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end

P.L.2015, CHAPTER 184, *approved January 11, 2016*
Senate Committee Substitute for
Senate, No. 2668

1 AN ACT concerning missing persons with mental, intellectual, or
2 developmental disabilities and supplementing Title 52 of the
3 Revised Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. a. The Attorney General shall establish an "MVP
9 Emergency Alert System" which shall provide practices and
10 protocols for a Statewide system for the rapid dissemination of
11 information regarding a missing person who is believed to be a
12 vulnerable person as defined in subsection f. of this section. The
13 program shall be a voluntary, cooperative effort between State and
14 local law enforcement agencies and the media, including but not
15 limited to print, radio, and television media outlets.

16 b. The Attorney General shall notify the media serving the
17 State of New Jersey of the establishment of the MVP Emergency
18 Alert System, and invite their voluntary participation.

19 c. The Missing Persons Investigative Best Practices Protocol
20 Unidentified Deceased Persons Investigative Guidelines,
21 promulgated by the Missing Persons and Child Exploitation Unit in
22 the Division of State Police, shall be revised to incorporate
23 procedures for issuing an alert regarding a missing vulnerable
24 person, as defined in subsection f. of this section. The guidelines
25 and procedures shall ensure that specific health information about
26 the missing vulnerable person is not made public through the alert
27 or otherwise. In situations in which a missing vulnerable person is
28 17 years of age or younger and meets the criteria set forth in
29 subsection c. of section 3 of P.L.2002, c.129 (C.52:17B-194.3), the
30 provisions of P.L.2002, c.129 (C.52:17B-194.1 et seq.) and the
31 guidelines and applicable procedures for Amber Alerts shall be
32 followed. In situations that meet the criteria for activation of a
33 Silver Alert pursuant to P.L.2009, c.167 (C.52:17B-194.4) and also
34 meet the criteria for activation of an MVP Emergency Alert
35 pursuant to P.L. , c. (C.) (pending before the Legislature as
36 this bill), the lead law enforcement agency, in consultation with the
37 Missing Persons and Child Exploitation Unit in the Division of
38 State Police, shall determine, based on the totality of the
39 circumstances, which system would more effectively assist in

1 locating the missing vulnerable person, and the guidelines and
2 applicable procedures for that system shall be followed.

3 d. The Attorney General, with the assistance of the
4 participating media, shall develop and undertake a public education
5 campaign to inform the public about the MVP Emergency Alert
6 System.

7 e. The Attorney General may adopt guidelines to effectuate the
8 purposes of this act.

9 f. For purposes of P.L. , c. (C.) (pending before the
10 Legislature as this bill), a “Missing Vulnerable Person” or “MVP”
11 means a person who is believed to have a mental, intellectual, or
12 developmental disability or defect who goes missing under
13 circumstances that indicate that the person may be in danger of
14 death or serious bodily injury.

15
16 2. An MVP Emergency Alert authorized under this section may
17 be activated in accordance with the following requirements, which
18 shall be incorporated into the guidelines required by subsection c.
19 of section 1 of P.L. , c. (C.) (pending before the Legislature
20 as this bill).

21 a. The law enforcement agency receiving the missing person
22 report shall be the lead law enforcement agency.

23 b. The Missing Persons and Child Exploitation Unit in the
24 Division of State Police, upon request, shall assist the lead law
25 enforcement agency in the investigation of an MVP Emergency
26 Alert.

27 c. Each of the following criteria shall be met before an MVP
28 Emergency Alert may be issued:

29 (1) the person believed to be missing is believed to have a
30 mental, intellectual, or developmental disability or defect,
31 regardless of age;

32 (2) a missing person report has been submitted to the local law
33 enforcement agency where the person went missing;

34 (3) the person believed to be missing may be in danger of death
35 or serious bodily injury;

36 (4) there is sufficient information available to indicate that an
37 MVP Emergency Alert would assist in locating the missing
38 vulnerable person, including but not limited to information
39 indicating that at the time the person went missing the person was
40 the operator of, a passenger in, or otherwise conveyed by a motor
41 vehicle; and

42 (5) sufficient information is available to disseminate to the
43 public that could assist in locating the person, including but not
44 limited to accurate information concerning any motor vehicle the
45 person may have been operating or in which the person may have
46 been a passenger or otherwise conveyed.

- 1 3. a. When an MVP Emergency Alert is activated pursuant to
2 section 2 of P.L. , c. (C.) (pending before the Legislature
3 as this bill), the participating media shall voluntarily agree, upon
4 notice from the State Police, to transmit emergency alerts to inform
5 the public of a missing vulnerable person who resides within their
6 broadcast service regions. The notice shall be provided through the
7 State Police operational dispatch unit.
- 8 b. The alerts shall be broadcast as often as possible, pursuant to
9 the guidelines established by the New Jersey Broadcasters'
10 Association, for the first three hours. After the initial three hours,
11 the alert shall be rebroadcast at such intervals as the investigating
12 authority, the State Police, and the participating media deem
13 appropriate.
- 14 c. The alerts shall include a description of the missing
15 vulnerable person, including notice that the missing vulnerable
16 person may appear agitated or upset, instructions as to whether the
17 missing vulnerable person should be approached and, if appropriate,
18 instructions on how to approach the missing vulnerable person, and
19 such other information as the State Police may deem pertinent and
20 appropriate. The alerts also shall provide information concerning
21 how those members of the public who have information relating to
22 the missing vulnerable person may contact the State Police or other
23 appropriate law enforcement agency.
- 24 d. When a determination is made by the lead agency, and the
25 State Police concur, that sufficient information indicating that at the
26 time the person went missing the person was the operator of, a
27 passenger in, or otherwise conveyed by a motor vehicle, concurrent
28 with the notice provided to the broadcast media, the State Police
29 operational dispatch unit shall also notify the Department of
30 Transportation, the New Jersey Highway Authority, the New Jersey
31 Turnpike Authority, and the South Jersey Transportation Authority
32 of the MVP Emergency Alert. Through the use of their variable
33 message signs, the department and the affected authorities shall
34 inform the motoring public that an MVP Emergency Alert is in
35 progress and provide information relating to the missing vulnerable
36 person and how motorists may report any information they have to
37 the State Police or other appropriate law enforcement agency. The
38 State Police operational dispatch unit shall also ensure that
39 employees of the New Jersey Transit Corporation who are on duty
40 at any time when the MVP Emergency Alert is in effect receive
41 notice of the MVP Emergency Alert, along with all pertinent
42 information.
- 43 e. The State Police shall in a timely manner update the
44 broadcast media and any other entity receiving notice of the MVP
45 Emergency Alert with new information, when appropriate,
46 concerning the missing vulnerable person.
- 47 f. The alerts shall terminate upon notice from the State Police.

1 4. This act shall take effect on the first day of the fourth month
2 next following the date of enactment, but the Attorney General may
3 take such anticipatory administrative action in advance thereof as
4 shall be necessary for the implementation of this act.

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9 Establishes “MVP Emergency Alert System” for missing persons
10 with mental, intellectual, or developmental disabilities.

SENATE, No. 2668

STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED DECEMBER 18, 2014

Sponsored by:
Senator JAMES BEACH
District 6 (Burlington and Camden)

SYNOPSIS

Establishes “Gold Alert System” for missing persons with developmental disabilities.

CURRENT VERSION OF TEXT

As introduced.



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2

1 AN ACT concerning missing persons with developmental
2 disabilities and supplementing Title 52 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. The Attorney General shall establish a "Gold Alert
8 System" which shall provide a Statewide system for the rapid
9 dissemination of information regarding a missing person who is
10 believed to have a developmental disability. The program shall be a
11 voluntary, cooperative effort between State and local law
12 enforcement agencies and the media, including but not limited to
13 print, radio, and television media outlets.

14 b. The Attorney General shall notify the media serving the
15 State of New Jersey of the establishment of the Gold Alert System,
16 and invite their voluntary participation.

17 c. The Missing Persons Investigative Best Practices Protocol
18 Unidentified Deceased Persons Investigative Guidelines,
19 promulgated by the Missing Persons and Child Exploitation Unit in
20 the Division of State Police, shall be revised to incorporate
21 procedures for issuing an alert regarding missing persons believed
22 to have a developmental disability. The guidelines and procedures
23 shall ensure that specific health information about the missing
24 person is not made public through the alert or otherwise.

25 d. The Attorney General, with the assistance of the
26 participating media, shall develop and undertake a public education
27 campaign to inform the public about the Gold Alert System.

28 e. The Attorney General may adopt guidelines to effectuate the
29 purposes of this act.

30

31 2. A Gold Alert authorized under this section may be activated
32 in accordance with the following requirements, which shall be
33 incorporated into the guidelines required by subsection c. of section
34 1 of P.L. , c. (C.) (pending before the Legislature as this
35 bill).

36 a. The law enforcement agency receiving the missing person
37 report shall be the lead law enforcement agency.

38 b. The Missing Persons and Child Exploitation Unit in the
39 Division of State Police, upon request, shall assist the lead law
40 enforcement agency in the investigation of a Gold Alert.

