

ShawPittman

A Law Partnership Including Professional Corporations

Millie Domenech
202 663-8374
millie.domenech@shawpittman.com

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June 11, 2001

By Hand Delivery

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 Twelfth Street, S.W., Room TW-A325
Washington, DC 20554

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JUN 11 2001
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: EB Docket No. 01-66; RM-9156; RM-9215
Joint Comments of the Named State Broadcasters Associations

Dear Ms. Roman Salas:

On behalf of the Named State Broadcasters Associations, enclosed you will find an original and nine copies of their Joint Comments in the above referenced proceeding. I have also attached two additional copies for each additional rulemaking number in this proceeding.

Sincerely,



Millie Domenech

Enclosures

No. of Copies rec'd 0113
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ORIGINAL

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION**

WASHINGTON, D.C. 20554

RECEIVED

JUN 11 2001

**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

In the Matter of

Amendment of Part 11 of the Commission's
Rules Regarding the Emergency Alert System

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) EB Docket No. 01-66
) RM-9156
) RM-9215
)
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)
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To: The Commission

JOINT COMMENTS

**NAMED STATE BROADCASTERS
ASSOCIATIONS**

Richard R. Zaragoza
Dawn Sciarrino
Millie Domenech
SHAW PITTMAN
2300 N Street, N.W.
Washington, D.C. 20037
(202) 663-8000

Its Attorneys

Dated: June 11, 2001

SUMMARY

The named State Broadcasters Associations joining in these comments (the “State Associations”) commend the Commission for its commitment to the continued improvement of the Emergency Alert System (“EAS”). It is crucial to the success of the EAS system that only those changes that are necessary for the public safety be implemented. Any requirements that would lead to increased costs and heavy burdens on state and local broadcasters should be avoided, as they would have the effect of decreasing voluntary participation in EAS.

The State Associations, in these comments, support many of the proposed changes that will have the effect of improving the public’s ability to quickly and accurately obtain emergency information in a time of crisis. Accordingly, the State Associations are in favor of adding certain additional, specific event codes such as one for child abductions. The State Associations also support lengthening the relay window for the Required Monthly Test from 15 minutes to 60 minutes. However, the State Associations cannot lend their support to any rule changes that would lead to unnecessary increased costs to those broadcasters that participate in EAS voluntarily. Therefore, we urge the Commission not to adopt a cancellation code for every event code and not to add unnecessary new event codes to EAS. Such proposals are not in the public interest and do not improve the functionality of EAS.

Finally, the State Associations would like to remind the Commission of the critical role that state and local broadcasters play in ensuring that the people of this country are kept informed in times of emergency. Broadcasters take this responsibility seriously and ask that the Commission carefully consider the viewpoints expressed in these Joint Comments.

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To: The Commission

JOINT COMMENTS OF THE NAMED STATE BROADCASTERS ASSOCIATIONS

The Arizona Broadcasters Association, Arkansas Broadcasters Association, Colorado Broadcasters Association, Connecticut Broadcasters Association, Florida Association of Broadcasters, Georgia Association of Broadcasters, Illinois Broadcasters Association, Kansas Association of Broadcasters, Kentucky Broadcasters Association, Maine Association of Broadcasters, Nebraska Broadcasters Associations, Nevada Broadcasters Association, North Dakota Broadcasters Association, Ohio Association of Broadcasters, Oklahoma Association of Broadcasters, Oregon Association of Broadcasters, South Dakota Broadcasters Association, Texas Association of Broadcasters, and the Vermont Association of Broadcasters (each, a "State Association" and collectively, the "State Associations"), by their attorneys and pursuant to

Sections 1.415 and 1.419 of the Commission's rules, hereby submit their Joint Comments to the *Notice of Proposed Rule Making ("NPRM")*, FCC 01-88, in the above-referenced docket, released March 20, 2001, pertaining to the Commission's Emergency Alert System ("EAS") regulations.

I. INTRODUCTION

Under their respective charters, each State Association has been established to protect and enhance the service and business of the free, over-the-air broadcast industry within its borders. These comments continue the State Associations' practice of participating in many of the FCC's rulemaking proceedings. The State Associations applaud the Commission for taking careful consideration of a variety of proposals to further enhance the performance of EAS, particularly in connection with state and local emergencies.

Radio and television broadcasters are proud of their longstanding commitment to playing a key role in insuring that members of the general public receive timely and helpful information to reduce the risk of loss of life, injury and damage to property when natural and other disasters strike. The vast majority of Americans turn to their local broadcasters in times of state and local emergencies. In the case of natural disasters, local broadcasters provide the public with critical weather alerts, news updates, safety and survival tips, and other valuable information. To illustrate, in 1997, the Western Nevada Eastern California area suffered a severe flood that led to millions of dollars of destruction. Through the use of EAS, broadcasters were able to quickly convey information to their audiences, possibly preventing many deaths. Local broadcasters have a long record of working cooperatively and effectively with local law enforcement and a variety of federal, state and local government agencies. In short, a reliable, national EAS system implemented by local broadcasters is the best "disaster insurance" that exists.

The State Associations have taken a leadership role with respect to EAS by encouraging the development of standing and ad hoc association committees and other groupings, within their own organizations, to oversee the implementation of EAS on a state by state basis. The State Associations are committed to pursuing 100% EAS participation of all broadcasters within their respective borders on the state and local level. Because of the importance of EAS, the State Associations believe that the Commission should continue its efforts to improve EAS, while at the same time avoiding regulations, system designs and implementation requirements that unduly increase the cost of voluntary participation by stations. In that regard, while the State Associations support the initiative of the Society of Broadcast Engineers (“SBE”), and others, to seek improvements to EAS, the State Associations are concerned that the cost to broadcasters of implementing several of these proposals would be cost-prohibitive and would have the counter-productive effect of discouraging continued and new voluntary participation. The State Associations support those proposals that would clearly improve the current system without unduly increasing the burden on these broadcasters.

The State Associations hereby submit their comments on the rule changes proposed in the NPRM and address specific proposals in the NPRM as discussed below.

II. DISCUSSION OF PROPOSED CHANGES TO THE FCC’S EAS RULES

1. Naming Convention

The Commission currently uses event codes that are made up of three-letter designations used in the transmission of EAS messages. These codes identify the nature of the event or emergency that has led to the EAS activation. The Commission seeks comment on the National

Weather Service (“NWS”) proposal to adopt a naming convention for state and local event codes.¹

Currently, the Commission’s rules contain a list of authorized event codes. The list includes codes for national as well as state and local events. Broadcasters are required to receive and transmit the codes for national EAS events and tests, while broadcasters who participate voluntarily in state and local EAS networks may transmit the codes for state and local EAS events on an optional basis. The NWS proposal would require that the third letter of all hazardous state and local events be limited to one of four letters: “W” for warnings, “A” for watches, “E” for emergencies, and “S” for statements. The NWS states that adoption of this naming convention would simplify the design of consumer-grade EAS equipment that allows consumers to select the events for which they wish to be alerted.

The State Associations do not support adoption of the NWS naming convention. The EAS system is designed to alert the public to emergency situations via broadcast stations. The proposed change by NWS purportedly makes it easier for consumers to monitor EAS alerts directly. However, such a change may have the undesired effect of reducing EAS participation at the state and local level because the proposal will require costly modifications or upgrades of broadcast stations’ current EAS equipment. Furthermore, as the consumer equipment, not the consumer, decodes the EAS alert, the proposed naming convention does not facilitate public awareness of impending emergency situations.

¹ NPRM at ¶8.

In addition, the proposal to add new codes while retaining existing codes for such emergencies as Tornado, Severe Thunderstorm, and Evacuation Warnings has the potential for confusion and error. The codes in question are three of the most important codes used by the EAS system. Without concrete proof that the adoption of the naming convention would not disrupt EAS in the case of such severe emergencies or that existing EAS equipment could accommodate simultaneous codes, this proposal should not be adopted.

2. Event Codes

Pursuant to NWS's suggestion, the Commission also proposes to add new event codes to the current list.² These additional codes are listed in Appendix A of the NPRM. Comment has also been sought on whether there are other event codes that should be added to the list. First and foremost, any event code that is added should only be done so if it is necessary to address the general public's need to be informed in an emergency situation and to enhance public safety. While the State Associations support additional, more specific event codes, the listing should be modest, in order to avoid threatening the memory and functioning of current EAS equipment.

Under the current rules, there is no specific event code used for assisting in the rescue of abducted children and therefore, the code for "civil emergency" is often used. The use of this code for this purpose can be confusing. The State Associations therefore urge the Commission to add a new "Child Abduction Emergency" event code which would further the public interest by encouraging the coordinated use of EAS by broadcasters and local law enforcement.

This new code would provide emergency notification and information pertaining to the abduction of a child. It is estimated that 85-90% of missing persons are children under the age of

18. Of the approximately 114,000 missing persons classified as being in danger of serious bodily harm or death, approximately 73% of missing children will not be found alive, if not found within the first 3 hours.³ The use of EAS to send out an alert about an abducted child (“AMBER Alert”) can significantly increase the chances that a child will be safely recovered. The AMBER Alert plan was initially created five years ago in Texas in response to the murder of 9-year-old Amber Hagerman, who was abducted from her home in Arlington, Texas. Broadcasters teamed up with local law enforcement to develop this innovative quick alert system to assist in locating abducted children. Under the program, law enforcement agencies inform broadcasters when a child 15 years old or younger is abducted and it appears that the child is in danger of serious physical injury or death. Several states subsequently implemented their own emergency alert plans for notifying their local communities when a child has been abducted. For example, Arkansas, Florida and Oklahoma have all implemented excellent statewide AMBER Alert plans. Copies of the Florida and Oklahoma programs are attached hereto. The statewide programs all have strict criteria that must be met before activation of the AMBER alert. These safeguards have been implemented to ensure that the EAS is only activated when there is clear evidence that a child is in danger.

