

[First Reprint]

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, Nos. 1551 and 1844**

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**STATE OF NEW JERSEY**  
**213th LEGISLATURE**

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ADOPTED JANUARY 26, 2009

**Sponsored by:**

**Senator SANDRA B. CUNNINGHAM**

**District 31 (Hudson)**

**Senator JOHN A. GIRGENTI**

**District 35 (Bergen and Passaic)**

**Senator BILL BARONI**

**District 14 (Mercer and Middlesex)**

**Co-Sponsored by:**

**Senators Whelan, Stack, Weinberg, Connors, Madden, Ruiz, Beach, Van  
Drew and Turner**

**SYNOPSIS**

Establishes a “Silver Alert System.”

**CURRENT VERSION OF TEXT**

As reported by the Senate Budget and Appropriations Committee on June 11, 2009, with amendments.



**(Sponsorship Updated As Of: 12/11/2009)**

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

3

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

6

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

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

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

27

28 2. A Silver Alert authorized under this section may be activated  
29 in accordance with the following requirements, which shall be  
30 incorporated into the guidelines required by subsection c. of section  
31 1 of P.L. c. (C. ) (pending before the Legislature as this  
32 bill).

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

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

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

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

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

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Senate SBA committee amendments adopted June 11, 2009.

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

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

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

7  
8 3. a. The Missing Persons and Child Exploitation Unit in the  
9 Division of State Police, in consultation with the Department of  
10 Transportation, shall develop a procedure for the use of overhead  
11 permanent changeable message signs to provide information on the  
12 missing person meeting the criteria set forth in '[this]' section '2  
13 of P.L. , c. (C. ) (pending before the Legislature as this bill)'  
14 when information is available that would enable motorists to assist  
15 in the recovery of the missing person.

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

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

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

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

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

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

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

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

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

4

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

7

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