

Sponsor: Sen Stewart
Drafter: JO
Date: February 18, 2021
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Proposed Amendment to LD 28, An Act to Create an Alert System to Notify the Public When a Person with an Intellectual or Developmental Disability is Missing

Amend the bill by striking the title and inserting a new title to read: ‘An Act to Update the Silver Alert Program to Include Missing Endangered Persons.’

Amend the bill by striking everything after the enacting clause and by inserting the following:

Sec. 1. 25 MRSA chapter 259 is amended to read:

CHAPTER 259

SILVER ALERT PROGRAM

§2201. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Department. "Department" means the Department of Public Safety.

2. ~~Missing senior citizen.~~ "~~Missing senior citizen~~" means a person:

~~A. Who at the time the person is first reported missing is 60 years of age or older or, under extraordinary circumstances, a person 18 to 59 years of age who also meets the criteria in paragraphs B and C;~~

~~B. With respect to whom there is a clear indication that the person has an irreversible deterioration of intellectual faculties such as dementia, as determined by a local law enforcement agency; and~~

~~C. Whose disappearance poses a credible threat to the safety and health of the person as determined by a local law enforcement agency.~~

2-A. Missing endangered person. "Missing endangered person" means a person who is believed to be in danger because of age, mental or physical health or intellectual or developmental disability, because of environmental or weather conditions, or because of being missing in dangerous, unexplained, involuntary or suspicious circumstances as determined by a local law enforcement agency.

3. Media. "Media" means print, radio, Internet-based communication systems or other methods of communicating information to the public.

4. Silver Alert. "Silver Alert" means a notice provided under this chapter to the public through law enforcement agencies and the media.

5. Silver Alert Program. "Silver Alert Program" means the statewide alert program for missing ~~senior citizens~~ endangered persons developed and implemented under this chapter.

§2202. Silver Alert Program

In accordance with this chapter and with the cooperation of the Department of Transportation, the Maine Turnpike Authority, a statewide organization representing broadcast groups in the State, the Office of the Governor and appropriate law enforcement agencies, the department shall develop and implement the Silver Alert Program to be activated on behalf of missing ~~senior citizens~~ endangered persons. The program must include standards of procedure for local law enforcement agencies to determine that a missing person is a missing ~~senior citizen~~ endangered person, to determine information to be released regarding the missing endangered person or the circumstances of the person's disappearance and to appropriately activate a Silver Alert to local or statewide law enforcement agencies and to the media, a plan for providing relevant information to the public through an existing system of dynamic message signs located across the State when necessary and training for all law enforcement officers. The Silver Alert Program must be developed and implemented using existing resources.

SUMMARY

This bill updates the existing Silver Alert Program within the Department of Public Safety to include endangered missing persons. Endangered missing person is defined as a person who is believed to be in danger because of age, mental or physical health or intellectual or developmental disability, because of environmental or weather conditions, or because of being missing in dangerous, unexplained, involuntary or suspicious circumstances as determined by a local law enforcement agency.