



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1846

Introduced 2/20/2015, by Sen. Daniel Biss

SYNOPSIS AS INTRODUCED:

20 ILCS 2605/2605-490 new
20 ILCS 2705/2705-505.6 new
50 ILCS 705/10.17 new
50 ILCS 722/10

Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Provides that the Department of State Police shall develop a coordinated program for a statewide emergency alert system when a person 21 years old or older who is believed to have Alzheimer's Disease or related dementias is reported missing. Provides that the system shall be referred to as the Silver Alert system and shall include, but is not limited to, an electronic message sent to all law enforcement agencies; use of the emergency alert system; the use of electronic billboards and message signs in coordination with the Illinois Department of Transportation if a vehicle is involved; posting of the Silver Alert message on Illinois Lottery terminals; the designation by the Department of a contact name and toll-free telephone number for tips and information; blast email and fax messages to media outlets; activation of a local reverse 911 systems to all businesses and residents if the person is on foot. Amends the Department of Transportation Law of the Civil Administrative Code of Illinois. Provides that the Department of Transportation shall coordinate with the Department of State Police in the use of electronic message signs on roads and highways to immediately provide critical information to the public concerning missing persons with Alzheimer's Disease or related dementias. Amends the Missing Persons Identification Act to make conforming changes.

LRB099 07977 RLC 28117 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of State Police Law of the Civil
5 Administrative Code of Illinois is amended by adding Section
6 2605-490 as follows:

7 (20 ILCS 2605/2605-490 new)

8 Sec. 2605-490. Alzheimer's and related dementias (Silver)
9 Alert.

10 (a) The Department of State Police shall develop a
11 coordinated program for a statewide emergency alert system when
12 a person 21 years old or older who is believed to have
13 Alzheimer's Disease or related dementias is reported missing.
14 The system shall be referred to as the Silver Alert system and
15 shall include, but is not limited to, an electronic message
16 sent to all law enforcement agencies; use of the emergency
17 alert system; the use of electronic billboards and message
18 signs in coordination with the Illinois Department of
19 Transportation if a vehicle is involved; posting of the Silver
20 Alert message on Illinois Lottery terminals; the designation by
21 the Department of a contact name and toll-free telephone number
22 for tips and information; blast email and fax messages to media
23 outlets; activation of a local reverse 911 systems to all

1 businesses and residents if the person is on foot.

2 (b) The Department shall complete development and
3 deployment of the Silver Alert System on or before January 1,
4 2017.

5 (c) The following criteria shall be used for activation of
6 a Silver Alert:

7 (1) the local investigating law enforcement agency
8 confirms that the individual is missing;

9 (2) the agency determines that the individual is 21
10 years of age or older and suffers from Alzheimer's disease,
11 other forms of dementia or some other dementia-like
12 cognitive impairment;

13 (3) the disappearance of the individual poses a
14 credible threat of immediate danger of serious bodily harm
15 or death to the individual or others; and

16 (4) there is sufficient descriptive information about
17 the individual and the circumstances surrounding the
18 individual's disappearance to indicate that activation of
19 the alert will help locate the individual.

20 The Illinois Law Enforcement Training Standards Board shall
21 adopt written protocols and guidelines for the handling of
22 missing persons cases involving Alzheimer's and related
23 dementias based upon protocols developed by the Silver Alert
24 Task Force and in conjunction with the Department of State
25 Police on or before July 1, 2016.

26 (d) The Department of State Police shall establish a Silver

1 Alert Task Force within 30 days after the effective date of
2 this amendatory Act of the 99th General Assembly to assist the
3 Department in the development and deployment of the Silver
4 Alert system authorized in subsection (a) and monitor and
5 review the implementation and operation of that system,
6 including procedures, budgetary requirements, standards and
7 minimum requirements for the training of law enforcement
8 personnel on how to interact appropriately and effectively with
9 individuals that suffer from Alzheimer's disease, other forms
10 of dementia, or some other dementia-like cognitive impairment.
11 The Task Force shall also develop additional network resources
12 for use in the system. The Task Force shall include
13 representatives of the Illinois Chapters of the Alzheimer's
14 Association, the Illinois Departments of State Police, Aging,
15 Healthcare and Family Services, Human Services, and Public
16 Health, the Illinois Law Enforcement Training Standards Board,
17 the Illinois Emergency Management Agency, the Illinois
18 Secretary of State, the Illinois Broadcasters Association, the
19 Illinois Sheriff's Association, and the Illinois Association
20 of Chiefs of Police. The Task Force shall meet at least twice a
21 year and shall provide a report on the operations of the Silver
22 Alert system to the General Assembly and the Governor's Office
23 each year by June 30.

24 (e) The Department of State Police, in coordination with
25 the Illinois Emergency Management Agency and the Silver Alert
26 Task Force, shall develop and implement a community outreach

1 program to promote awareness of the Silver Alert Program among
2 law enforcement agencies, the State's healthcare facilities,
3 nursing homes, assisted living facilities, other senior
4 centers, and the general population on or before January 1,
5 2017.

6 (f) The Department of State Police shall designate an
7 individual to serve as the Silver Alert Coordinator within 30
8 days after the effective date of this amendatory Act of the
9 99th General Assembly. The Coordinator shall assist the
10 Department and the Silver Alert Task Force in the establishment
11 of State standards and monitor the availability of federal
12 funding that may become available to further the objectives of
13 the Silver Alert program. The Department shall provide
14 technical assistance for the Coordinator from its existing
15 resources.

