broadcasters and other private entities that
4 consent to participate in the dissemination of urgent public informa-
5 tion. The blue alert system shall include, but not be limited to the
6 division, the New York state department of transportation, and the New
7 York state lottery.

8 5. The division shall have the authority to notify additional regions
9 upon verification that the criteria established by the oversight commit-
10 tee has been met.

11 6. Participation in a blue alert system shall be optional for local
12 law enforcement agencies and federally licensed radio and television
13 broadcasters.

14 7. Any person who knowingly makes a false report that triggers an
15 alert under this section is guilty of a class A misdemeanor.

16 § 837-x. Blue alert system oversight. 1. The division shall develop
17 criteria and procedures for activation of the blue alert system, and
18 shall regularly review the function of the blue alert system and revise
19 its criteria and procedures to provide for efficient and effective
20 public notifications.

21 2. Upon approval by the division, the blue alert system may be acti-
22 vated to transmit the following information to the public:

23 (a) an alert that a law enforcement officer has been killed or seri-
24 ously injured;

25 (b) an alert that the suspect poses a serious threat to the public;

26 (c) a detailed description of the suspect's vehicle and license plate
27 number; and

28 (d) the name of the investigating law enforcement agency that
29 requested the alert.

30 3. The division is hereby authorized to promulgate rules and regu-
31 lations for the implementation of the blue alert system.

32 § 2. Severability. If any clause, sentence, paragraph, section or part
33 of this act shall be adjudged by any court of competent jurisdiction to
34 be invalid, such judgment shall not affect, impair or invalidate the
35 remainder thereof, but shall be confined in its operation to the clause,
36 sentence, paragraph, section or part thereof directly involved in the
37 controversy in which such judgment shall have been rendered.

38 § 3. This act shall take effect immediately; provided, that section
39 837-w of the executive law, as added by section one of this act, shall
40 take effect on the ninetieth day after it shall have become a law.