

817 greeting.pdf

Uploaded by: Arthur Ellis

Position: FAV

ARTHUR ELLIS, CPA
Legislative District 28
Charles County

ASSISTANT DEPUTY MAJORITY LEADER

Finance Committee

Senate Chair
Joint Committee on the
Management of Public Funds

Chair, Charles, St. Mary's and Calvert
Counties' Senate Delegation



THE SENATE OF MARYLAND
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February 15, 2024

Testimony of Senator Arthur Ellis in Support of Senate Bill 817: Public Safety - Missing Persons With Cognitive Impairment - Purple Alert Program

Dear Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee:

Senate Bill 817 establishes a Purple Alert Program to disseminate information to assist in locating a certain missing person with certain cognitive impairments; and generally relates to the establishment of a Purple Alert Program.

I urge your favorable report on Senate Bill 817.

Yours in Service,

Arthur Ellis – District 28

MSPA SB 0817 Letter of Support.pdf

Uploaded by: Bradley Leposa

Position: FAV



Senator William C. Smith, Jr., Chair
Senator Jeff Waldstreicher, Vice Chair
Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, Maryland 21401

February 26th, 2024

Bill: Senate Bill 0817 - Public Safety - Missing Persons With Cognitive Impairment - Purple Alert Program

Position: Support

Dear Chair Smith Jr., Vice Chair Waldstreicher, and Committee Members:

The Maryland School Psychologists' Association (MSPA) - which represents about 500 Maryland school psychologists - strongly supports Senate Bill 0817 - Public Safety - Missing Persons with Cognitive Impairment - Purple Alert Program. SB 0817 will create a system to locate persons with cognitive disabilities who become missing from their caregivers. The program will help ensure such individuals' safety and help instill peace of mind amongst their families and loved ones.

As professionals serving children, youth, and young adults with educationally disabling conditions, school psychologists witness first hand the needs of individuals with cognitive disabilities as well as their families' efforts to care for them. Often members of this vulnerable population experience difficulties with judgment and communication that jeopardize their safety when separated from familiar surroundings, routines, and caregivers. Such concerns complicate efforts to locate them and can cause conflicts with members of the public who are unfamiliar with their conditions. SB 0817 will enact vital measures assisting searches for missing persons with cognitive disabilities as well as alert the public to the existence of a missing individual with those needs.

For the above reasons, MSPA strongly supports SB0817. If we can provide any additional information or be of any assistance, please do not hesitate to contact us at legislative@mspaonline.org or Sarah Peters at speters@hbstrategies.us or 410-322-2320.

Respectfully submitted,

Bradley Leposa, PHD NCSP
Co-Chair, Legislative Committee
Maryland School Psychologists' Association

Maryland Catholic Conference_FAV_SB817.pdf

Uploaded by: Diane Arias

Position: FAV



MARYLAND
CATHOLIC
CONFERENCE

February 27, 2024

Senate Bill 817

**Public Safety – Missing Persons With Cognitive Impairment – Purple Alert
Program**

Senate Judicial Proceedings Committee

Position: Favorable

The Maryland Catholic Conference (MCC) is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals, and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

Senate Bill 817 aims to establish a Purple Alert Program designed to disseminate crucial information for locating individuals with cognitive impairments who go missing and pose a credible threat to their health and safety. This program targets individuals who do not meet the activation criteria under the Silver Alert program, specifically those with cognitive impairment, intellectual or developmental disabilities, or brain injuries. The bill proposes several key measures including: (I) providing training to local law enforcement agencies, guiding them on the appropriate guidelines and procedures when handling reports of missing persons with cognitive impairments; (II) assisting in the development and implementation of radio and television broadcasting, as well as public engagement, to facilitate the Purple Alert system.

Implementing Senate Bill 817 is seen as a crucial step in safeguarding a vulnerable population within the state. The alert system is essential for disseminating vital information promptly, enabling the community to assist in locating cognitively impaired individuals facing potential danger. The success of alert systems in locating missing persons is evident, with Florida's Purple Alert system achieving a remarkable 94% success rate in 2022.¹ By fostering community involvement, this bill not only strengthens Maryland's unity but also empowers citizens to play an active role in protecting underserved individuals. Prioritizing the safety of marginalized individuals remains a legislative imperative in building an equitable society. The proposed Purple Alert system contributes to this goal by reducing prejudice and reinforcing the value of those with cognitive impairments as integral members of our communities.

¹ <https://www.abc27.com/local-news/lancaster/new-legislation-for-text-alerts-for-missing-children-and-adults-with-cognitive-disabilities/>

The MCC, dedicated to promoting equitable inclusion, advocates for the passage of Senate Bill 817. Recognizing the intrinsic human value of every individual, the Purple Alert system becomes a crucial tool in ensuring the protection and well-being of those with cognitive impairments.

