

SENATE, No. 499

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator CHRIS A. BROWN

District 2 (Atlantic)

Co-Sponsored by:

Senators Greenstein and Corrado

SYNOPSIS

Establishes Emergency Green Alert System for missing members and veterans of Armed Forces.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning missing members and veterans of the United
2 States Armed Forces, supplementing Title 52 of the Revised
3 Statutes, and amending P.L.2015, c.184.

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

7
8 1. (New section) a. As used in this act, “at-risk service
9 member or veteran” means an active duty member or veteran of the
10 United States Armed Forces, the Reserve components thereof, or
11 the National Guard who is reported to have a physical or mental
12 health condition that is related to the member or veteran’s military
13 service and goes missing under circumstances that indicate that the
14 member or veteran may be in danger of death or serious bodily
15 injury.

16 b. The Attorney General shall establish a "Emergency Green
17 Alert System" which shall provide practices and protocols for a
18 Statewide system for the rapid dissemination of information
19 regarding a missing at-risk service member or veteran as defined in
20 subsection a. of this section. The program shall be a voluntary,
21 cooperative effort between State and local law enforcement
22 agencies and the media, including but not limited to print, radio,
23 and television media outlets.

24 c. The Missing Persons Investigative Best Practices Protocol
25 Unidentified Deceased Persons Investigative Guidelines,
26 promulgated by the Missing Persons and Child Exploitation Unit in
27 the Division of State Police, shall be revised to incorporate
28 procedures for issuing an alert regarding an at-risk service member
29 or veteran. The guidelines and procedures shall ensure that specific
30 health information about the at-risk service member or veteran is
31 not made public through the alert or otherwise.

32 d. In situations that also meet the criteria for activation of a
33 Silver Alert pursuant to P.L.2009, c.167 (C.52:17B-194.4 et seq.) or
34 an MVP Emergency Alert pursuant to P.L.2015, c.184 (C.52:17B-
35 194.9 et seq.), the lead law enforcement agency, in consultation
36 with the Missing Persons and Child Exploitation Unit in the
37 Division of State Police, shall determine, based on the totality of the
38 circumstances, which system would more effectively assist in
39 locating the at-risk service member or veteran, and the guidelines
40 and applicable procedures for that system shall be followed.

41 e. The Attorney General, with the assistance of the
42 participating media, shall develop and undertake a public education
43 campaign to inform the public about the Emergency Green Alert
44 System.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

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

3

4 2. (New section) a. An Emergency Green Alert authorized
5 under this section may be activated in accordance with the
6 following requirements, which shall be incorporated into the
7 guidelines required by subsection c. of section 1 of
8 P.L. , c. (C.) (pending before the Legislature as this
9 bill):

10 b. The law enforcement agency receiving the missing person
11 report shall be the lead law enforcement agency.

12 c. The Missing Persons and Child Exploitation Unit in the
13 Division of State Police, upon request, shall assist the lead law
14 enforcement agency in the investigation of an Emergency Green
15 Alert.

16 d. Each of the following criteria shall be met before an
17 Emergency Green Alert may be issued:

18 (1) the person believed to be missing is an at-risk service
19 member or veteran;

20 (2) the person is believed to have a physical or mental health
21 condition that is related to the member or veteran's military service;

22 (3) a missing person report has been submitted to the local law
23 enforcement agency where the person went missing;

24 (4) the person believed to be missing may be in danger of death
25 or serious bodily injury;

26 (5) there is sufficient information available to indicate that an
27 Emergency Green Alert would assist in locating the at-risk service
28 member or veteran, including but not limited to information
29 indicating that the at-risk service member or veteran was the
30 operator of, a passenger in, or otherwise conveyed by a motor
31 vehicle at the time the at-risk member went missing; and

32 (6) sufficient information is available to disseminate to the
33 public that could assist in locating the at-risk service member or
34 veteran, including but not limited to accurate information
35 concerning any motor vehicle that the at-risk service member or
36 veteran may have been operating or may have been a passenger or
37 otherwise conveyed.

38 e. When an Emergency Green Alert is activated pursuant to
39 this section, the procedure followed by law enforcement and the
40 broadcast of alerts by participating media shall be conducted in the
41 same manner as an MVP Emergency Alert pursuant to section 3 of
42 P.L.2015, c.184 (C.52:17B-194.11).

