

CHAPTER 167

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

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

C.52:17B-194.4 “Silver Alert System” established.

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

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

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

C.52:17B-194.5 Activation of Silver Alert; requirements.

2. A Silver Alert authorized under this section may be activated in accordance with the following requirements, which shall be incorporated into the guidelines required by subsection c. of section 1 of P.L.2009, c.167 (C.52:17B-194.4).

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

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

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

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

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

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

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

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

C.52:17B-194.6 Use of overhead permanent changeable message signs to provide information on certain missing persons.

3. a. The Missing Persons and Child Exploitation Unit in the Division of State Police, in consultation with the Department of Transportation, shall develop a procedure for the use of overhead permanent changeable message signs to provide information on a missing person meeting the criteria set forth in section 2 of P.L.2009, c.167 (C.52:17B-194.5) when information is available that would enable motorists to assist in the recovery of the missing person.

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

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

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

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

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

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

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

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

C.52:17B-194.7 Public education campaign relative to Silver Alert System.

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

C.52:17B-194.8 Guidelines.

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

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

Approved December 22, 2009.