

2015 DRAFTING REQUEST

Bill

Received: 12/9/2014 Received By: chanaman  
 Wanted: As time permits Same as LRB:  
 For: Scott Krug (608) 266-0215 By/Representing: Randy  
 May Contact: Drafter: chanaman  
 Subject: Justice - civil Addl. Drafters:  
 Extra Copies:

Submit via email: YES  
 Requester's email: Rep.Krug@legis.wisconsin.gov  
 Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Yellow alert for hit-and-run offenders

Instructions:

See attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/P1	chanaman 1/21/2015	kfollett 1/21/2015	jfrantze 1/21/2015	_____	lparisi 12/15/2014		State S&L
/1				_____	srose 1/21/2015	srose 1/21/2015	State S&L

FE Sent For:

at  
INTRO

<END>

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/1				_____	srose 1/21/2015		State S&L

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/P1	chanaman 12/11/2014	eweiss 12/15/2014	rschluet 12/15/2014	_____	lparisi 12/15/2014		State S&L

FE Sent For:

1/1 kf  
1/2 J  
Jb 1/21  
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Jacket

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\* Yellow alert for hit and run offenders ✓  
*^ ^*

**Instructions:**

See attached

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Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

/P1 chanaman

/P1 emw  
12/15

/P1 emw  
12/15

*9*  
*12/15*

FE Sent For:

<END>

## Hanaman, Cathlene

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**From:** Mueller, Eric  
**Sent:** Tuesday, December 09, 2014 1:57 PM  
**To:** Hanaman, Cathlene  
**Subject:** FW: Yellow alert for hit and run offenders

Eric Mueller  
Attorney, Legislative Reference Bureau  
Phone: (608)261-7032  
eric.mueller@legis.wisconsin.gov

**From:** Thorson, Randy  
**Sent:** Tuesday, December 09, 2014 1:42 PM  
**To:** Mueller, Eric  
**Subject:** Yellow alert for hit and run offenders

Eric,

Here is the original email from the boss:

I'd like to draft a similar bill as this

<http://www.latimes.com/local/lanow/la-me-ln-hit-and-run-bill-20141202-story.html>

I added these links to Rep. Krug's email:

Link to CA legislation:

[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201320140AB47](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB47)

Article I found:

<http://la.streetsblog.org/2014/06/13/gatto-legislation-would-create-alert-system-for-hit-and-run-crashes/>

Thank you for your attention to this request.

Randy Thorson  
Research Assistant to  
Scott Krug  
State Representative  
72<sup>nd</sup> Assembly District

## Alert system would target California drivers in hit-and-run crashes



Family members gather at a memorial for Daniella Palacios, a 44-year-old mother of eight, who was struck and killed by a hit-and-run driver as she rode her bicycle in Anaheim in November. (Barbara Davidson)

By **LAURA J. NELSON**

DECEMBER 2, 2014, 12:52 PM

**D**rivers who flee the scenes of crashes in California could see descriptions of their cars and license plates displayed on freeway signs under a proposed expansion of the Amber Alert system.

For the second time in two years, state Assemblyman Mike Gatto (D-Los Angeles) has introduced a bill that would allow police to share details on hit-and-run drivers with the California Highway Patrol and display the information on freeway signs near the scenes of the crashes.

In September, Gov. Jerry Brown vetoed the same bill, saying he feared more additions could overwhelm the Amber Alert system.

Gatto said by 2016, when the law would take effect, California will have an "additional year of data" on whether the statewide alert system can accommodate more categories. It recently expanded to include information on missing people who are elderly and developmentally disabled.

"I would respectfully disagree with anyone who says we should wait to implement this," Gatto told The Times. "The reason why so many people flee after accidents is because there's very little chance that they will actually be brought to justice."

The so-called Yellow Alert system would be activated only about 50 times a year in Los Angeles, Gatto said, in cases where someone was killed or severely injured. Police would also need a solid lead: a full license plate number; a partial license plate and the description the car; or the identity of the driver.

Gatto's proposal follows a Los Angeles Times report that found hit-and-run collisions involving cyclists have surged by 42% over a decade in Los Angeles County, while the overall number of hit-and-runs has declined by 30%.

Law enforcement agencies say that hit-and-runs are among the most difficult crimes to solve. There is little or no evidence at many crash scenes. Unless drivers are apprehended within two days, police say, there's little chance the cases will ever be closed.

The Los Angeles Police Department closed one in five hit-and-run cases from 2008 to 2012, meaning about 80% were unresolved, according to data the department reported last year to the Board of Police Commissioners. Less than half of those cases were closed through an arrest.

Gatto's legislation is modeled after a system in Denver, where police made arrests in 76% of cases when alerts were issued.

"When you're on the freeway, and someone speeds by you, you don't know if someone is late for work or if they left the scene of the crime," Gatto said. "If we can put a sign on the artery where people flee the scene, and others see it, there will be a much greater chance of apprehension."

