

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 2425

By: Condit

4
5
6 AS INTRODUCED

7 An Act relating to mental health; creating the
8 Jeffrey Alert Act; defining terms; requiring
9 Department of Public Safety to develop statewide
10 alert system for missing persons with mental illness;
11 requiring Commissioner of Public Safety to be
12 statewide coordinator of alert system and directing
13 the adoption of certain rules; stating conditions in
14 which alert shall be activated by local law
15 enforcement agency; requiring certain duties of local
16 law enforcement agency; requiring certain information
17 to be included in alert; requiring local law
18 enforcement agency to terminate alert at certain
19 time; requiring local law enforcement agency to
20 provide certain notification to the Department;
21 providing for codification; and providing an
22 effective date.

23
24
25 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

26 SECTION 1. NEW LAW A new section of law to be codified
27 in the Oklahoma Statutes as Section 7-114 of Title 43A, unless there
28 is created a duplication in numbering, reads as follows:

29 This act shall be known and may be cited as the "Jeffrey Alert
30 Act".

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 7-115 of Title 43A, unless there
3 is created a duplication in numbering, reads as follows:

4 As used in the Jeffrey Alert Act:

5 1. "Alert" means the statewide Jeffrey alert for missing
6 persons with mental illness;

7 2. "Local law enforcement agency" includes, but is not limited
8 to, a county sheriff's office, a police department of a municipality
9 or city, or the Oklahoma Highway Patrol;

10 3. "Media outlet" includes but is not limited to radio
11 stations, television stations, newspapers and local support
12 organizations; and

13 4. "Missing person with mental illness" means a person:

14 a. whose whereabouts are unknown,

15 b. who has an illness as defined in paragraph 3 of
16 Section 1-103 of Title 43A of the Oklahoma Statutes,
17 and

18 c. whose disappearance poses a credible threat to the
19 safety and health of the person, as determined by a
20 local law enforcement agency.

21 SECTION 3. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 7-116 of Title 43A, unless there
23 is created a duplication in numbering, reads as follows:

24

1 The Department of Public Safety shall develop and implement a
2 statewide Jeffrey alert system to be activated on behalf of a
3 missing person with mental illness in cooperation with the
4 Department of Transportation, the Department of Mental Health and
5 Substance Abuse Services, any local law enforcement agency, the
6 Oklahoma Association of Broadcasters and any other appropriate state
7 or local agencies.

8 SECTION 4. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 7-117 of Title 43A, unless there
10 is created a duplication in numbering, reads as follows:

11 The Commissioner of Public Safety is the statewide coordinator
12 of the Jeffrey alert system and shall:

13 1. Adopt rules and issue directives as necessary to ensure
14 proper implementation of the alert. The rules and directives shall
15 include:

16 a. the procedures to be used by a local law enforcement
17 agency to verify whether a person with mental illness:

18 (1) is missing, and

19 (2) is one whose disappearance is believed to pose a
20 credible risk to the health and safety of the
21 missing person,

22 b. the procedures for local law enforcement agencies to
23 follow in initiating a statewide Jeffrey alert,

24

- c. the method whereby information is distributed to statewide media outlets,
- d. the procedures for the receipt and evaluation of information received from the public about the missing person with mental illness, and
- e. the procedure for the termination of a Jeffrey alert; and

2. Coordinate with local and statewide media outlets for the rapid and accurate announcement of a Jeffrey alert to the public.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7-118 of Title 43A, unless there is created a duplication in numbering, reads as follows:

A. A Jeffrey alert shall be activated if a local law enforcement agency:

1. Receives notice of a missing person with mental illness;
2. Verifies that at the time the senior citizen is reported missing that the location of the senior citizen is unknown;
3. Determines that the disappearance of the person with mental illness poses a credible threat to the health and safety of the person with mental illness; and
4. Determines that information which may assist in the safe recovery of the missing person with mental illness is available.

B. The local law enforcement agency shall:

1 1. Require the family or legal guardian of the missing person
2 with mental illness to provide documentation of the disorder which
3 has been diagnosed;

4 2. Determine identifying information about the missing person
5 with mental illness and any other information which might be useful
6 to the general public in the safe recovery of the missing person
7 with mental illness; and

8 3. Report the individual through the national crime information
9 center immediately upon the issuance of a Jeffrey alert.

10 SECTION 6. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 7-119 of Title 43A, unless there
12 is created a duplication in numbering, reads as follows:

13 The Jeffrey alert shall include:

14 1. All appropriate information that is provided by the local
15 law enforcement agency that may lead to the safe recovery of the
16 person with mental illness; and

17 2. A statement instructing any person with information related
18 to the person with mental illness to contact a local law enforcement
19 agency.

20 SECTION 7. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 7-120 of Title 43A, unless there
22 is created a duplication in numbering, reads as follows:

23 A. The local law enforcement agency responsible for the
24 issuance of a Jeffrey alert shall terminate any Jeffrey alert with

1 respect to a particular missing person with mental illness not later
2 than the earlier of the date on which:

3 1. The missing person with mental illness is located or the
4 situation is otherwise resolved; or

5 2. The notification period ends, as determined by Department
6 rule.

7 B. A local law enforcement agency that locates a missing person
8 with mental illness who is the subject of a Jeffrey alert shall
9 immediately notify the Department of Public Safety.

10 SECTION 8. This act shall become effective November 1, 2014.

11

12 54-2-8660 AM 01/06/14

13

14

15

16

17

18

19

20

21

22

23

24