The State Associations would like to stress the importance of using the term “abducted” in the name of the new event code, as opposed to “missing.” The AMBER alert programs are intended for use in those cases where a child has been physically kidnapped and is believed to be in serious danger. The code is not intended to be used in cases of runaways, lost children, or parental abductions. Accordingly, the designation “Missing Child Statement” could potentially

² *Id.* at ¶11.

lead to the misuse of EAS, thereby compromising the integrity of the system and discouraging broadcasters' participation.

The materials attached evidence how important it is that each state be given the necessary flexibility to decide for itself whether to have an AMBER Alert program and, if so, what its scope should be and how best the program should be administered. The State Associations can be expected to work closely with state and local authorities in this important endeavor.

3. Cancellation Codes

The Commission has requested comment on SBE's proposal to adopt a cancellation code for each and every event code in the current list and for each event code that may be added.⁴ SBE has stated that such cancellation codes are necessary for those situations where a warning can be cancelled prior to its issued expiration time.

The State Associations offer qualified support for cancellation codes. Inserting a cancellation code would enable broadcasters to be alerted to new information in an emergency situation. Currently, there exists no procedure when an emergency alert is cancelled prior to its expiration. What generally occurs in such circumstances is that a warning code is reissued as a means of canceling the event. When this happens, automated systems reissue the alert rather than canceling it. Cancellation codes would also prevent outdated information from being broadcast. However, including a cancellation code for each event code in the list would use up valuable memory storage in EAS equipment. Therefore, the State Associations support the inclusion of cancellation codes for certain, specific event codes such as the Civil Emergency,

³ Statistics taken from the National Center for Missing and Exploited Children.

⁴ NPRM at ¶12.

Immediate Evacuation, 911 Telephone Outage, and Shelter in Place Warnings. By implementing cancellation codes for only these specific events, the public interest would be served by ensuring that the public is alerted that they may return to normal conditions by an improved EAS system that does not overload and therefore jeopardize EAS equipment that will be needed for the next emergency.

4. Entire Country Code/County “Triggers”

Both NWS and SBE have requested the addition of an entire country location code.⁵ They believe that this code is necessary in order to eliminate the need for multiple alerts in a national emergency situation. Additionally, they point out that, currently, consumer products only respond to receipt of the county location code programmed into the unit, which is usually the customer’s location, and therefore, consumer products would not respond to the new entire country location code, if adopted. To remedy this, NWS proposes that existing EAS equipment at broadcast stations be modified so that when it receives a national EAS message, the equipment would trigger transmission of all the county location codes stored within the equipment. The Commission has sought comment on whether this proposal would require costly modifications to existing EAS equipment at broadcast stations and whether there are a significant number of consumer devices that rely upon EAS transmissions of broadcast stations.

The State Associations believe that this change would be costly without providing any clear, offsetting public benefit. In that regard, there are no facts presented in the NPRM that demonstrate that the lack of such codes is a significant problem. Therefore, the State

⁵ *Id.* at ¶15 and ¶16.

Associations do not support the implementation of either the entire country code or any county code triggers.

5. Use of Additional Combinations in “CCC” Portion of Location Codes

NWS has also proposed that the Commission allow the use of any combination of the standard alphabet and number in what is known as the “CCC” portion of the location code.⁶ NWS believes that allowing the location codes to include both numbers and letters plus the * symbol would enable organizations responsible for the warning communications associated with special facilities – such as nuclear power plants, hazardous materials plants – to create up to 1.4 million possible location and message combinations.

The State Associations do not support NWS’s request for customized location coding. While the idea may sound good in theory, it is simply impractical to have to deal with 1.4 million new codes for specific geographic areas. The Commission should focus on making EAS simpler for stations to participate in so that public safety is enhanced, rather than on making such participation so burdensome and time-intensive that the public interest is not maximized. This is especially important considering that participation in EAS at the state and local level is voluntary.

6. Originator Codes

NWS wants to change its originator code from “WXR” to “NWS.”⁷ Originator codes are three-letter codes used in the transmission of EAS messages that identify the originator of the EAS activation. Section 11.31(d) of the Rules sets forth a list of authorized originator codes.

⁶ *Id.* at ¶17.

⁷ *Id.* at ¶19.

NWS believes that this change would make its originator code more recognizable by EAS participants.

The State Associations do not believe that implementation of this change would create any benefit for the general public. The originator code is an internal code that is decoded by the EAS equipment. There is nothing in the record that indicates any current confusion. Furthermore, we agree with the Commission's concern that equipment modifications would be necessary if the change were adopted. For example, residents in Oregon and Washington who live in hazardous areas have been given specially built receivers that use origination codes to determine the authenticity of an EAS transmission. Changing the code at this time would require that all of these radios be recalled, modified, and redistributed. Thus, this proposal is unnecessary and could have a substantially adverse impact on the system. We reiterate that changes to EAS should not be made unless they clearly benefit the public and outweigh the cost required to implement.

7. Equipment Authorization

Under current Commission rules, EAS equipment is required to be certified by the Commission in accordance with the procedures set forth in Subpart J of Part 2. The Commission proposes to amend the Rules to provide that any modifications to existing authorized EAS equipment necessary to implement any revisions in EAS codes by the Commission be deemed Class I permissive changes that do not require a new application for and grant of equipment certification.⁸ The State Associations have no objection to that proposal.

⁸ *Id.* at ¶20.

The State Associations do not, however, support the alternative proposal to allow changes or additions to the EAS codes without Commission action; and therefore, do not support allowing the resulting equipment modifications without Commission action.⁹ First, there is the danger that this change would create great variations in EAS equipment throughout the country. This lack of uniformity could threaten the reliability and dependability of the EAS system thereby jeopardizing public safety. Second, equipment manufacturers are hesitant to insert new codes into their equipment unless the specific coding is required under FCC rules. Third, the cost of station's purchasing customized equipment might be prohibitive and result in decreased voluntary participation in the EAS system. Therefore, while the State Associations encourage rules that permit flexibility, they cannot support a rule that would threaten the effectiveness of EAS.

8. RMT Relay Window

Broadcast stations are required to engage in monthly tests of the EAS system. Currently, stations are required to retransmit the Required Monthly Test ("RMT") within 15 minutes of receipt of the RMT message. The NPRM proposes to enlarge the relay "window" from 15 minutes to 60 minutes in order to eliminate scheduling difficulties for EAS participants.¹⁰

The State Associations support changing the rule by increasing the test relay "window" to 60 minutes, provided that existing EAS equipment can accommodate such an extension without a heavy financial cost to broadcasters. Such a change would provide broadcasters with needed flexibility and reduce the risk of program disruptions. For example, with only 15 minutes

⁹ *Id.* at ¶21.

¹⁰ *Id.* at ¶22.

leeway, there is often disruption to news events, sporting events, or other live coverage that are being broadcast by a number of stations. Increasing the flexibility that local broadcasters have should allow testing to occur on a more random basis and therefore encourage participation by local broadcasters in state and local EAS alerts. Thus, the State Associations support increasing the EAS test relay window to 60 minutes.

9. Modulation Levels

The NPRM also proposes to reduce the modulation level of the EAS codes from 80% to 50% of full channel modulation limits.¹¹ Currently, the tone insertion equipment must be inserted after station processing to attain the required modulation level. The State Associations support this change.

10. Text Transmission Protocol

The existing EAS rules are designed to function for both radio and television stations and to accommodate information received in either audio or text formats. Broadcasters have the option of passing the audio or text information on to the public. SBE urges the Commission to amend the Part 11 rules to include a specific protocol for text transmission.¹² SBE states that such a protocol would improve the options available to those broadcasters wishing to make greater use of formatted text messages. They further urge the adoption of the existing Audio Frequency Shift Keying protocol.

While it is agreed that a standard industry protocol for text transmission would benefit the public and improve the options available to broadcasters wishing to make greater use of already

¹¹ *Id.* at ¶23.

¹² *Id.* at ¶25 and ¶26.

formatted text messages, the State Associations believe that the issue requires further study before an informed decision can be made by the FCC. As the Commission notes in its NPRM, there is no existing data or information on specific text transmission techniques or on the costs and feasibility of adding text processing to current EAS equipment. Therefore, the State Associations do not support amending the rules at this time, but do support the Commission's suggestion that a local event code (TXT) be used for evaluating different text formats and text transmission techniques.

11. Co-Located Stations

The Commission proposes to amend Part 11 to provide that where more than one co-owned and co-located broadcast station is designated as a key station, the common EAS equipment should be configured so that the EAS message of one key station is either simulcast or relayed by the remaining key station or system.¹³ Under current Part 11 rules, broadcast stations that are co-owned or co-located with a combined studio are permitted to use a common set of EAS equipment to comply with the EAS rules. SBE is concerned with co-owned and co-located "key" stations. Since EAS equipment does not provide for the relay of a message originated by itself, co-located key stations that do not simulcast program originations must originate tests and alerts separately. When this occurs, automated, unattended, or manned stations set to automatic will air both messages.

