

Public Alerts

317.1 PURPOSE AND SCOPE

Best Practice

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

317.2 POLICY

Best Practice

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.

317.3 RESPONSIBILITIES

Best Practice

317.3.1 MEMBER RESPONSIBILITIES

Best Practice

Members of the California Department of State Hospitals should notify their supervisor, Watch Commander, or Office of Special Investigations 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.

317.3.2 HOSPITAL POLICE CHIEF RESPONSIBILITIES

Best Practice **MODIFIED**

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 Hospital Police Chief, who will make the appropriate notification through the chain of command to DSH, Sacramento. The Hospital Police Chief or designee is responsible for the following:

- (a) Updating alerts
- (b) Canceling alerts
- (c) Ensuring all appropriate reports are completed
- (d) Preparing an after-action evaluation of the investigation

317.4 AMBER ALERTS

State

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.

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317.4.1 CRITERIA FOR AMBER ALERT

State **MODIFIED**

The following conditions must be met before activating an AMBER Alert:

- (a) A child has been abducted or taken by anyone, including but not limited to a custodial parent or guardian.
- (b) The victim is 17 years of age or younger, or has a proven mental or physical disability.
- (c) The victim is in imminent danger of serious injury or death.
- (d) There is information available that, if provided to the public, could assist in the child's safe recovery. (Gov. Code, § 8594, subd. (a).)

317.4.2 PROCEDURE FOR AMBER ALERT

State **MODIFIED**

- (a) An initial press release is prepared that includes all available information that might aid in locating the child:
 - 1. The child's identity, age and description
 - 2. Photograph if available
 - 3. The suspect's identity, age and description, if known
 - 4. Pertinent vehicle description
 - 5. Detail regarding location of incident, direction of travel, potential destinations, if known
 - 6. Name and telephone number of the Public Information Officer or other authorized individual to handle media liaison
 - 7. A telephone number for the public to call with leads or information
- (b) The local California Highway Patrol (CHP) communications center should be contacted to initiate a multi-regional or statewide EAS broadcast, following any policies and procedures developed by CHP. (Gov. Code, § 8594.)
- (c) Information regarding the missing person should be entered into the California Law Enforcement Telecommunication System (CLETS.)
- (d) 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.)
- (e) The following resources should be considered as circumstances dictate:
 - 1. The local Federal Bureau of Investigation (FBI) office
 - 2. National Center for Missing and Exploited Children (NCMEC)

317.5 BLUE ALERTS

State

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.

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317.5.1 CRITERIA FOR BLUE ALERTS

State **MODIFIED**

All of the following conditions must be met before activating a Blue Alert:

- (a) 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.
- (b) The investigating law enforcement agency has determined that the suspect poses an imminent threat to the public or other law enforcement personnel.
- (c) A detailed description of the suspect's vehicle or license plate is available for broadcast.
- (d) Public dissemination of available information may help avert further harm or accelerate apprehension of the suspect. (Gov. Code § 8594.5.)

317.5.2 PROCEDURE FOR BLUE ALERT

State **MODIFIED**

The supervisor in charge should ensure the following:

- (a) An initial press release is prepared that includes all available information that might aid in locating the suspect:
 1. The license number and/or any other available description or photograph of the vehicle
 2. Photograph, description and/or identification of the suspect
 3. The suspect's identity, age and description, if known
 4. Detail regarding location of incident, direction of travel, potential destinations, if known
 5. Name and telephone number of the Public Information Officer or other authorized individual to handle media liaison
 6. A telephone number for the public to call with leads or information
- (b) The local CHP communications center is contacted to initiate a multi- regional or statewide EAS broadcast.
- (c) The following resources should be considered as circumstances dictate:
 1. Entry into the California Law Enforcement Telecommunication System (CLETS)
 2. The FBI local office

317.6 SILVER ALERTS

State **MODIFIED**

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 (Gov. Code § 8594.10).

