

By: Representative Shanks

To: Judiciary A

## HOUSE BILL NO. 1030

1       AN ACT TO CREATE THE MISSING PERSONS REPORTING AND  
2 IDENTIFICATION ACT; TO REQUIRE LOCAL LAW ENFORCEMENT AGENCIES TO  
3 ACCEPT A REPORT OF A MISSING PERSON; TO PERMIT LOCAL LAW  
4 ENFORCEMENT AGENCIES TO ATTEMPT TO OBTAIN DNA OF THE MISSING  
5 PERSON OR A REFERENCE SAMPLE FROM A FAMILY MEMBER'S DNA TO BE  
6 SUBMITTED TO THE NATIONAL MISSING AND UNIDENTIFIED PERSONS SYSTEM  
7 (NAMUS) AND THE MISSISSIPPI FORENSIC DNA IDENTIFICATION SYSTEM OR  
8 THE NATIONAL DNA IDENTIFICATION SYSTEM; TO PROHIBIT A LOCAL LAW  
9 ENFORCEMENT AGENCY FROM ACCEPTING A MISSING PERSON REPORT; TO  
10 REQUIRE LOCAL LAW ENFORCEMENT AGENCIES TO ACCEPT MISSING PERSON  
11 REPORTS IN PERSON; TO PROVIDE FOR THE INFORMATION THE LOCAL LAW  
12 ENFORCEMENT AGENCY SHALL ATTEMPT TO GATHER REGARDING THE MISSING  
13 PERSON'S DISAPPEARANCE; TO REQUIRE THE LOCAL LAW ENFORCEMENT  
14 AGENCY TO GENERATE A REPORT OF THE MISSING PERSON WITHIN THE  
15 NATIONAL MISSING AND UNIDENTIFIED PERSONS SYSTEM (NAMUS) IF THE  
16 PERSON IDENTIFIED REPORT REMAINS MISSING AFTER FIVE DAYS, BUT NOT  
17 MORE THAN FIFTEEN DAYS; TO DEFINE THE TERM "HIGH-RISK MISSING  
18 PERSON" AND THE PROCEDURES TO BE FOLLOWED BY LOCAL LAW ENFORCEMENT  
19 AGENCIES TO ENSURE THAT THOSE PERSONS ARE INPUT IN THE NATIONAL  
20 MISSING AND UNIDENTIFIED PERSONS SYSTEM (NAMUS); TO REQUIRE THE  
21 MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY TO ESTABLISH PROCEDURES  
22 FOR DETERMINING HOW TO PRIORITIZE ANALYSIS OF THE SAMPLES RELATING  
23 TO MISSING PERSON CASES; TO REQUIRE THE MISSISSIPPI DEPARTMENT OF  
24 PUBLIC SAFETY TO IMMEDIATELY NOTIFY ALL LOCAL LAW ENFORCEMENT  
25 AGENCIES WITHIN THIS STATE AND THE SURROUNDING REGION OF  
26 INFORMATION THAT WILL AID IN THE PROMPT LOCATION AND SAFE RETURN  
27 OF HIGH-RISK MISSING PERSONS; TO BRING FORWARD SECTIONS 43-15-401  
28 AND 45-41-1, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE  
29 AMENDMENTS; AND FOR RELATED PURPOSES.

30       BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:



31        **SECTION 1.**    This act shall be known and may be cited as the  
32 Missing Persons Reporting and Identification Act.

33        **SECTION 2.**    (1)   All local law enforcement agencies shall  
34 accept without delay any report of a missing person and may  
35 attempt to obtain a DNA sample from the missing person or a DNA  
36 reference sample created from family members' DNA samples for  
37 submission under Section 3(3)(a) of this act.    Acceptance of a  
38 missing person report filed in person may not be refused on any  
39 ground.    No local law enforcement agency may refuse to accept a  
40 missing person report:

41                    (a)   On the basis that the missing person is an adult;

42                    (b)   On the basis that the circumstances do not indicate  
43 foul play;

44                    (c)   On the basis that the person has been missing for a  
45 short period of time;

