



Rep. Wayne Rosenthal

Filed: 3/29/2011

09700HB3503ham001

LRB097 02973 RLJ 53211 a

1 AMENDMENT TO HOUSE BILL 3503

2 AMENDMENT NO. _____. Amend House Bill 3503 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of State Police Law of the Civil
5 Administrative Code of Illinois is amended by adding Section
6 2605-490 as follows:

7 (20 ILCS 2605/2605-490 new)

8 Sec. 2605-490. Crimes Against Police Officers Advisory.

9 (a) A coordinated program known as the Crimes Against
10 Police Officers Advisory is established within the Department
11 of State Police. The Crimes Against Police Officers Advisory
12 may be referred to as the Blue Alert Program. The purpose of
13 the Crimes Against Police Officers Advisory is to provide a
14 regional system for the rapid dissemination of information
15 regarding the commission or attempted commission of the
16 following crimes against a police officer or peace officer:

1 first degree murder, second degree murder, involuntary
2 manslaughter, reckless homicide, and concealment of homicidal
3 death.

4 (b) The implementation of the Crimes Against Police
5 Officers Advisory program may include, but not be limited to,
6 the use in coordination with the Illinois Department of
7 Transportation of electronic message signs on roads and
8 highways in the vicinity of the commission or attempted
9 commission of a crime set forth in subsection (a) against a
10 police officer or peace officer to immediately provide critical
11 information to the public.

12 (c) The Director of State Police may promulgate, in
13 conformity with the procedures set forth in the Illinois
14 Administrative Procedure Act, administrative rules to
15 implement the Crimes Against Police Officers Advisory program.

16 (d) For the purposes of this Section, the following terms
17 have the indicated meanings:

18 "Attempt" has the meaning ascribed to that term in
19 Section 9-1 of the Criminal Code of 1961.

20 "Concealment of homicidal death" has the meaning
21 ascribed to that term in Section 9-3.4 of the Criminal Code
22 of 1961.

23 "First degree murder" has the meaning ascribed to that
24 term in Section 9-1 of the Criminal Code of 1961.

25 "Involuntary manslaughter" has the meaning ascribed to
26 that term in Section 9-3 of the Criminal Code of 1961.

1 "Reckless homicide" has the meaning ascribed to that
2 term in Section 9-3 of the Criminal Code of 1961.

3 "Second degree murder" has the meaning ascribed to that
4 term in Section 9-2 of the Criminal Code of 1961.

5 Section 10. The Department of Transportation Law of the
6 Civil Administrative Code of Illinois is amended by changing
7 Section 2705-505.5 as follows:

8 (20 ILCS 2705/2705-505.5)

9 Sec. 2705-505.5. Child abduction and police officer and
10 peace officer message signs. The Department of Transportation
11 shall coordinate with the Department of State Police in the use
12 of electronic message signs on roads and highways in the
13 vicinity of a child abduction or the commission or attempted
14 commission of a crime set forth in subsection (a) of Section
15 2605-490 of the Department of State Police Law against a police
16 officer or peace officer to immediately provide critical
17 information to the public.

18 (Source: P.A. 93-310, eff. 7-23-03.)

19 Section 15. The Missing Persons Identification Act is
20 amended by changing Section 10 as follows:

21 (50 ILCS 722/10)

22 Sec. 10. Law enforcement analysis and reporting of missing

1 person information.

2 (a) Prompt determination of high-risk missing person.

3 (1) Definition. "High-risk missing person" means a
4 person whose whereabouts are not currently known and whose
5 circumstances indicate that the person may be at risk of
6 injury or death. The circumstances that indicate that a
7 person is a high-risk missing person include, but are not
8 limited to, any of the following:

9 (A) the person is missing as a result of a stranger
10 abduction;

11 (B) the person is missing under suspicious
12 circumstances;

13 (C) the person is missing under unknown
14 circumstances;

15 (D) the person is missing under known dangerous
16 circumstances;

17 (E) the person is missing more than 30 days;

18 (F) the person has already been designated as a
19 high-risk missing person by another law enforcement
20 agency;

21 (G) there is evidence that the person is at risk
22 because:

23 (i) the person is in need of medical attention,
24 including but not limited to persons with
25 dementia-like symptoms, or prescription
26 medication;

1 (ii) the person does not have a pattern of
2 running away or disappearing;

3 (iii) the person may have been abducted by a
4 non-custodial parent;

5 (iv) the person is mentally impaired;

6 (v) the person is under the age of 21;

7 (vi) the person has been the subject of past
8 threats or acts of violence;

9 (vii) the person has eloped from a nursing
10 home; or

11 (H) any other factor that may, in the judgment of
12 the law enforcement official, indicate that the
13 missing person may be at risk.

14 (2) Law enforcement risk assessment.

15 (A) Upon initial receipt of a missing person
16 report, the law enforcement agency shall immediately
17 determine whether there is a basis to determine that
18 the missing person is a high-risk missing person.

19 (B) If a law enforcement agency has previously
20 determined that a missing person is not a high-risk
21 missing person, but obtains new information, it shall
22 immediately determine whether the information
23 indicates that the missing person is a high-risk
24 missing person.

25 (C) Law enforcement agencies are encouraged to
26 establish written protocols for the handling of

1 missing person cases to accomplish the purposes of this
2 Act.

3 (3) Law enforcement agency reports.

4 (A) The responding local law enforcement agency
5 shall immediately enter all collected information
6 relating to the missing person case in the Law
7 Enforcement Agencies Data System (LEADS) and the
8 National Crime Information Center (NCIC) databases.
9 The information shall be provided in accordance with
10 applicable guidelines relating to the databases. The
11 information shall be entered as follows:

12 (i) All appropriate DNA profiles, as
13 determined by the Department of State Police,
14 shall be uploaded into the missing person
15 databases of the State DNA Index System (SDIS) and
16 National DNA Index System (NDIS) after completion
17 of the DNA analysis and other procedures required
18 for database entry.

19 (ii) Information relevant to the Federal
20 Bureau of Investigation's Violent Criminal
21 Apprehension Program shall be entered as soon as
22 possible.

23 (iii) The Department of State Police shall
24 ensure that persons entering data relating to
25 medical or dental records in State or federal
26 databases are specifically trained to understand

1 and correctly enter the information sought by
2 these databases. The Department of State Police
3 shall either use a person with specific expertise
4 in medical or dental records for this purpose or
5 consult with a chief medical examiner, forensic
6 anthropologist, or odontologist to ensure the
7 accuracy and completeness of information entered
8 into the State and federal databases.

9 (B) The Department of State Police shall
10 immediately notify all law enforcement agencies within
11 this State and the surrounding region of the
12 information that will aid in the prompt location and
13 safe return of the high-risk missing person.

14 (C) The local law enforcement agencies that
15 receive the notification from the Department of State
16 Police shall notify officers to be on the lookout for
17 the missing person or a suspected abductor.

18 (D) Pursuant to any applicable State criteria,
19 local law enforcement agencies shall also provide for
20 the prompt use of the following: (i) an Amber Alert in
21 cases involving abducted children, (ii) ~~or use of~~ the
22 Endangered Missing Person Advisory in appropriate high
23 risk cases, or (iii) the Crimes Against Police Officers
24 Advisory in appropriate cases.

25 (Source: P.A. 95-192, eff. 8-16-07; 96-149, eff. 1-1-10.)

1 Section 99. Effective date. This Act takes effect January
2 1, 2012.".