The State Associations agree with the Commission that there is a potential for serious confusion when the same EAS message is originated on co-located key stations at different times. Accordingly, we support the amendment of Part 11 to provide that common EAS

¹³ *Id.* at ¶27.

equipment must be configured such that the EAS equipment of one key station is either simulcast or relayed by the remaining key stations. It is critical to the functioning of EAS that only one copy of an EAS signal be sent. Tests and alerts should therefore not be originated separately by broadcast stations. Compliance with this new requirement should not result in increased costs to affected stations.

12. Carriage of Audio of Presidential Messages from Non-EAS Sources

The Commission requests comment on SBE's proposal to allow broadcast stations to air the President's voice from a source other than the EAS source from which the alert is received.¹⁴ We support SBE's suggestion. It is of utmost importance that the public receives high quality, synchronized video and audio in the case of a national emergency. It is therefore in the public interest to utilize the highest quality network connections whenever possible.

13. EAN Network

In 1995, the EAN network, which was used to distribute national emergency messages from the federal government, was phased out. Accordingly, the State Associations support the Commission's proposal to eliminate all references to the EAN Network and its participants in Part 11 of the FCC's rules.¹⁵ Eliminating the EAN references would eliminate the present confusion created by this anomaly.

¹⁴ *Id.* at ¶28.

¹⁵ *Id.* at ¶29.

14. Replacing Monthly Tests with Quarterly Tests

In addition to the specific proposals laid out in the NPRM, the Commission has requested comment on several other miscellaneous changes proposed by NWS and SBE.¹⁶ One of these involves the replacement of the Required Monthly Test (“RMT”) with a Required Quarterly Test.

The State Associations agree with the Commission that this proposal is neither necessary nor in the public interest. Although the Commission has not proposed to adopt this change, the State Associations would like to impress upon the Commission the importance of these tests to the effectiveness and functionality of the system. The monthly EAS tests are the best means by which local broadcasters maintain a high degree of readiness. The monthly tests create an environment for the kind and frequency of training that lead to a reliable EAS system. The monthly test is used to train not only broadcasters but also other agencies that might be required to activate the system. Instituting quarterly tests would lengthen the period between tests. This, in turn, would mean that station personnel would go long periods of time without being engaged in the actual operation of the EAS equipment. The monthly tests are not a burden to any EAS participants and should, therefore, remain in place.

15. Making the Two-Tone Attention Signal Optional

SBE suggested that the Commission make the two-tone EAS attention signal optional. The FCC chose not to pursue the suggestion. The State Associations agree with the Commission’s decision. The two-tone signal has gained universal recognition as an attention signal for emergency warnings. Millions of people have grown up recognizing the EAS signal.

¹⁶ *Id.* at ¶32.

When they hear the two-tone attention signal, they know to pay close attention and listen. To make the signal optional would decrease the effectiveness of the EAS at the risk of public safety.

III. CONCLUSION

Nationwide, local over-the-air radio and television broadcast stations play a critical role in insuring that the public is informed in times of emergency. The important public safety role that local broadcasters play in their communities cannot be underestimated. The State Associations urge the Commission to revise and amend the EAS system in such a manner as to encourage voluntary participation in the EAS system at the state and local levels. The State Associations also ask that the Commission revise and amend the EAS rules, as discussed herein, to enhance public safety without unnecessary cost to the broadcasters. Based on the foregoing, the State Associations respectfully request that the Commission resolve the issues raised in its NPRM in this proceeding consistent with these Joint Comments.

Respectfully submitted,

**NAMED STATE BROADCASTERS
ASSOCIATIONS**

By:



Richard R. Zaragoza
Dawn Sciarrino
Millie Domenech
SHAW PITTMAN
2300 N Street, N.W.
Washington, D.C. 20037
(202) 663-8000

Their Attorneys

Dated: June 11, 2001

APPENDIX

The FBI estimates that 85-90% of missing persons are juveniles. Each year there are approximately 114,000 missing/ endangered persons reports (defined as "missing and in the company of another person under circumstances indicating that his or her physical safety is in danger") made to law enforcement in the United States. Studies estimate that in the majority of these cases, approximately 73% of the missing children in the "endangered" category will not be found alive, if not successfully located within 3 hours. The FEMCA can be used to dramatically increase the chances of the child's safe return.

The FEMCA evolved based on the "Amber Plan" in the Dallas Fort Worth area of Texas.

**Florida Department
of Community Affairs**

FLORIDA ASSOCIATION OF
BROADCASTERS INC.

MISSING CHILDREN
INFORMATION CLEARINGHOUSE
1-888-FL-MISSING
(1-888-356-4774)

www.fdle.state.fl.us



FDLE

**Florida Department
of Law Enforcement**

**James T. Moore
Commissioner**



FEMCA

Florida Emergency Missing Child Alert



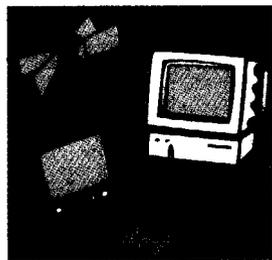
A LAW ENFORCEMENT GUIDE

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
MISSING CHILDREN INFORMATION CLEARINGHOUSE

Florida Emergency Missing Child Alert (FEMCA)

The Florida Department of Law Enforcement (FDLE), in conjunction with the Department of Community Affairs (DCA) and the Florida Association of Broadcasters, Inc. (FAB, Inc.) has established the Florida Emergency Missing Child Alert (FEMCA).

The purpose of the FEMCA is to broadcast critical information of a missing/abducted child believed to be endangered, in a timely manner, to the general public via electronic media. In the event the child/abductor is seen or if anyone has knowledge



of the abduction, that information can be provided immediately to the investigating law enforcement agency. The FEMCA can assist in dramatically increasing the chances of the child's safe return.

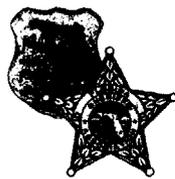
Criteria For Activation

The alert will be activated when a child abduction has occurred and the following criteria has been met:

- ◆ The child must be under 18 years of age.
- ◆ The child must be in *danger* of serious bodily harm or death.
- ◆ There must be enough descriptive information to believe a broadcast will help.
- ◆ The activation must be recommended by the local law enforcement agency of jurisdiction.

Steps for Activation

After the criteria has been met and the regional FDLE Crimes Against Children (CAC) Special Agent Supervisor has approved the activation, the requesting law enforcement agency and the FDLE CAC Special Agent, together, will determine if informa-



tion is to be broadcast on a regional and/or state-wide basis. Subsequently, the child and/or the abductor's demographics and contact information will be prepared for broadcast, using an approved format. The information will then be faxed to the Emergency Operations Center. After verification the EOC will activate the Emergency Alert System (EAS) to the requested area(s).

Steps for Activation:

1. The local law enforcement agency will call the FDLE Missing Children Information Clearinghouse at 1-888-356-4774. The Tallahassee Duty Desk personnel will respond to all after hours requests.
2. The FDLE MCIC or Tallahassee Duty Desk will notify the regional FDLE CAC Special Agent, who will work in conjunction with the local law enforcement agency of jurisdiction, to determine if information is to be broadcast on a regional or state-wide basis.
3. The regional CAC Special Agent and the FDLE MCIC or Tallahassee Duty Desk, working in conjunction with the local law enforcement agency of jurisdiction, will prepare information (i.e. child, suspect and/or vehicle, contact information) for public distribution using approved format.
4. The FDLE MCIC or Tallahassee Duty Desk will fax the information to be broadcast to the Emergency Operations Center (EOC) and verify it was received.
5. The EOC will activate the Emergency Alert System (EAS) with the requested broadcast information. Re-activation will be at the request of FDLE. *THE EOC WILL NOT ACTIVATE ON ANY REQUESTS OTHER THAN THOSE RECEIVED FROM FDLE.*

The Broadcast

After a FEMCA activation, the FDLE CAC Special Agent Supervisor will:



- ◆ Notify EOC by fax each time an activation is needed, whether with same information or updated information.
- ◆ Notify regional FDLE Public Information Officer for follow-up with media contacts in their region within the first two hours after initial activation.

The Review Process

Each FEMCA activation will be brought before a special committee of law enforcement representatives for review and the results forwarded to the FDLE Commissioner's Office.

