

1 HOUSE BILL NO. 269

2 INTRODUCED BY S. LAVIN, NOONAN, HOLLENBAUGH, O'NEIL, BRODEHL

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE BLUE ALERT PROGRAM WITHIN THE
5 DEPARTMENT OF JUSTICE TO ASSIST IN NOTIFICATION TO PERSONS CONCERNING AND CAPTURE
6 OF PERSONS RESPONSIBLE FOR THE DEATH OR SERIOUS INJURY OF A PEACE OFFICER."

7

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9

10 NEW SECTION. **Section 1. Blue alert program.** (1) There is a state alert system known as the blue
11 alert program within the department of justice.

12 (2) Upon request by a law enforcement agency, the department may activate the blue alert program if
13 the department determines that:

14 (a) a peace officer has been killed or seriously injured in the line of duty;

15 (b) an individual suspected to have caused the death or injury is at large;

16 (c) a law enforcement agency has determined that the individual referred to in subsection (2)(b) poses
17 a serious threat to the public, other peace officers, or both; and

18 (d) sufficient information exists about the individual referred to in subsection (2)(b) or about the death
19 or injury so that the activation of the program would materially assist in the capture of the individual.

20 (3) Upon activation of the blue alert program, the department shall notify the following entities in the state
21 or area in which the alert is established:

22 (a) all law enforcement agencies;

23 (b) individuals who, because of their proximity to the geographic area in which the death or injury
24 occurred, may have observed the death or injury or the escape of the individual referred to in subsection (2)(b)
25 or may themselves become a victim of that individual;

26 (c) individuals who may have a special relationship to the individual referred to in subsection (2)(b), such
27 as a relative of that individual or a peace officer or other person within the criminal justice system who knows the
28 individual; and

29 (d) other persons who the department determines would benefit from the notice.

30 (4) The department shall terminate the blue alert when it determines that the individual referred to in

1 subsection (2)(b) has been apprehended or when it determines that the blue alert will no longer materially assist
2 in the capture of the individual.

3 (5) The department shall adopt rules to implement this section.

4 (6) As used in this section, the following definitions apply:

5 (a) "Law enforcement agency" has the meaning provided in 44-11-303.

6 (b) "Peace officer" has the meaning provided in 46-1-202.

7
8 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an
9 integral part of Title 44, chapter 2, and the provisions of Title 44, chapter 2, apply to [section 1].

10 - END -