

CHAPTER 184
(CORRECTED COPY)

AN ACT concerning missing persons with mental, intellectual, or developmental disabilities 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-194.9 “MVP Emergency Alert System.”

1. a. The Attorney General shall establish an “MVP Emergency Alert System” which shall provide practices and protocols for a Statewide system for the rapid dissemination of information regarding a missing person who is believed to be a vulnerable person as defined in subsection f. of this section. 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 MVP Emergency 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 a missing vulnerable person, as defined in subsection f. of this section. The guidelines and procedures shall ensure that specific health information about the missing vulnerable person is not made public through the alert or otherwise. In situations in which a missing vulnerable person is 17 years of age or younger and meets the criteria set forth in subsection c. of section 3 of P.L.2002, c.129 (C.52:17B-194.3), the provisions of P.L.2002, c.129 (C.52:17B-194.1 et seq.) and the guidelines and applicable procedures for Amber Alerts shall be followed. In situations that meet the criteria for activation of a Silver Alert pursuant to P.L.2009, c.167 (C.52:17B-194.4) and also meet the criteria for activation of an MVP Emergency Alert pursuant to P.L.2015, c.184 (C.52:17B-194.9 et seq.), the lead law enforcement agency, in consultation with the Missing Persons and Child Exploitation Unit in the Division of State Police, shall determine, based on the totality of the circumstances, which system would more effectively assist in locating the missing vulnerable person, and the guidelines and applicable procedures for that system shall be followed.

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

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

f. For purposes of P.L.2015, c.184 (C.52:17B-194.9 et seq.), a “Missing Vulnerable Person” or “MVP” means a person who is believed to have a mental, intellectual, or developmental disability or defect who goes missing under circumstances that indicate that the person may be in danger of death or serious bodily injury.

C.52:17B-194.10 Requirements for activation of MVP Emergency Alert.

2. An MVP Emergency 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.2015, c.184 (C.52:17B-194.9):

a. The law enforcement agency receiving the missing person 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 an MVP Emergency Alert.

c. Each of the following criteria shall be met before an MVP Emergency Alert may be issued:

(1) the person believed to be missing is believed to have a mental, intellectual, or developmental disability or defect, regardless of age;

(2) a missing person 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 an MVP Emergency Alert would assist in locating the missing vulnerable person, including but not limited to information indicating that at the time the person went missing the person was the operator of, a passenger in, or otherwise conveyed by a motor vehicle; and

(5) sufficient information is available to disseminate to the public that could assist in locating the person, including but not limited to accurate information concerning any motor vehicle the person may have been operating or in which the person may have been a passenger or otherwise conveyed.

C.52:17B-194.11 Transmission of alert by participating media.

3. a. When an MVP Emergency Alert is activated pursuant to section 2 of P.L.2015, c.184 (C.52:17B-194.10), the participating media shall voluntarily agree, upon notice from the State Police, to transmit emergency alerts to inform the public of a missing vulnerable person who resides within their broadcast service regions. The notice shall be provided through the State Police operational dispatch unit.

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

c. The alerts shall include a description of the missing vulnerable person, including notice that the missing vulnerable person may appear agitated or upset, instructions as to whether the missing vulnerable person should be approached and, if appropriate, instructions on how to approach the missing vulnerable person, and such other information as the State Police may deem pertinent and appropriate. The alerts also shall provide information concerning how those members of the public who have information relating to the missing vulnerable person may contact the State Police or other appropriate law enforcement agency.

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

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

f. The alerts shall terminate upon notice from the State Police.

4. This act shall take effect on the first day of the fourth month next following the date of enactment, but the Attorney General may take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of this act.

Approved January 11, 2016.