

NOTICE OF GUIDANCE DOCUMENT

Pursuant to Wis. Stat. § 227.112, the Wisconsin Department of Justice is hereby seeking comment on the following proposed guidance documents

DCI Silver Alert Procedures

Silver Alert Request—Supervisor checklist

Silver Alert Request

Silver Alert Visitor Card for Law Enforcement

Silver Alert Brochure

Silver Alert Law Enforcement Procedures

Urgent Alerts

PUBLIC COMMENT AND DEADLINE FOR SUBMISSION

Comments may be submitted to the Wisconsin Department of Justice until February 24, 2020, by emailing the agency contact person listed below.

AGENCY CONTACT PERSON

Karla Z. Keckhaver
Assistant Attorney General
keckhaverkz@doj.state.wi.us

DCI Silver Alert Procedures

Law enforcement will request a Silver Alert by contacting Dane County Dispatch at 608-267-3913. Dane County Dispatch will take the caller's name, agency, and phone number, and will then contact the DCI on-call person and provide the contact information. The requesting law enforcement agency is required to fill out the Details Form and have electronic images ready prior to making the initial call. *The Silver Alert should not be approved until all relevant paperwork and photos are received from the requesting agency.*

The DCI on-call supervisor will contact the LE caller and provide their email address so that they can receive an email containing the completed **Silver Alert Request Form** and any relevant photos (please note that WI DOT photos cannot be used). The supervisor will go over the criteria with the caller and also review the details form to determine if the criteria have been met and the alert will be issued.

1. If approved

- a. The Supervisor will fill out the **Supervisor's checklist** and review the Details Form with the LE caller still on the phone. The Supervisor will instruct the caller that the Silver Alert has been approved, will be issued, and that the on-call Missing and Exploited Person Unit (MEPU) on-call team member will be their point of contact.
- b. The Supervisor will contact the MEPU on-call team member listed on the Google Calendar.
- c. The MEPU on-call team member, in consultation with the Supervisor, will determine if it is a vehicle/statewide alert or an on foot/regional alert. Vehicle alerts includes digital billboards and DOT Dynamic Messaging boards. This concludes the role of the Supervisor.
- d. The MEPU on-call team member will send out the Silver Alert. ****Updated 2/6/18: If the missing person is believed to have a weapon, the alert will now be sent publicly instead of to law enforcement only, as was the previous SOP. The alert will contain a general caution similar to: "missing person is believed to be armed, please use caution". ****
- e. The MEPU on-call team member will be the point of contact with the requesting agency for updates and cancellations.
- f. The MEPU on-call team member will determine if updates or a cancellation are necessary and will send out such alerts.

2. If denied, the Supervisor will suggest to LE caller that a Missing Endangered Alert be sent out through the Wisconsin Crime Alert Network, and that DCI can send out this alert on behalf of their agency if their agency is not able to do so at this time. If assistance with the alert is requested the Supervisor will instruct the caller that the on-call MEPU team member will follow-up with them.

- a. The Supervisor will contact the MEPU on-call team member listed on the Google Calendar.
- b. The MEPU on-call team member will contact the requesting agency and offer any assistance needed, including sending the WCAN or offering other missing person resources.

3. For all approvals and denials, complete an ACISS report

- a. Pull ACISS case number
- b. Complete initiating case report (see sample wording document)
- c. Send report to supervisor for approval. Unless there are circumstances that dictate otherwise, the case should be closed upon approval.

WISCONSIN DEPARTMENT OF JUSTICE SILVER ALERT REQUEST FORM



Reporting Agency Information

Date of request
Name of requesting agency
Contact number for requesting agency
24-hour phone number for media/public inquiries
Name/Title of Investigating LEO
Cell phone number of Investigating LEO

IMPORTANT: Agencies are responsible for accurately answering the questions below and for completing the Silver Alert Details Form. The **investigating agency must fill out completely the details form** and then email/fax to you directly for your assessment. The Details Form indicates that the investigating agency should have the form completed and a photo available (if possible) prior to calling in a request.

