



CDE #51396

# NAMES THAT CHANGED THE LAWS

By familiarizing themselves with the laws often used by first responders, public safety telecommunicators can aid in their enforcement.

By Sheila Hanna

Several of us at one time probably dreamed of being famous one day. However, we are about to learn that the following famous people did not choose if they wanted fame or not. They endured harrowing incidents that led their families to rally Congress and local legislators for new laws, often referred to as “apostrophe laws.” All of the laws were created to help keep America safer.

As part of the first responder family, it is necessary that 9-1-1 telecommunicators have a working knowledge of these laws to help law enforcement enforce the laws. Some of the statutes mentioned will have a direct impact on what a 9-1-1 telecommunicator may be required to do if the situation arises.

## **BRADY HANDGUN VIOLENCE PREVENTION ACT (BRADY ACT)**

Have you ever wondered how or why the National Instant Criminal Background Check System (NICS) used today in pawn shops, WalMart, gun stores, etc., came into existence? It is a result of the Brady Act. The law was enacted after the assassination attempt on President Ronald Reagan in which James S. Brady, the press secretary, was shot in the head. Brady survived.

The first run of the Brady Act enforced a five-day waiting period for unlicensed individuals attempting to purchase a handgun from a licensed seller. This was to allow a thorough background check on the buyer. The Brady Act included forbidding convicted felons or mentally unstable persons from purchasing a gun. The Brady Act changed in 1998. The change deleted the five-day waiting period because now through NICS an instant background check can be completed. Another change to the law during this time was to include all guns and not just handguns.

## **ADAM WALSH'S CHILD PROTECTION AND SAFETY ACT (ADCPSA)**

Adam Walsh was a 6-year-old boy abducted in a Sears store in Florida back in 1981. The ADCPSA requires all sex offender registries in each state to be placed in one database and organized in three different tiers. The database is known as the National Sex Offender Registry. Tier 1 offenders are required to update their whereabouts every year. Tier 2 offenders are required to update their location every six months, and Tier 3 offenders are required to update their whereabouts every three months.

## **KARI'S LAW**

In 2013, Kari Hunt Dunn was stabbed multiple times in a hotel room by her estranged husband, in front of her children. Her 9-year-old daughter tried numerous times to call 9-1-1 but was unable to reach emergency responders because she did not understand that she had to dial a "9" to get an outside line.

Kari's Law, just recently signed into law by President Donald Trump in 2018, requires all multi-line telephone systems to have a

configuration for calling 9-1-1 without dialing a prefix number.

## **LAUREN'S LAW**

This law is very new and actually not a law in several states but instead proposed legislation. It is moving across and into multiple states as of this writing. In October 2018, Lauren McCluskey was shot and killed by a convicted felon. The killer was not allowed to purchase a gun because of his criminal history, so he borrowed a gun from a friend.

Lauren's Law will hold the owner of a gun responsible when a crime is committed using their gun they loaned out.

## **CAYLEE'S LAW**

Caylee's Law requires parents to report a missing child within 24 hours. Many states that have implemented this law have also amended it to meet their local law enforcement requirements

This law was created after 2-year-old Caylee Anthony went missing and her disappearance was not reported for over a month.

## **MATTHEW SHEPARD'S ACT**

Matthew Shepard was tortured and murdered in 1998 because he was gay. This Act added to the existing 1969 United States Federal Hate Crime Law. It added "crimes motivated by a victim's actual or perceived gender, sexual orientation, gender identity or disability."

The Matthew Shepard Act also gave law enforcement financial assistance to thoroughly investigate and prosecute hate crimes. The law allows the federal government to intervene when local agencies choose not to pursue an investigation.

**As part of the first responder family, it is necessary 9-1-1 telecommunicators have a working knowledge of these laws to help law enforcement enforce the laws.**

## **LEANDRA'S LAW**

Leandra Rosado, an 11-year-old girl, was killed while riding with a family friend who was driving under the influence.

Leandra's Law is a New York state law that charges a person caught driving drunk with anyone under the age of 15 with a felony.

## **JESSICA'S LAW**

Jessica's Law is only in effect in Florida. It was presented to Congress but did not become federal law. The law requires sex offenders to wear a GPS device on their ankle for five years after release from prison. It also requires the state to mail sex offender registration forms twice a year to the offender, who has 10 days to respond.

## **JACOB WETTERLING'S CRIMES AGAINST CHILDREN AND SEXUALLY VIOLENT OFFENDER REGISTRATION ACT (THE WETTERLING ACT)**

Jacob Wetterling was 11 years old when he was abducted in 1989. Twenty-seven years later in 2016, his remains were found.

The Jacob Wetterling Act requires every state to implement a sex offender and crimes against children registry, and this information is shared between all law enforcement agencies. The law did not require public notification but left it up to local law enforcement. Megan's Law later changed this.

## **MEGAN'S LAW**

Megan Kanka was only 7 years old when a known child molester moved across the street from her family home. The family did not know he was a child molester. The man raped and killed Megan.

