

Senate Bill No. 1127

CHAPTER 440

An act to amend Section 8594.10 of the Government Code, relating to emergency services.

[Approved by Governor September 18, 2014. Filed with
Secretary of State September 18, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1127, Torres. Emergency services: individuals with developmental disabilities and cognitive impairments.

Existing law authorizes a law enforcement agency, if a person is reported missing to the law enforcement agency, and that agency determines that certain requirements are met, including, among others, that the missing person is 65 years of age or older, to request the California Highway Patrol to activate a Silver Alert, the notification system designed to issue and coordinate these alerts. Existing law requires the California Highway Patrol to activate a Silver Alert if it concurs with the law enforcement agency that those requirements are met, and to take certain actions, upon activation of a Silver Alert, to assist the agency investigating the disappearance. Existing law repeals these provisions on January 1, 2016.

This bill would include a missing person who is developmentally disabled or cognitively impaired among the persons who may be the subject of a Silver Alert. This bill would also delete the repeal date, thereby extending the operation of these provisions indefinitely.

The people of the State of California do enact as follows:

SECTION 1. Section 8594.10 of the Government Code is amended to read:

8594.10. (a) For purposes of this section, "Silver Alert" means a notification system, activated pursuant to subdivision (b), designed to issue and coordinate alerts with respect to a person who is 65 years of age or older, developmentally disabled, or cognitively impaired, and who is reported missing.

(b) (1) If a person is reported missing to a law enforcement agency and that agency determines that the requirements of subdivision (c) are met, the agency may request the California Highway Patrol to activate a Silver Alert. If the California Highway Patrol concurs that the requirements of subdivision (c) are met, it shall activate a Silver Alert within the geographical area requested by the investigating law enforcement agency.

(2) Radio, television, and cable and satellite systems are encouraged to, but not required to, cooperate with disseminating the information contained in a Silver Alert.

(3) Upon activation of a Silver Alert, the California Highway Patrol shall assist the investigating law enforcement agency by issuing a be-on-the-lookout alert, an Emergency Digital Information Service message, or an electronic flyer.

(c) A law enforcement agency may request a Silver Alert be activated if that agency determines that all of the following conditions are met in regard to the investigation of the missing person:

(1) The missing person is 65 years of age or older, developmentally disabled, or cognitively impaired.

(2) The investigating law enforcement agency has utilized all available local resources.

(3) The law enforcement agency determines that the person has gone missing under unexplained or suspicious circumstances.

(4) The law enforcement agency believes that the person is in danger because of age, health, mental or physical disability, or environment or weather conditions, that the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril.

(5) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

(d) For purposes of this section, the following definitions have the following meanings:

(1) “Developmentally disabled” means affected by a developmental disability, as defined in subdivision (a) of Section 4512 of the Welfare and Institutions Code.

(2) “Cognitively impaired” means affected by a cognitive impairment, as defined in Section 14522.4 of the Welfare and Institutions Code.