**For more Los Angeles transportation news, follow @laura\_nelson on Twitter.**

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*California*  
LEGISLATIVE INFORMATION

**AB-47 Emergency services: hit-and-run incidents.** (2013-2014)

ENROLLED SEPTEMBER 04, 2014  
PASSED IN SENATE AUGUST 21, 2014  
PASSED IN ASSEMBLY AUGUST 28, 2014  
AMENDED IN SENATE AUGUST 19, 2014  
AMENDED IN SENATE JULY 01, 2014  
AMENDED IN SENATE JUNE 11, 2014  
AMENDED IN SENATE AUGUST 20, 2013  
AMENDED IN SENATE JULY 09, 2013  
AMENDED IN ASSEMBLY APRIL 18, 2013  
AMENDED IN ASSEMBLY MARCH 13, 2013

CALIFORNIA LEGISLATURE— 2013–2014 REGULAR SESSION

**ASSEMBLY BILL**

**No. 47**

**Introduced by Assembly Member Gatto**

**December 19, 2012**

An act to add Section 8594.15 to the Government Code, relating to emergency services.

**LEGISLATIVE COUNSEL'S DIGEST**

AB 47, Gatto. Emergency services: hit-and-run incidents.

Existing law authorizes use of the Emergency Alert System to inform the public of local, state, and national emergencies. Existing law requires a law enforcement agency to activate the Emergency Alert System within the appropriate area if that agency determines that a child 17 years of age or younger, or an individual with a proven mental or physical disability, has been abducted and is in imminent danger of serious bodily injury or death, and there is information available that, if disseminated to the general public, could assist in the safe recovery of that person. Existing law also authorizes the issuance and coordination of a Blue Alert following an attack upon a law enforcement officer or a Silver Alert relating to a person who is 65 years of age or older who is reported missing.

This bill would authorize a law enforcement agency to issue a Yellow Alert if a person has been killed or has suffered serious bodily injury due to a hit-and-run incident and the law enforcement agency has specified information concerning the suspect or the suspect's vehicle. The bill would require the California Highway Patrol to activate a Yellow Alert within the requested geographic area upon request if it concurs with the law enforcement agency that specified requirements are met.



Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Section 8594.15 is added to the Government Code, to read:

**8594.15.** (a) For purposes of this section, "Yellow Alert" means a notification system, activated pursuant to subdivision (b), designed to issue and coordinate alerts with respect to a hit-and-run incident resulting in the death or injury of a person as described in Section 20001 of the Vehicle Code.

(b) (1) If a hit-and-run incident is reported to a law enforcement agency, and that agency determines that the requirements of subdivision (c) are met, the agency may request the California Highway Patrol to activate a Yellow Alert. If the California Highway Patrol concurs that the requirements of subdivision (c) are met, it shall activate a Yellow Alert within the geographic area requested by the investigating law enforcement agency.

(2) Radio, television, and cable and satellite systems are encouraged, but are not required, to cooperate with disseminating the information contained in a Yellow Alert.

(3) Upon activation of a Yellow Alert, the California Highway Patrol shall assist the investigating law enforcement agency by issuing the Yellow Alert via a local digital sign.

(c) A law enforcement agency may request that a Yellow Alert be activated if that agency determines that the following conditions are met in regard to the investigation of the hit-and-run incident:

(1) A person has been killed or has suffered serious bodily injury due to a hit-and-run incident.

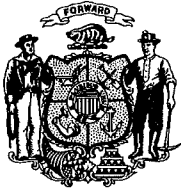
(2) The investigating law enforcement agency has additional information concerning the suspect or the suspect's vehicle, including, but not limited to, any of the following:

(A) The complete license plate number of the suspect's vehicle.

(B) A partial license plate number and the make, model, and color of the suspect's vehicle.

(C) The identity of the suspect.

(3) Public dissemination of available information could either help avert further harm or accelerate apprehension of the suspect.



emw

12/17

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

LPSes:  
request sheet updated.

gen cas

S.A. ✓  
X-ref ✓

1 **AN ACT ...; relating to:** alerts for hit-and-run incidents. ✓

***Analysis by the Legislative Reference Bureau***

The Department of Justice (DOJ) currently administers an integrated crime alert network and may use the network to provide to state agencies, law enforcement, or the public information regarding criminal activity, crime prevention, and missing or endangered persons. This bill requires DOJ to allow law enforcement agencies to use the network to disseminate reports of certain hit-and-run incidents to entities that DOJ identifies as persons who can make public such reports. The bill also requires a law enforcement agency that receives a report of a hit-and-run incident to use the network to disseminate the report if: 1) a person has been killed or has suffered great bodily harm; 2) additional information is available about the incident that could identify the person or vehicle involved; and 3) an alert could help avert further harm or could aid in apprehending the person involved.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

2 **SECTION 1.** 165.785 (1) (b) 2. of the statutes is amended to read:

1           165.785 (1) (b) 2. The department shall ensure that a law enforcement agency  
2           may access the network under par. (a) to disseminate a report under s. 175.51 (1m)  
3           to persons on the list maintained under sub. (2m) (c).

4           ~~History~~ 2009 a. 358; 2013 a. 264.