46                    (d)   On the basis that the person has been missing a  
47 long period of time;

48                    (e)   On the basis that there is no indication that the  
49 missing person was in the jurisdiction served by the local law  
50 enforcement agency at the time of the disappearance;

51                    (f)   On the basis that the circumstances suggest that  
52 the disappearance may be voluntary;

53                    (g)   On the basis that the reporting individual does not  
54 have personal knowledge of the facts;



55 (h) On the basis that the reporting individual cannot  
56 provide all of the information requested by the local law  
57 enforcement agency;

58 (i) On the basis that the reporting individual lacks a  
59 familial or other relationship with the missing person;

60 (j) On the basis of the missing person's mental state  
61 or medical condition; or

62 (k) For any other reason.

63 (2) All local law enforcement agencies shall accept missing  
64 person reports in person. Local law enforcement agencies are  
65 encouraged to accept reports by phone or by electronic or other  
66 media to the extent that such reporting is consistent with law  
67 enforcement policies or practices.

68 (3) In accepting a report of a missing person, the local law  
69 enforcement agency shall attempt to gather relevant information  
70 relating to the disappearance. The local law enforcement agency  
71 shall attempt to gather at the time of the report information that  
72 shall include, but shall not be limited to, the following:

73 (a) The name of the missing person, including  
74 alternative names used;

75 (b) The missing person's date of birth;

76 (c) The missing person's identifying marks, such as  
77 birthmarks, moles, tattoos, and scars;

78 (d) The missing person's height and weight;

79 (e) The missing person's gender;



80                   (f)   The missing person's race;

81                   (g)   The missing person's current hair color and true or  
82 natural hair color;

83                   (h)   The missing person's eye color;

84                   (i)   The missing person's prosthetics, surgical  
85 implants, or cosmetic implants;

86                   (j)   The missing person's physical anomalies;

87                   (k)   The missing person's blood type, if known;

88                   (l)   The missing person's driver's license number, if  
89 known;

90                   (m)   The missing person's social security number, if  
91 known;

92                   (n)   A photograph of the missing person; recent  
93 photographs are preferable and the agency is encouraged to attempt  
94 to ascertain the approximate date the photograph was taken;

95                   (o)   A description of the clothing the missing person  
96 was believed to be wearing;

97                   (p)   A description of items that might be with the  
98 missing person, such as jewelry, accessories, and shoes or boots;

99                   (q)   Information on the missing person's electronic  
100 communications devices, such as cellular telephone numbers and  
101 e-mail addresses;

102                   (r)   The reasons why the reporting individual believes  
103 that the person is missing;



104           (s) The name and location of the missing person's  
105 school or employer, if known;

106           (t) The name and location of the missing person's  
107 dentist or primary care physician or provider, or both, if known;

108           (u) Any circumstances that may indicate that the  
109 disappearance was not voluntary;

110           (v) Any circumstances that may indicate that the  
111 missing person may be at risk of injury or death;

112           (w) A description of the possible means of  
113 transportation of the missing person, including make, model,  
114 color, license number, and Vehicle Identification Number of a  
115 vehicle;

116           (x) Any identifying information about a known or  
117 possible abductor or person last seen with the missing person, or  
118 both, including:

119               (i) Name;

120               (ii) A physical description;

121               (iii) Date of birth;

122               (iv) Identifying marks;

123               (v) The description of possible means of  
124 transportation, including make, model, color, license number and  
125 Vehicle Identification Number of a vehicle;

126               (vi) Known associates;

127           (y) Any other information that may aid in locating the  
128 missing person; and



129                   (z)   The date of last contact.

130           (4)   (a)   The local law enforcement agency shall notify the  
131 person making the report, a family member or other person in a  
132 position to assist the local law enforcement agency in its efforts  
133 to locate the missing person of the following:

134                   (i)   General information about the handling of the  
135 missing person case or about intended efforts in the case to the  
136 extent that the local law enforcement agency determines that  
137 disclosure would not adversely affect its ability to locate or  
138 protect the missing person or to apprehend or prosecute any person  
139 criminally involved in the disappearance;

140                   (ii)   That the person should promptly contact the  
141 local law enforcement agency if the missing person remains missing  
142 in order to provide additional information and materials that will  
143 aid in locating the missing person such as the missing person's  
144 credit cards, debit cards, banking information, and cellular  
145 telephone records; and

146                   (iii)   That any DNA samples provided for the  
147 missing person case are provided on a voluntary basis and will be  
148 used solely to help locate or identify the missing person and will  
149 not be used for any other purpose.