41 c. Each of the following criteria shall be met before a Gold
42 Alert may be issued:

43 (1) the person believed to be missing is believed to have a
44 developmental disability regardless of age;

45 (2) a missing person's report has been submitted to the local law
46 enforcement agency where the person went missing;

47 (3) the person believed to be missing may be in danger of death
48 or serious bodily injury;

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1 (4) there is sufficient information available to indicate that a
2 Gold Alert would assist in locating the missing person; and

3 (5) sufficient information is available to disseminate to the
4 public that could assist in locating the person.

5

6 3. a. When a Gold Alert is activated pursuant to section 2 of
7 P.L. , c. (C.) (pending before the Legislature as this bill),
8 the participating media shall voluntarily agree, upon notice from the
9 State Police, to transmit emergency alerts to inform the public of a
10 missing person with a developmental disability who resides within
11 their broadcast service regions. The notice shall be provided
12 through the State Police operational dispatch unit.

13 b. The alerts shall be broadcast as often as possible, pursuant to
14 the guidelines established by the New Jersey Broadcasters'
15 Association, for the first three hours. After the initial three hours,
16 the alert shall be rebroadcast at such intervals as the investigating
17 authority, the State Police and the participating media deem
18 appropriate.

19 c. The alerts shall include a description of the missing person,
20 including notice that the missing person may appear agitated or
21 upset, instructions as to whether the missing person should be
22 approached and, if appropriate, instructions on how to approach the
23 missing person, and such other information as the State Police may
24 deem pertinent and appropriate. The alerts also shall provide
25 information concerning how those members of the public who have
26 information relating to the missing person may contact the State
27 Police or other appropriate law enforcement agency.

28 d. Concurrent with the notice provided to the broadcast media,
29 the State Police operational dispatch unit shall also notify the
30 Department of Transportation, the New Jersey Highway Authority,
31 the New Jersey Turnpike Authority, and the South Jersey
32 Transportation Authority of the Gold Alert. Through the use of
33 their variable message signs, the department and the affected
34 authorities shall inform the motoring public that a Gold Alert is in
35 progress and provide information relating to the missing person and
36 how motorists may report any information they have to the State
37 Police or other appropriate law enforcement agency. The State
38 Police operational dispatch unit shall also ensure that employees of
39 the New Jersey Transit Corporation and adult school crossing
40 guards who are on duty at any time when the Gold Alert is in effect
41 receive notice of the Gold Alert, along with all pertinent
42 information.

43 e. The State Police shall in a timely manner update the
44 broadcast media and any other entity receiving notice of the Gold
45 Alert with new information when appropriate concerning the
46 missing person.

47 f. The alerts shall terminate upon notice from the State Police.

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1 4. This act shall take effect on the first day of the fourth month
2 next following the date of enactment, but the Attorney General may
3 take such anticipatory administrative action in advance thereof as
4 shall be necessary for the implementation of this act.

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STATEMENT

9 This bill would require the Attorney General to establish a “Gold
10 Alert System,” which would provide for the rapid dissemination of
11 information regarding a missing person who has a developmental
12 disability. The program would be a voluntary, cooperative effort
13 between State and local law enforcement agencies and the media.

14 A Gold Alert would be activated only if the following
15 circumstances are present:

16 (1) the person believed to be missing is believed to have a
17 developmental disability regardless of age;

18 (2) a missing person's report has been submitted to the local law
19 enforcement agency where the person went missing;

20 (3) the person believed to be missing may be in danger of death
21 or serious bodily injury;

22 (4) there is sufficient information available to indicate that a
23 Gold Alert would assist in locating the missing person; and

24 (5) sufficient information is available to disseminate to the
25 public that could assist in locating the person.

26 The law enforcement agency receiving the missing person report
27 would be the lead law enforcement agency. The Missing Persons
28 and Child Exploitation Unit in the Division of State Police, upon
29 request, would assist the lead law enforcement agency in the
30 investigation of a Gold Alert.

31 When a Gold Alert is activated, the participating media would
32 transmit emergency alerts to inform the public of a missing person
33 with a developmental disability who resides within their broadcast
34 service regions. The notice would be provided through the State
35 Police operational dispatch unit. The alerts would be broadcast as
36 often as possible, pursuant to the guidelines established by the New
37 Jersey Broadcasters' Association, for the first three hours. After the
38 initial three hours, the alert would be rebroadcast at such intervals
39 as the investigating authority, the State Police and the participating
40 media deem appropriate.

41 The alerts would include a description of the missing person,
42 including notice that the missing person may appear agitated or
43 upset, instructions as to whether the missing person should be
44 approached and, if appropriate, instructions on how to approach the
45 missing person, and such other information as the State Police may
46 deem pertinent and appropriate. The alerts would also provide
47 information concerning how members of the public who have

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1 information relating to the missing person may contact the State
2 Police or other appropriate law enforcement agency.

3 Concurrent with the notice provided to the broadcast media, the
4 State Police operational dispatch unit would also notify the
5 Department of Transportation, the New Jersey Highway Authority,
6 the New Jersey Turnpike Authority, and the South Jersey
7 Transportation Authority of the Gold Alert. Through the use of
8 their variable message signs, the department and the affected
9 authorities would inform the motoring public that a Gold Alert is in
10 progress and provide information relating to the missing person and
11 how motorists may report any information they have to the State
12 Police or other appropriate law enforcement agency. The State
13 Police operational dispatch unit would also ensure that employees
14 of the New Jersey Transit Corporation and adult school crossing
15 guards who are on duty at any time when the Gold Alert is in effect
16 receive notice of the Gold Alert along with all pertinent information
17 regarding the missing person. The State Police would be required
18 to provide timely updates with new information when appropriate.
19 The alerts would terminate upon notice from the State Police.

20 The Attorney General would notify the media serving the State
21 of the establishment of the Gold Alert System and invite their
22 voluntary participation. Additionally, and with the assistance of the
23 participating media, the Attorney General would develop and
24 undertake a public education campaign to inform the public about
25 the Gold Alert System. The Missing Persons Investigative Best
26 Practices Protocol Unidentified Deceased Persons Investigative
27 Guidelines, promulgated by the Missing Persons and Child
28 Exploitation Unit in the Division of State Police, would be revised
29 to incorporate procedures for issuing a Gold Alert. The guidelines
30 and procedures would be required to ensure that specific health
31 information about the missing person not be made public through
32 the alert or otherwise.

33 Authorities suggest that locating a missing person who has a
34 developmental disability within the first 24 hours following the
35 person's disappearance greatly increases the chances of finding that
36 person alive and unharmed. Because persons with developmental
37 disabilities may not appear to be in distress, it is often difficult to
38 recognize that the person is missing and needs assistance.
39 Similarly, because a missing person with a developmental disability
40 may become agitated or upset, the missing person might appear
41 hostile and deter others from approaching and attempting to provide
42 assistance. The Gold Alert System would aid in efforts to rapidly
43 identify and aid people who have a developmental disability who
44 wander or go missing.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2668

STATE OF NEW JERSEY

DATED: FEBRUARY 9, 2015

The Senate Health, Human Services and Senior Citizens Committee reports favorably a Senate committee substitute for Senate Bill No. 2668.

As amended by the committee, this bill would require the Attorney General to establish a "MVP Emergency Alert System," which would provide practices and protocols for the rapid dissemination of information regarding a person who is believed to be a missing vulnerable person. A "missing vulnerable person" or "MVP" is defined to mean a person who is believed to have a mental, intellectual, or developmental disability or defect who goes missing under circumstances that indicate that the person may be in danger of death or serious bodily injury. The program would be a voluntary, cooperative effort between State and local law enforcement agencies and the media.

The law enforcement agency receiving the missing person report would be the lead law enforcement agency. The Missing Persons and Child Exploitation Unit in the Division of State Police, upon request, would assist the lead law enforcement agency in the investigation of an MVP Emergency Alert.

An MVP Emergency Alert would be activated only if: the person believed to be missing is believed to have a mental, intellectual, or developmental disability or defect, regardless of age; a missing person's report has been submitted to the local law enforcement agency where the person went missing; the person believed to be missing may be in danger of death or serious bodily injury; there is sufficient information available to indicate that an MVP Emergency Alert would assist in locating the missing person, including, but not limited to information indicating that, at the time the person went missing, the person was the operator of, a passenger in, or otherwise conveyed by a motor vehicle; and sufficient information is available to disseminate to the public that could assist in locating the person, including, but not limited to, accurate information concerning any motor vehicle the person may have been operating, or in which the person may have been a passenger or otherwise conveyed.

However, the bill would specify that, in situations where a missing vulnerable person is 17 years of age or younger and meets the criteria for an Amber Alert, the guidelines and applicable procedures for Amber Alerts must be followed. In addition, in situations where a missing vulnerable person satisfies the criteria for the activation of a Silver Alert, the lead law enforcement agency, in consultation with the Missing Persons and Child Exploitation Unit in the Division of State Police, would be required to determine, based on the totality of circumstances, which system (the Silver Alert System or the MVP Emergency Alert System) would be more effective in assisting to locate the missing vulnerable person, and the guidelines and applicable procedures that should be followed in the particular instance.

When an MVP Emergency Alert is activated, the participating media would transmit emergency alerts to inform the public of a missing vulnerable person with a developmental disability who resides within their broadcast service regions. The notice would be provided through the State Police operational dispatch unit. The alerts would be broadcast as often as possible, pursuant to the guidelines established by the New Jersey Broadcasters' Association, for the first three hours. After the initial three hours, the alert would be rebroadcast at such intervals as the investigating authority, the State Police and the participating media deem appropriate.

