



# 33<sup>RD</sup> ALASKA STATE LEGISLATURE

REPRESENTATIVE CRAIG JOHNSON  
HOUSE DISTRICT 10  
CHAIR, HOUSE RULES COMMITTEE

## **HB316 – “An Act Relating to Law Enforcement Requests for Wireless Telephone Location Information in Emergencies”**

### *Sponsor Statement*

HB316, known as the Kelsey Smith Act, already has passed in 30 states, and currently is pending in three others, as well as at the federal level. The legislation is needed in Alaska to help protect victims in emergency situations. HB316 would require that telecommunications companies immediately respond to law enforcement requests for location information of victims who are in jeopardy of death or serious physical harm.

On June 2, 2007, Kelsey Smith was abducted in broad daylight from an Overland Park, Kansas department store, then raped and murdered. The abduction was captured on the store’s security camera, leaving little doubt of the emergency nature of the situation. Four days after she disappeared, authorities were able to locate Kelsey’s body after her wireless provider finally released call information from her cell phone.

The tragic abduction and murder of Kelsey Smith is heartbreaking and should never happen again. In life-or-death situations it is paramount that our law enforcement agencies have access to life-saving resources; and the fear of legal liability should never stand in the way of rescuing a victim from a life-threatening situation.

The Kelsey Smith Act makes certain that law enforcement officials, not a phone company, are able to determine if a loved one is in an emergency situation. The privacy of every Alaskan is important, and this legislation strikes the appropriate balance between the ability of law enforcement to help individuals in grave danger, while also ensuring the proper checks are in place to guard against potential abuse or government overreach.

HB316 will ensure that law enforcement has the resources they need from cell phone providers to locate missing or abducted Alaskans. If one life can be saved, or one child returned safely to their loved ones, then this act will have served Alaskans well.

The legislation does not require additional funding. In fact, it should save money.

To learn more about Kelsey’s story and the effort to enact the Kelsey Smith Act across the country, please visit: <https://kelseysarmy.org/#ks-act>