150           (b)   The local law enforcement agency, upon acceptance  
151 of a missing person report, shall inform the reporting citizen of  
152 one (1) of two (2) resources, based upon the age of the missing  
153 person. If the missing person is under eighteen (18) years of



age, contact information for the National Center for Missing and Exploited Children shall be given. If the missing person is age eighteen (18) or older, contact information for the National Missing and Unidentified Persons System (NaMUS) organization shall be given.

(c) The local law enforcement agency is encouraged to make available informational materials, through publications or electronic or other media, that advise the public about how the information or materials identified in this subsection are used to help locate or identify missing persons.

(d) If the person identified in the missing person report remains missing after five (5) days, but not more than fifteen (15) days, the local law enforcement agency shall generate a report of the missing person within the National Missing and Unidentified Persons System (NaMUS), and the local law enforcement agency shall attempt to obtain the additional information and materials that have not been received, specified below:

(i) DNA samples from family members or from the missing person along with any needed documentation, or both, including any consent forms, required for the use of state or federal DNA databases, including, but not limited to, the State of Mississippi Forensics Laboratory DNA Identification System, National DNA Identification System (NDIS), and National Missing and Unidentified Persons System (NaMUS) partner laboratories;

(ii) An authorization to release dental or



179 skeletal x-rays of the missing person;

180 (iii) Any additional photographs of the missing  
181 person that may aid the investigation or an identification; the  
182 local law enforcement agency is not required to obtain written  
183 authorization before it releases publicly any photograph that  
184 would aid in the investigation or identification of the missing  
185 person;

186 (iv) Dental information and x-rays; and

187 (v) Fingerprints.

188 (e) Samples collected for DNA analysis may be  
189 submitted to a National Missing and Unidentified Persons System  
190 (NaMUS) partner laboratory or other resource where DNA profiles  
191 are entered into local, state, and national DNA identification  
192 systems within fifteen (15) days. The Mississippi Department of  
193 Public Safety shall establish procedures for determining how to  
194 prioritize analysis of the samples relating to missing person  
195 cases. All DNA samples obtained in missing person cases from  
196 family members of the missing person may not be retained after the  
197 location or identification of the remains of the missing person  
198 unless there is a search warrant signed by a court of competent  
199 jurisdiction.

200 (f) This subsection shall not be interpreted to  
201 preclude a local law enforcement agency from attempting to obtain  
202 the materials identified in this subsection before the expiration  
203 of the thirty-day period. The responsible local law enforcement





agency may make a National Missing and Unidentified Persons System (NaMUS) report on the missing person within fifteen (15) days after the report of the disappearance of the missing person.

(g) Local law enforcement agencies are encouraged to establish written protocols for the handling of missing person cases to accomplish the purposes of this act.

**SECTION 3.** (1) For purposes of this section, the term "high-risk missing person" means a person whose whereabouts are not currently known and whose circumstances indicate that the person may be at risk of injury or death. The circumstances that indicate that a person is a high-risk missing person include, but are not limited to, any of the following:

(a) The person is missing as a result of a stranger abduction;

(b) The person is missing under suspicious circumstances;

(c) The person is missing under unknown circumstances;

(d) The person is missing under known dangerous circumstances;

(e) The person is missing more than five (5) days;

(f) The person has already been designated as a high-risk missing person by another local law enforcement agency;

(g) There is evidence that the person is at risk because:



228 (i) The person is in need of medical attention,  
229 including, but not limited to, persons with dementia-like  
230 symptoms, or prescription medication;

231 (ii) The person does not have a pattern of running  
232 away or disappearing;

233 (iii) The person may have been abducted by a  
234 noncustodial parent;

