



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

POSITION ON PROPOSED LEGISLATION

DATE: February 6, 2024

BILL NUMBER: House Bill 195 **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 the 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.

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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 HB 195 can be currently incorporated into the existing alert programs.