I. POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system’s individual criteria.

The California Highway Patrol (CHP) administers the alert programs through the Emergency Notification and Tactical Alert Center (ENTAC at 916-843-4199 or entac@chp.ca.gov). The network is comprised of Critical Reach System, the Emergency Alert System, Emergency Digital Information Service, and the Changeable Message Signs. The attached CHP Bulletin directs local enforcement how to initiate an AMBER Alert.

II. PROCEDURE

A. Public Alerts

1. Responsibilities

   a. Member Responsibilities

      Members of the Davis Police Department should notify their supervisor, Watch Commander or Investigations Division Supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

   b. Supervisor/Division Commander Responsibilities

      A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Police Chief, the appropriate Division Commander and the Press Information Officer when any public alert is generated.

      The Division Commander in charge of the investigation to which the alert relates is responsible for the following:

      1. Updating alerts
      2. Canceling alerts
      3. Ensuring all appropriate reports are completed
2. Amber Alerts

The AMBER Alert™ Program is a voluntary partnership between law enforcement agencies, broadcasters, transportation agencies and the wireless industry, to activate urgent bulletins in child abduction cases.

a. Criteria for Amber Alert

The following conditions must be met before activating an AMBER Alert (Government Code § 8594(a)):

1. A child has been abducted or taken by anyone, including but not limited to a custodial parent or guardian.
2. The victim is 17 years of age or younger, or has a proven mental or physical disability.
3. The victim is in imminent danger of serious injury or death.
4. There is information available that, if provided to the public, could assist in the child’s safe recovery.

b. Procedure for Amber Alerts

The Division Commander in charge will ensure the following:

1. An initial press release is prepared that includes all available information that might aid in locating the child:
   a. The child’s identity, age and description
   b. Photograph if available
   c. The suspect’s identity, age and description, if known
   d. Pertinent vehicle description
   e. Detail regarding location of incident, direction of travel, potential destinations, if known

2. Name and telephone number of the Press Information Officer or other authorized individual to handle media liaison
3. A telephone number for the public to call with leads or information
4. The local California Highway Patrol communications center should be contacted to initiate a multi-regional or statewide EAS broadcast, following any policies and procedures developed by CHP (Government Code § 8594).
5. Information regarding the missing person should be entered into the California Law Enforcement Telecommunication System (CLETs).
6. Information regarding the missing person should be entered into the California Department of Justice Missing and Unidentified Persons System (MUPS)/National Crime Information Center (NCIC).
7. The following resources should be considered as circumstances dictate:
   a. The local FBI office
   b. National Center for Missing and Exploited Children (NCMEC)

3. Blue Alerts

Blue Alerts may be issued when an officer is killed, injured or assaulted and the suspect may pose a threat to the public or other law enforcement personnel.
a. Criteria for Blue Alerts

All of the following conditions must be met before activating a Blue Alert (Government Code § 8594.5):

1. A law enforcement officer has been killed, suffered serious bodily injury or has been assaulted with a deadly weapon, and the suspect has fled the scene of the offense.
2. The investigating law enforcement agency has determined that the suspect poses an imminent threat to the public or other law enforcement personnel.
3. A detailed description of the suspect’s vehicle or license plate is available for broadcast.
4. Public dissemination of available information may help avert further harm or accelerate apprehension of the suspect.

b. Procedure for Blue Alert

The Division Commander in charge should ensure the following:

1. An initial press release is prepared that includes all available information that might aid in locating the suspect:
   a. The license number and/or any other available description or photograph of the vehicle
   b. Photograph, description and/or identification of the suspect
   c. The suspect’s identity, age and description, if known
   d. Detail regarding location of incident, direction of travel, potential destinations, if known

2. Name and telephone number of the Press Information Officer or other authorized individual to handle media liaison

3. A telephone number for the public to call with leads or information

4. The local California Highway Patrol communications center is contacted to initiate a multi-regional or statewide EAS broadcast.