The alerts would include a description of the missing vulnerable person, including notice that the missing vulnerable person may appear agitated or upset, instructions as to whether the missing vulnerable person should be approached and, if appropriate, instructions on how to approach the missing vulnerable person, and such other information as the State Police may deem pertinent and appropriate. The alerts would also provide information concerning how members of the public who have information relating to the missing vulnerable person may contact the State Police or other appropriate law enforcement agency.

When a determination is made by the lead agency, and agreed with by the State Police, that sufficient information indicates that, when the person went missing, the person was the operator of, a passenger in, or otherwise conveyed by a motor vehicle, the State Police operational dispatch unit will be required, concurrent with the notice provided to the broadcast media, to notify the Department of Transportation, the New Jersey Highway Authority, the New Jersey Turnpike Authority, and the South Jersey Transportation Authority of the MVP Emergency Alert. Through the use of their variable message signs, the department and the affected authorities would inform the motoring public that an MVP Emergency Alert is in progress and provide information relating to the missing vulnerable person and how motorists may report information to the State Police or other appropriate law enforcement agency. The State Police operational dispatch unit would also ensure that employees of the New Jersey Transit Corporation and adult school

crossing guards who are on duty at any time when the MVP Emergency Alert is in effect receive notice of the MVP Emergency Alert, along with all pertinent information regarding the missing vulnerable person. The State Police would be required to provide timely updates with new information when appropriate. The alerts would terminate upon notice from the State Police.

The Attorney General would notify the media serving the State of the establishment of the MVP Emergency Alert System and invite their voluntary participation. Additionally, and with the assistance of the participating media, the Attorney General would develop and undertake a public education campaign to inform the public about the MVP Emergency Alert System. The Missing Persons Investigative Best Practices Protocol Unidentified Deceased Persons Investigative Guidelines, promulgated by the Missing Persons and Child Exploitation Unit in the Division of State Police, would be revised to incorporate procedures for issuing an MVP Emergency Alert. The guidelines and procedures would be required to ensure that specific health information about the missing vulnerable person not be made public through the alert or otherwise.

As reported, this bill is identical to Assembly Bill No. 2709 (1R) (SCS) (Lampitt/Vainieri Huttle/Benson/Mosquera/Spencer/Wimberly), which the committee also reported favorably on this date.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 2668**

STATE OF NEW JERSEY

DATED: MARCH 9, 2015

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2668 (SCS).

This bill would require the Attorney General to establish a “MVP Emergency Alert System,” which would provide practices and protocols for the rapid dissemination of information regarding a person who is believed to be a missing vulnerable person. A “missing vulnerable person” or “MVP” is defined to mean a person who is believed to have a mental, intellectual, or developmental disability or defect who goes missing under circumstances that indicate that the person may be in danger of death or serious bodily injury. The program would be a voluntary, cooperative effort between State and local law enforcement agencies and the media.

The law enforcement agency receiving the missing person report would be the lead law enforcement agency. The Missing Persons and Child Exploitation Unit in the Division of State Police, upon request, would assist the lead law enforcement agency in the investigation of an MVP Emergency Alert.

An MVP Emergency Alert would be activated only if: the person believed to be missing is believed to have a mental, intellectual, or developmental disability or defect, regardless of age; a missing person's report has been submitted to the local law enforcement agency where the person went missing; the person believed to be missing may be in danger of death or serious bodily injury; there is sufficient information available to indicate that an MVP Emergency Alert would assist in locating the missing person, including, but not limited to information indicating that, at the time the person went missing, the person was the operator of, a passenger in, or otherwise conveyed by a motor vehicle; and sufficient information is available to disseminate to the public that could assist in locating the person, including, but not limited to, accurate information concerning any motor vehicle the person may have been operating, or in which the person may have been a passenger or otherwise conveyed.

However, the bill would specify that, in situations where a missing vulnerable person is 17 years of age or younger and meets the criteria for an Amber Alert, the guidelines and applicable procedures for

Amber Alerts must be followed. In addition, in situations where a missing vulnerable person satisfies the criteria for the activation of a Silver Alert, the lead law enforcement agency, in consultation with the Missing Persons and Child Exploitation Unit in the Division of State Police, would be required to determine, based on the totality of circumstances, which system (the Silver Alert System or the MVP Emergency Alert System) would be more effective in assisting to locate the missing vulnerable person, and the guidelines and applicable procedures that should be followed in the particular instance.

When an MVP Emergency Alert is activated, the participating media would transmit emergency alerts to inform the public of a missing vulnerable person with a developmental disability who resides within their broadcast service regions. The notice would be provided through the State Police operational dispatch unit. The alerts would be broadcast as often as possible, pursuant to the guidelines established by the New Jersey Broadcasters' Association, for the first three hours. After the initial three hours, the alert would be rebroadcast at such intervals as the investigating authority, the State Police and the participating media deem appropriate.

The alerts would include a description of the missing vulnerable person, including notice that the missing vulnerable person may appear agitated or upset, instructions as to whether the missing vulnerable person should be approached and, if appropriate, instructions on how to approach the missing vulnerable person, and such other information as the State Police may deem pertinent and appropriate. The alerts would also provide information concerning how members of the public who have information relating to the missing vulnerable person may contact the State Police or other appropriate law enforcement agency.

When a determination is made by the lead agency, and agreed with by the State Police, that sufficient information indicates that, when the person went missing, the person was the operator of, a passenger in, or otherwise conveyed by a motor vehicle, the State Police operational dispatch unit will be required, concurrent with the notice provided to the broadcast media, to notify the Department of Transportation, the New Jersey Highway Authority, the New Jersey Turnpike Authority, and the South Jersey Transportation Authority of the MVP Emergency Alert. Through the use of their variable message signs, the department and the affected authorities would inform the motoring public that an MVP Emergency Alert is in progress and provide information relating to the missing vulnerable person and how motorists may report information to the State Police or other appropriate law enforcement agency. The State Police operational dispatch unit would also ensure that employees of the New Jersey Transit Corporation and adult school crossing guards who are on duty at any time when the MVP Emergency Alert is in effect receive notice of the MVP Emergency Alert, along with all pertinent information regarding the missing

vulnerable person. The State Police would be required to provide timely updates with new information when appropriate. The alerts would terminate upon notice from the State Police.

The Attorney General would notify the media serving the State of the establishment of the MVP Emergency Alert System and invite their voluntary participation. Additionally, and with the assistance of the participating media, the Attorney General would develop and undertake a public education campaign to inform the public about the MVP Emergency Alert System. The Missing Persons Investigative Best Practices Protocol Unidentified Deceased Persons Investigative Guidelines, promulgated by the Missing Persons and Child Exploitation Unit in the Division of State Police, would be revised to incorporate procedures for issuing an MVP Emergency Alert. The guidelines and procedures would be required to ensure that specific health information about the missing vulnerable person not be made public through the alert or otherwise.

As reported, this bill is identical to Assembly Bill No. 2709 (SCS), as reported by the committee.

FISCAL IMPACT:

The Office of Legislative Services finds that although the bill would increase the responsibilities of the Missing Persons and Child Exploitation Unit, and local law enforcement agencies to some extent, there are existing emergency alert systems in place that could be used to support the requirements established by this bill.

Specifically, the OLS observes that since the law enforcement agency receiving the missing persons report would be the “lead law enforcement agency” on the case, the State would not be the clearance office for all cases. The Missing Persons and Child Exploitation Unit however, would provide assistance upon request.

The OLS determines that employees in the Missing Persons and Child Exploitation Unit could administer the “MVP Emergency Alert System” along with the current emergency alert systems, such as the “Amber Alert” for children 17 years of age or younger who are believed to be abducted and the “Silver Alert” for missing persons of any age suffering from dementia or cognitive impairment and who may be in danger of death or serious bodily injury.

Additionally, the OLS notes that the bill requires the Attorney General, with the assistance of participating media, to develop and undertake an MVP Emergency Alert System public education campaign. The cost for public education campaigns varies and could range from \$15,000 and upwards. The public education campaign would need to distinguish the MVP Emergency Alert System from other emergency alerts without desensitizing the general population to these urgent calls for assistance in locating vulnerable missing persons.

LEGISLATIVE FISCAL ESTIMATE
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2668
STATE OF NEW JERSEY
216th LEGISLATURE

DATED: MARCH 13, 2015

SUMMARY

Synopsis: Establishes "MVP Emergency Alert System" for missing persons with mental, intellectual, or developmental disabilities.

Type of Impact: Indeterminate Expenditure Increase. General Fund.

Agencies Affected: Department of Law and Public Safety; Division of State Police; Missing Persons and Child Exploitation Unit; local law enforcement agencies.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate – See comments below		
Local Cost	Indeterminate – See comments below		

- The Office of Legislative Services (OLS) finds that although the bill would increase the responsibilities of the Missing Persons and Child Exploitation Unit, and local law enforcement agencies to some extent, there are existing emergency alert systems in place that could be used to support the requirements of this bill.
- This bill establishes a “Missing Vulnerable Person (MVP) Emergency Alert System” to provide for the rapid dissemination of information regarding a missing person who has a mental, intellectual, or developmental disability.
- The law enforcement agency receiving the missing person report would be the lead law enforcement agency. The Missing Persons and Child Exploitation Unit in the Division of State Police, upon request, would assist the lead law enforcement agency with the MVP Emergency Alert.
- The Missing Persons and Child Exploitation Unit would be required to revise the Missing Persons Investigative Best Practices Protocol Unidentified Deceased Persons Investigative Guidelines to reflect the requirements under this bill.

