

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 817

(Senators Ellis and Waldstreicher)

Judicial Proceedings

Rules and Executive Nominations

Public Safety - Missing Persons - Purple Alert Program

This bill requires the Department of State Police (DSP) to establish a Purple Alert Program to provide a system for rapid dissemination of information to assist in locating a “missing person.” Among other requirements, DSP must (1) adopt guidelines and develop procedures for issuing a Purple Alert for a missing person; (2) provide specified training and assistance to local law enforcement agencies; and (3) consult with the State Highway Administration (SHA) and the Maryland State Department of Education (MSDE), as specified. The bill also establishes a notification requirement for a caregiver or person filing a report regarding a missing person.

Fiscal Summary

State Effect: The bill’s requirements can be handled with existing budgeted resources. Revenues are not affected.

Local Effect: The bill’s requirements can be handled with existing resources. Local revenues are not affected.

Small Business Effect: None.

Analysis

Bill Summary: DSP must (1) provide training to local law enforcement agencies on the guidelines and procedures to be used to handle a report of a missing person; (2) provide assistance to a local law enforcement agency, as necessary, to assist in the safe recovery of a missing person; (3) recruit public and commercial television and radio broadcasters, local volunteer groups, and other members of the public to assist in developing and

implementing a Purple Alert; (4) consult with SHA to establish a plan for providing information relevant to a Purple Alert to the public through the dynamic message sign system located across the State; and (5) consult with MSDE to develop a program that allows high school students to assist in the search for a missing person, complies with the requisite Maryland Comprehensive Assessment under specified regulations, and is consistent with the student service-learning guidelines developed by MSDE. DSP may consult with relevant stakeholders representing citizens with disabilities to develop regulations and procedures to carry out the bill's provisions.

A caregiver, as defined by the bill, or person filing a report regarding a missing person must immediately notify the local law enforcement agency with which the report was filed and DSP if the missing person who was the subject of the report is located and it is unlikely that the local law enforcement agency or DSP has knowledge that the missing person has been located.

A "missing person" is an individual:

- whose whereabouts are unknown;
- who (1) has a cognitive impairment, mental disorder, intellectual or developmental disability, or brain injury that is not Alzheimer's disease, dementia, or a physical, mental, or emotional disability related to substance abuse or (2) is deaf, deafblind, hard of hearing, or late-deafened;
- whose disappearance poses a credible threat to the health and safety of the individual due to age, health, mental or physical disability, environment, or weather conditions, as determined by a law enforcement agency; and
- who does not meet the criteria for activation of a Silver Alert.

Current Law: Chapters 503 and 504 of 2009 created the statewide Silver Alert Program within DSP to provide a system for rapid dissemination of information to assist in locating a "missing person." A "missing person" is defined as an individual:

- whose whereabouts are unknown;
- who suffers a cognitive impairment including a diagnosis of Alzheimer's disease or dementia to the extent that the individual requires assistance from a caregiver; and
- whose disappearance poses a credible threat to the health and safety of the individual due to age, health, mental or physical disability, environment, or weather conditions, as determined by a law enforcement agency.

A caregiver or person filing a report regarding a missing person must immediately notify the local law enforcement agency with which the report was filed and DSP if the missing

person who was the subject of the report is located and it is unlikely that the local law enforcement agency or DSP has knowledge that the missing person has been located.

The AMBER Alert Plan, also coordinated by DSP, is a voluntary partnership between local law enforcement agencies and broadcasters to activate an urgent bulletin in the most serious child abduction cases.

Chapter 502 of 2018 required law enforcement agencies to enter all necessary and available information with regard to a missing person into the National Crime Information Center (NCIC) computer network within two hours after receipt of the minimum information necessary to make the entry. Among other things, NCIC maintains a database of records relating to missing persons (including children) who have been reported missing to law enforcement and there is a reasonable concern for their safety.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 195 (Delegate Guyton, *et al.*) - Judiciary.

Information Source(s): Kent, Montgomery, and Worcester counties; towns of Bel Air and Leonardtown; Maryland State Department of Education; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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