5. The following resources should be considered as circumstances dictate:
   a. Entry into the California Law Enforcement Telecommunication System (CLETS)
   b. The FBI local office

4. Silver Alerts

Silver Alerts® is an emergency notification system for people who are 65 years of age or older, developmentally disabled or cognitively impaired and have been reported missing (Government Code § 8594.10).

a. Criteria for Silver Alert

All of the following conditions must be met before activating a Silver Alert (Government Code § 8594.10):

1. The missing person is 65 years of age or older, developmentally disabled or cognitively impaired.
2. The department has utilized all available local resources.
3. The investigating officer or supervisor has determined that the person is missing under unexplained or suspicious circumstances.

4. The investigating officer or supervisor believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril.

5. There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

b. Procedures for Silver Alert

Requests for a Silver Alert shall be made through the California Highway Patrol (Government Code § 8594.10).

Darren Pytel
Police Chief
04/17

Reviewed 12/17

Revised 5/19 Yellow Alerts no longer authorized by legislature
BULLETIN NUMBER 217

AMBER ALERT PROGRAM UPDATE AND ENDANGERED MISSING ADVISORIES

The purpose of this Information Bulletin is to provide an AMBER Alert program update and discuss the use of an Endangered Missing Advisory (EMA) for circumstances where the statutory criteria for an AMBER Alert are not met. Both procedures have proven to be very successful in locating abducted and missing children when implemented in an appropriate manner.

Background

America’s Missing: Broadcast Emergency Response Alert, or AMBER Alert, is a program that partners California’s law enforcement community, media broadcasting agencies, and the public in locating abducted children. The goal of an AMBER Alert is to provide the public with immediate information about a child abduction via widespread media broadcasts and to solicit help from the public in the safe and swift return of the child. In cases where the AMBER Alert criteria are not met, there are other options for law enforcement agencies to use to disseminate information to the public.

Activating an AMBER Alert

Local law enforcement agencies investigate reports of an abducted or missing child. Ultimately, the local investigating law enforcement agency determines if the AMBER Alert activation criteria specified in Section 8594 of the Government Code (GC) have been met. The following are the Government Code criteria for an AMBER Alert:

- There is a confirmed abduction (e.g., witness verification, alternative explanations for a child’s absence eliminated).
- The victim is 17 years of age or younger, or an individual with a proven mental or physical disability.
• The child is in imminent danger of serious bodily injury or death.
• Information is available that, if disseminated to the general public, could assist in the safe recovery of the victim (vehicle information is not a requirement to activate an AMBER Alert).

Per GC Section 8594, "Law enforcement agencies shall only request activation of the Emergency Alert System for an abduction if these criteria are met." If met, the Government Code requires the investigating agency to request activation of the Emergency Alert System (EAS) in the "appropriate local area." Therefore, by law, the AMBER Alert is essentially the EAS activation.

As mentioned, vehicle information is not a requirement for an AMBER Alert. However, agencies need to be aware that Changeable Message Signs (CMS) will not be used as a supporting notification system during an AMBER Alert if there is no discerning vehicle information (such as a license plate) available.

Accordingly, it is important for agencies to establish comprehensive AMBER Alert plans to detail the response procedures and protocols specific to their jurisdictions. For most agencies in the state, the California Highway Patrol (CHP), Emergency Notification and Tactical Alert Center (ENTAC) will be the primary point of contact for activating an AMBER Alert.

There are four counties in the state where the sheriff's department activates the EAS within their counties when the abduction occurs within the respective counties. These types of activations are in accordance with established plans, such as Child Abduction Regional Emergency plans. Those counties are Los Angeles, Orange, Alameda, and San Diego. Law enforcement agencies within these counties should contact their Sheriff's Departments to determine the procedures for activating the EAS for an AMBER Alert when the qualifying abduction occurs within these counties.

Cases Not Meeting AMBER Alert Criteria

The AMBER Alert should be activated only in those child abduction cases meeting the mandatory AMBER Alert criteria. AMBER Alerts should not be used for cases involving:

• Runaways.
• Where no abduction is confirmed or occurred.
• Missing children in which there is no evidence of foul play or the child is not in imminent danger of serious bodily harm or death.
• Custody disputes where the child’s life or physical health is not reasonably believed to be in imminent danger.