- The Attorney General, with the assistance of participating media, would develop and undertake a public education campaign about the “MVP Emergency Alert” program.

BILL DESCRIPTION

The Senate Committee Substitute for Senate Bill No. 2668 of 2014 would require the Attorney General to establish an “MVP Emergency Alert System,” which would provide practices and protocols for the rapid dissemination of information regarding a person who is believed to be a missing vulnerable person.

A ‘missing vulnerable person’ (MVP) is defined to mean a person who is believed to have a mental, intellectual, or developmental disability or defect who goes missing under circumstances that indicate that the person may be in danger of death or serious bodily injury. The program would be a voluntary, cooperative effort between State and local law enforcement agencies and the media.

The law enforcement agency receiving the missing person report would be the lead law enforcement agency. The Missing Persons and Child Exploitation Unit in the Division of State Police, upon request, would assist the lead law enforcement agency in the investigation of an MVP Emergency Alert.

The bill specifies that, in situations where a missing vulnerable person is 17 years of age or younger and meets the criteria for an Amber Alert, the guidelines and applicable procedures for Amber Alerts must be followed. In situations where a missing vulnerable person satisfies the criteria for the activation of a Silver Alert, the lead law enforcement agency, in consultation with the Missing Persons and Child Exploitation Unit in the Division of State Police, would be required to determine, based on the totality of circumstances, which system (the Silver Alert System or the MVP Emergency Alert System) would be more effective to assist in the location of the missing vulnerable person, and the guidelines and applicable procedures that should be followed in the particular instance.

When an MVP Emergency Alert is activated, the participating media would transmit emergency alerts, which are provided by the State Police, to inform the public of a missing vulnerable person with a developmental disability who resides within their broadcast service regions.

When a determination is made by the lead agency, with the agreement of the State Police, that sufficient information indicates that, when the person went missing, the person was the operator of, a passenger in, or otherwise conveyed by a motor vehicle, the State Police operational dispatch unit will be required, concurrent with the notice provided to the broadcast media, to notify the Department of Transportation, the New Jersey Highway Authority, the New Jersey Turnpike Authority, and the South Jersey Transportation Authority of the MVP Emergency Alert. Through the use of their variable message signs, the department and the affected authorities would inform the motoring public that an MVP Emergency Alert is in progress and provide information relating to the missing vulnerable person and how motorists may report information to the State Police or other appropriate law enforcement agency.

The State Police operational dispatch unit would also ensure that employees of the New Jersey Transit Corporation and adult school crossing guards who are on duty at any time when the MVP Emergency Alert is in effect receive notice of the MVP Emergency Alert, along with all pertinent information regarding the missing vulnerable person. The State Police would be required to provide timely updates with new information when appropriate. The alerts would terminate upon notice from the State Police.

The Attorney General would notify the media serving the State of the establishment of the MVP Emergency Alert System and invite their voluntary participation. Additionally, and with the assistance of the participating media, the Attorney General would develop and undertake a public education campaign to inform the public about the MVP Emergency Alert System. The Missing Persons Investigative Best Practices Protocol Unidentified Deceased Persons Investigative Guidelines, promulgated by the Missing Persons and Child Exploitation Unit in the Division of State Police, would be revised to incorporate procedures for issuing an MVP Emergency Alert. The guidelines and procedures are to ensure that specific health information about the missing vulnerable person not be made public through the alert or otherwise.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that although the bill would increase the responsibilities of the Missing Persons and Child Exploitation Unit, and local law enforcement agencies to some extent, there are existing emergency alert systems in place that could be used to support the requirements established by this bill.

Specifically, the OLS observes that since the law enforcement agency receiving the missing persons report would be the “lead law enforcement agency” on the case, the State would not be the clearance office for all cases. The Missing Persons and Child Exploitation Unit however, would provide assistance upon request.

The OLS determines that employees in the Missing Persons and Child Exploitation Unit could administer the “MVP Emergency Alert System” along with the current emergency alert systems, such as the “Amber Alert” for children 17 years of age or younger who are believed to be abducted and the “Silver Alert” for missing persons of any age suffering from dementia or cognitive impairment and who may be in danger of death or serious bodily injury.

Additionally, the OLS notes that the bill requires the Attorney General, with the assistance of participating media, to develop and undertake an MVP Emergency Alert System public education campaign. The cost for public education campaigns varies and could range from \$15,000 and upwards. The public education campaign would need to distinguish the MVP Emergency Alert System from other emergency alerts without desensitizing the general population to these urgent calls for assistance in locating vulnerable missing persons.

Section: Law and Public Safety
Analyst: Kristin Brunner Santos
Senior Fiscal Analyst
Approved: David J. Rosen
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

ASSEMBLY HUMAN SERVICES COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 2668**

STATE OF NEW JERSEY

DATED: MARCH 19, 2015

The Assembly Human Services Committee reports favorably Senate Bill No. 2668 (SCS).

This substitute would require the Attorney General to establish an “MVP Emergency Alert System,” which would provide practices and protocols for the rapid dissemination of information regarding a person who is believed to be a missing vulnerable person. A “missing vulnerable person” or “MVP” is defined to mean a person who is believed to have a mental, intellectual, or developmental disability or defect who goes missing under circumstances that indicate that the person may be in danger of death or serious bodily injury. The program would be a voluntary, cooperative effort between State and local law enforcement agencies and the media.

The law enforcement agency receiving the missing person report would be the lead law enforcement agency. The Missing Persons and Child Exploitation Unit in the Division of State Police, upon request, would assist the lead law enforcement agency in the investigation of an MVP Emergency Alert.

An MVP Emergency Alert would be activated only if: the person believed to be missing is believed to have a mental, intellectual, or developmental disability or defect, regardless of age; a missing person's report has been submitted to the local law enforcement agency where the person went missing; the person believed to be missing may be in danger of death or serious bodily injury; there is sufficient information available to indicate that an MVP Emergency Alert would assist in locating the missing person, including, but not limited to information indicating that, at the time the person went missing, the person was the operator of, a passenger in, or otherwise conveyed by a motor vehicle; and sufficient information is available to disseminate to the public that could assist in locating the person, including, but not limited to, accurate information concerning any motor vehicle the person may have been operating, or in which the person may have been a passenger or otherwise conveyed.

However, the substitute would specify that, in situations where a missing vulnerable person is 17 years of age or younger and meets the criteria for an Amber Alert, the guidelines and applicable procedures

for Amber Alerts must be followed. In addition, in situations where a missing vulnerable person satisfies the criteria for the activation of a Silver Alert, the lead law enforcement agency, in consultation with the Missing Persons and Child Exploitation Unit in the Division of State Police, would be required to determine, based on the totality of circumstances, which system (the Silver Alert System or the MVP Emergency Alert System) would be more effective in assisting to locate the missing vulnerable person, and the guidelines and applicable procedures that should be followed in the particular instance.

When an MVP Emergency Alert is activated, the participating media would transmit emergency alerts to inform the public of a missing vulnerable person with a developmental disability who resides within their broadcast service regions. The notice would be provided through the State Police operational dispatch unit. The alerts would be broadcast as often as possible, pursuant to the guidelines established by the New Jersey Broadcasters' Association, for the first three hours. After the initial three hours, the alert would be rebroadcast at such intervals as the investigating authority, the State Police and the participating media deem appropriate.

The alerts would include a description of the missing vulnerable person, including notice that the missing vulnerable person may appear agitated or upset, instructions as to whether the missing vulnerable person should be approached and, if appropriate, instructions on how to approach the missing vulnerable person, and such other information as the State Police may deem pertinent and appropriate. The alerts would also provide information concerning how members of the public who have information relating to the missing vulnerable person may contact the State Police or other appropriate law enforcement agency.

When a determination is made by the lead agency, and agreed with by the State Police, that sufficient information indicates that, when the person went missing, the person was the operator of, a passenger in, or otherwise conveyed by a motor vehicle, the State Police operational dispatch unit will be required, concurrent with the notice provided to the broadcast media, to notify the Department of Transportation, the New Jersey Highway Authority, the New Jersey Turnpike Authority, and the South Jersey Transportation Authority of the MVP Emergency Alert. Through the use of their variable message signs, the department and the affected authorities would inform the motoring public that an MVP Emergency Alert is in progress and provide information relating to the missing vulnerable person and how motorists may report information to the State Police or other appropriate law enforcement agency. The State Police operational dispatch unit would also ensure that employees of the New Jersey Transit Corporation who are on duty at any time when the MVP Emergency Alert is in effect receive notice of the MVP Emergency Alert, along with all pertinent information regarding the missing vulnerable person. The State Police would be

required to provide timely updates with new information when appropriate. The alerts would terminate upon notice from the State Police.

