

REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: July 18, 2014

TO: Honorable Members of the Rules, Elections and Intergovernmental Relations
Committee

FROM: Gerry F. Miller *Gerry F. Miller for* Council File No: 14-0002-S76
Chief Legislative Analyst Assignment No: 14-06-0487

SUBJECT: Resolution (Buscaino - Bonin) to support AB 47

CLA RECOMMENDATION: Adopt the Resolution (Buscaino - Bonin) to include in the City's 2013 – 2014 State Legislative Program SUPPORT for AB 47 (Gatto), which would authorize law enforcement agencies to issue a "Yellow Alert" if a person has been seriously injured or killed in a hit-and-run incident, and there is a reliable description of the vehicle available.

SUMMARY

On June 17, 2014, a Resolution (Buscaino - Bonin) was introduced in support of AB 47 (Gatto), which would establish a "Yellow Alert" system, which law enforcement would be able to use to alert the public of serious or fatal hit-and-run collisions when a reliable description of the vehicle involved is available. The Resolution states that the City of Los Angeles has a significant number of hit-and-run collisions each year, many of which are fatal, and that AB 47 would create a new law enforcement tool to effectively address this crime.

The Resolution further states that AB 47 is similar to Colorado's "Medina Alert" system, an emergency alert system for hit-and-run crimes modeled after the Amber Alert system. Colorado's system is designed to quickly alert the public when a serious or fatal hit-and-run collision occurs and a description of the vehicle is available. The Resolution states that the City Council adopted a Resolution (C.F. 14-0002-S41) on June 4, 2012 to support or sponsor legislation to create a "Medina Alert" system in California. The Resolution, therefore, seeks an official position of the City of Los Angeles to support AB 47 (Gatto), which would authorize law enforcement agencies to issue a "Yellow Alert" if a person has been seriously injured or killed in a hit-and-run incident, and there is a reliable description of the vehicle available.

BACKGROUND

Hit-and-run crimes are a significant and growing problem in many urban areas, where pedestrians, cyclists, and motorists all share space. The number of hit-and-run collisions has increased in California over the last few years, despite efforts by law enforcement agencies to curtail this problem. Further, these crimes are difficult to solve, as there is often little or no evidence, and even when there is a description of a vehicle, the perpetrator has often fled long before law enforcement is able to disseminate information on the incident to the public.

Many law enforcement agencies, as well as pedestrian and cycling advocates, have called for stiffer penalties and new laws to deter hit-and-run incidents. In addition, there has been a push to adopt

technology and new mass media techniques to quickly disseminate information on severe or fatal hit-and-run incidents to the public, in an attempt to solve more hit-and-run cases. AB 47 (Gatto) seeks to do this by establishing a "Yellow Alert," which law enforcement agencies could quickly issue in hit-and-run incidents where someone has been severely injured or killed by a vehicle that fled the scene.

Under AB 47, a Yellow Alert could be issued in a specific geographical location where a severe or fatal hit-and-run has occurred, and there is additional information on the suspect or the suspect's vehicle available. When the criteria for issuing an alert has been met, an investigating agency would be able to request that the California Highway Patrol (CHP) issue the Yellow Alert. AB 47 requires the CHP to issue Yellow Alerts through be-on-the-lookout alerts, Emergency Digital Information Service messages, or through electronic flyers. Yellow Alerts would be issued in a similar way as other emergency alerts issued in California, such as the Amber Alerts (issued in child abductions), Silver Alerts (issued for missing elderly residents), or Blue Alerts (issued when a law enforcement officer is the victim of a violent crime and the suspect is still at large). The purpose of a Yellow Alert, like the other alerts, is to quickly disseminate information to the public in specific circumstances.

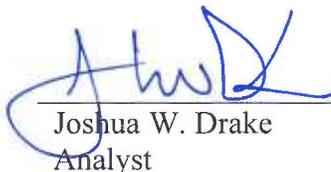
AB 47's Yellow Alert is modeled after Colorado's "Medina Alert," which was originally rolled out in the cities of Denver and Aurora. In those cities, 17 Alerts have been issued since the system was rolled out, and 13 of those cases were resolved. Medina Alerts are limited to hit-and-run incidents where there is a severe injury or a death, and a description of the vehicle is available. These requirements, mirrored by AB 47, ensure that the alert system is not overused, and is only employed in situations where an individual has been seriously or fatally injured, and there is a chance of quickly apprehending the perpetrator.

DEPARTMENTS NOTIFIED

Police Department

BILL STATUS

12/19/2012	Bill introduced
05/28/2013	Passed in the Assembly, referred to the Senate
09/10/2013	Ordered to the Senate inactive file at the request of the author
06/05/2014	From the inactive file
06/11/2014	Bill amended
06/12/2014	Re-referred to the Senate Committee on Public Safety
06/30/2014	Passed in Committee, referred to the Committee on Appropriations



Joshua W. Drake
Analyst

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Attachment: Resolution (Buscaino - Bonin)

14-0002-576
related 13-0002-580

RULES, ELECTIONS & INTERGOVERNMENTAL RELATIONS

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RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, AB 47 (Gatto), which previously dealt with false 911 calls, was recently subjected to a gut and amend, and now seeks to enable law enforcement to issue alerts in some hit-and-run collisions; and

WHEREAS, the City of Los Angeles has a significant number of hit-and-run collisions each year, many of which result in serious injuries or deaths; and

WHEREAS, hit-and-run cases are difficult for law enforcement to solve, as there is often limited or no evidence and no witnesses; and

WHEREAS, on June 4, 2014, the City Council adopted a position to support or sponsor legislation to create a system similar to Colorado's "Medina Alert" system (C.F. 14-0002-S41), which issues emergency alerts similar to an Amber Alert, but for severe or fatal hit and run collisions where a reliable description of the vehicle involved is available; and

WHEREAS, AB 47 (Gatto) would create a "Yellow Alert" system, substantially similar to Colorado's Medina Alert, to alert the public in serious or fatal hit-and-run collisions; and

WHEREAS, AB 47 would authorize law enforcement agencies to issue an alert through the existing Emergency Alert System to notify the public of the specific description of a vehicle suspected of being involved in a hit-and-run when a person has been seriously injured or killed; and

WHEREAS, AB 47 would create a new tool for effectively addressing hit-and-runs in California;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2013 - 2014 State Legislative Program SUPPORT for AB 47 (Gatto), which would authorize law enforcement agencies to issue a "Yellow Alert" if a person has been killed or seriously injured in a hit-and-run incident and there is a reliable description of the vehicle.

PRESENTED BY


JOE BUSCAINO

Councilmember, 15th District

SECONDED BY




JUN 17 2014

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ORIGINAL