
Public Safety Committee

HB 1021

Brief Description: Creating a silver alert system.

Sponsors: Representatives Appleton, Orwall, Robinson, Bergquist, Cody, Hudgins, Senn, Santos and Fey.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Requires the Washington State Patrol to develop a Silver Alert plan for the recovery of senior citizens with Alzheimer's disease, dementia, or some other mental disability.
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Hearing Date: 1/14/15

Staff: Yvonne Walker (786-7841).

Background:

The America's Missing Broadcast Emergency Response (AMBER) Alert plan is named after 9-year-old Amber Hagerman of Arlington, Texas who was abducted and murdered in January 1996. In remembrance of Amber, her name became the nationally recognized acronym for the AMBER Alert.

The AMBER Alert system is a system in which broadcasters, cable systems, and law enforcement agencies voluntarily cooperate to assist in finding abducted children. The WSP is the lead agency for the AMBER Alert plan. An AMBER Alert may be activated directly by a local law enforcement agency that has either an approved local AMBER Alert plan or a mutual aid agreement with an agency that has an approved plan, or directly by the Washington State Patrol (WSP) if the local law enforcement agency does not have an approved plan.

Once the WSP receives notification of an AMBER Alert, the WSP then notifies the Washington State Emergency Management Division which issues an alert to radio and television media through the Emergency Alert System (EAS). Upon receiving the necessary information, radio and television media then broadcasts the information about the abduction provided through the

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EAS. This information typically includes a picture or description of the missing child, details of the abduction, the name and a picture or description of the suspected abductor, and information about the vehicle used by the abductor. The WSP also notifies the Department of Transportation (DOT) of the AMBER Alert, and the DOT places the information on highway traffic signs (electronic reader boards).

An AMBER Alert may be initiated in abduction cases that meet criteria specified in the AMBER Alert plan. The main criteria are:

- the child is under the age of 18 years and is known to be abducted (not a runaway);
- the child is believed to be in danger of death or serious bodily injury; and
- there is enough descriptive information available to believe that an AMBER Alert activation will assist in recovery of the child.

In Washington, an approved plan must not only have met the criteria of the WSP's statewide AMBER Alert plan but also must specify local law enforcement agency procedures to investigate a child abduction case, approve AMBER Alert activations, coordinate community response, and direct the recovery of a child. The Department of Justice, AMBER Alert Coordinator, and the National Center for Missing and Exploited Children have provided guidelines for the states when establishing criteria for issuing an alert. As of 2005 all 50 states have adopted an AMBER Alert plan.

Although the AMBER Alert system is primarily for missing children under the age of 18 years, some states have also started "Silver Alert" programs for adults with a cognitive impairment who are lost. Silver Alerts are modeled after the AMBER Alert program and are designed to alert the public and law enforcement agencies to help look for and identify missing adults. These programs often are targeted for adults with Alzheimer's disease, dementia, or other cognitive impairments.

Missing Children and Endangered Person Advisory Alerts.

The WSP is also responsible for operating a Missing Children and Endangered Person (MCEP) Clearinghouse. The MCEP Clearinghouse plan involves the voluntary cooperation between local, state, tribal, and other law enforcement agencies, state government agencies, radio and television stations, and cable and satellite systems to enhance the public's ability to assist in recovering endangered missing persons who do not qualify for inclusion in an AMBER Alert.

The Endangered Missing Person Advisory (EMPA) alert is initiated by law enforcement agencies using the following criteria:

- a person is missing under unexplained, involuntary, or suspicious circumstances;
- the person is believed to be in danger because of age, health, mental or physical disability, in combination with environmental or weather conditions, or is believed to be unable to return to safety without assistance;
- there is enough descriptive information that could assist in the safe recovery of the missing person; and
- the incident has been reported to and investigated by a law enforcement agency.

Once a report is received regarding an endangered missing person and all criteria is met, the investigating agency may begin to initiate an "EMPA" alert through its central-computerized enforcement system, notify the WSP's Missing Person Unit, and enter all information into the National Crime Information Center and the Washington Crime Information Center. After an

EMPA is activated, all Washington law enforcement agencies are notified as well as all portal partners (such as broadcasters, the media, and other subscribers). School districts, the Department of Social and Health Services, and the general public are also notified through a media release.

A "missing endangered person" is defined as a person with a developmental disability or a vulnerable adult, believed to be in danger because of age, health, mental or physical disability, in combination with environmental or weather conditions, or is believed to be unable to return safely without assistance.

Summary of Bill:

The WSP must develop and implement a Silver Alert plan to assist in recovering senior citizens aged 65 or older with Alzheimer's disease, dementia, or some other mental disability. The plan must involve the voluntary cooperation between local, state, tribal, and other law enforcement agencies, state government agencies, radio and television stations, and cable and satellite systems to assist in recovering the senior citizens.

A law enforcement agency may request a Silver Alert for a senior citizen when the following conditions apply:

1. The person suffers from a mental impairment verified by written documentation.
2. The request is made within 72 hours of the person's disappearance.
3. The disappearance poses a credible threat to the person's health and safety.
4. There is sufficient information to provide the public to assist in locating the person.
5. A law enforcement investigation has ruled out alternative explanations for the disappearance.

The WSP must also develop and implement the Silver Alert plan within existing resources.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.