The Attorney General would notify the media serving the State of the establishment of the MVP Emergency Alert System and invite their voluntary participation. Additionally, and with the assistance of the participating media, the Attorney General would develop and undertake a public education campaign to inform the public about the MVP Emergency Alert System. The Missing Persons Investigative Best Practices Protocol Unidentified Deceased Persons Investigative Guidelines, promulgated by the Missing Persons and Child Exploitation Unit in the Division of State Police, would be revised to incorporate procedures for issuing an MVP Emergency Alert. The guidelines and procedures would be required to ensure that specific health information about the missing vulnerable person not be made public through the alert or otherwise.

As reported, this substitute is identical to Assembly Bill No. 4270 (Lampitt/Vainieri Huttler), which the committee also reported favorably on this date.

ASSEMBLY, No. 4270

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED MARCH 9, 2015

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblywoman L. GRACE SPENCER

District 29 (Essex)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

Co-Sponsored by:

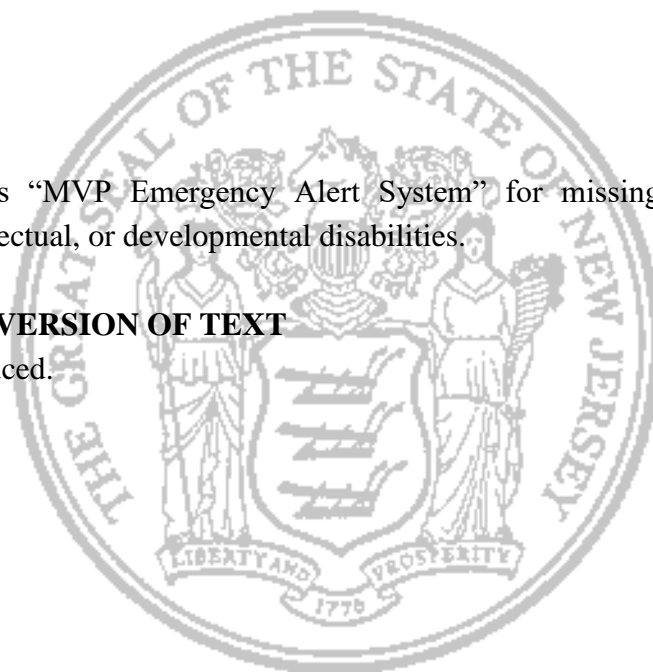
**Assemblywoman Tucker, Assemblymen O'Donnell, Diegnan, Johnson,
Assemblywoman Quijano, Assemblyman Garcia, Assemblywoman Caride
and Assemblyman Coughlin**

SYNOPSIS

Establishes "MVP Emergency Alert System" for missing persons with mental, intellectual, or developmental disabilities.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/4/2015)

1 AN ACT concerning missing persons with mental, intellectual, or
2 developmental disabilities and supplementing Title 52 of the
3 Revised Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. a. The Attorney General shall establish an "MVP
9 Emergency Alert System" which shall provide practices and
10 protocols for a Statewide system for the rapid dissemination of
11 information regarding a missing person who is believed to be a
12 vulnerable person as defined in subsection f. of this section. The
13 program shall be a voluntary, cooperative effort between State and
14 local law enforcement agencies and the media, including but not
15 limited to print, radio, and television media outlets.

16 b. The Attorney General shall notify the media serving the
17 State of New Jersey of the establishment of the MVP Emergency
18 Alert System, and invite their voluntary participation.

19 c. The Missing Persons Investigative Best Practices Protocol
20 Unidentified Deceased Persons Investigative Guidelines,
21 promulgated by the Missing Persons and Child Exploitation Unit in
22 the Division of State Police, shall be revised to incorporate
23 procedures for issuing an alert regarding a missing vulnerable
24 person, as defined in subsection f. of this section. The guidelines
25 and procedures shall ensure that specific health information about
26 the missing vulnerable person is not made public through the alert
27 or otherwise. In situations in which a missing vulnerable person is
28 17 years of age or younger and meets the criteria set forth in
29 subsection c. of section 3 of P.L.2002, c.129 (C.52:17B-194.3), the
30 provisions of P.L.2002, c.129 (C.52:17B-194.1 et seq.) and the
31 guidelines and applicable procedures for Amber Alerts shall be
32 followed. In situations that meet the criteria for activation of a
33 Silver Alert pursuant to P.L.2009, c.167 (C.52:17B-194.4) and also
34 meet the criteria for activation of an MVP Emergency Alert
35 pursuant to P.L. , c. (C.) (pending before the Legislature as
36 this bill), the lead law enforcement agency, in consultation with the
37 Missing Persons and Child Exploitation Unit in the Division of
38 State Police, shall determine, based on the totality of the
39 circumstances, which system would more effectively assist in
40 locating the missing vulnerable person, and the guidelines and
41 applicable procedures for that system shall be followed.

42 d. The Attorney General, with the assistance of the
43 participating media, shall develop and undertake a public education
44 campaign to inform the public about the MVP Emergency Alert
45 System.

46 e. The Attorney General may adopt guidelines to effectuate the
47 purposes of this act.

1 f. For purposes of P.L. , c. (C.) (pending before the
2 Legislature as this bill), a “Missing Vulnerable Person” or “MVP”
3 means a person who is believed to have a mental, intellectual, or
4 developmental disability or defect who goes missing under
5 circumstances that indicate that the person may be in danger of
6 death or serious bodily injury.

7
8 2. An MVP Emergency Alert authorized under this section may
9 be activated in accordance with the following requirements, which
10 shall be incorporated into the guidelines required by subsection c.
11 of section 1 of P.L. , c. (C.) (pending before the
12 Legislature as this bill).

13 a. The law enforcement agency receiving the missing person
14 report shall be the lead law enforcement agency.

15 b. The Missing Persons and Child Exploitation Unit in the
16 Division of State Police, upon request, shall assist the lead law
17 enforcement agency in the investigation of an MVP Emergency
18 Alert.

19 c. Each of the following criteria shall be met before an MVP
20 Emergency Alert may be issued:

21 (1) the person believed to be missing is believed to have a
22 mental, intellectual, or developmental disability or defect,
23 regardless of age;

24 (2) a missing person report has been submitted to the local law
25 enforcement agency where the person went missing;

26 (3) the person believed to be missing may be in danger of death
27 or serious bodily injury;

28 (4) there is sufficient information available to indicate that an
29 MVP Emergency Alert would assist in locating the missing
30 vulnerable person, including but not limited to information
31 indicating that at the time the person went missing the person was
32 the operator of, a passenger in, or otherwise conveyed by a motor
33 vehicle; and

34 (5) sufficient information is available to disseminate to the
35 public that could assist in locating the person, including but not
36 limited to accurate information concerning any motor vehicle the
37 person may have been operating or in which the person may have
38 been a passenger or otherwise conveyed.

39
40 3. a. When an MVP Emergency Alert is activated pursuant to
41 section 2 of P.L. , c. (C.) (pending before the Legislature as
42 this bill), the participating media shall voluntarily agree, upon
43 notice from the State Police, to transmit emergency alerts to inform
44 the public of a missing vulnerable person who resides within their
45 broadcast service regions. The notice shall be provided through the
46 State Police operational dispatch unit.

47 b. The alerts shall be broadcast as often as possible, pursuant to
48 the guidelines established by the New Jersey Broadcasters'

1 Association, for the first three hours. After the initial three hours,
2 the alert shall be rebroadcast at such intervals as the investigating
3 authority, the State Police, and the participating media deem
4 appropriate.

5 c. The alerts shall include a description of the missing
6 vulnerable person, including notice that the missing vulnerable
7 person may appear agitated or upset, instructions as to whether the
8 missing vulnerable person should be approached and, if appropriate,
9 instructions on how to approach the missing vulnerable person, and
10 such other information as the State Police may deem pertinent and
11 appropriate. The alerts also shall provide information concerning
12 how those members of the public who have information relating to
13 the missing vulnerable person may contact the State Police or other
14 appropriate law enforcement agency.

15 d. When a determination is made by the lead agency, and the
16 State Police concur, that sufficient information indicating that at the
17 time the person went missing the person was the operator of, a
18 passenger in, or otherwise conveyed by a motor vehicle, concurrent
19 with the notice provided to the broadcast media, the State Police
20 operational dispatch unit shall also notify the Department of
21 Transportation, the New Jersey Highway Authority, the New Jersey
22 Turnpike Authority, and the South Jersey Transportation Authority
23 of the MVP Emergency Alert. Through the use of their variable
24 message signs, the department and the affected authorities shall
25 inform the motoring public that an MVP Emergency Alert is in
26 progress and provide information relating to the missing vulnerable
27 person and how motorists may report any information they have to
28 the State Police or other appropriate law enforcement agency. The
29 State Police operational dispatch unit shall also ensure that
30 employees of the New Jersey Transit Corporation who are on duty
31 at any time when the MVP Emergency Alert is in effect receive
32 notice of the MVP Emergency Alert, along with all pertinent
33 information.

34 e. The State Police shall in a timely manner update the
35 broadcast media and any other entity receiving notice of the MVP
36 Emergency Alert with new information, when appropriate,
37 concerning the missing vulnerable person.