4           ~~SECTION 2.~~ 165.785 (1) (b) 3. of the statutes is created to read:

5           165.785 (1) (b) 3. The department shall ensure that a law enforcement agency  
6           may access the network under par. (a) to disseminate a report under s. 175.51 (2m)  
7           to persons on the list maintained under sub. (2r).

8           ~~SECTION 3.~~ 165.785 (2) of the statutes is amended to read:

9           165.785 (2) The department may charge a fee to members of the private sector  
10          who receive information under sub. (1) (b) 1. The department may not charge a fee  
11          to any person who receives information under sub. (1) (b) 2. or 3.

12          ~~History~~ 2009 a. 358; 2013 a. 264.

12          ~~SECTION 4.~~ 165.785 (2m) (a) 1. of the statutes is amended to read:

13          165.785 (2m) (a) 1. The department shall provide a form for reports of missing  
14          adults at risk under s. 175.51 (1m) that law enforcement agencies can access through  
15          the integrated crime alert network.

16          ~~History~~ 2009 a. 358; 2013 a. 264.

16          ~~SECTION 5.~~ 165.785 (2m) (b) of the statutes is amended to read:

17          165.785 (2m) (b) The department shall work directly with persons on the list  
18          maintained under par. (c) and with government agencies, broadcasters, and public  
19          and private organizations with missions focused on adults at risk to develop criteria  
20          for law enforcement officers to use to identify reports of missing adults at risk that  
21          are appropriate to disseminate under s. 175.51 (1m), to determine the most effective  
22          methods and guidelines for the persons on the list maintained under par. (c) to use

1 to broadcast or make public reports of missing adults at risk, and to receive feedback  
2 on the forms provided under par. (a) 1. and on the list maintained under par. (c).

3 History: 2009 a. 358; 2013 a. 264.

SECTION 6. 165.785 (2r) of the statutes is created to read:

4 165.785 (2r) The department shall maintain a list of persons that can  
5 effectively broadcast or make public alerts/disseminated under 175.51 (2m). The  
6 department shall ensure that the list includes persons engaged in broadcasting or  
7 outdoor advertising.

8 SECTION 7. 175.51 (title) of the statutes is amended to read:

9 175.51 (title) Reports of missing adults at risk and of hit-and-run  
10 incidents.

11 History: 2013 a. 264.

SECTION 8. 175.51 of the statutes is renumbered 175.51 (1m), and 175.51 (1m)

12 (a), as renumbered, is amended to read:

13 175.51 (1m) (a) In this section subsection, "adult at risk" means an adult who  
14 has a developmental disability, who suffers from Alzheimer's disease or dementia,  
15 or who suffers from or could, without access to medication, suffer from cognitive  
16 impairment if the impairment would likely render the adult incapable of getting to  
17 a familiar location without assistance.

18 SECTION 9. 175.51 (2m) of the statutes is created to read:

19 175.51 (2m) If a law enforcement agency receives a report of a violation of s.  
20 346.67 or 346.70 (1), the law enforcement agency shall disseminate an alert through  
21 the integrated crime network if the law enforcement agency determines that all of  
22 the following conditions are met:

23 (a) A person has been killed or has suffered great bodily harm, as defined in s.  
24 939.22 (14), due to the accident that is related to the violation.





*Stays*

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

*Today if possible  
no changes*

*regr*

1 **AN ACT** to renumber and amend 175.51; to amend 165.785 (1) (b) 2., 165.785  
2 (2), 165.785 (2m) (a) 1., 165.785 (2m) (b) and 175.51 (title); and to create  
3 165.785 (1) (b) 3., 165.785 (2r) and 175.51 (2m) of the statutes; relating to:  
4 alerts for hit-and-run incidents.

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***Analysis by the Legislative Reference Bureau***

The Department of Justice (DOJ) currently administers an integrated crime alert network and may use the network to provide to state agencies, law enforcement, or the public information regarding criminal activity, crime prevention, and missing or endangered persons. This bill requires DOJ to allow law enforcement agencies to use the network to disseminate reports of certain hit-and-run incidents to entities that DOJ identifies as persons who can make public such reports. The bill also requires a law enforcement agency that receives a report of a hit-and-run incident to use the network to disseminate the report if: 1) a person has been killed or has suffered great bodily harm; 2) additional information is available about the incident that could identify the person or vehicle involved; and 3) an alert could help avert further harm or could aid in apprehending the person involved.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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11 **175.51 (title) Reports of missing adults at risk and of hit-and-run**  
12 **incidents.**

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**SECTION 9**

1 (a) A person has been killed or has suffered great bodily harm, as defined in s.  
2 939.22 (14), due to the accident that is related to the violation.

3 (b) The law enforcement agency has additional information that could help  
4 identify the person who has allegedly committed the violation or the vehicle involved  
5 in the violation.

6 (c) An alert could help avert further harm or aid in apprehending the person  
7 who allegedly committed the violation.

8 **SECTION 10. Initial applicability.**

9 (1) This act first applies to reports of violations received on the effective date  
10 of this subsection.

11 **SECTION 11. Effective date.**

12 (1) This act takes effect on the first day of the 4th month beginning after  
13 publication.

14 (END)