

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1622
By: Uresti
Veteran Affairs & Border Security
4/19/2017
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1622 would create a "Camo Alert" system for locating missing veterans and members of the military with a mental illness. The statewide alert system would inform law enforcement, veterans groups, and the public if there is a veteran in crisis, similar to existing Amber and Silver Alerts. The alert would only be sent if the individual is a threat to their own health and safety or that of others.

Mental illness is a serious problem among veterans and military members. Post-traumatic stress disorder (PTSD) is the most common but by far not the only mental illness that veterans face. Symptoms of severe PTSD are associated with disappearance and suicide. According to a 2012 report by the United States Department of Veterans Affairs, 8,000 veterans commit suicide every year and many of these suicides are from PTSD-related episodes.

Over the last few years, a number of veterans struggling with mental illnesses have disappeared in the United States. In such cases, the missing individuals are typically suffering some sort of mental breakdown, mental illness, or have gone off a psychiatric medication. Veterans in these episodes may be a danger to themselves. Unfortunately, families have found themselves leading the search for their loved ones without immediate help from local and state law enforcement officials.

A Camo Alert system would provide an additional tool to law enforcement to assist our veterans and their families during a very difficult and sometimes life-threatening situation. (Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 1622 amends current law relating to the creation of a statewide alert system for missing military members.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the public safety director in SECTION 1 (Section 411.443, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 411, Government Code, by adding Subchapter P, as follows:

SUBCHAPTER P. CAMO ALERT FOR MISSING MILITARY MEMBERS

Sec. 411.441. DEFINITIONS. Defines "alert," "law enforcement agency," and "military member."

Sec. 411.442. CAMO ALERT FOR MISSING MILITARY MEMBERS. Requires the Texas Department of Public Safety (DPS), with the cooperation of the Texas Department of Transportation (TxDOT), the Office of the Governor, and other appropriate law enforcement agencies in this state, to develop and implement a statewide camo alert (alert) to be activated on behalf of a missing military member who suffers from a mental illness, including post-traumatic stress disorder (PTSD), or a traumatic brain injury.

Sec. 411.443. ADMINISTRATION. (a) Provides that the public safety director (director) is the statewide coordinator of the alert.

(b) Requires the director to adopt rules and issue directives as necessary to ensure proper implementation of the alert. Requires the rules and directives to include:

(1) the procedures to be used by a local law enforcement agency to verify whether a military member is missing and suffers from a mental illness, including PTSD, or a traumatic brain injury;

(2) a description of the circumstances under which a law enforcement agency is required to report a missing military member to DPS;

(3) the procedures to be used by an individual or entity to report information about a missing military member to designated media outlets in this state;

(4) guidelines for protecting the privacy of a missing military member for whom an alert has been issued; and

(5) the procedures to be used by a military member to opt out of any activation of the alert system with respect to the member.

(c) Requires the director to prescribe forms for use by law enforcement agencies in requesting activation of the alert system.

Sec. 411.444. DEPARTMENT TO RECRUIT PARTICIPANTS. Requires DPS to recruit public and commercial television and radio broadcasters, private commercial entities, state or local governmental entities, the public, and other appropriate persons to assist in developing and implementing the alert system.

Sec. 411.445. STATE AGENCIES. (a) Requires a state agency participating in the alert system to cooperate with DPS and assist in developing and implementing the alert system, and to establish a plan for providing relevant information to its officers, investigators, or employees, as appropriate, once the alert system has been activated.

(b) Requires TxDOT, in addition to its duties as a state agency under Subsection (a), to establish a plan for providing relevant information to the public through an existing system of dynamic message signs located across the state.

Sec. 411.446. NOTIFICATION TO DEPARTMENT OF MISSING MILITARY MEMBER. (a) Requires a law enforcement agency to notify DPS if the agency:

(1) receives notice of a missing military member;

(2) verifies that at the time the military member is reported missing the person reported missing is a military member, the military member's location is unknown, the military member's domicile is in this state, and the military member suffers from a mental illness, including PTSD, or a traumatic brain injury; and

(3) determines that the military member's disappearance poses a credible threat to the military member's health and safety or the health and safety of another.

(b) Requires the law enforcement agency to require the family or legal guardian of the missing military member to provide documentation of the military member's mental illness to verify the condition as required by Subsection (a)(2)(D), and, as soon as practicable, determine whether the military member's

disappearance poses a credible threat to the military member's health and safety or the health and safety of another for purposes of Subsection (a)(3).

Sec. 411.447. ACTIVATION OF CAMO ALERT. (a) Requires DPS, when a law enforcement agency notifies DPS under Section 411.446, to confirm the accuracy of the information and, if confirmed, immediately issue an alert under this subchapter in accordance with DPS rules.

(b) Requires DPS, in issuing the alert, to send the alert to designated media outlets in this state. Authorizes participating radio stations, and television stations, and other participating media outlets, following receipt of the alert, to issue the alert at designated intervals to assist in locating the missing military member.

Sec. 411.448. CONTENT OF CAMO ALERT. Sets forth the required contents of the alert.

Sec. 411.449. TERMINATION OF CAMO ALERT. (a) Requires the director to terminate any activation of the alert with respect to a particular missing military member not later than the earlier of the date on which the missing military member is located or the situation is otherwise resolved; or the notification period ends, as determined by DPS rule.

(b) Requires a law enforcement agency that locates a missing military member who is the subject of an alert to notify DPS as soon as possible that the missing military member has been located.

Sec. 411.450. EXPIRATION OF SUBCHAPTER. Provides that this subchapter expires September 1, 2021.

SECTION 2. Effective date: September 1, 2017.