If you have any questions about the Florida Emergency Missing Child Alert (FEMCA), please contact the **FDLE/MCIC at 1-888-356-4774.**

**THIS PACKAGE IS WHAT THE FLORIDA
DEPARTMENT OF LAW
ENFORCEMENT MAKES AVAILABLE
TO LOCAL LAW ENFORCEMENT
AGENCIES VIA INTRANET.**

Welcome to the Criminal Justice Community's Highway into the 21st Century



Serving the Florida Criminal Justice Community and its Partner Members

A Joint Effort of Florida Criminal Justice Agencies

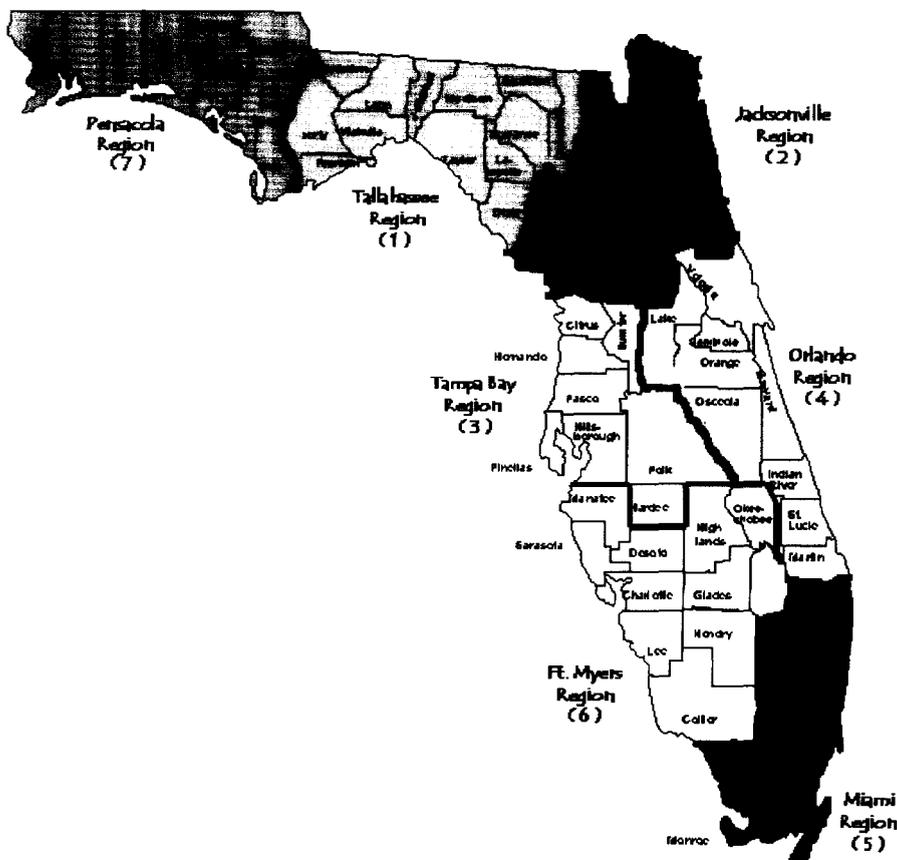
Florida Emergency Missing Child Alert (FEMCA)

The Florida Department of Law Enforcement in conjunction with the Department of Community Affairs, Division of Emergency Management and the Florida Association of Broadcasters, Inc. has created the Florida Emergency Missing Child Alert, which became effective on August 30, 2000. The purpose of the Alert is to enhance the investigative efforts of locating a missing child by notifying the public through the use of the Emergency Alert System (EAS).

- Criteria for Alerts and Procedures for Activation
- FEMCA Script Form for Emergency Alert System (EAS) Broadcasts (Adobe Acrobat format)
- FEMCA Script Form for Emergency Alert System (EAS) Broadcasts (Microsoft Word format)
- EAS Operational Areas Map

FDLE Special Agent and Analyst Contacts

<p>Tallahassee Region 1 CAC/SAS Chris Hirst CAC/SA Mike DeVaney CAC/SA Mike Ellis 1 (800) 342-0820</p> <p>MCIC Analyst Evelyn Williams 1 (888) 356-4774</p>	<p>Jacksonville Region 2 CAC/SAS Joe Nickmeyer CAC/SA Michelle O'Neal 1 (800) 226-6481</p> <p>MCIC Analyst Evelyn Williams 1 (888) 356-4774</p>	<p>Tampa Bay Region 3 CAC/SAS Richard Pyles CAC/SA Al Danna CAC/SA Debbie Cook 1 (800) 226-1140</p> <p>MCIC Analyst Donna Hodges 1 (888) 356-4774</p>	<p>Orlando Region 4 CAC/SAS Jay Etheridge CAC/SA Denise Nevers 1 (800) 226-8521</p> <p>MCIC Analyst Russ Cross 1 (888) 356-4774</p>
<p>Miami Region 5 Chief of Investigations Mike Flint SAS Jim Bom SAS Steven Donaway 1 (800) 226-3023</p> <p>MCIC Analyst Pat Rutherford 1 (888) 356-4774</p>	<p>Fort Myers Region 6 CAC/SAS Steve Emerson CAC/SA Stephanie Nygaard 1 (800) 407-4880</p> <p>MCIC Analyst Donna Hodges 1 (888) 356-4774</p>	<p>Pensacola Region 7 SAS Mike Klages 1 (800) 226-8574</p> <p>MCIC Analyst Evelyn Williams 1 (888) 356-4774</p>	
<p>Statewide Crimes Against Children Coordinator Special Agent Terry Thomas 1 (800) 342-7768</p>	<p>Hague Cases & Out of State MCIC Analyst Gwen Johnson 1 (888) 356-4774</p>	<p>MCIC Senior Management Analyst Hyatt Sudano 1 (888) 356-4774</p>	<p>MCIC Staff Assistant Dawn Mikola 1 (888) 356-4774</p>



Criteria for Alerts and Procedures for Activation

In order for the Alert to be activated, all four points of the following criteria must be met and the activation must be approved by the regional FDLE Crimes Against Children (CAC) Special Agent Supervisor:

1. The child must be under 18 years of age.
2. The child must be in danger of serious bodily harm or death.
3. There must be enough descriptive information to believe a broadcast will help.
4. The activation must be recommended by the local law enforcement agency of jurisdiction.

The requesting law enforcement agency should complete the following steps:

1. Contact the FDLE Missing Children Information Clearinghouse at toll-free number 1-888-356-4774 (see FDLE Regional Map). If the request is made after normal working hours the call will be answered by the FDLE Tallahassee Duty Desk personnel and appropriate notification will be made.
2. Inform the person answering the telephone who you are and advise them that you have a missing child case, and that you need to speak with the regional CAC Special Agent or the CAC Special Agent Supervisor for your area, immediately.
3. The CAC Special Agent will obtain approval from the CAC Special Agent Supervisor to activate the FEMCA, and will work in conjunction with the requesting law enforcement agency to determine if the information is to be broadcast on a regional or statewide basis (see Emergency Alert Operational Map link).
4. The CAC Special Agent and the MCIC analyst or the Tallahassee Duty Desk personnel, working in conjunction with the requesting law enforcement agency will prepare information (child, suspect and/or vehicle and contact information) for public distribution using the approved format (see FEMCA Script link).
5. The MCIC analyst or the Tallahassee Duty Desk personnel (after normal working hours) will fax the information to the Emergency Operations Center and verify that it was received.

There are two ways for the Emergency Operations Center to send the Alert

1. Blast fax the information to radio/television stations, which requests that Alert be read at next break by the broadcaster
2. Tone alert to be fed to the radio stations that hold the Emergency Alert System mechanism (area radio stations required to monitor primary station), which will interrupt programming.

**THIS PACKAGE IS FOR ALL OF THE CRIMES
AGAINST CHILDREN (CAC) SPECIAL AGENT
SUPERVISORS AND CAC SPECIAL AGENTS
WITHIN THE FLORIDA DEPARTMENT OF LAW
ENFORCEMENT STATEWIDE.**

FLORIDA EMERGENCY MISSING CHILD ALERT

(Florida Department of Law Enforcement Procedures)

ACTIVATION PROCESS

For the Florida Department of Law Enforcement to activate the Florida Emergency Missing Child Alert, the following must occur.

- A. Four criteria must be met:
 - 1. The child must be under 18 years of age.
 - 2. The child must be in danger of serious bodily harm or death.
 - 3. There must be enough descriptive information to believe a broadcast will help.
 - 4. The activation must be recommended by the local law enforcement agency of jurisdiction.

- B. Once criteria has been met:
 - 1. Contact the FDLE Missing Children Information Clearinghouse at toll-free number 1-888-356-4774. If request is made after normal working hours the call will be answered by the FDLE Tallahassee Duty Desk personnel. (A three-way call will be conducted between local law enforcement, MCIC, and CAC Special Agent or CAC Special Agent Supervisor when possible. If not, Special Agent or Special Agent Supervisor should contact MCIC immediately with the information to be faxed to EOC.)
 - 2. The regional CAC Special Agent, working in conjunction with the local law enforcement agency of jurisdiction will determine if information is to be broadcast on a regional or statewide basis.
 - 3. The regional CAC Special Agent and MCIC or Tallahassee Duty Desk personnel, working in conjunction with local law enforcement, will prepare information, i.e., child, suspect and/or vehicle, contact information, for public distribution using approved format (see appendix A).
 - 4. With approval from the CAC Special Agent Supervisor, the MCIC or the Tallahassee Duty Desk personnel will fax the information to be broadcast to the Emergency Operations Center (EOC) at (850) 488-7841 and verify that fax was received (850) 413-9900.
 - 5. The MCIC or the Tallahassee Duty Desk personnel will also prepare a summary of information for an FCIC BOLO to be sent by Client Services to the areas requested on the Alert. The BOLO will be to inform neighboring law enforcement agencies of the Alert activation.
 - 6. The EOC will activate the Emergency Alert System (EAS) with the requested broadcast information. Re-activation will be at the request of FDLE (it is not automatically re-activated by EOC). **EOC WILL NOT ACTIVATE ON REQUESTS OTHER THAN FDLE's.**

NOTIFICATION PROCESS

- A. After activation, the CAC/SAS will immediately notify the Regional Director, the Regional Public Information Officer. MCIC will notify the Director of the Criminal Justice Information Services and the HQ Public Information Office, who will inform the Commissioner's Office.
- B. Notify EOC by fax each time you want an activation, whether with same information or updated information.
- C. Each Public Information Officer will follow-up with media contacts in their region within the first two hours after initial activation.
- D. Each activation will be brought before the Law Enforcement Committee of the MCIC Advisory Board for review.