235 (iv) The person is mentally impaired, including,  
236 but not limited to, a person having a developmental disability or  
237 a person having an intellectual disability, as defined in Section  
238 41-21-61;

239 (v) The person is under the age of twenty-one  
240 (21);

241 (vi) The person has been the subject of past  
242 threats or acts of violence;

243 (vii) The person has eloped from a nursing home;

244 (h) The person is a veteran or active duty member of  
245 the United States Armed Forces, the National Guard or any reserve  
246 component of the United States Armed Forces who is believed to  
247 have a physical or mental health condition that is related to his  
248 or her service; or

249 (i) Any other factor that may, in the judgment of the  
250 law enforcement official, indicate that the missing person may be  
251 at risk.



252           (2)   (a)   Upon initial receipt of a missing person report,  
253   the local law enforcement agency shall immediately determine  
254   whether there is a basis to determine that the missing person is a  
255   high-risk missing person.

256           (b)   If a local law enforcement agency has previously  
257   determined that a missing person is not a high-risk missing  
258   person, but obtains new information, it shall immediately  
259   determine whether the information indicates that the missing  
260   person is a high-risk missing person.

261           (c)   Local law enforcement agencies are encouraged to  
262   establish written protocols for the handling of missing person  
263   cases to accomplish the purposes of this act.

264           (3)   (a)   The responding local law enforcement agency shall  
265   immediately enter all collected information relating to the  
266   missing person case in the local law enforcement agency's data  
267   system and in the National Crime Information Center (NCIC)  
268   databases and the National Missing and Unidentified Persons System  
269   (NaMUS) within ten (10) days after the receipt of the report, or  
270   in the case of a high-risk missing person, within five (5) days  
271   after the receipt of the report. If the DNA sample submission is  
272   to a National Missing and Unidentified Persons System (NaMUS)  
273   partner laboratory, the DNA profile may be uploaded by the partner  
274   laboratory to the National DNA Identification System (NDIS). A  
275   packet submission of all relevant reports and DNA samples may be  
276   sent to the National Missing and Unidentified Persons System



(NaMUS) within five (5) days for any high-risk missing person cases. The information shall be provided in accordance with applicable guidelines relating to the databases. The information shall be entered as follows:

(i) If the Mississippi Department of Public Safety laboratories are utilized in lieu of National Missing and Unidentified Persons System (NaMUS) partner laboratories, all appropriate DNA profiles, as determined by the Mississippi Department of Public Safety, shall be uploaded into the missing person databases of the State of Mississippi Forensics Laboratory DNA Identification System and National DNA identification system (NDIS) after completion of the DNA analysis and other procedures required for database entry. The responding local law enforcement agency may submit any DNA samples voluntarily obtained from family members to a National Missing and Unidentified Persons System (NaMUS) partner laboratory for DNA analysis within fifteen (15) days. A notation of DNA submission may be made within the National Missing and Unidentified Persons System (NaMUS) record.

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

(iii) The Mississippi Department of Public Safety shall ensure that persons entering data relating to medical or dental records in state or federal databases are specifically trained to understand and correctly enter the information sought



302 by these databases. The Mississippi Department of Public Safety  
303 shall either use a person with specific expertise in medical or  
304 dental records for this purpose or consult with a chief medical  
305 examiner, forensic anthropologist or odontologist to ensure the  
306 accuracy and completeness of information entered into the state  
307 and federal databases.

308 (b) The Mississippi Department of Public Safety shall  
309 immediately notify all local law enforcement agencies within this  
310 state and the surrounding region of the information that will aid  
311 in the prompt location and safe return of the high-risk missing  
312 person.

313 (c) The local law enforcement agencies that receive the  
314 notification from the Mississippi Department of Public Safety  
315 shall notify officers to be on the lookout for the missing person  
316 or a suspected abductor.

317 (d) Pursuant to any applicable state criteria, local  
318 law enforcement agencies shall also provide for the prompt use of  
319 an Amber Alert in cases involving missing or abducted children as  
320 authorized under Section 43-15-401, the Silver Alert System as  
321 authorized under Section 45-41-1, or use of the Endangered Missing  
322 Person Advisory in appropriate high-risk cases.