38 f. The alerts shall terminate upon notice from the State Police.
39

40 4. This act shall take effect on the first day of the fourth month
41 next following the date of enactment, but the Attorney General may
42 take such anticipatory administrative action in advance thereof as
43 shall be necessary for the implementation of this act.
44

STATEMENT

1

2

3 This bill would require the Attorney General to establish a “MVP
4 Emergency Alert System,” which would provide practices and
5 protocols for the rapid dissemination of information regarding a
6 person who is believed to be a missing vulnerable person. A
7 “missing vulnerable person” or “MVP” is defined to mean a person
8 who is believed to have a mental, intellectual, or developmental
9 disability or defect who goes missing under circumstances that
10 indicate that the person may be in danger of death or serious bodily
11 injury. The program would be a voluntary, cooperative effort
12 between State and local law enforcement agencies and the media.

13 The law enforcement agency receiving the missing person report
14 would be the lead law enforcement agency. The Missing Persons
15 and Child Exploitation Unit in the Division of State Police, upon
16 request, would assist the lead law enforcement agency in the
17 investigation of an MVP Emergency Alert.

18 An MVP Emergency Alert would be activated only if: the
19 person believed to be missing is believed to have a mental,
20 intellectual, or developmental disability or defect, regardless of age;
21 a missing person's report has been submitted to the local law
22 enforcement agency where the person went missing; the person
23 believed to be missing may be in danger of death or serious bodily
24 injury; there is sufficient information available to indicate that an
25 MVP Emergency Alert would assist in locating the missing person,
26 including, but not limited to information indicating that, at the time
27 the person went missing, the person was the operator of, a
28 passenger in, or otherwise conveyed by a motor vehicle; and
29 sufficient information is available to disseminate to the public that
30 could assist in locating the person, including, but not limited to,
31 accurate information concerning any motor vehicle the person may
32 have been operating, or in which the person may have been a
33 passenger or otherwise conveyed.

34 However, the bill would specify that, in situations where a
35 missing vulnerable person is 17 years of age or younger and meets
36 the criteria for an Amber Alert, the guidelines and applicable
37 procedures for Amber Alerts must be followed. In addition, in
38 situations where a missing vulnerable person satisfies the criteria
39 for the activation of a Silver Alert, the lead law enforcement
40 agency, in consultation with the Missing Persons and Child
41 Exploitation Unit in the Division of State Police, would be required
42 to determine, based on the totality of circumstances, which system
43 (the Silver Alert System or the MVP Emergency Alert System)
44 would be more effective in assisting to locate the missing
45 vulnerable person, and the guidelines and applicable procedures that
46 should be followed in the particular instance.

47 When an MVP Emergency Alert is activated, the participating
48 media would transmit emergency alerts to inform the public of a

1 missing vulnerable person with a developmental disability who
2 resides within their broadcast service regions. The notice would be
3 provided through the State Police operational dispatch unit. The
4 alerts would be broadcast as often as possible, pursuant to the
5 guidelines established by the New Jersey Broadcasters' Association,
6 for the first three hours. After the initial three hours, the alert
7 would be rebroadcast at such intervals as the investigating
8 authority, the State Police and the participating media deem
9 appropriate.

10 The alerts would include a description of the missing vulnerable
11 person, including notice that the missing vulnerable person may
12 appear agitated or upset, instructions as to whether the missing
13 vulnerable person should be approached and, if appropriate,
14 instructions on how to approach the missing vulnerable person, and
15 such other information as the State Police may deem pertinent and
16 appropriate. The alerts would also provide information concerning
17 how members of the public who have information relating to the
18 missing vulnerable person may contact the State Police or other
19 appropriate law enforcement agency.

20 When a determination is made by the lead agency, and agreed
21 with by the State Police, that sufficient information indicates that,
22 when the person went missing, the person was the operator of, a
23 passenger in, or otherwise conveyed by a motor vehicle, the State
24 Police operational dispatch unit will be required, concurrent with
25 the notice provided to the broadcast media, to notify the Department
26 of Transportation, the New Jersey Highway Authority, the New
27 Jersey Turnpike Authority, and the South Jersey Transportation
28 Authority of the MVP Emergency Alert. Through the use of their
29 variable message signs, the department and the affected authorities
30 would inform the motoring public that an MVP Emergency Alert is
31 in progress and provide information relating to the missing
32 vulnerable person and how motorists may report information to the
33 State Police or other appropriate law enforcement agency. The
34 State Police operational dispatch unit would also ensure that
35 employees of the New Jersey Transit Corporation who are on duty
36 at any time when the MVP Emergency Alert is in effect receive
37 notice of the MVP Emergency Alert, along with all pertinent
38 information regarding the missing vulnerable person. The State
39 Police would be required to provide timely updates with new
40 information when appropriate. The alerts would terminate upon
41 notice from the State Police.

42 The Attorney General would notify the media serving the State
43 of the establishment of the MVP Emergency Alert System and
44 invite their voluntary participation. Additionally, and with the
45 assistance of the participating media, the Attorney General would
46 develop and undertake a public education campaign to inform the
47 public about the MVP Emergency Alert System. The Missing
48 Persons Investigative Best Practices Protocol Unidentified

A4270 LAMPITT, VAINIERI HUTTLE

7

1 Deceased Persons Investigative Guidelines, promulgated by the
2 Missing Persons and Child Exploitation Unit in the Division of
3 State Police, would be revised to incorporate procedures for issuing
4 an MVP Emergency Alert. The guidelines and procedures would be
5 required to ensure that specific health information about the missing
6 vulnerable person not be made public through the alert or otherwise.

ASSEMBLY HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4270

STATE OF NEW JERSEY

DATED: MARCH 19, 2015

The Assembly Human Services Committee reports favorably Assembly Bill No. 4270.

This bill would require the Attorney General to establish an “MVP Emergency Alert System,” which would provide practices and protocols for the rapid dissemination of information regarding a person who is believed to be a missing vulnerable person. A “missing vulnerable person” or “MVP” is defined to mean a person who is believed to have a mental, intellectual, or developmental disability or defect who goes missing under circumstances that indicate that the person may be in danger of death or serious bodily injury. The program would be a voluntary, cooperative effort between State and local law enforcement agencies and the media.

The law enforcement agency receiving the missing person report would be the lead law enforcement agency. The Missing Persons and Child Exploitation Unit in the Division of State Police, upon request, would assist the lead law enforcement agency in the investigation of an MVP Emergency Alert.

An MVP Emergency Alert would be activated only if: the person believed to be missing is believed to have a mental, intellectual, or developmental disability or defect, regardless of age; a missing person's report has been submitted to the local law enforcement agency where the person went missing; the person believed to be missing may be in danger of death or serious bodily injury; there is sufficient information available to indicate that an MVP Emergency Alert would assist in locating the missing person, including, but not limited to information indicating that, at the time the person went missing, the person was the operator of, a passenger in, or otherwise conveyed by a motor vehicle; and sufficient information is available to disseminate to the public that could assist in locating the person, including, but not limited to, accurate information concerning any motor vehicle the person may have been operating, or in which the person may have been a passenger or otherwise conveyed.

However, the bill would specify that, in situations where a missing vulnerable person is 17 years of age or younger and meets the criteria for an Amber Alert, the guidelines and applicable procedures for Amber Alerts must be followed. In addition, in situations where a missing vulnerable person satisfies the criteria for the activation of a

Silver Alert, the lead law enforcement agency, in consultation with the Missing Persons and Child Exploitation Unit in the Division of State Police, would be required to determine, based on the totality of circumstances, which system (the Silver Alert System or the MVP Emergency Alert System) would be more effective in assisting to locate the missing vulnerable person, and the guidelines and applicable procedures that should be followed in the particular instance.

When an MVP Emergency Alert is activated, the participating media would transmit emergency alerts to inform the public of a missing vulnerable person with a developmental disability who resides within their broadcast service regions. The notice would be provided through the State Police operational dispatch unit. The alerts would be broadcast as often as possible, pursuant to the guidelines established by the New Jersey Broadcasters' Association, for the first three hours. After the initial three hours, the alert would be rebroadcast at such intervals as the investigating authority, the State Police and the participating media deem appropriate.

The alerts would include a description of the missing vulnerable person, including notice that the missing vulnerable person may appear agitated or upset, instructions as to whether the missing vulnerable person should be approached and, if appropriate, instructions on how to approach the missing vulnerable person, and such other information as the State Police may deem pertinent and appropriate. The alerts would also provide information concerning how members of the public who have information relating to the missing vulnerable person may contact the State Police or other appropriate law enforcement agency.

When a determination is made by the lead agency, and agreed with by the State Police, that sufficient information indicates that, when the person went missing, the person was the operator of, a passenger in, or otherwise conveyed by a motor vehicle, the State Police operational dispatch unit will be required, concurrent with the notice provided to the broadcast media, to notify the Department of Transportation, the New Jersey Highway Authority, the New Jersey Turnpike Authority, and the South Jersey Transportation Authority of the MVP Emergency Alert. Through the use of their variable message signs, the department and the affected authorities would inform the motoring public that an MVP Emergency Alert is in progress and provide information relating to the missing vulnerable person and how motorists may report information to the State Police or other appropriate law enforcement agency. The State Police operational dispatch unit would also ensure that employees of the New Jersey Transit Corporation who are on duty at any time when the MVP Emergency Alert is in effect receive notice of the MVP Emergency Alert, along with all pertinent information regarding the missing vulnerable person. The State Police would be required to provide timely updates with new information when

appropriate. The alerts would terminate upon notice from the State Police.