STATE OF FLORIDA
EMERGENCY MISSING CHILD ALERT



(CHECK ONE)

- BROADCAST IN EAS AREAS** _____ (BLAST FAX to Stations)
(Attention Broadcasters: Please Read at Next Break)
- REQUEST TONE ALERT IN EAS AREAS** _____
(Attention Broadcasters: Please Read Immediately) (Use only in an immediately known Endangered Case)

URGENT URGENT URGENT URGENT URGENT

ANNOUNCER:

WE HAVE JUST RECEIVED THIS IMPORTANT ANNOUNCEMENT REGARDING A MISSING

CHILD IN _____
(Name of City or County)

THE _____
(Local Law Enforcement Agency)

AND THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT ARE LOOKING FOR

_____ A _____
(Child's Name) (Description - Race/Sex/Age/Height/Weight/Hair/Eyes)

CHILD WAS LAST SEEN AT _____ AND IS BELIEVED
(Location)

TO BE IN **DANGER**. CHILD WAS LAST SEEN WEARING _____
(Clothing Description)

AUTHORITIES SAY THE CHILD MAY BE IN THE COMPANY OF _____
(Suspect Description)

THEY MAY BE TRAVELING IN A _____
(Vehicle Description Year, Color Make, Model, and Tag Number, if available)

WHICH WAS LAST SEEN HEADING _____
(Direction of Travel)

IF YOU HAVE ANY INFORMATION ON THE WHEREABOUTS OF _____
(Child's Name)

PLEASE CONTACT _____ AT _____
(Local Law Enforcement Agency) (Telephone Number)

OR FDLE AT 1-888-356-4774 (1-888-FLMISSING).

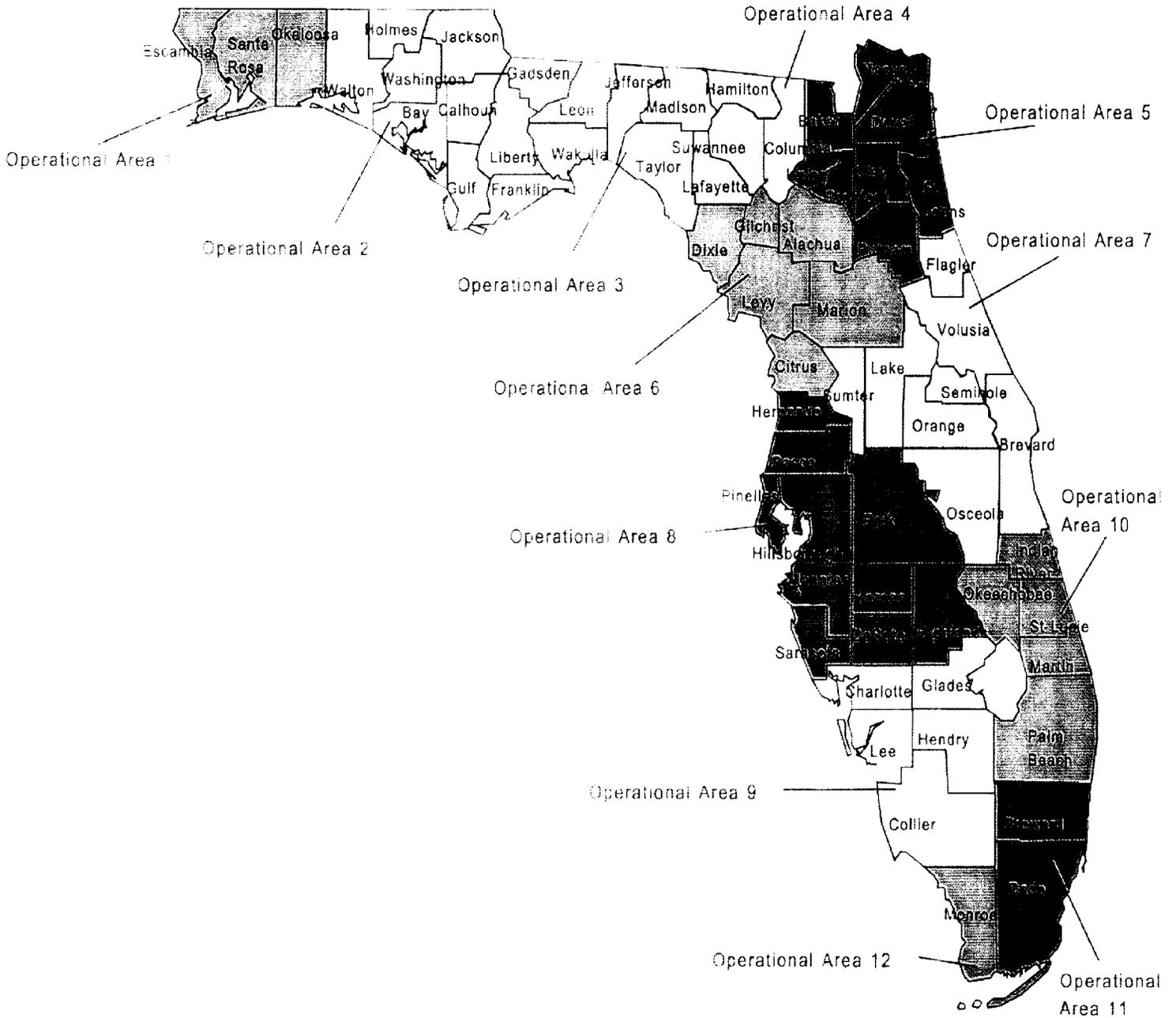
END OF MESSAGE

FDLE AGENT: _____

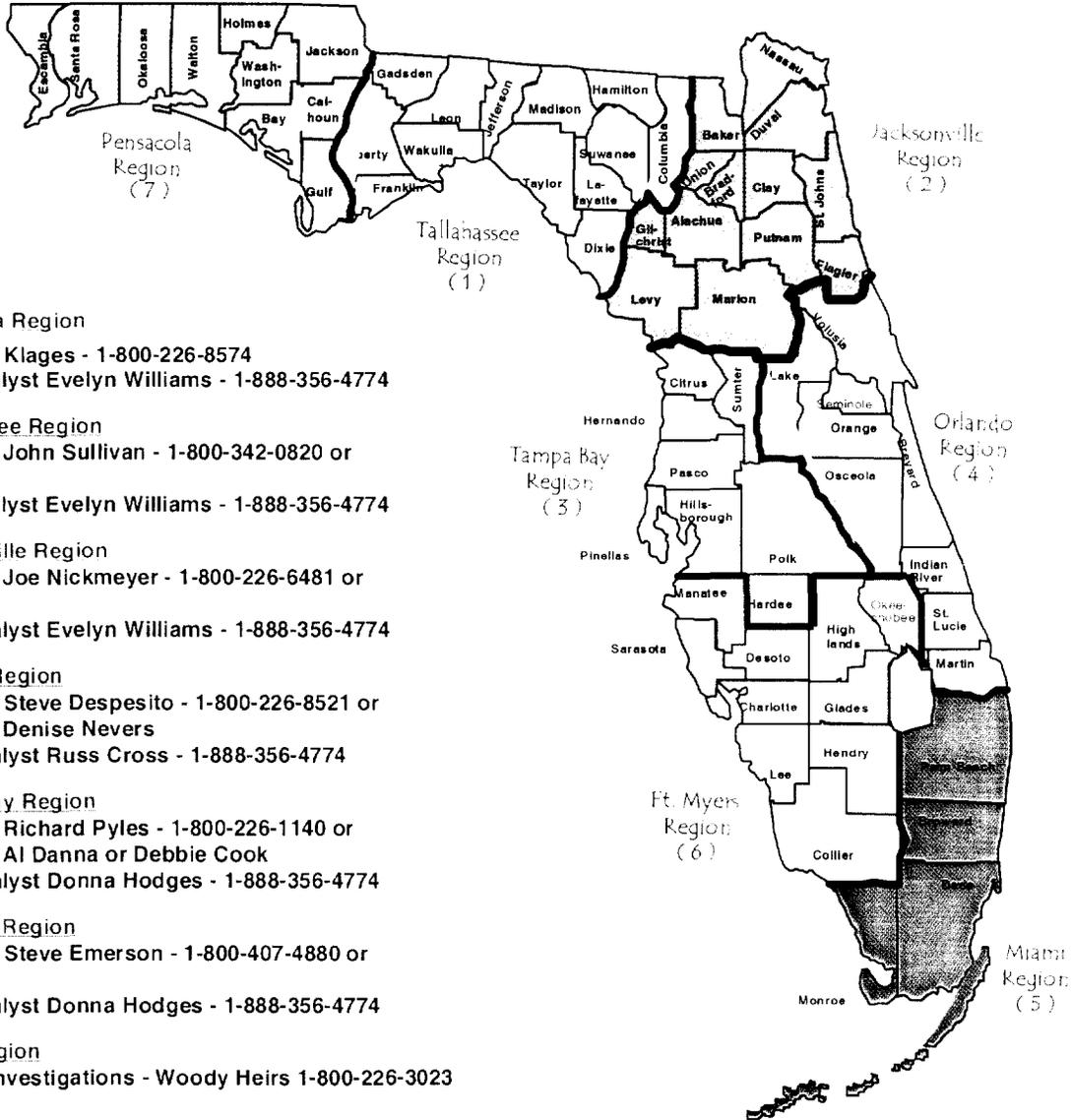
(PRINT Name)