323 **SECTION 4.** Section 43-15-401, Mississippi Code of 1972, is  
324 brought forward as follows:

325 43-15-401. (1) Law enforcement agencies in this state shall  
326 adopt written policies that specify the procedures to be used to



investigate reports of missing children. The policies must ensure that cases involving missing children are investigated promptly using appropriate resources and are in compliance with the requirements of this section and 42 USCS Sections 5779 and 5780.

The policies must include:

(a) Procedures for accepting and filing missing child reports;

(b) Procedures for initiating, maintaining, closing or referring a missing child investigation;

(c) Procedures for the prompt and open transfer of information where multiple jurisdictions and agencies are involved in the investigation; and

(d) Standards for maintaining and clearing data concerning a missing child that is stored in the National Crime Information Center. The standards must require, at a minimum, a monthly review of each case and a determination of whether the case should be maintained in the database.

(2) A law enforcement agency shall not adopt rules, regulations or policies that prohibit or discourage the filing of a report or the taking of any action on a report that a child is a missing child or that a child is believed to be a missing child. For purposes of this section and in compliance with federal law, a runaway child is a missing child and shall not be excluded as such based solely on the fact the child has voluntarily absented himself from his normal place of residence.



352 (3) A law enforcement agency shall not establish a mandatory  
353 waiting period before accepting a missing child report and  
354 beginning an investigation to locate a missing child.

355 (4) An entry concerning a missing child may not be removed  
356 from the National Crime Information Center database based solely  
357 on the age of the missing child.

358 (5) Upon receiving a report that a child is missing, the law  
359 enforcement agency having jurisdiction shall immediately:

360 (a) File a report or cause a report to be filed in the  
361 county or municipality where the child resides or in which the  
362 child was last seen or both. Nothing in this subsection (5) shall  
363 preclude a law enforcement agency from accepting a missing child  
364 report when jurisdiction cannot be determined;

365 (b) Institute or assist with appropriate search and  
366 investigative procedures;

367 (c) Inform all on-duty law enforcement officers within  
368 the agency of the missing child report; and

369 (d) Transmit the report for inclusion within the  
370 National Crime Information Center database within the time frame  
371 required by federal law. Law enforcement agencies having the duty  
372 to enter the missing child report into the National Crime  
373 Information Center database shall provide any information required  
374 by the National Crime Information Center to effectuate the purpose  
375 of this section.



(6) Upon receiving a missing child report, as provided in subsection (5) of this section, the law enforcement agency that entered the report into the National Crime Information Center shall:

(a) No later than five (5) days after the original entry of the record into the National Crime Information Center computer networks, verify and update such record with any additional information, including, where available, medical and dental records and a photograph taken during the previous ninety (90) days;

(b) Notify the National Center for Missing and Exploited Children of each report received relating to a missing foster child.

(7) Upon receiving a missing child report, the law enforcement agency shall consider whether the circumstances under which the child went missing satisfy the criteria necessary for the issuance of an Amber Alert and, where applicable, shall immediately submit to the Mississippi Bureau of Investigation all required paperwork and documents necessary to request the issuance of an Amber Alert.

(8) Any person or institution reporting, in good faith, a child to be missing shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed.

**SECTION 5.** Section 45-41-1, Mississippi Code of 1972, is brought forward as follows:





401 45-41-1. (1) This section shall be known and cited as the  
402 "Mississippi Silver Alert System Act of 2010."

403 (2) The Legislature finds that:

404 (a) Wandering is a common behavior among those persons  
405 with dementia or other cognitive impairments that causes great  
406 concern for the families and caregivers of this state;

407 (b) This state is not currently equipped with the  
408 systems necessary to locate those with dementia or other cognitive  
409 impairments in a timely manner, with the unfortunate result that  
410 some individuals are never returned home to their families; and

411 (c) It is imperative that this state develop a plan to  
412 ensure that if an individual with dementia or other cognitive  
413 impairments is missing, the appropriate infrastructure is  
414 available and can be easily and timely activated to protect the  
415 health and safety of these vulnerable citizens.

