

# Silver Alert Initiatives in the States

## PROTECTING SENIORS WITH COGNITIVE IMPAIRMENTS

### INTRODUCTION

To help protect an increasing number of citizens with cognitive impairments who are lost, several states have initiated "Silver Alert" programs. Silver Alert programs are modeled after the Amber Alert programs now present in all 50 states. The Amber Alert programs can quickly distribute information about missing persons to law enforcement, radio, and television stations. It is designed to alert the public and law enforcement agencies so that citizens can be on the look out for missing adults. While the Amber Alert programs are targeted at getting information quickly disseminated about children, Silver Alert programs are targeted for adults with Alzheimer's disease or other forms of dementia.

NASUA conducted a survey of the states to find which states have a Silver Alert program, how they fund it, how the programs are administered. Of the states that responded, we found that seven states currently have Silver Alert Programs and at least two states reported that they have legislation pending. Colorado, Georgia, Missouri, North Carolina, Oklahoma, Texas, and Virginia have Silver Alert Programs in place. Ohio has legislation that has been signed by the governor but is not yet effective.

### State Examples

#### Colorado

In February 2007, Colorado's governor signed the Silver Alert program into law, creating an alert program for senior citizens and people with developmental disabilities. Colorado's program requires that the caretakers provide evidence to law enforcement officials of the impaired mental condition. Once the information is verified, the information is sent out to designated media outlets in Colorado including radio stations, television stations, and other media outlets that will issue the alert at designated intervals.

#### Georgia

Georgia's Silver Alert Program is called "Maddie's Call." The program is for Older Persons with Alzheimer's disease and/or dementia. Maddie's call was established by the Georgia General Assembly in 2006 and provides an emergency missing alert for disabled or elderly persons. Georgia law defines "disabled adults" as individuals who are developmentally impaired or who suffer from dementia or some other cognitive impairment. The Georgia Bureau of Investigations runs the program and several criteria are in place for activation of the call including:

1. A local law enforcement agency believes a disabled person is missing and is in immediate danger of serious bodily injury or death.
2. Through its own investigation, the law enforcement agency verifies the disappearance and eliminates alternative explanations for the disabled person's disappearance.

3. Sufficient information is available to disseminate to the public that could assist in locating the disabled person.
4. The missing disabled person is entered into the National Crime Information Center (NCIC) database.
5. The law enforcement agency must issue a statewide broadcast to law enforcement/911 centers and contact local media regarding the missing person.

## Missouri

Missouri has an Endangered Persons Advisory that is similar to the Amber Alert system. The Endangered Persons Advisory is used to develop and coordinate the efforts of law enforcement and the media in order to increase public participation in safely recovering endangered missing person by increased communication and effective resources sharing. The Advisory is used when a person is missing under unexplained circumstances (not just suspicious) and is an at-risk adult or the circumstances fail to meet the criteria for an Amber Alert for a missing child. Information is disseminated to law enforcement agencies, broadcasters, and the public using the same methods as the Amber Alert with the exception of electronic signs, communication capabilities of private entities, and a portal that allows law enforcement to directly issue and update Alerts to any subscribing individual or agency. The Endangered Person Advisory Program is initiated solely by Missouri law enforcement agencies using the following criteria:

1. Is the person missing under unexplained, involuntary, or suspicious circumstances?
  2. Is the person believed to be in danger because of age, health, mental or physical disability, environment or weather conditions?
  3. Is the person in the company of a potentially dangerous person or some other factor that might put the person in peril?
  4. Is there information that could assist the public in the safe recovery of the person?

*It is common for a person with dementia to wander and become lost; many repeatedly. In fact, over 60 percent of those with dementia will wander at some point." Alzheimer's Association*

Missouri's Endangered Person Advisory is a cooperative effort between the Missouri Department of Public Safety, the Missouri State Highway Patrol, the Missouri Department of Health and Senior

Services, the Missouri Police Chiefs Association, the Missouri Sheriffs Association, and the Missouri Broadcasters Association. Missouri reported that there are no costs associated with the program.