(Date)

FLORIDA EMERGENCY ALERT SYSTEM OPERATIONAL AREAS



FLORIDA DEPARTMENT OF LAW ENFORCEMENT
Crimes Against Children Special Agent Supervisor & Missing Children
Information Clearinghouse Analyst List for the
"Florida Emergency Missing Child Alert"



Pensacola Region

SAS Mike Klages - 1-800-226-8574
 MCIC Analyst Evelyn Williams - 1-888-356-4774

Tallahassee Region

CAC/SAS John Sullivan - 1-800-342-0820 or
 CAC/SA -
 MCIC Analyst Evelyn Williams - 1-888-356-4774

Jacksonville Region

CAC/SAS Joe Nickmeyer - 1-800-226-6481 or
 CAC/SA -
 MCIC Analyst Evelyn Williams - 1-888-356-4774

Orlando Region

CAC/SAS Steve Despesito - 1-800-226-8521 or
 CAC/SA - Denise Nevers
 MCIC Analyst Russ Cross - 1-888-356-4774

Tampa Bay Region

CAC/SAS Richard Pyles - 1-800-226-1140 or
 CAC/SA - Al Danna or Debbie Cook
 MCIC Analyst Donna Hodges - 1-888-356-4774

Ft. Myers Region

CAC/SAS Steve Emerson - 1-800-407-4880 or
 CAC/SA -
 MCIC Analyst Donna Hodges - 1-888-356-4774

Miami Region

Chief of Investigations - Woody Heirs 1-800-226-3023
 SAS -
 MCIC Analyst Pat Rutherford - 1-888-356-4774

Statewide Crimes Against Children Coordinator
Special Agent Terry Thomas
 1-800-342-7768

Hague Cases & Out of State
MCIC Analyst Gwen Johnson

MCIC Senior Management Analyst
 Hyatt Sudano

MCIC Staff Assistant
 Dawn Mikola

MCIC Supervisor
 Lucy Ingley

**THIS PAGE IS A CHECK LIST FOR ALL OF THE
MISSING CHILDREN INFORMATION
CLEARINGHOUSE ANALYSTS AND
TALLAHASSEE DUTY OFFICE PERSONNEL
WITHIN THE FLORIDA DEPARTMENT OF LAW
ENFORCEMENT HEADQUARTERS.**

STEPS TO TAKE ON A FLORIDA EMERGENCY MISSING CHILD ALERT (FEMCA)
Florida Department of Law Enforcement/Missing Children Information Clearinghouse/Duty Desk Personnel
In-House Procedures

Once agency calls to request activation of FEMCA:

1. Conduct a 3-way call with SAS/SA (if not available, Chief of Investigations or Regional Director). If a 3-way call is not immediately possible, get the agency's phone number so that when you get in touch with the FDLE agent, you can conduct a 3-way call at that time. Note: Remember that time is of the essence so do not wait for an agent to return your call, get in touch with the next person on the list for that region. Call SAS/SA at home if after hours.

2. Type up the information that you will be receiving over the phone in the format as the Script page. NOTE: Most activations will go out Level 1 (EOC Blast Fax) by checking the first box. Level 2 (EOC Tone Alert) is only for those cases where we know immediately that the child is in very serious danger. (Wording does not have to be exactly the same as on the Script page, and if using the Script page black out any wording that won't be used. Keep in mind that information has to be read in fewer than 2 minutes, so don't use extra words, such as if, but etc.)

3. Print out information and write in the name of the SAS/SA/Chief/RD giving approval, and the date. Check the level box at the top of the Script page.

4. Fax information to the Emergency Operations Center (EOC) at (fax) 488-7841 and verify that fax was received by calling EOC at 413-9900. Note: Duty Officer's will also fax a copy of information to MCIC.

5. Type up a BOLO with the FEMCA information to fax to Client Services or to send by FAM to mnemonic D37010023. BOLO will be sent to the law enforcement agencies in the area(s) of the activation.

6. Contact Al Dennis (FDLE PIO Supervisor) to inform him of the activation. (Al will then inform Commissioner Moore.)

7. Contact Director Donna Uzzell to inform her of the activation.

8. Have regional agent inform their regional public information officer.

9. Use the same steps if re-activation is required.

10. Send a follow-up message to EOC for blast fax to radio/TV stations 24-hours after activation (this message will be to inform broadcasters on status of child, i.e. case still active, child not located, etc. but no case information.)

11. Send a follow-up message to EOC for blast fax to radio/TV stations when case is resolved.

FLORIDA EMERGENCY MISSING CHILD ALERT ACTIVATION SHEET

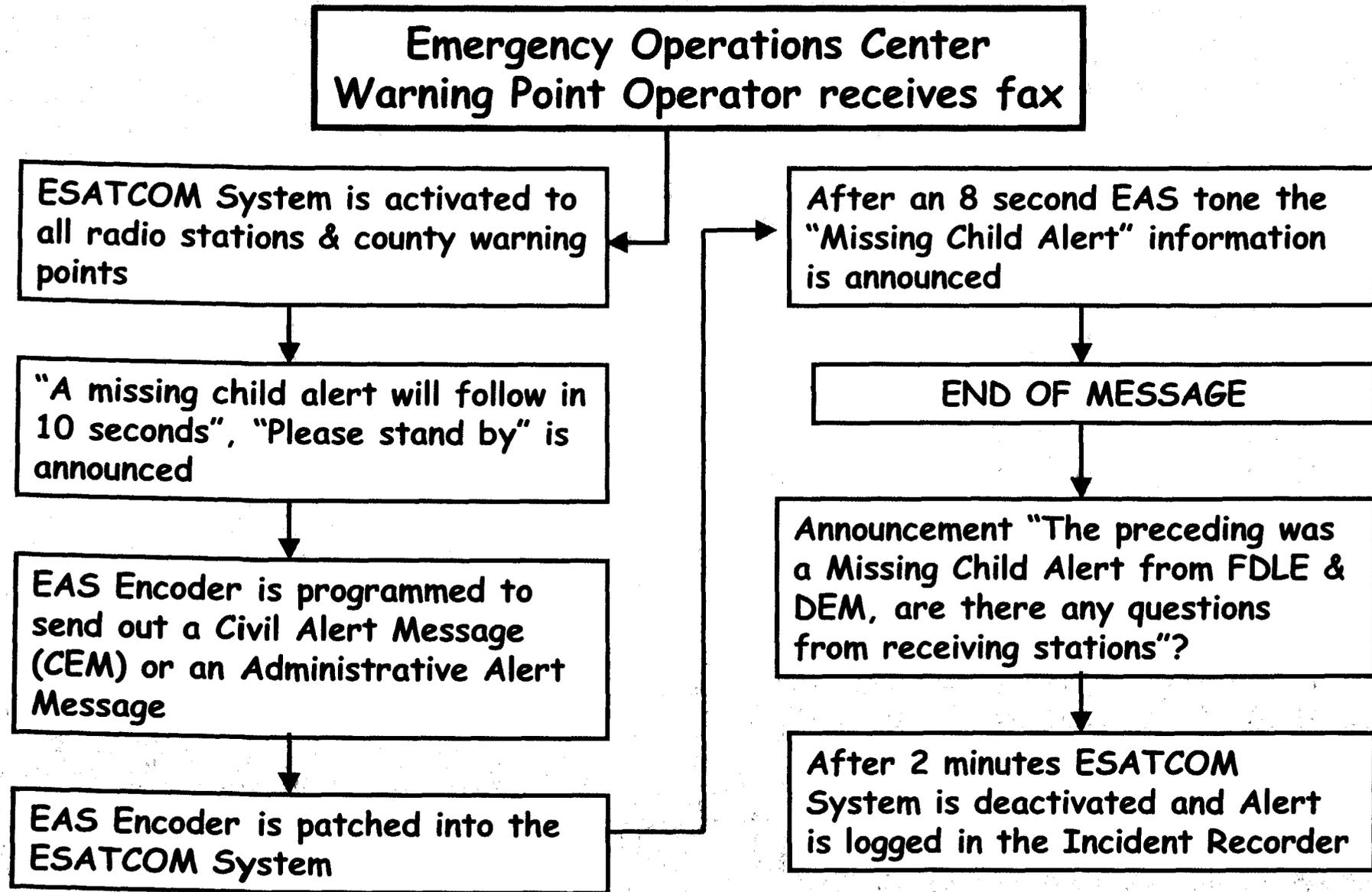
Act. Date	Requestor	FDLE ROC	Event Summary	Child Name	Age	Recovery	FEMCA Recovery	Tone/Fax
9/2/2000	Putnam SO	JROC	Child originally ran away but after questioning male that child was with, law enforcement felt that child was in danger. Case was then taken to a higher priority.	Rebecca Roark	14	Yes	No From time of request, activation was completed within 1 hr.	Tone
9/11/2000	Clearwater PD	TBROC	Child disappeared from home while mother was out walking around at 4 a.m. Case is being handled as endangered.	Zachary Bernhardt	8	No	No From time of request, activation was completed within 30 mins.	Tone
10/26/2000	Cocoa PD	OROC	Three children were taken by the mother's husband (not related to children). Suspect threaten to kill children if the mother didn't come back to him. Suspect was making calls to the mother from phone booths in the Tampa area.	Tiawanna Shorter Tiawatha Dotson Temma Tompkins	12 11 10	Yes	No From time of request, activation was completed within 1 hr. and 25 mins.	Blast Fax
12/19/2000	N. Miami Bch PD	MROC	Child disappeared after school. Child was supposed to be picked up from school by his friends mother.	Wakim Calixte	5	Yes	No From time of request, activation was completed within 30 mins.	Tone

