

ASSEMBLY COMMITTEE SUBSTITUTE FOR
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**ASSEMBLY BILL, Nos. 2844, 2907
and 277**

STATE OF NEW JERSEY
213th LEGISLATURE

ADOPTED MARCH 9, 2009

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SYNOPSIS

Establishes a "Silver Alert System."

CURRENT VERSION OF TEXT

Substitute as adopted by the Assembly Appropriations Committee.

(Sponsorship Updated As Of: 12/11/2009)

1 **AN ACT** establishing a “Silver Alert System” and supplementing
2 Title 52 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. The Attorney General shall establish a “Silver Alert
8 System” which shall provide a Statewide system for the rapid
9 dissemination of information regarding a missing person who is
10 believed to be suffering from dementia or other cognitive
11 impairment. The program shall be a voluntary, cooperative effort
12 between State and local law enforcement agencies and the media,
13 including but not limited to print, radio, and television media
14 outlets.

15 b. The Attorney General shall notify the media serving the State
16 of New Jersey of the establishment of the Silver Alert System, and
17 invite their voluntary participation.

18 c. The Missing Persons Investigative Best Practices Protocol
19 Unidentified Deceased Persons Investigative Guidelines,
20 promulgated by the Missing Persons and Child Exploitation Unit in
21 the Division of State Police, shall be revised to incorporate
22 procedures for issuing an alert regarding missing persons believed
23 to be suffering from dementia or other cognitive impairment. The
24 guidelines and procedures shall ensure that specific health
25 information about the missing person is not made public through
26 the alert or otherwise.

27

28 2. A Silver Alert authorized under this section may be activated
29 in accordance with the following requirements, which shall be
30 incorporated into the guidelines required by subsection c. of section
31 1 of P.L. c. (C.) (pending before the Legislature as this
32 bill).

33 a. The law enforcement agency receiving the missing persons
34 report shall be the lead law enforcement agency.

35 b. The Missing Persons and Child Exploitation Unit in the
36 Division of State Police, upon request, shall assist the lead law
37 enforcement agency in the investigation of a Silver Alert.

38 c. Each of the following criteria shall be met before a Silver
39 Alert may be issued:

40 (1) the person believed to be missing is believed to be suffering
41 from dementia or other cognitive impairment regardless of age;

42 (2) a missing person’s report has been submitted to the local law
43 enforcement agency where the person went missing;

44 (3) the person believed to be missing may be in danger of death
45 or serious bodily injury;

46 (4) there is sufficient information available to indicate that a
47 Silver Alert would assist in locating the missing person; and

1 (5) sufficient information is available to disseminate to the
2 public that could assist in locating the person.
3

4 3. a. The Missing Persons and Child Exploitation Unit in the
5 Division of State Police, in consultation with the Department of
6 Transportation, shall develop a procedure for the use of overhead
7 permanent changeable message signs to provide information on a
8 missing person meeting the criteria set forth in section 2 of P.L. ,
9 c. (C.) (pending before the Legislature as this bill) when
10 information is available that would enable motorists to assist in the
11 recovery of the missing person.

12 b. The Missing Persons and Child Exploitation Unit and the
13 Department of Transportation shall develop guidelines for the
14 content, length, and frequency of any message to be placed on the
15 overhead permanent changeable message sign.

16 c. The procedure and guidelines required in subsections a. and b.
17 of this section shall provide at a minimum that:

18 (1) overhead permanent changeable message signs may be
19 activated only if accurate motor vehicle information is available and
20 it is confirmed that the person was driving the motor vehicle at the
21 time of the disappearance; and

22 (2) the lead law enforcement agency, upon determining that a
23 Silver Alert is warranted, shall contact the Watch Operations Unit
24 in the New Jersey State Police Regional Operations Intelligence
25 Center, which shall contact the Department of Transportation for
26 activation of highway signs.

27 d. The participating media may voluntarily agree, upon notice of
28 the issuance of a Silver Alert, to inform the public of a person
29 believed to be missing within their service regions. The notice shall
30 be provided through the lead law enforcement agency.

31 e. The alerts shall terminate upon notice from the lead law
32 enforcement agency.

33 f. The alerts shall include a description of the missing person
34 and such other information as the lead law enforcement agency may
35 deem pertinent and appropriate. The lead law enforcement agency
36 shall, in a timely manner, update the media with new information
37 regarding the missing person when appropriate.

38 g. The alerts also shall provide information concerning how
39 those members of the public who have information relating to the
40 missing person may contact the lead law enforcement agency or the
41 Missing Persons and Child Exploitation Unit in the Division of
42 State Police.

43

44 4. The Attorney General, with the assistance of the participating
45 media, shall develop and undertake a public education campaign to
46 inform the public about the Silver Alert System.

1 5. The Attorney General may adopt guidelines to effectuate the
2 purposes of this act.

3

4 6. This act shall take effect on the first day of the seventh month
5 following enactment.