



S.B. 290

124th General Assembly
(As Introduced)

Sens. Coughlin, Wachtmann, Armbruster, Jacobson, Blessing, Mumper, Spada, Goodman, Harris, Austria, Randy Gardner, Robert Gardner, Nein

BILL SUMMARY

- Requires the Department of Public Safety to adopt rules for the implementation of an emergency alert program to identify and locate abducted children.
- Declares an emergency.

CONTENT AND OPERATION

The bill requires the Department of Public Safety to adopt rules under the Administrative Procedure Act for the creation and implementation of a statewide emergency alert program to aid in the identification and location of certain abducted children. The program must be a coordinated effort among the Department, law enforcement agencies, and public and commercial television and radio broadcasters in the state. (Sec. 5502.52(A).)

The bill requires the rules to include (1) guidelines for a law enforcement agency to determine when the program should be implemented (see below), (2) a procedure for a law enforcement agency to verify that a child has been abducted and for notifying the Department of the abduction, (3) a procedure for the Department to verify the accuracy of the information it receives from a law enforcement agency, (4) a procedure for notifying the state Emergency Management Agency and ordering it to issue an alert through the program, (5) a procedure for notifying public and commercial television and radio stations in the state of the issuance of an alert, (6) guidelines identifying information that is appropriate for a law enforcement agency to release in assisting the safe recovery of an abducted child, and (7) a procedure for the cancellation of an alert. The guidelines pertaining to implementation of the program must specify, at a minimum, that the abducted child must be under age 18, the abduction must pose a

credible threat to the health and safety of the child, and the child must not be a runaway or have been abducted because of a custody dispute. (Sec. 5502.52(A) and (B).)

The rules must be adopted by January 2, 2003, and all law enforcement agencies must comply with the rules (sec. 5502.52(C) and (D)).

The bill defines "law enforcement agency" to include a sheriff's department, the office of a village marshal, a municipal corporation police department, a regional transit authority police force, a metropolitan housing authority police force, the State Highway Patrol, a state university law enforcement agency, a township police constable's office, and the police department of a township or joint township police district. It defines an "abducted child" as a child for whom there is credible evidence to believe the child has been abducted in violation of the criminal laws prohibiting kidnapping, abduction, unlawful restraint, and criminal child enticement. (Sec. 5502.52(E).)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	08-22-02	p. 2015

s0290-i.124/kl