**ATTACHED ARE ACTIVATIONS FOR FLORIDA
SINCE AUGUST 30, 2000
(DATA COLLECTED AS OF 5/3/01)**

FLORIDA EMERGENCY MISSING CHILD ALERT ACTIVATION SHEET

Act. Date	Requestor	FDLE ROC	Event Summary	Child Name	Age	Recovery	FEMCA Recovery	Tone/Fax
12/23/2000	Melbourne PD	OROC	Child disappeared from a home for troubled children. It was assumed that child ran away but was considered endangered due to her age and having a mental disability.	Alexis Medina	9	Yes	Possibility/Not 100% From time of request, activation was completed within 25 mins Activation was heard by the public in the requested areas but there was a transmission problem where the voice over came out garbled. EOC said was a technical problem.	Tone Fax alert was requested but EOC sent Tone.
2/20/2001	Casselberry PD	OROC	Child disappeared from home. The child was listed endangered due to her needing medication and threats of suicide.	Rosemary Casillas	15	Yes	NO From the time of request and receiving information, the activation took approx. 37 mins.	Fax alert requested.
2/21/2001	Miami-Dade PD	MROC	Child disappeared from a hospital. Child was listed endangered due to needing medications (chemo) treatments for cancer.	Darryn Deyon Kemp	17	Yes	Possibility/Not 100% TV coverage lead to call from someone who gave possible hiding places. TV information was obtained from activation Activation took approx. 30 mins.	Fax alert requested.

Department of Community Affairs
Emergency Operations Center Chart



The Amber Plan

Oklahoma's Early Warning System
to prevent
Child Kidnappings

Born out of a desire to use maximum public participation to recover children in only the most serious child abduction situations, the Amber Plan is an innovative way to protect our children. It is a cooperative agreement between the Office of the Governor, the Department of Public Safety, the Oklahoma Association of Broadcasters, and various law enforcement agencies in the state of Oklahoma. The Plan is an early warning system available for use by law enforcement to alert the public when a child has been kidnapped and the police believe the child is in danger. It is hoped that the early warning distributed by the state radio and television Emergency Alert System (EAS) will coerce a kidnapper into releasing a child, for fear of being caught.

THE AMBER PLAN'S REQUIREMENTS ARE AS FOLLOWS:

1. The Amber Plan requires law enforcement to meet two criteria when evaluating a child abduction. Police departments **must** have **both** parts of the scenario present before an activation can occur. The guidelines are as follows:

The "Amber Plan" should be activated when a child 15 years of age or younger, or an individual under proven mental or physical disability is abducted and there is reason to believe the victim is in imminent danger of serious bodily injury or death.

AND...

There is information available to disseminate to the general public which could assist in the safe recovery of the victim and/or the apprehension of a suspect.

2. The Amber Plan is activated only when the specific requirements of the plan are met as outlined above; therefore, the Amber Plan is not activated for every child abduction or custody dispute..

3. After receiving a report of a child kidnapping, the agency determines if the child kidnapping meets the requirements of the Amber Plan. If it does, the agency contacts the Department of Public Safety (DPS) to request activation of the Amber Plan. DPS then activates the system through Clear Channel Communications and the information is broadcast over the State Emergency Alert System by DPS..

4. When the Department of Public Safety activates the system through Clear Channel Communications and the information is broadcast over the State Emergency Alert system by DPS, it will immediately be delivered to all radio stations and television stations in Oklahoma. Although the Amber Alert goes out only once via the State EAS system, participating stations should then announce the information every half hour for the next two hours, then one time per hour for the next three hours. If the child is recovered during the activation period of the alert, the reporting agency must notify the Department of Public Safety. It is the responsibility of the individual radio and television stations to follow-up with DPS regarding cancellations or additional information about the abduction. To obtain this information, stations should call (405) 297-1288. Cancellations and updates should also be posted on the Highway Patrol wire.

By broadcasting frequent public alerts, descriptions and other vital information in the crucial first hours after a child abduction, we can enlist citizens in an effort to recover the child unharmed. Since the activating agency will receive a very high volume of calls almost immediately after activation, each agency is required to have a phone line capable of “rolling over” into two additional lines available, along with volunteers or personnel on duty to receive the calls. All incoming calls from citizens with information regarding the abduction to participating stations should be directed to their local police department.

PARTICIPATING AGENCIES SHOULD FOLLOW THESE STANDARD OPERATIONAL PROCEDURES:

1. After local law enforcement officials determine an abduction has occurred, the communications center of Oklahoma Department of Public Safety will be notified and provided with basic facts. DPS will confirm the accuracy of the information and issue an **Amber Alert** via the State Emergency Alert System (EAS).
2. The Department of Public Safety will then send out pictures of the victim as soon as they become available to television and radio stations that are on the Highway Patrol wire following the alert via EAS.
3. ‘Participating stations’ endec should be programmed for CEM (Civil Emergency Message). This is the event code that will be used for an **Amber Alert**. *You must make certain that your receiver is programmed to receive CEM.* An audio tape with the alert is available for testing purposes.
4. The Amber Alert (CEM) will come to your station via your EAS receiver. Your receiver may be programmed for an automatic interrupt of programming or delay. If delayed, the alert should be broadcast within 15 minutes of receipt of the alert. Getting the information on the air as soon as possible is the key factor. The most crucial time in abduction is the first one or two hours.
5. We ask that for the first two hours you broadcast the information every 30 minutes, then once an hour for the next 3 hours.
6. It is important that we have maximum participation from stations “down the line”, as the abductor may have traveled to your area within the first two or three hours of the abduction.

Prompt broadcasting of an abduction is an integral part of the Amber Plan and our statewide child protection network. **If it only saves the life of one child, it is well worth your participation—that one child may be from your community.**

AMBER PLAN

Requirements For Participating Law Enforcement Agency:

1. Must have **AT LEAST ONE (1) DESIGNATED REPORTING OFFICER**
2. **MUST HAVE AN ASSIGNED PHONE NUMBER THAT CAN ROLL OVER INTO AT LEAST TWO (2) SEPARATE LINES** to take the phone calls if the Amber Plan is activated.
3. **MUST HAVE VOLUNTEERS OR PERSONNEL TO TAKE THE PHONE CALLS FOR AT LEAST 24 HOURS** if the plan is activated, or until the alert is canceled.
4. **AGENCY MUST SUBMIT SUPPORTING REPORTS** for activation of the Amber Plan to the Amber Plan Committee within 30 days of activation.
5. Must have **ADOPTED A WRITTEN POLICY** which deals with the operation of the Amber Plan.
6. Agency must **AGREE TO IDENTIFY PLAN REPORTING OFFICERS and FILE OFFICER'S NAME WITH THE COMMITTEE.**
7. Agency must agree to **PROVIDE REPORTING OFFICER WITH PROPER TRAINING** on a yearly basis.

Requirements For Amber Plan Reporting Officer:

1. Reporting officer **MUST BE A CERTIFIED PEACE OFFICER.**
2. Reporting officer **MUST COMPLETE TRAINING** provided by or suggested by the Amber Plan Committee.
3. A Representative of the **REPORTING AGENCY MUST PRESENT A BRIEFING TO THE AMBER PLAN COMMITTEE** at the next scheduled meeting following the activation of the Amber Plan.

**AMBER PLAN
LAW ENFORCEMENT CHECKLIST**

1. IS THE KIDNAPPING ONE IN WHICH THE CHILD VICTIM IS 15 YEARS OF AGE OR YOUNGER?

IF YES, ANSWER QUESTION 5.

IF NO, ANSWER QUESTION 2.

2. IS THE KIDNAPPING ONE IN WHICH THE CHILD VICTIM HAS A PROVEN MENTAL OR PHYSICAL DISABILITY?

IF YES, ANSWER QUESTION 5.

IF NO, ANSWER QUESTION 3.

3. WAS THE CHILD KIDNAPPING WITNESSED BY ANYONE?

IF YES, ANSWER QUESTION 5.

IF NO, ANSWER QUESTION 4.

4. DID THE CHILD KIDNAPPING INVOLVE ACTS OF VIOLENCE?

IF YES, ACTIVATE THE AMBER PLAN.....

IF NO, ANSWER QUESTION ~~4~~ 5

5. DO YOU BELIEVE THE CHILD TO BE IN DANGER OF SERIOUS BODILY HARM OR DEATH?

IF YES, ACTIVATE THE AMBER PLAN.....