The Attorney General would notify the media serving the State of the establishment of the MVP Emergency Alert System and invite their voluntary participation. Additionally, and with the assistance of the participating media, the Attorney General would develop and undertake a public education campaign to inform the public about the MVP Emergency Alert System. The Missing Persons Investigative Best Practices Protocol Unidentified Deceased Persons Investigative Guidelines, promulgated by the Missing Persons and Child Exploitation Unit in the Division of State Police, would be revised to incorporate procedures for issuing an MVP Emergency Alert. The guidelines and procedures would be required to ensure that specific health information about the missing vulnerable person not be made public through the alert or otherwise.

As reported, this bill is identical to the Senate Committee Substitute for Senate Bill No. 2668 (Beach/Madden), which the committee also reported favorably on this date.

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Governor Christie Takes Action On Pending Legislation

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Trenton, NJ – Governor Chris Christie today took action on legislation, including a bill aimed at helping inmates who were victims of domestic violence and a second bill designed to help non-violent drug offenders reclaim their lives by streamlining the process for expungement of their criminal records.

The Governor suggested minor changes to strengthen Senate Bill No. 995, which seeks to help domestic violence victims who have been convicted of crimes against their abusers by establishing a community reentry program to assist victim-offenders assimilate into society upon release from custody and prevent further victimization.

Governor Christie conditionally vetoed the bill, proposing that the program be established solely in the Department of Corrections.

"The goal of this bill is commendable and I sincerely support its objective," Governor Christie said. "Domestic violence is tragic, and victims deserve support and counseling. However, the bill conflates the statutory and regulatory responsibilities of the Department of Corrections and the State Parole Board, combining the agencies' separate residential program functions. Accordingly, I suggest minor amendments, in accordance with the intent of the legislation to establish this program within the Department of Corrections, consistent with its existing reintegration programming and tailored to the specific needs of this limited inmate population."

The bill as written also called for an automatic early release program for this specific subset of inmates upon successful completion of the reentry program, an element of the bill that Governor Christie does not support.

"I cannot support the creation of early release programs because they would begin to chisel away at the long-standing function of the State Parole Board," Governor Christie said. "For decades, the State Parole Board has faithfully fulfilled its charge to carefully review and consider the underlying facts and circumstances of each applicant for parole. While I continue to encourage the Legislature to explore reforms that will create efficiencies in State government, I remain grounded in my belief that the review of parole applications is best accomplished through the reasoned, compassionate, experienced and individualized judgment of the State Parole Board and not through an automatic process based upon one factor."

Governor Christie similarly took action to strengthen the Assembly Committee Substitute for Assembly Bills Nos. 206, 471, 1663, 2879, 3060 and 3108, and urged quick approval from the Legislature.

The bill proposes to allow those who have successfully completed the Drug Court program to expunge the related criminal charges, and it further aims to make the expungement process more efficient.

Seeking to balance the needs of non-violent ex-offenders with public safety, Governor Christie conditionally vetoed the bill, retaining the current waiting period for expungements for indictable offenses, currently 10 years, or five years if a court determines that expungement is in the public's interest.

"While I support breaking down barriers to employment and education for non-violent ex-offenders, I cannot endorse a bill that compromises public safety," Governor Christie said. "As written, this bill would cut in half the presumptive waiting period to expunge indictable offenses, often felonies, from ten years to five years, and eliminate an important safeguard which allows a judge to consider whether granting an expungement is in the public's interest. The current public interest exception to the presumptive waiting period is an effective and efficient way to help ex-offenders combat the collateral consequences of their offense, while also ensuring that public safety is not compromised."

Governor Christie further suggested retaining the five-year waiting period for disorderly persons offenses, while adopting the bill's provision to lower this waiting period to three years, if a court determines that expungement is in the public interest.

The Governor also took the following action on other pending legislation:

BILL SIGNINGS:

S-475/A-3223 (Madden, Sweeney/Mosquera, Webber, Moriarty, Mukherji, Garcia, Munoz, Lampitt) - Requires certain information regarding Down syndrome be provided to certain parents and families

S-650 (Doherty, Beach/DiMaio, Andrzejczak, Peterson, DeAngelo) - Designates State Route 173 between Clinton and Phillipsburg as "173rd Airborne Brigade Highway"

S-835/A-1972 (Bateman/Garcia, Danielson) - Enhances penalties for false incrimination and making fictitious reports

S-939/A-2913 (Bateman, A.R. Bucco/Caride, Dancer, A.M. Bucco) - Designates Black Swallowtail butterfly as State Butterfly

S-1940/A-2893 (Oroho, Van Drew/Burzichelli, Space) - Exempts board of education and local government payments to entities under BPU jurisdiction from certain certification requirements

S-2145/A-631 (Van Drew, Madden/Moriarty, Burzichelli, Tucker, DeAngelo, Danielson, Mukherji) - Authorizes hiring preference for veterans in non-civil service jurisdictions

S-2301/A-3522 (Greenstein, Stack/Stender, Mukherji, Lagana, Diegnan) - Regulates pharmacy benefits managers and requires certain disclosures concerning multiple source generic drug pricing

S-2432/A-4720 (Madden/Moriarty, Mosquera) - Requires notification of member or retiree of State-administered retirement system under certain circumstances when member or retiree requests change in beneficiary for group life insurance

S-2453/A-3805 (Weinberg, Allen/Burzichelli, Singleton) - Requires earlier mandatory polling hours for school elections; requires discretionary additional polling hours be consistent with current primary and general elections

S-2523/A-3917 (Gill, Greenstein, Benson/DeAngelo, Johnson) - Permits municipalities and municipal parking authorities to create Senior Citizen Priority Parking Program

SCS for S-2586, 2587, A-3217, and 3218 (Stack, Cunningham, Mukherji, Pintor Marin, Garcia) - Requires certain sanitary and protective procedures for used mattresses

SCS for S-2668/A-4270 (Beach, Madden/Lampitt, Vainieri Huttle, Benson, Spencer, Wimberly, Mosquera) - Establishes "MVP Emergency Alert System" for missing persons with mental, intellectual, or developmental disabilities

SS for S-2770/AS for A-3956 (Sweeney, Addiego/Lampitt, Greenwald, Vainieri Huttle, Benson, Mazzeo) - Authorizes establishment of Achieving a Better Life Experience accounts for persons with certain disabilities

S-2940/A-4531 (Singer, Sweeney/Spencer, Benson, Casagrande, Muoio) - Creates new criminal offenses concerning endangering another person; repeals N.J.S.2C:12-2 and N.J.S.2C:24-7

S-2961/A-4188 (Codey, Vitale/Garcia, Lagana, Taliaferro, Vainieri Huttle, Danielsens, Holley, Benson, Jimenez) - Clarifies that Alzheimer's disease and related disorders may be listed as secondary cause of death on death certificate when appropriate

S-2978/A-4194 (Van Drew, Oroho/Burzichelli, Spencer, Rumana, Webber, Benson) - Authorizes mobile electronic waste destruction units to operate without DEP permit

S-3004/A-4685 (Cunningham, Van Drew/Andrzejczak, Johnson, Muoio, Wimberly) - Permits municipality with UEZ to participate in Downtown Business Improvements Zone Loan Fund

S-3076/A-4621 (Weinberg, Bateman/Johnson, Caride) - Increases maximum legal fee to represent victims from \$1,000 to \$3,000

S-3110/A-4617 (Scutari/Johnson, Webber) - Permits certain health clubs to offer swimming lessons and otherwise remain exempt from first aid personnel and lifeguarding requirements

S-3117/A-4781 (Gordon, Bateman, Sweeney, T. Kean/Vainieri Huttle, Eustace, Gusciora, Lampitt, Angelini, Moriarty) - Prohibits Division of Developmental Disabilities from compelling transfers of individuals with developmental disabilities from out-of-State to in-State facilities unless certain exceptions apply

S-3220/A-4790 (Sweeney, O'Toole, Vitale/Greenwald, Conaway, Vainieri Huttle, Handlin, Garcia) - Establishes a process to integrate certain health data and other data from publicly supported programs for population health research

S-3232/A-4834 (Sarlo, Oroho/Lagana, Burzichelli, Schaer, DeAngelo, Phoebus) - Allows businesses due to receive grant under Business Employment Incentive Program to receive tax credit instead of grant

S-3270/A-4705 (Gill, Bateman/Schaer, Coughlin, Lagana, S. Kean, Ciattarelli) - "Certificates of Insurance Act;" governs use of certificates of insurance; provides DOBI with enforcement authority

SJR-81/AJR-122 (Barnes/Vainieri Huttle, Schaer, Lampitt) - Condemns Boycott, Divestment, and Sanctions movement against Israel

A-308/S-2203 (Russo, Rumana/O'Toole, Smith) - Prohibits escrow agent evaluation services from charging escrow agents fees

A-1098/S-671 (Vainieri Huttle, Eustace, Diegnan, Giblin/Pou, Sarlo, Weinberg) - Requires DHS and DMVA to conduct or contract for follow-up studies of former residents transitioning to community from their facilities

A-1355/S-2963 (Stender, Lampitt, Holley, Moriarty/T. Kean, Vitale) - Requires DOH to provide information about crib safety on its Internet website