For these reasons, the MCC asks for a favorable report on **SB 817**.

Thank you for your consideration.

MDAD Purple Alert Written Testimony - SB 1817.docx

Uploaded by: MDAD President MDAD President

Position: FAV



Maryland Association of the Deaf
Written Testimony
SB 817 – Public Safety - Missing Persons With Cognitive
Impairment - Purple Alert Program
Tuesday, February 27, 2024

President

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Board Members

Vikki Porter

Jennifer Ajifowoke

Blaise Delahoussaye

Tori Reeves

Thelma Schroeder

The Maryland Association of the Deaf (MDAD) is a statewide organization that protects the interests of Deaf, DeafBlind, and Hard of Hearing Marylanders concerning accessibility and equity issues. We are advocating for the passage of the SB 817 sponsored by Senator Ellis regarding Missing Persons With Cognitive Impairment - Purple Alert Program. There are approximately 1.2 million Deaf, DeafBlind, and Hard of Hearing individuals living in the State of Maryland.

We are in favor of this bill because the amendment will include Deaf, DeafBlind, and Hard of Hearing people and the police will consult with citizens with disabilities to develop regulations and procedures. This will relieve the community knowing that there are regulations and procedures when facing Deaf, DeafBlind, and Hard of Hearing Community.

We look forward to a favorable bill on SB 817.

Thank you,

MDAD Board of Directors

SB817 FAV.pdf

Uploaded by: Morgan Mills

Position: FWA



February 27, 2024

Chair Smith, Vice Chair Waldstreicher, and distinguished members of the Judicial Proceedings Committee,

NAMI Maryland and our 11 local affiliates across the state represent a network of more than 58,000 families, individuals, community-based organizations, and service providers. NAMI Maryland is a 501(c)(3) non-profit dedicated to providing education, support, and advocacy for people living with mental illnesses, their families, and the wider community.

In working to reunite families and bring home missing persons, NAMI Maryland appeals to service providers, professionals, and others assisting persons with serious mental illnesses who are missing to do what is in the best interest of all concerned.

We thank the sponsors for their work on SB817 and recognize the impact it will have on raising awareness and helping to locate vulnerable missing persons in the state. Establishing a Purple Alert Program in the state is the best way to achieve this goal.

While we support the bill's means and objectives, we believe that it omits protection for individuals with mental health conditions as it is currently written. NAMI Maryland believes that missing persons with mental illnesses should receive the same full range of access to services and have the same opportunity to be located as all other missing persons. The thought of a family member, friend, or someone else you care about going missing can be terrifying. You don't know where they are, if they're hurt, or if they need help. When this person lives with a mental health condition, the situation may be even more serious, and acting quickly can make a difference.

For these reasons, we urge a favorable report with an amendment that includes these vulnerable individuals. The House sponsor, Delegate Guyton, has submitted this amendment and Senator Ellis has submitted it as well.

Kathryn S. Farinholt
Executive Director
National Alliance on Mental Illness, Maryland

Contact: Morgan Mills
Compass Government Relations
Mmills@compassadvocacy.com

SB817_The Maryland Developmental Disabilities Coal

Uploaded by: Ande Kolp

Position: INFO



MARYLAND DEVELOPMENTAL DISABILITIES COALITION

Dedicated to the rights and quality of life for people with developmental disabilities in Maryland

SB817- Public Safety – Missing Persons With Cognitive Impairment –
Purple Alert Program

Judicial Proceedings Committee

February 27, 2024

Letter of Information



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8835 Columbia 100 Pky
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Maryland Developmental
Disabilities Council

217 E Redwood Street
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7000 Tudsbury Road
Windsor Mill, MD
21244

The Maryland Developmental Disabilities Coalition is comprised of five statewide organizations that are committed to improving the opportunities and outcomes for Marylanders with intellectual and developmental disabilities (IDD).

The existing Silver Alert Program (Article- Public Safety § 3-604) defines a missing person as an individual:

- (i) whose whereabouts are unknown;
- (ii) 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
- (iii) 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.ⁱ

Page 2, line 17 of SB817, states that the Purple Alert will apply to a person who meets certain conditions, including (IV) WHO DOES NOT MEET THE CRITERIA FOR ACTIVATION OF A SILVER ALERT UNDER § 3-604 OF THIS SUBTITLE.

As the Silver Alert Program definitions include people with cognitive impairments, such as individuals with Intellectual Disabilities and people with Developmental Disabilities with a cognitive impairment, the goal of SB817 may already be able to be achieved through the existing Silver Alert program.