416 (3) When used in this section, unless the context requires a  
417 different definition, the following terms shall have the following  
418 meanings:

419 (a) "E911" means Enhanced Universal Emergency Number  
420 Service or Enhanced 911 Service, which is a telephone exchange  
421 communications service by which a Public Safety Answering Point  
422 designated by the county or local communication district may  
423 receive telephone calls dialed to the telephone number 911.

424 (b) "First responders" means state and local law  
425 enforcement personnel, fire department personnel, emergency



medical personnel, emergency management personnel and public works personnel who may be deployed to bioterrorism attacks, terrorist attacks, catastrophic or natural disasters and emergencies.

(c) "Originating local law enforcement agency" means a local police or sheriff's office that has jurisdiction over the area where a person became missing.

(4) (a) The Bureau of Investigation of the Department of Public Safety shall implement a statewide "Silver Alert System" that has the purpose of providing a tiered, rapid response system to notify the public about missing endangered adults, who are age 18 or older, with dementia or other cognitive impairments. The initial response may be local, statewide or national based on available information about the missing person.

(b) A Silver Alert activation request may be made only by a law enforcement agency, and the Bureau of Investigation of the Department of Public Safety may only activate a Silver Alert after a request is made.

(c) To activate a Silver Alert, all of the following criteria must be met:

(i) The missing adult, age 18 or older, is believed to have dementia or other cognitive impairments;

(ii) The person is believed to be missing and in imminent danger regardless of circumstance;

(iii) The family, legal caregiver or custodian of the missing person has submitted a missing person's report to the



451 local law enforcement agency in the jurisdiction where the person  
452 became missing, with all waiting periods being waived; and

453 (iv) The law enforcement agency that has  
454 jurisdiction of where the person became missing reports the  
455 incident to the Bureau of Investigation of the Department of  
456 Public Safety through the Mississippi Highway Patrol Headquarters  
457 Communication Center.

458 (d) To initiate a request to activate a Silver Alert,  
459 the family, legal caregiver or custodian of the missing person  
460 must file immediately a report of the missing person with the  
461 local law enforcement agency where the person became missing that  
462 includes the following information:

463 (i) A description of the missing person including  
464 physical characteristics, clothing and photos, if available;

465 (ii) A description of the known circumstances  
466 under which the person became missing including the time, place,  
467 direction, possible destinations, whether the person is walking or  
468 in a vehicle, and all other pertinent information concerning where  
469 the person may have become missing; and

470 (iii) Updates on the missing person as new  
471 information becomes available.

472 (e) The originating local law enforcement agency, after  
473 completing the investigation expeditiously and determining that  
474 the case meets the qualifying criteria prescribed in this section,  
475 shall:



476 (i) Waive in the case of a Silver Alert, any  
477 waiting periods for a missing person's report in order to  
478 galvanize the appropriate communities rapidly to assist in the  
479 search for and the safe recovery of the missing person;

480 (ii) Notify the Mississippi Highway Patrol  
481 Headquarters Communication Center and electronically send to the  
482 center the completed Silver Alert forms and available photos,  
483 signed by the police chief, sheriff, commanding officer or his or  
484 her designee;

485 (iii) Enter the information into the National  
486 Crime Information Center (NCIC);

487 (iv) Using a tiered approach based on known  
488 circumstances, initiate an alert bulletin to all local law  
489 enforcement, E911 and first responder agencies to search the  
490 immediate area;

491 (v) Activate secondary alert systems to residents,  
492 businesses, and broadcast media in the immediate area;

493 (vi) Provide a twenty-four-hour phone number to  
494 receive calls while continuing the investigation; and

495 (vii) Update the family, legal caregiver or  
496 custodian of the missing person as new information becomes  
497 available.