A-1783/S-2020 (McKeon, Rible, Sumter, Moriarty/Vitale, Cunningham) - "Art Therapist Licensing Act"

A-2023/S-2675 (Greenwald, Benson/Cruz-Perez) - Revises definition of "responsible charge" as it pertains to licensed professional engineers and licensed architects

A-2229 (Wisniewski, Diegnan) - Concerns contracts for asphalt work under the "Local Public Contracts Law"

A-2301/S-1481 (Andrzejczak/Van Drew) - Designates certain interchanges of Garden State Parkway in honor of Melvin M. Loftus and Christopher Meyer

A-3052/S-1090 (Mazzeo, Pinkin, Mukherji, Wimberly/A.R. Bucco, Whelan) - Concerns property taxes due and owing on real property damaged or destroyed during, or as the result of, a natural disaster when a state of emergency is declared by the Governor

A-3246/S-3069 (Dancer, Burzichelli, Vainieri Huttle/Oroho, Sarlo) - Requires timeframe of standardbred mare residing in New Jersey breeding farm be inclusive of foaling instead of between foal's conception and birth

A-3293/S-2146 (Mazzeo, Andrzejczak, Pinkin, Webber, Simon, Mukherji/Van Drew, Doherty) - Allows military personnel and veterans to present certain identifying documents in lieu of municipal beach tags to gain admission to certain beaches

A-3331/S-3111 (Benson, Rodriguez-Gregg, Coughlin/Gill, Beach) - Requires health benefits coverage for synchronization of prescribed medications under certain circumstances

A-3390/S-2309 (Coughlin, Pinkin, Webber, Diegnan/Vitale) - Permits transmittal of certain land use documents via email

A-3395/S-2294 (Wisniewski/Sacco) - Allows insurer to obtain certificates of ownership or salvage certificates of title for motor vehicles under certain circumstances

A-3499/S-2256 (Andrzejczak, Mazzeo, Johnson, Pinkin, DeAngelo/Van Drew) - Requires DMVA to encourage and facilitate returning service members' registration with VA

A-3507/S-2677 (Eustace, Webber, Munoz, Schepisi, Rumana/Gordon, Sarlo) - Amends law concerning county and municipal stream cleaning activities

A-3749/S-2568 (Lampitt, Mazzeo, Andrzejczak, Mukherji, Pinkin/Beach, Allen) - Establishes program to provide assistance to qualified veterans in in-patient and out-patient treatment programs to travel to medical counseling in State

A-3849/SCS for S-2466 (DeAngelo, Eustace, Mazzeo, Pintor Marin, Benson/Turner, Singer) - Requires BPU to provide links to pricing information to customers from electric and gas public utilities, and third-party electric power and gas suppliers

A-3950/S-2832 (Prieto, Jimenez, Quijano/Greenstein, Turner) - Permits correctional facilities to utilize body imaging scanning equipment

A-4079/S-2819 (Eustace, Andrzejczak, Taliaferro, Benson, Dancer/Van Drew, Beach) - Directs Department of Agriculture to publish on its website "New Jersey Gleaning Week" and "Farmers Against Hunger Day" page

A-4094/S-2884 (Conaway, Singleton, Wimberly, Lampitt, Benson/Whelan, Madden) - Permits administration of epinephrine auto-injector device by persons who complete approved educational program

A-4438/S-3202 (Mukherji, Burzichelli/Scutari, Madden) - Raises maximum workers' compensation fees for evaluating physicians

A-4518/S-3010 (Schaer, Eustace, Benson, Pintor Marin/Sarlo) - Modifies and clarifies provisions of certain economic incentive programs

AJR-57/SJR-42 (Space/Oroho) - Designates April of each year as "Sarcoidosis Awareness Month"

AJR-93/SJR-73 (Eustace, Andrzejczak, Taliaferro, Benson/Van Drew, Beach) - Designates third week of September as "New Jersey Gleaning Week"

AJR-94/SJR-74 (Eustace, Andrzejczak, Taliaferro, Benson/Van Drew, Beach) - Designates Wednesday of third week of September as "Farmers Against Hunger Day"

AJR-100/SJR-70 (Andrzejczak, Tucker, DeAngelo, Mazzeo/Van Drew, Whelan) - Designates first week in August of each year as "Coast Guard Week" and honors Cape May as U.S. Coast Guard's enlisted accession point and recruit training center

BILLS VETOED:

S-264/A-1347 (Greenstein, Cunningham/Stender, Egan, O'Donnell, Wimberly) – **ABSOLUTE** - "Thomas P. Canzanella Twenty First Century First Responders Protection Act"; concerns workers compensation for public safety workers

S-374/A-3403 (Scutari, Beck/Rible, DeAngelo, Mukherji) - **ABSOLUTE** - Concerns attorney fees for workers' compensation awards

SCS for S-779, 1952/ACS for A-2474 (Weinberg, Sarlo, Lesniak/Johnson, Garcia, Vainieri Huttie, Lagana, Mukherji, Moriarty) - **ABSOLUTE** - "Garden State Film and Digital Media Jobs Act" expands existing film and digital media production tax credit programs

S-995/A-1677 (Weinberg, Allen/Johnson, Vainieri Huttie, Lampitt, Mosquera) – **CONDITIONAL** - Establishes in DOC, supervised community reintegration program for certain victims of domestic abuse

S-1346/A-3837 (Rice/Coughlin, Garcia, Rodriguez-Gregg, Pintor Marin, Jasey) - **CONDITIONAL** - Concerns the recording of mortgages

S-2260/A-688 (Scutari, Cardinale/Schaer) - **CONDITIONAL** - Modifies certain fees charged by, and requirements imposed on, check casher licensees

S-2524/A-4067 (Gill, Allen/Lagana, Singleton, Moriarty) - **CONDITIONAL** - The "Municipal Volunteer Property Tax Reduction Act"; permits certain municipal property owners to perform volunteer services in return for property tax vouchers

S-2577/ACS for A-4139 (Stack, Schaer/Mazzeo, Andrzejczak, Mukherji, Quijano) - **CONDITIONAL** - Establishes temporary mortgage relief programs for certain owners of real property impacted by "Superstorm Sandy"

S-2867/A-4248 (Ruiz, Pou/Jasey, Sumter, Vainieri Huttie, Green, Holley, Wimberly) - **ABSOLUTE** - Permits municipal land banking in conjunction with online property database development

S-3024/A-4463 (Scutari/Giblin, Diegnan, Jimenez, Caputo, Vainieri Huttie) – **CONDITIONAL** - Revises laws concerning real estate licensees

S-3282/A-4850 (Rice, Cunningham/Wimberly, Mainor, Johnson) - **CONDITIONAL** - Expands Police Training Commission membership to include representative from Northern New Jersey and South Jersey Chapters of National Organization of Black Law Enforcement Executives

ACS for A-206, 471, 1663, 2879, 3060, and 3108/S-2663 (Green, Spencer, Gusciora, Johnson, McKeon, Giblin, Wimberly, Mainor, Quijano/Turner, Lesniak, Pou) - **CONDITIONAL** - Shortens waiting periods for expungement of criminal and other records and information; makes various changes to other expungement procedures and requirements

A-3257/S-2125 (Andrzejczak, Mazzeo, Burzichelli/Van Drew) - **CONDITIONAL** - Provides that determination by county agriculture development board or State Agriculture Development Committee as to what qualifies as farm-based recreational activity in pinelands protection area is binding on Pinelands Commission

A-4103/S-2840 (Mazzeo, Andrzejczak, Giblin/Allen, Whelan) - **ABSOLUTE** - Creates workforce training program for former casino workers

A-4233/S-2435 (Jasey, McKeon, Vainieri Huttie, Mukherji, Lampitt/Codey, Vitale) - **ABSOLUTE** - Provides Medicaid coverage for advance care planning

A-4275/S2831 (Prieto, Eustace, Lagana, Greewald, Quijano, Danielsen, Mukherji/Sweeney, Turner, Sarlo) – **CONDITIONAL** - "New Jersey Secure Choice Savings Program Act"; establishes retirement savings program for certain workers

A-4326/S-2942 (Schaer, Lagana, Eustace, Prieto/Gordon, Barnes) - **ABSOLUTE** - Reforms annual State revenue estimating and reporting, and executive State budget presentation and revenue certification processes

A-4386/S-3042 (Coughlin, Pinkin/Vitale, Singer) - **CONDITIONAL** - Permits candidates for school board to circulate petitions jointly and be bracketed together on ballot; permits short nonpolitical designation of principles on petitions and ballots; provides for study of impact of changes

A-4638/S-3118 (Vainieri Huttie, Singleton, Holley, Mosquera, Tucker, Benson/Sweeney, Madden) - **ABSOLUTE** - Requires DCPP to implement policies and procedures to ensure caseworker safety; "Leah's Law"

A-4703/S-3172 (Spencer, Tucker, Pintor Marin, Egan, Muoio, Gusciora/Rice, Smith) - **ABSOLUTE** - Increases tax credit cap by \$165 million for certain qualified residential projects under Economic Redevelopment and Growth Grant program and restricts increase to certain projects

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Press Contact:

Brian Murray
609-777-2600



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Office of the Governor
PO Box 001
Trenton, NJ 08625
609-292-6000