Our intent is to improve outcomes when someone goes missing in Maryland. We should focus on strengthening the established Silver Alert Program, and reviewing regulations to ensure they are accurate and include people of all ages with cognitive impairments. That was the intent

of the Silver Alert legislation that passed in 2009, and our understanding of what is done in practice.

We were deeply concerned this past year when at least two people with IDD were missing and their health and safety was at risk. We are committed to working with everyone to figure out how to improve Maryland's systems so communication is clear and there is always a collaborative response.

For more information, please contact a member of the Maryland DD Coalition.

¹ <https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=gps§ion=3-604&enactments=false>

Department of State Police Letter of Information S

Uploaded by: Joey Sybert

Position: INFO



State of Maryland
Department of State Police
Government Affairs Unit
Annapolis Office (410) 260-6100

POSITION ON PROPOSED LEGISLATION

DATE: February 27, 2024

BILL NUMBER: Senate Bill 817 **Position:** Letter of Information

BILL TITLE: Public Safety – Missing Persons with Cognitive Impairment – Purple Alert Program

REVIEW AND ANALYSIS:

This legislation requires the Maryland Department of State Police (MDSP) to create a Purple Alert Program to disseminate information to assist in locating missing persons with certain cognitive impairments.

Under current law, the MDSP has established several alert programs: Amber Alert, Yellow Alert, Blue Alert, and Silver Alert, to help with dissemination of information relating to missing persons, hit and run vehicles, and those that would severely injure or kill a police officer. Each alert has its own guidelines and procedures. A new alert would require new guidelines, procedures, and training to be developed by the MDSP. The MDSP is responsible for the approval of the alert system.

Today, when a person is reported missing to law enforcement, several actions take place. The person is entered into state and national law enforcement databases. Information about the missing person is broadcast to local and state law enforcement. The person's information is provided to the news media and the missing person's information is transmitted to the Maryland Center for Missing and Unidentified Persons (Center) and the Maryland Coordination and Analysis Center (MCAC). The Center creates posters and advisories for the missing person and sends information on missing children to the National Center for Missing and Exploited Children. The missing person's photo and information are also posted on our social media outlets with links to the local police agency's social media outlets. MCAC also develops BOLO (Be on Lookout) posters with descriptive information which is transmitted to each law enforcement's in-car computer along with any additional intelligence.

If any person is reported to have any cognitive impairment, intellectual or developmental disability, Alzheimer's, dementia, or any other problem or issue which impairs the person from being able to find their own way home, in addition to the steps mentioned above, MDSP coordinates with the local law enforcement agency that took the report to coordinate K-9 response, search teams, aviation, and additional police manpower from other barracks or jurisdictions; this also includes fire and rescue personnel.

State of Maryland
Department of State Police
Government Affairs Unit
Annapolis Office (410) 260-6100

POSITION ON PROPOSED LEGISLATION

One of the main criticisms often leveled at the MDSP when there is a critical missing person is the MDSP refused to activate the Alert. As previously mentioned, law enforcement does a lot of work to find the person. Where the confusion comes in is the activation of the dynamic message sign system on our highway system. In every missing person's case, the sign system is used ONLY when a missing person is believed to be in a motor vehicle. The sign system has limited space and the information has to be relevant. For example, a person who walks away from a location near their home is presumed to be on foot unless other information is obtained. The dynamic message sign system on the beltway or I-95 would not contain enough information for a passing motorist to make a difference in the search. There are approximately 13,000 missing persons reported each year in Maryland.

MDSP personnel met with advocates in November of 2023 to discuss a recent Montgomery County, MD case. The advocates had heard that MDSP denied the alert for a critically missing adult. When the advocates heard what the MDSP team had done to help in the search, the resources offered and why the dynamic message sign system was not used, it seemed they completely understood there was no need for legislation to create another alert system.

According to the Public Safety Article, Section 3-604, a missing person includes an individual "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." There is no mention of a minimum age.

Therefore, MDSP believes the individuals identified in SB 817 can be currently incorporated into the existing alert programs.

SB 817 Testimony 2024 Purple Alert.docx (3) (1) (1)

Uploaded by: Lisa Belcastro

Position: INFO



DATE: February 27, 2024

BILL: SB 817 Public Safety - Missing Persons with Cognitive Impairment - Purple Alert Program

COMMITTEE: Judicial Proceedings

POSITION: Letter of Information

Dear Chair Smith, Vice Chair Waldstreicher, and members of the committee,

The Maryland Department of Disabilities (MDOD) thanks the committee for the opportunity to provide this Letter of Information for Senate Bill 817: Public Safety - Missing Persons With Cognitive Impairment - Purple Alert Program.

MDOD is committed to advancing public safety of people with disabilities by advocating for comprehensive policies and practices that promote accessible emergency services and fostering an environment that enables their full and safe participation in all aspects of society.