It is important to remember that an AMBER Alert is effective only if activated when appropriate. If AMBER Alerts are misused or employed in cases that do
not meet the GC criteria, the program’s credibility and integrity can be diminished. For cases that do not meet these criteria, agencies should continue to exercise discretion in determining which of the many following available resources would be the most appropriate for transmitting information to other law enforcement agencies, the media, and the public.

**Endangered Missing Advisory (EMA)**

An EMA can be issued in cases where the statutory criteria for an AMBER Alert are not met; however, an agency has reasons to believe the person is at risk or endangered and assistance in distributing information to help locate the individual(s) is desired. Although not all inclusive, the following are examples where an EMA, versus an AMBER Alert, may be appropriate:

- A custodial parent takes their child and due to specific circumstances, the investigating agency deems the child to be at-risk/endangered.
- A juvenile is reported missing and there is no indication or confirmation that an abduction occurred.
- A person with a known medical condition, such as dementia, is reported missing.

An EMA involves many of the same alerting/notification measures utilized during an AMBER Alert, except for there is no activation of the EAS. Typically, CMS are also not utilized for an EMA. An EMA generally consists of an Emergency Digital Information Service (EDIS) message, Critical Reach flyer, Be-On-the-Look-Out broadcasts, U.S./Mexico border notification (if appropriate), and notification to the National Center of Missing and Exploited Children. Additional notification systems can be used during an EMA; however, they are used on a case-by-case basis. Further questions regarding EMAs can be directed to ENTAC.

**Emergency Digital Information Service**

EDIS provides local, state, and federal law enforcement agencies with a direct computer link to media outlets, other law enforcement agencies, and members of the public that sign-up for the service. Standard EDIS messages can be sent via the California Law Enforcement Telecommunications System. Additionally, images and graphics can be posted on the EDIS website (www.edis.oes.ca.gov).
Critical Reach

Critical Reach is an image-based program linking state, county, and local law enforcement agencies. It can be used to quickly disseminate information regarding a child abduction case throughout the state. Critical Reach can capture and distribute color photographs and images to law enforcement agencies, media outlets, and other organizations. In addition, the program is capable of transmitting information via facsimile and email to businesses, hospitals, schools, media outlets, and agencies without immediate access to a Critical Reach system.

Although Critical Reach broadcasts can originate from any Critical Reach system or computer equipped with the program, the CHP can assist the investigating agency with the dissemination of information via Critical Reach. In order to increase its effectiveness, a photograph of the victim(s), suspect(s) and/or suspect vehicle should be obtained for the Critical Reach flyer. Photographs should be emailed in a JPEG or BMP format to ENTAC at entac@chp.ca.gov when ENTAC is requested to create the Critical Reach flyer.

Agencies should determine whether they have access to Critical Reach and/or whether their Critical Reach information is up-to-date. ENTAC can be contacted if there are questions regarding Critical Reach.

Assembly Bill 34 and National Crime Information Center Entries

Assembly Bill 34 was enacted in September 2010 and amended Penal Code Section 14205, regarding reports of missing persons. Commencing on January 1, 2012, law enforcement agencies receiving a missing persons report of someone who is under 21 years of age, or there is evidence the person is at risk, shall transmit the report to the California Department of Justice for inclusion in the Violent Crime Information Center and the National Crime Information Center (NCIC) databases within two hours after receipt of the report. This may be accomplished by establishing a record in the National Missing and Unidentified Persons System (MUPS). When missing person information is entered into the MUPS system, it is automatically filed in NCIC.

California Highway Patrol Assistance

The CHP's ENTAC is available 24 hours a day, 7 days a week for assistance with either an AMBER Alert request or EMA activation. Any questions regarding an AMBER Alert, an EMA, or the other resources available for missing children cases may be directed to ENTAC at (916) 843-4199 or via email at entac@chp.ca.gov.