IF NO, DO NOT ACTIVATE THE AMBER PLAN

6. THE ALERT MUST CONTAIN A DESCRIPTION OF THE CHILD AND DETAILS OF THE ABDUCTION. THE POLICE SHOULD CAREFULLY CONSIDER NOT ACTIVATING THE PLAN IF THERE IS NO INFORMATION TO SEND OUT.

KFOR AMBER ALERT

Station Announcer: KFOR interrupts this program because of a local emergency.
Important information will follow.

EAS Header Code 3 times

One Second Pause

EAS Attention Signal (0:08)

Special Amber Alert Tone

Announcer: We activate the Amber Alert at the request of the Oklahoma City Police
Department.

Example: This is an Amber Alert from the Oklahoma City Police Department. A fourteen year-old Caucasian female was taken from 2825 Royal Lane this morning at approximately 9:00 a.m. She is approximately 5 feet 6 inches tall; 120 pounds with black hair, wearing a gray T-shirt, white jeans, and blue baseball cap. she was last seen with a 50 year-old Hispanic male approximately 6 feet tall and weighing 200 pounds. If you have any information regarding this abduction, please call (405) 297-1288. That's (405) 297-1288. This has been an Amber Alert. We now return to regular programming.

EAS End-of-Message Code 3 times

AMBER ALERT PROCEDURES

Tulsa Police Department

EXAMPLE

Field Captain

1. DETERMINE IF MISSING CHILD/ABDUCTED CHILD FITS AMBER ALERT PROTOCOL.

If protocol is **not** met:

- a. Notify on-duty Major Crimes Detective
- b. Notify Child Crisis Supervisor and Child Crisis duty pager
- c. Notify PIO/purple pager

If protocol is met

1. Notify PIO (596-COPS) of an Amber Activation.
 - a. Inform PIO of necessary incident details.
 - b. PIO should activate the purple pager.
2. Notify OLETS of Amber Activation and teletype all victim/suspect information needed for statewide broadcast to DPS.
3. Ensure the phone bank is staffed with at least four officers/detectives at time of Amber Activation
 - a. PIO will redirect the COPS phone number to the phone bank lines.
(see activation procedures below)
4. Make notification of Amber Alert to the following resources:
 - a. On-duty Major Crimes Detective Captain
 1. Exploitation Detective Captain
 2. Child Crisis Supervisor
 3. Child Crisis Duty Pager
5. Designate a field command center to coordinate search efforts.
6. Coordinate with phone bank supervisor on search/phone bank developments.
7. Continue to evaluate field search and use resources as needed.

RESOURCES

Mounted Patrol	Motorcycles
Helicopter	Dive Team
K-9	Gang Unit
Citizen Volunteers	Tulsa Police Reserve
Explorers	SOT

ACTIVATION OF WAR ROOM

This procedure is initiated when a phone bank is required to answer numerous phone calls from the community. It must be used during an Amber alert and may be used during any other incident that requires the department to field a large number of calls.

1. For an Amber Alert at least 4 individuals must activate the phones in the War Room. **These individuals must be in place prior to the phone bank activation.**
2. Once in the War Room, officers must activate the phones. To turn a phone on, dial #78 listen for 3 beeps, then dial 1361, officers should hear 2 beeps confirming the phones are in the system, hang up the phone. To log off, dial #79.
3. Call 596-COPS and ask the PIO to call forward the 596-COPS number to 596-1361. This redirects 596-COPS calls to logged in phones in the phone bank.
4. Each phone will ring up to 5 rings and if it is not answered, the incoming call will go back into the system and is routed to the next available phone.
5. If a phone misses two consecutive calls it will automatically log off and have to be logged on again (*78)
6. The phones are programmed so that each incoming call is directed to the activated phone which has been idle the longest.
7. If a PIO officer cannot be located to forward the phones, Ken Neal of telecommunications can be reached 24 hours a day at 588-0477. He can activate the phones in the War Room if needed.

POINTS TO CONSIDER.

1. An Amber activation is not used for runaways, child custody disputes, child stealing or missing children. An Amber activation is only appropriate for child kidnapping committed by a stranger.
2. Before activating the Amber Plan, how long has the child been missing?
Does the incident fit the Amber Plan checklist?
3. Consider assigning a liaison officer to coordinate information between the 911 center and the phone bank.



STATE OF OKLAHOMA
OFFICE OF THE GOVERNOR

SAMPLE AMBER PLAN AGREEMENT

The undersigned, being the Chief Law Enforcement Officer of the _____ of _____, Oklahoma, in recognition of the specific requirements of the **AMBER PLAN** set out in Exhibit 1 (**Amber Plan Checklist**) and the requirements set out in Exhibit 2 (**Requirements for Participating Law Enforcement Agency and Requirements for Amber Plan Reporting Officers**), do hereby agree and consent as follows:

1. The _____ will comply with all the requirements of Exhibit 2 and will make certain that all officers that make use of the **AMBER PLAN** will meet the requirements of the Amber Plan officers.

2. The _____ will comply with the **AMBER PLAN** checklist and will not activate the Amber Plan unless the case meets the requirements of the Amber Plan checklist.

3. The _____ will comply with all requests of the **AMBER PLAN** committee regarding **AMBER PLAN** cases.

4. The _____ understands that failure to comply with the requirements set out in Exhibit One and Two could result in restrictions placed on future use of the Amber Plan.

5. The _____ will use the following phone number, _____, as the contact phone number for the Amber Plan, with the mailing address of _____.

Signed and subscribed to this _____ day of _____, _____.

Chief Law Enforcement Officer of _____

ACCEPTED this _____ day of _____, _____, by _____, a member of the Amber Plan Committee.

Member of the Amber Plan Committee

RETURN COMPLETED DOCUMENT TO THE OFFICE OF THE GOVERNOR, LEGAL DIVISION



Oklahoma Amber Plan

In Oklahoma, the Governor requested the establishment of the “**Oklahoma Amber Plan.**” With his office coordinating the establishment of the plan, a cooperative agreement was reached between the Office of the Governor, the Department of Public Safety, the Oklahoma Association of Broadcasters, and various law enforcement agencies. The Oklahoma Department of Public Safety was selected as the dissemination point for Amber Alerts; the primary reason being that the Highway Patrol division of the department offered a 24-hour source through its dispatchers. No other state agency had this service. The Oklahoma Association of Broadcasters provided the necessary equipment for the department, and a telephone line was installed to the Clear Channel News Network offices for dissemination over the statewide EAS system.

Activation of the System

Participating local law enforcement agencies must be certified by the Governor’s office to participate in the program. Certification is based on knowledge of the criteria, a supervising officer, and the resources to handle incoming telephone calls. Once an investigating agency in Oklahoma determines a child abduction case meets the Amber Alert criteria, a standard form is completed and transmitted to the Highway Patrol dispatcher via a statewide law enforcement message network. The dispatcher records the information and immediately activates the system through Clear Channel News Network and the information is disseminated to all participating radio and television stations throughout the state. Clear Channel Network serves only as the conduit for the transmission of the alert.

Under the Oklahoma plan, the EAS system is used only for the initial Amber Alert. Stations are requested to retransmit the information every 30 minutes for the next two hours and one time per hour for the following three hours. In many cases, the follow-up is handled as a news item. As soon as photos of the abducted child are available, they are transmitted by OHP to the television stations. The OHP also distributes the information to their troopers across the state. A web site is also being developed by DPS for Amber Alert information. Rather than utilize the EAS system, it is the responsibility of the stations to obtain follow-up or cancellation information. The OHP will use whatever sources are available to them to distribute information on a cancellation.

The Oklahoma Amber Alert Plan was designed to minimize the use of the EAS system and has established critiquing procedures to insure the proper use of the Amber Alert program.

Station Participation

Participation in the Oklahoma Amber Alert program is on a voluntary basis.

EAS Code

The Oklahoma plan utilizes CEM “Civil Emergency Message” for the Amber program. This FCC approved code was selected as it appeared to be the only code broad enough to utilize. The SBE Recommended Codes offer a more appropriate code, but they have not (after 4 years) been approved by the Commission. Approval is expected later this year. Arkansas, which just started their plan, is using a SBE recommended code “PLT” Police Priority Activation. I have recently learned the SBE Codes were programmed into the Sage manufactured receivers, but do not think this was done by the other manufacturers. Unfortunately, not all stations have the Sage units.

Child Abduction Program, Not Missing Children

This program is a Child Abduction Program, not a program for missing children. A strict criterion is established to make this determination by the investigating officer and a superior. In Oklahoma, the criteria are:

- 1) Must be a child 15 years or younger, or a mentally or physically limited person.
- 2) Is the child believed to be in danger of bodily harm or death?
- 3) Is descriptive information available about the child or the abductor?

All of these factors must be met. The program is not for parental custodial disputes, runaways, or children who are late getting home.

After each Amber Alert activation, we have a committee comprised of the Governor’s office, law enforcement, and broadcasters to review the alert as to the function of the system and if the alert met the criteria.

The Oklahoma Plan To Date

In the fourteen or so months since the plan was started, there have been two Amber Alerts. Although there were some problems with our first activation, it was successful and lead to the safe recovery of two children 70 miles away from the abduction site. The second activation was in error and the system never should have been activated. Steps have been taken to correct this error.

Even though we encountered problems with our two alerts, our review process has enabled us to correct and improve our system.