16 Section 10. The Department of Transportation Law of the
17 Civil Administrative Code of Illinois is amended by adding
18 Section 2705-505.6 as follows:

19 (20 ILCS 2705/2705-505.6 new)

20 Sec. 2705-505.6. Alzheimer's and related dementias (Silver
21 Alert) message signs. The Department of Transportation shall
22 coordinate with the Department of State Police in the use of
23 electronic message signs on roads and highways to immediately
24 provide critical information to the public concerning missing

1 persons with Alzheimer's Disease or related dementias.

2 Section 15. The Illinois Police Training Act is amended by
3 adding Section 10.17 as follows:

4 (50 ILCS 705/10.17 new)

5 Sec. 10.17. Training in Alzheimer's and related dementias
6 (Silver Alert) system. The Board shall conduct a training
7 program for law enforcement personnel of local governmental
8 agencies in the statewide Alzheimer's and related dementias
9 coordinated alert (Silver Alert) system developed under
10 Section 2605-490 of the Department of State Police Law of the
11 Civil Administrative Code of Illinois.

12 Section 20. The Missing Persons Identification Act is
13 amended by changing Section 10 as follows:

14 (50 ILCS 722/10)

15 Sec. 10. Law enforcement analysis and reporting of missing
16 person information.

17 (a) Prompt determination of high-risk missing person.

18 (1) Definition. "High-risk missing person" means a
19 person whose whereabouts are not currently known and whose
20 circumstances indicate that the person may be at risk of
21 injury or death. The circumstances that indicate that a
22 person is a high-risk missing person include, but are not

1 limited to, any of the following:

2 (A) the person is missing as a result of a stranger
3 abduction;

4 (B) the person is missing under suspicious
5 circumstances;

6 (C) the person is missing under unknown
7 circumstances;

8 (D) the person is missing under known dangerous
9 circumstances;

10 (E) the person is missing more than 30 days;

11 (F) the person has already been designated as a
12 high-risk missing person by another law enforcement
13 agency;

14 (G) there is evidence that the person is at risk
15 because:

16 (i) the person is in need of medical attention,
17 ~~including but not limited to persons with~~
18 ~~dementia like symptoms, or prescription~~
19 ~~medication;~~

20 (ii) the person does not have a pattern of
21 running away or disappearing;

22 (iii) the person may have been abducted by a
23 non-custodial parent;

24 (iv) the person is mentally impaired;

25 (v) the person is under the age of 21;

26 (vi) the person has been the subject of past

1 threats or acts of violence;

2 (vii) the person has eloped from a nursing
3 home; or

4 (H) any other factor that may, in the judgment of
5 the law enforcement official, indicate that the
6 missing person may be at risk.

7 (2) Law enforcement risk assessment.

8 (A) Upon initial receipt of a missing person
9 report, the law enforcement agency shall immediately
10 determine whether there is a basis to determine that
11 the missing person is a high-risk missing person.

12 (B) If a law enforcement agency has previously
13 determined that a missing person is not a high-risk
14 missing person, but obtains new information, it shall
15 immediately determine whether the information
16 indicates that the missing person is a high-risk
17 missing person.

18 (C) Law enforcement agencies are encouraged to
19 establish written protocols for the handling of
20 missing person cases to accomplish the purposes of this
21 Act.

22 (3) Law enforcement agency reports.

23 (A) The responding local law enforcement agency
24 shall immediately enter all collected information
25 relating to the missing person case in the Law
26 Enforcement Agencies Data System (LEADS) and the

1 National Crime Information Center (NCIC) databases.
2 The information shall be provided in accordance with
3 applicable guidelines relating to the databases. The
4 information shall be entered as follows:

5 (i) All appropriate DNA profiles, as
6 determined by the Department of State Police,
7 shall be uploaded into the missing person
8 databases of the State DNA Index System (SDIS) and
9 National DNA Index System (NDIS) after completion
10 of the DNA analysis and other procedures required
11 for database entry.

12 (ii) Information relevant to the Federal
13 Bureau of Investigation's Violent Criminal
14 Apprehension Program shall be entered as soon as
15 possible.

16 (iii) The Department of State Police shall
17 ensure that persons entering data relating to
18 medical or dental records in State or federal
19 databases are specifically trained to understand
20 and correctly enter the information sought by
21 these databases. The Department of State Police
22 shall either use a person with specific expertise
23 in medical or dental records for this purpose or
24 consult with a chief medical examiner, forensic
25 anthropologist, or odontologist to ensure the
26 accuracy and completeness of information entered

1 into the State and federal databases.

2 (B) The Department of State Police shall
3 immediately notify all law enforcement agencies within
4 this State and the surrounding region of the
5 information that will aid in the prompt location and
6 safe return of the high-risk missing person.

7 (C) The local law enforcement agencies that
8 receive the notification from the Department of State
9 Police shall notify officers to be on the lookout for
10 the missing person or a suspected abductor.

11 (D) Pursuant to any applicable State criteria,
12 local law enforcement agencies shall also provide for
13 the prompt use of an Amber Alert in cases involving
14 abducted children; Silver Alert in cases involving
15 Alzheimer's Disease and related dementias, or use of
16 the Endangered Missing Person Advisory in appropriate
17 high risk cases.

18 (Source: P.A. 95-192, eff. 8-16-07; 96-149, eff. 1-1-10.)