43

44 3. Section 3 of P.L.2015, c.184 (C.52:17B-194.11) is amended
45 to read as follows:

46 3. a. When an MVP Emergency Alert or Emergency Green
47 Alert is activated pursuant to section 2 of P.L.2015, c.184
48 (C.52:17B-194.10) or section 2 of P.L. , c. (C.)

1 (pending before the Legislature as this bill), the participating media
2 shall voluntarily agree, upon notice from the State Police, to
3 transmit emergency alerts to inform the public of a missing
4 vulnerable person or at-risk service member or veteran as defined in
5 subsection a. of section 1 of P.L. , c. (C.) (pending
6 before the Legislature as this bill) who resides within their
7 broadcast service regions. The notice shall be provided through the
8 State Police operational dispatch unit.

9 b. The alerts shall be broadcast as often as possible, pursuant to
10 the guidelines established by the New Jersey Broadcasters'
11 Association, for the first three hours. After the initial three hours,
12 the alert shall be rebroadcast at such intervals as the investigating
13 authority, the State Police, and the participating media deem
14 appropriate.

15 c. The alerts shall include a description of the missing
16 vulnerable person or at-risk service member or veteran, including
17 notice that the missing vulnerable person or at-risk service member
18 or veteran may appear agitated or upset, instructions as to whether
19 the missing vulnerable person or at-risk service member or veteran
20 should be approached and, if appropriate, instructions on how to
21 approach the missing vulnerable person or at-risk service member
22 or veteran, and such other information as the State Police may deem
23 pertinent and appropriate.

24 In the case of an Emergency Green Alert, the alert shall include
25 information identifying the branch of United States Armed Forces,
26 the Reserve components thereof, or the National Guard of which the
27 at-risk service member or veteran served.

28 The alerts also shall provide information concerning how those
29 members of the public who have information relating to the missing
30 vulnerable person may contact the State Police or other appropriate
31 law enforcement agency.

32 d. When a determination is made by the lead agency, and the
33 State Police concur, that sufficient information indicating that at the
34 time the person went missing the person was the operator of, a
35 passenger in, or otherwise conveyed by a motor vehicle, concurrent
36 with the notice provided to the broadcast media, the State Police
37 operational dispatch unit shall also notify the Department of
38 Transportation, the New Jersey Highway Authority, the New Jersey
39 Turnpike Authority, and the South Jersey Transportation Authority
40 of the MVP Emergency Alert or Emergency Green Alert. Through
41 the use of their variable message signs, the department and the
42 affected authorities shall inform the motoring public that an MVP
43 Emergency Alert or Emergency Green Alert is in progress and
44 provide information relating to the missing vulnerable person and
45 how motorists may report any information they have to the State
46 Police or other appropriate law enforcement agency. The State
47 Police operational dispatch unit shall also ensure that employees of
48 the New Jersey Transit Corporation who are on duty at any time

1 when the MVP Emergency Alert or Emergency Green Alert is in
2 effect receive notice of the **【MVP Emergency Alert】** alert, along
3 with all pertinent information.

4 e. The State Police shall in a timely manner update the
5 broadcast media and any other entity receiving notice of the MVP
6 Emergency Alert or Emergency Green Alert with new information,
7 when appropriate, concerning the missing vulnerable person.

8 f. The alerts shall terminate upon notice from the State Police.
9 (cf: P.L.2015, c.184, s.3)

10
11 4. This act shall take effect on the first day of the third month
12 next following the date of enactment.

13 14 15 STATEMENT

16
17 This bill requires the Attorney General to establish an
18 “Emergency Green Alert System,” which would provide practices
19 and protocols for the rapid dissemination of information regarding
20 an at-risk member or veteran of the United States Armed Services.

21 An “at-risk service member or veteran” is defined as an active
22 duty member or veteran of the United States Armed Forces, the
23 Reserve components thereof, or the National Guard who is reported
24 to have a physical or mental health condition that is related to the
25 member or veteran’s military service and goes missing under
26 circumstances that indicate that the member or veteran may be in
27 danger of death or serious bodily injury.