Under Senate Bill 817, the Maryland State Police would be required to create a Purple Alert Program that disseminates information to assist in locating a missing person with a cognitive impairment, intellectual or developmental disability, or brain injury.

The Public Safety Article, Section 3-604, establishes a Silver Alert Program to be administered by the Maryland State Police. Included in the statute, a missing person is defined as an individual “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...”

Considering the statutory language above, it’s likely the intent of the bill could be accomplished through the current Silver Alert Program.

Thank you for the opportunity to submit this Letter of Information. If you have any questions, please contact Lisa Belcastro, Deputy Secretary, Lisa.Belcastro@maryland.gov.

Sincerely,

A handwritten signature in black ink that reads "Carol A. Beatty".

Carol A. Beatty, Secretary

SB0817 - SHA - Public Safety - Missing Persons wit

Uploaded by: Pilar Helm

Position: INFO

February 27, 2024

The Honorable William C. Smith, Jr.
Chair, Senate Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, MD 21401

RE: Letter of Information – Senate Bill 817 – Public Safety – Missing Persons with Cognitive Impairment – Purple Alert Program

Dear Chair Smith and Committee Members:

The Maryland Department of Transportation (MDOT) offers the following information on Senate Bill 817 for the Committee’s consideration.

Senate Bill 817 requires the Maryland State Police to establish a Purple Alert Program to disseminate information to help locate a missing person: 1) who suffers from a cognitive impairment, 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; 2) 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 3) who does not meet the criteria for activation of a Silver Alert under § 3-604 of the Public Safety Article. Senate Bill 817 also requires the State Police to consult with the State Highway Administration (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.

The SHA supports alert programs which broadcast information about missing individuals through a variety of channels. By disseminating search information through social media; on state and federal websites; by email; on television and radio stations; and on smart phones, law enforcement can engage the public and help locate individuals. Time is often critical in these situations, and families expect authorities to use alert systems to help find loved ones quickly and, more importantly, unharmed. However, SHA would like to provide additional information on the proposed use of the dynamic message sign system to disseminate information relevant to a Purple Alert, as considered under Senate Bill 817.

The Federal Highway Administration (FHWA) administers the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), which Maryland has adopted. The MUTCD is a compilation of national standards for all traffic control devices, including road markings, highway signs, and traffic signals. Chapter 2L of the MUTCD contains the standards for Changeable Message Signs (CMS), the classification of traffic control device under which the State’s dynamic message sign system falls. Section 2L.02 provides for the allowable applications of CMS. Of note, 2L.02.01 and .02 state:

“01 CMS shall display only traffic operational, regulatory, warning, and guidance information except as otherwise provided in this Chapter. Advertising or other messages not related to traffic control shall not be displayed on a CMS or on its support or other equipment.

The Honorable William C. Smith, Jr.
Paget Two

02 CMS may display traffic safety campaign messages . . . , transportation-related messages, emergency homeland security messages, and America’s Missing: Broadcast Emergency Response (AMBER) alert messages, all as provided for in this Chapter.”

While other limited uses of CMS unrelated to traffic are allowed under certain conditions, the integrity of CMS as an official traffic control device, “[R]ests significantly on their judicious use and proper messaging format and content, regardless of the message type being displayed.” *See* 2L.02.09. However, the following new standard for the 11th Edition will impact the posting of Purple Alerts as proposed under this bill and *may* impact other types of alerts Maryland has posted under the requirements of existing law: “Types of “alert” messages other than AMBER alerts that are unrelated to traffic or travel conditions shall not be displayed on CMS.” 2L.02.14.

The SHA consulted FHWA to evaluate options for messages that may deviate from the MUTCD. FHWA informed SHA that, in accordance with 23 CFR 655.603(b)(1), exceptions to the MUTCD may only be granted if a specific State law was in effect prior to January 16, 2007. We are not aware of any existing State law that predates 2007 that would allow this exception for Purple Alerts. Compliance with the MUTCD is necessary to avoid potential impacts to federal funding. While FHWA tries to avoid formally imposing sanctions for non-compliance with the MUTCD, such actions are not unprecedented. Because FHWA has not provided exceptions outside of AMBER Alerts, MDOT could consult with the Department of State Police but could not provide a plan for using CMS to disseminate Purple Alerts. The SHA could inquire about a special exception from FHWA, although current federal regulations and MUTCD standards suggest that such an exception is unlikely.

The Maryland Department of Transportation respectfully requests the Committee consider this information when deliberating Senate Bill 817.

Sincerely,

Matthew Mickler
Deputy Director (Acting)
Office of Policy and Research
Maryland State Highway Administration
410-545-5629

Pilar Helm
Director
Office of Government Affairs
Maryland Department of Transportation
410-865-1090