317.6.1 CRITERIA FOR SILVER ALERTS

State **MODIFIED**

Public Alerts

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

- (a) The missing person is 65 years of age or older, developmentally disabled or cognitively impaired.
- (b) DSH has utilized all available local resources.
- (c) The investigating officer or supervisor has determined that the person is missing under unexplained or suspicious circumstances.
- (d) 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.
- (e) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

317.6.2 PROCEDURE FOR SILVER ALERT

State **MODIFIED**

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

317.7 ADDITIONAL ALERTS FOR PUBLIC SAFETY EMERGENCIES

State **MODIFIED**

Additional public safety emergency alerts may be authorized that utilize wireless emergency alert system (WEA) and emergency alert system (EAS) equipment for alerting and warning the public to protect lives and save property (Gov. Code § 8593.7).

317.7.1 CRITERIA

State

Public safety emergency alerts may be issued to alert or warn the public about events including but not limited to:

- (a) Evacuation orders (including evacuation routes, shelter information, key information).
- (b) Shelter-in-place guidance due to severe weather.
- (c) Terrorist threats.
- (d) HazMat incidents.

317.7.2 PROCEDURE

State **MODIFIED**

Public safety emergency alerts should be activated by following the guidelines issued by the Office of Emergency Services (Gov. Code § 8593.7).

317.8 FEATHER ALERT

State

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A Feather Alert may be issued when an Indigenous person is reported missing. The determination that criteria has been met for the alert shall be made within 24 hours following the initial report being made to the OPS (Government Code § 8594.13).

317.8.1 CRITERIA FOR FEATHER ALERT

State

The OPS may request that a Feather Alert be activated if it is determined that the alert would be an effective tool in the investigation of missing and murdered Indigenous persons, including young women or girls. The following factors shall be considered to make that determination (Government Code § 8594.13):

- (a) The missing person is an Indigenous person.
- (b) The OPS has utilized local and tribal resources.
- (c) The investigating officer has determined the person is missing.
- (d) The investigating officer or supervisor believes that the person is in danger and missing under circumstances that indicate any of the following:
 1. The missing person's physical safety may be endangered.
 2. The missing person may be subject to trafficking.
 3. The missing person suffers from a mental or physical disability, or substance use disorder.
- (e) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

317.8.2 PROCEDURE FOR FEATHER ALERT

State

Requests for a Feather Alert shall be made through the California Highway Patrol (Government Code § 8594.13).

317.9 ENDANGERED MISSING ADVISORY

State

An Endangered Missing Advisory may be requested when a person is reported missing who is developmentally disabled, or cognitively impaired, or has been abducted, or is unable to otherwise care for themselves, placing their physical safety at risk (Government Code § 8594.11).

317.9.1 CRITERIA FOR ENDANGERED MISSING ADVISORY

State

All of the following conditions must be met before activating an Endangered Missing Advisory (Government Code § 8594.11):

- (a) The missing person is developmentally disabled, cognitively impaired, has been abducted or is otherwise unable to care for themselves, placing their physical safety at risk.
- (b) The OPS has utilized all available local resources.

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- (c) The investigating officer has determined the person has gone missing under unexplained or suspicious circumstances.
- (d) 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.
- (e) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

317.9.2 PROCEDURE FOR ENDANGERED MISSING ADVISORIES

State

Requests for an endangered missing advisory shall be made through the California Highway Patrol (Government Code § 8594.11).

317.10 EBONY ALERT

State

An Ebony Alert may be requested when it is determined the alert would be an effective tool in the investigation of missing Black youth, including a young woman or girl (Government Code § 8594.14).

317.10.1 CRITERIA FOR EBONY ALERT

State

The investigating officer may consider the following factors to make the determination that an Ebony Alert would be an effective tool (Government Code § 8594.14):

- (a) The missing person is between the ages of 12 and 25 years old, inclusive.
- (b) The missing person is missing under circumstances that indicate their physical safety is endangered or they have been subject to trafficking.
- (c) The missing person suffers from a mental or physical disability.
- (d) Determination that the person has gone missing under unexplained or suspicious circumstances.
- (e) Belief 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.
- (f) The OPS has utilized all available local resources.
- (g) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

317.10.2 PROCEDURE FOR EBONY ALERT

State

Requests for an Ebony Alert shall be made through the California Highway Patrol (Government Code § 8594.14).

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317.11 LANGUAGE REQUIREMENTS FOR PUBLIC EMERGENCIES

State

In the event of an emergency, as defined in Government Code § 7299.7, the California Department of State Hospitals shall provide information to the public relating to the emergency in all languages jointly spoken by the local population as provided in Government Code § 7299.7.