

Introduced by: Legislators Wayne H. Wink, Jr. and Judy Jacobs

LOCAL LAW NO 16 -2009

A LOCAL LAW in relation to the establishment of a Silver Alert System in Nassau County.

Passed by the Nassau County Legislature on August 10, 2009  
Voting: ayes: 17, naves: 0, abstained: 0  
Became a law on August 10, 2009 with the approval of the County Executive.

FORM APPROVED  
Judy Jacobs  
Interim - MAJORITY COUNSEL

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF NASSAU, as follows:

Section 1. Chapter VIII of chapter 272 of the laws of 1939 constituting the Nassau County Administrative Code is amended to add a new Title M, to read as follows:

Title M

The Hal Doliner Silver Alert

§ 8-132.0 Short Title. This law shall be known as the "Hal Doliner Silver Alert."

§ 8-132.1 Legislative intent. This Legislature finds senior citizens and other individuals afflicted with Alzheimer's disease, dementia and other cognitive disorders are at an increased risk of wandering away from their loved ones and/or caretakers.

The Legislature further finds that seniors and other individuals suffering from these disorders are at an increased risk of harm or abuse when they wander from their caretakers' supervision, with this risk increasing exponentially the longer they remain missing. Hal Doliner a long time resident of Port Washington died in an automobile accident on March 22, 2008, as a consequence of Alzheimer's disease and in April of 2009, Vincent Frodella, an 80 year old resident of Carle Place, who suffered from Alzheimer's disease, wandered from his home and was struck and killed on the Meadowbrook Parkway. According to records kept at the Nassau County Department of

Senior Citizens Affairs there are approximately 25,347 senior citizens in Nassau County that are afflicted with Alzheimer's disease, dementia and other cognitive disorders.

Therefore, the primary purpose of this law is to establish a Silver Alert System, similar in nature to the Amber Alert System that will provide a rapid dissemination of information regarding missing senior citizens and other individuals suffering from Alzheimer's disease, dementia and other cognitive disorders to the public in an effort to expedite the search and safe recovery of these individuals.

§ 8-132.2 Definitions. As used in this title:

"Police Department" shall mean the Nassau County Police Department and its members, agents and officers employed by such department.

"Sliver Alert System" shall mean a system that will provide the rapid dissemination of information regarding missing senior citizens and other individuals suffering from Alzheimer's disease, dementia and other cognitive disorders.

§ 8-132.3 Procedures.

- (a) The Police Department shall establish a Silver Alert System, develop guidelines and set up procedures for issuing a Silver Alert and maintain a database of media, organizations and other outlets to be contacted when a senior citizen or other individual suffering from Alzheimer's disease, dementia or other cognitive disorders is reported missing.
- (b) The Police Department will work jointly with the various cities, towns, villages and other police departments within Nassau County to rapidly disseminate information regarding missing senior citizens and other individuals suffering from Alzheimer's disease, dementia or other cognitive disorders.
- (c) The Police Department will issue a Silver Alert, unless it is deemed inappropriate due to the particular circumstances, each time a senior citizen or other individual suffering from Alzheimer's disease, dementia or other cognitive disorders is reported missing to the Police Department.

(d) The Silver Alert distributed to the public shall contain the following information:

- i. The missing individual's name;
- ii. The missing individual's age;
- iii. A physical description of the missing individual, including, if known, a description of the clothing the individual was last seen wearing;
- iv. The last location where the missing individual was seen; and
- v. The description of any motor vehicle the missing individual may be driving and the direction in which it was last seen traveling.

§ 8-132.4. Severability. If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

#### Section 2. SEQRA Determination.

It is hereby determined, based on the recommendation of the Nassau County Planning Commission acting in an advisory capacity to the Nassau County Legislature, the lead agency, and pursuant to the provisions of the State Environmental Quality Review Act ("SEQRA"), 8 NYECL section 0101 et seq. and its implementing regulations, Part 617 of 6 NYCRR, and Section 1611 of the County Government Law of Nassau County, that this Local Law will not have a significant impact on the environment and that no further environmental review or action is required. A record of the Planning Commission's recommendation of negative declaration for this action shall be maintained in a file, readily accessible to the public, at the office of the Planning Commission.

Section 3. Effective date. This law shall take effect one hundred twenty (120) days after becoming a law.

**APPROVED**

*Marilyn Gottlieb*

**County Executive**

**DATE** *August 10, 2009*