The law requires that registered sex offender information be available to the public and that notification be sent to the people affected when a sex offender is living nearby. This law was added to the Wetterling Act as a subsection.

## **AMBER ALERT**

Amber Rene Hagerman was 9 years old when she was abducted while riding her bicycle. A witness to the abduction called the police and gave a description. The police and FBI looked feverishly for Amber the next

five days. She was discovered in a creek with her throat cut.

The story of Amber made national news, and after watching the report one particular mother in Dallas, Texas, had a brilliant idea. She called the local radio station where she lived and asked if the local media could send out weather alerts, then why couldn't they do the same for kidnapped children? This was the beginning of what we know today as the Amber Alert.

Once law enforcement determines that a case meets specific criteria, they will notify

the broadcasters and department of transportation. The information is sent through an alert system on television, radio, roadway signs, digital billboards and also text messages on a cell phone.

These are only a few of the apostrophe laws that have been enacted in our country. Public safety telecommunicators play a pivotal part in each of these. The information received on the 9-1-1 call can be information that fits into one of the requirements of law. Telecommunicators may be tasked with querying the databases for information

or entering data into the databases. As 9-1-1 telecommunicators, we have a responsibility to our fellow law enforcement officers and the families of victims to understand each of these laws and be ready to execute procedures as quickly as possible. ●

*Sheila Hanna, RPL, is the Education and Training Administrator for APCO Institute. Prior to joining APCO International, she worked as a 9-1-1 coordinator, trainer, QA, call taker and dispatcher. This year Sheila will celebrate 20 years of service in public safety.*

## CDE EXAM #51396

- |  |  |   |
|--|--|---|
| <ol style="list-style-type: none"><li>Laws that are named after a person are often referred to as:<ol style="list-style-type: none"><li>Personal laws</li><li>Acts</li><li>Apostrophe laws</li><li>Temporary laws</li></ol></li><li>The National Instant Criminal Background Check System (NICS) was the results of which law?<ol style="list-style-type: none"><li>Kari's Law</li><li>Matthew Shepard's Act</li><li>Brady Act</li><li>Jessica's Law</li></ol></li><li>What law added the following language to the existing 1969 US Federal Hate Crime Law "crimes motivated by a victim's actual or perceived gender, sexual orientation, gender identity or disability"?<ol style="list-style-type: none"><li>Jacob Wetterling's Crimes Against Children and Sexually Violent Offender Registration Act</li><li>Matthew Shepard's Act</li></ol></li></ol> | <ol style="list-style-type: none"><li>Amber Alert</li><li>Megan's Law</li></ol> <ol style="list-style-type: none"><li>What law is only enforced in New York and states that anyone caught driving drunk with passengers 15 years old or younger will be charged with a felony.<ol style="list-style-type: none"><li>Kari's Law</li><li>Megan's Law</li><li>Leandra's Law</li><li>Jessica's Law</li></ol></li><li>What law requires a parent to report a missing child within 24 hours?<ol style="list-style-type: none"><li>Caylee's Law</li><li>Kari's Law</li><li>Megan's Law</li><li>Lauren's Law</li></ol></li><li>Jacob Wetterling's Crimes Against Children and Sexually Violent Offender Registration Act resulted in the National Sex Offender Registry.<ol style="list-style-type: none"><li>True</li><li>False</li></ol></li></ol> | <ol style="list-style-type: none"><li>Lauren's Law holds the owner of a gun responsible when a crime is committed using the gun they loaned out.<ol style="list-style-type: none"><li>True</li><li>False</li></ol></li><li>According to Jessica's Law, sex offenders released from prison in Florida are required to wear a GPS ankle device for the rest of their lives.<ol style="list-style-type: none"><li>True</li><li>False</li></ol></li><li>Amber Hagerman's mother brought the idea of an alert system to the local radio station.<ol style="list-style-type: none"><li>True</li><li>False</li></ol></li><li>Telecommunicators play a very important role in each of the laws stated in the article.<ol style="list-style-type: none"><li>True</li><li>False</li></ol></li></ol> |
|--|--|---|

### FOR CREDIT TOWARD APCO RECERTIFICATION(S)

Each CDE article is equal to one credit hour of continuing education

- Study the CDE article in this issue.
- Answer the test questions online (see below for online exam instructions) or on the exam page from the magazine article (photocopies are not required).
- Add/upload your CDE article information and certificate of achievement in the "My Classes Taken" section of APCO's Training Central at [www.apcointl.org/trainingcentral](http://www.apcointl.org/trainingcentral).

Questions? Call us at (386) 322-2500.

#### You can access the CDE exam online!

To receive a complimentary certificate of completion, you may take the CDE exam online. Go to <http://apco.remote-learner.net/login/index.php> to create your username and password. Enter the "CDE article" in the search box, and click on the "2019 Public Safety Communications Magazine Article Exams," then click on "enroll me" and choose "Names that Changed the Laws of our Country and How They Affect our Law Enforcement Environment (51396)" to begin the exam. Upon successful completion of the quiz, a certificate of achievement will be available for download/printing.