498 (5) (a) After the Bureau of Investigation of the Department  
499 of Public Safety has been contacted by a local law enforcement  
500 agency requesting a Silver Alert activation, the Criminal



Information Center shall consider before the activation of the Silver Alert procedures by the Silver Alert coordinator, or his or her designee, the information contained in the initial Silver Alert report form to ensure that it meets all criteria specified in subsection (4)(c) of this section. Elements of the missing person case to be considered are:

(i) Threat of imminent harm or death to the missing person because of age, health, mental or physical disability, environmental or weather conditions;

(ii) Time of initial report in relation to the time of disappearance, including whether the disappearance is unexplained, involuntary or is under suspicious circumstances;

(iii) Believed to be walking or in a vehicle;

(iv) Witness information;

(v) Possible domestic dispute involving the missing person; and

(vi) Other facts that indicate the missing person is in danger of serious injury or death, including whether there is possible criminal intent toward the missing person or whether someone witnessed the disappearance.

(b) Each case shall be reviewed on its own merits, and if there are extenuating circumstances, the required criteria in this section may be amended or expanded depending on the merits presented.



525 (c) Only the Silver Alert coordinator, or his or her  
526 designee, may authorize activation of a statewide Silver Alert and  
527 if an activation is authorized, the Criminal Information Center  
528 shall:

529 (i) Prepare an announcement concerning the missing  
530 person;

531 (ii) Contact the designated media stations to  
532 activate the alert; and

533 (iii) Request the Mississippi Department of  
534 Transportation to activate electronic signs, if appropriate.

535 (d) If the missing person is believed to be in a  
536 vehicle, the Silver Alert coordinator shall send information and  
537 available photos via emails and fax to the statewide  
538 communications systems, news media and other forms of public  
539 communication or electronic resources.

540 (6) (a) Following the initial alert, a Silver Alert  
541 broadcast shall be updated by television and radio stations as  
542 necessary until such time that an end of alert message is received  
543 from the law enforcement agency that requested the initial Silver  
544 Alert.

545 (b) Local and statewide broadcast stations shall  
546 exercise their own independent discretions as to whether to repeat  
547 the required broadcasts prescribed in this section more frequently  
548 and shall determine the frequency in which the alert is  
549 re-broadcast following the initial alert.



550           (c) The Silver Alert termination notification shall be  
551 issued twenty-four (24) hours after the airing of the latest and  
552 most current information or when the case has been resolved and  
553 verification from the originating local law enforcement agency has  
554 been received by the Department of Public Safety.

555           (7) (a) If the circumstances of a person's disappearance do  
556 not meet the criteria for a Silver Alert to activate statewide  
557 communication systems, in addition to a local law enforcement  
558 agency activating a Purple Alert, the Bureau of Investigation of  
559 the Department of Public Safety may offer an alternate form of  
560 mass notification as provided in this section.

561           (b) The alternate form of mass notification may be an  
562 email that includes a photograph and the Silver Alert initial  
563 reporting form that is sent through a statewide network of law  
564 enforcement and first responder agencies, news media offices and  
565 other forms of public communication.

566           (c) The email authorized in paragraph (b) of this  
567 subsection (7) shall contain information taken from the Silver  
568 Alert initial reporting form that is submitted by the originating  
569 local law enforcement agency.

570           (d) The email alerting news media and law enforcement  
571 agencies of a person's disappearance that does not meet the  
572 criteria of a Silver Alert activation shall include the following  
573 paragraph at the beginning of the email:



574 "The (name of law enforcement agency) has requested the  
575 following information be provided to the Mississippi news media  
576 and law enforcement agencies: At the present time, information  
577 being provided to the Mississippi Department of Public Safety by  
578 the (name of law enforcement agency) does not meet the criteria to  
579 activate a Silver Alert. It is left to the discretion of each law  
580 enforcement agency and news department receiving this email as to  
581 whether the attached information, regarding the disappearance of  
582 this person and/or the photograph of this person, will be released  
583 to the public."

584 (e) If further investigation into the disappearance  
585 produces evidence that may change the initial circumstances as  
586 reported to local law enforcement, the Department of Public Safety  
587 may reconsider activating a Silver Alert notwithstanding the  
588 existence of an active Purple Alert previously initiated by a  
589 local law enforcement agency.

590 **SECTION 6.** This act shall take effect and be in force from  
591 and after July 1, 2025.