28 The law enforcement agency receiving the missing person report
29 would be the lead law enforcement agency. The Missing Persons
30 and Child Exploitation Unit in the Division of State Police, upon
31 request, would assist the lead law enforcement agency in the
32 investigation of an Emergency Green Alert.

33 An Emergency Green Alert would be activated only if:

34 (1) the person believed to be missing is an at-risk service
35 member or veteran;

36 (2) the person is believed to have a physical or mental health
37 condition that is related to the member’s or veteran’s military
38 service;

39 (3) a missing person report has been submitted to the local law
40 enforcement agency where the person went missing;

41 (4) the person believed to be missing may be in danger of death
42 or serious bodily injury;

43 (5) there is sufficient information available to indicate that an
44 Emergency Green Alert would assist in locating the at-risk service
45 member or veteran, including but not limited to information
46 indicating that the at-risk service member or veteran was the
47 operator of, a passenger in, or otherwise conveyed by a motor
48 vehicle at the time the at-risk member went missing; and

1 (6) sufficient information is available to disseminate to the
2 public that could assist in locating the at-risk service member or
3 veteran, including but not limited to accurate information
4 concerning any motor vehicle that the at-risk service member or
5 veteran may have been operating or may have been a passenger in
6 or otherwise conveyed. The bill specifies that, in situations where
7 an at-risk service member or veteran satisfies the criteria for the
8 activation of a Silver Alert or Missing Vulnerable Person Alert, the
9 lead law enforcement agency, in consultation with the Missing
10 Persons and Child Exploitation Unit in the Division of State Police,
11 would be required to determine, based on the totality of the
12 circumstances, which system would be more effective in assisting to
13 locate the missing person, and the guidelines and applicable
14 procedures that should be followed in the particular instance.

15 When an Emergency Green Alert is activated, the participating
16 media would transmit emergency alerts to inform the public of a
17 missing at risk service member or veteran who resides within their
18 broadcast service regions. The notice would be provided through
19 the State Police operational dispatch unit. The alerts would be
20 broadcast as often as possible, pursuant to the guidelines established
21 by the New Jersey Broadcasters' Association, for the first three
22 hours. After the initial three hours, the alert would be rebroadcast
23 at those intervals as the investigating authority, the State Police, and
24 the participating media deem appropriate.

25 The alerts would include a description of the at-risk service
26 member or veteran, including notice that the missing at-risk service
27 member or veteran may appear agitated or upset, instructions as to
28 whether the missing at-risk service member or veteran should be
29 approached and, if appropriate, instructions on how to approach the
30 service member or veteran, and any other information as the State
31 Police may deem pertinent and appropriate. The alerts also would
32 include information identifying the branch of United States Armed
33 Forces, the Reserve components thereof, or the National Guard of
34 which the member or veteran served. Finally, the alerts would
35 provide information concerning how members of the public who
36 have information relating to the at-risk service member or veteran
37 may contact the State Police or other appropriate law enforcement
38 agency.

39 When a determination is made by the lead agency, and agreed
40 with by the State Police, that sufficient information indicates that,
41 when the at-risk service member or veteran went missing, the
42 service member or veteran was the operator of, a passenger in, or
43 otherwise conveyed by a motor vehicle, the State Police operational
44 dispatch unit will be required, concurrent with the notice provided
45 to the broadcast media, to notify the Department of Transportation,
46 the New Jersey Highway Authority, the New Jersey Turnpike
47 Authority, and the South Jersey Transportation Authority of the
48 Emergency Green Alert. Through the use of their variable message

1 signs, the department and the affected authorities would inform the
2 motoring public that an Emergency Green Alert is in progress and
3 provide information relating to the at-risk service and how
4 motorists may report information to the State Police or other
5 appropriate law enforcement agency. The State Police operational
6 dispatch unit also would ensure that employees of the New Jersey
7 Transit Corporation who are on duty at any time when the
8 Emergency Green Alert is in effect receive notice of the Emergency
9 Green Alert, along with all pertinent information regarding the at-
10 risk service member or veteran. The State Police would be required
11 to provide timely updates with new information when appropriate.
12 The alerts would terminate upon notice from the State Police.