## North Carolina

North Carolina has a Silver Alert program that was established by the General Assembly to locate individuals suffering from dementia or other cognitive impairments. The North Carolina Silver Alert program is operated through the North Carolina Center for Missing Persons with voluntary participation by radio and television broadcasters and the North Carolina Department of Transportation.

The North Carolina model is designed to protect the rights of the missing individual by not releasing specific health information about the missing person that may subject the individual to potential harm, abuse, or exploitations.

The criteria for the North Carolina Silver Alert program are as follows:

1. The person is 18 years or older.
2. The person is believed to be suffering from dementia or other cognitive impairment.
3. The person is believed to be missing-regardless of circumstance
4. A legal custodian of the missing person has submitted a missing person's report to the local law enforcement agency where the person went missing.
5. Law enforcement reports the incident to the NC Center for Missing Persons.

### **Oklahoma**

The Oklahoma House of Representatives passed a resolution calling for a Silver Alert system in 2006 to find missing seniors. As a resolution, the Silver Alert program is not required by law, according to the Department of Public Safety that is responsible for implementing the program. The alert system is issued for patients with Alzheimer's Disease, dementia or other health issues. The key difference in the Amber Alert system and the Silver Alert program in Oklahoma is that the Silver Alert program does not interrupt broadcast programming like the Amber Alert program.

The Oklahoma Department of Public Safety reports that so far the system does not seem to be overused. This was a concern about the program before its implementation. About 10 seniors have been found since that time.

### **Texas**

The Texas Silver Alert is integrated with the Texas AMBER Alert system to make up the Texas AMBER/Silver Alert Network. The program is administered through the Texas Department of Public safety, and is funded through the Office of the Governor, Criminal Justice Division. The Silver Alert system implemented September 1, 2007 is the result of state legislation that Governor Perry signed on May 14, 2007.

The Texas system requires the following:

1. The person must be a senior age 65 or older,
2. The person must have Texas as their primary residence,
3. The person must have a written diagnosis from a medical or mental health professional stating the senior has an impaired mental condition. The disappearance must pose a credible threat to the senior's health and safety,
4. The report must be filed within 72 hours of the disappearance, and
5. There must be sufficient information to disseminate to the public that could assist in locating the missing senior.

Since inception of the Program on September 1, 2007, there have been 31 activations of the Texas Silver Alert Network.

### **Virginia**

Virginia has a Senior Alert Program that is administered through the Virginia State Police. No funding was offered by the state, but the police department offered to absorb the costs of administering the program. The program is new, so it is too early to report if they have had success stories or if residents are utilizing the service. This was bi-partisan legislation developed by Virginia's Alzheimer's Association chapters and Virginia's Office of the Attorney General.

## Issues and Concerns

Several concerns were raised by the state unit directors who completed the survey. The top concern raised by the states was that the alerts would be overused. One state reported that the police in their state “feel as though the families and caregivers repeatedly allow individuals to wander because they know that law enforcement officials will find them.” Former New York State Governor Pataki vetoed their silver alert system with a veto message that indicated that the silver alert system would weaken the Amber Alert system by making the alerts “too common”.

Another concern expressed by states was that the cost of the programs would be high. Of the states responding to the survey, however, most of the states indicated that the costs associated with the program were minimal. West Virginia is considering legislation and is anticipating that the initial costs of a Silver Alert Program in West Virginia would be used to establish a photo center at senior centers, and enter the data into a database. Ongoing costs would cover the expense of entering new photos into the database, which could also be done at minimal cost.

Protecting the rights of the missing seniors was also a concern raised by several states that fear that the individual’s privacy will be violated. The states with Silver Alert systems in place indicated that they had tight controls in place to guard against further exploitation but it was something that needed to be monitored.

NASUA will continue to monitor Silver Alert Programs and provide periodic updates. If your state has a program that you would like included, please contact us.

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