A Silver Alert will not be issued if the answer is NO to any of the following questions.

- Yes No 1. Is the missing person 60 years of age or older?
- Yes No 2. Is the missing person believed to have Alzheimer's, dementia, or other permanent cognitive impairment which poses a threat to their health and safety? [official diagnosis not required]
- Yes No 3. Is there reasonable belief that the missing person's disappearance is due to their impaired cognitive condition?
- Yes No 4. Is the Silver Alert request within 72 hours of the individual's disappearance?
- Yes No 5. Is there sufficient information available to disseminate to the public that could assist in locating the missing person?
- Yes No 6. Is the missing person entered into NCIC?

If a missing person case does not meet the above Silver Alert criteria, the investigating agency should send out an **Endangered/Missing Person Alert** through the Wisconsin Crime Alert Network. If the investigating agency needs assistance with sending the WCAN alert, please contact WCAN program coordinator Joe Libowsky or Silver Alert program coordinator Kari Orn.

Name of DCI Supervisor _____

Approved

Denied

WISCONSIN DEPARTMENT OF JUSTICE SILVER ALERT REQUEST

1. To reduce the potential for errors, please DO NOT HANDWRITE THIS FORM.
This is a fillable PDF: fill it out and then save it to your computer.
2. **Fill out this form completely and have any photos ready prior to calling with your request. DOT photos cannot be used.**
3. Call Dane County Public Safety Communications Center (DCPSCC) at 608-267-3913.
4. DCPCC will contact the on-call DCI supervisor.
5. You will receive a return call from the DCI supervisor.
6. The DCI supervisor will give you an email address to which this form and any photos must be sent.
7. If the alert is approved, the DCI supervisor will contact Silver Alert on-call staff and forward the information to them. *If your alert request is denied for any reason, please utilize the Wisconsin Crime Alert Network and send a Missing Endangered Alert instead.*



8. A Silver Alert staff person will get in touch with you to give you their name and direct contact number. Please contact this person with any updates or cancellations.
9. **If the person is found safe, we highly recommend referring the family to the Aging and Disability Resource Center that serves your county ([WI ADRC's](#)) for resources and safety planning.**

Law Enforcement Agency requesting Silver Alert

24 hour Law Enforcement Agency contact number to be listed on the alert

Requesting Law Enforcement Officer's name, title and **DIRECT CONTACT NUMBER** (will only be shared with the DCI Silver Alert staff)

DESCRIPTIVE INFORMATION

Name (last, first, MI)	
Nickname?	What language do they speak if not English?
Gender	Race
DOB	Age
Height	Weight
Hair color and style	Facial hair

Eye color	Scars, tattoos or other unique features
Lives alone <input type="checkbox"/> Lives with caregiver <input type="checkbox"/> Lives in an assisted living or memory care facility <input type="checkbox"/>	
Last seen wearing <i>(Please be as specific as possible and include items such as jewelry, eyeglasses or items they may be carrying such as a cane or handbag)</i>	
Is there any reason to believe the individual is in possession of a weapon?	
Narrative of events <i>(Please include what information is available regarding the individual's intended destination and how your agency determined this person is missing because of their cognitive impairment)</i>	

Has the individual gone missing before? If so, where were they located and how long were they missing?

LOCATION INFORMATION

Date of last contact

Time of last contact

Missing from (city, county, state)

Last known location (their home, a store, etc.)

Describe the individual's familiarity with the area/surroundings

Hobbies, points of interest, previous residences/workplaces:
a former residence or workplace, even years or decades later.

A person with dementia will sometimes return to

Any other information that may be helpful in locating the missing individual

TRAVEL INFORMATION

Are they traveling on foot or in a vehicle?

Make

Model

Year

Color

License plate state	Plate number
Distinguishing features	
If on foot, are they known to use public transportation or hitchhike?	
Is the individual right or left handed? <i>If on foot, wanderers tend to turn in the direction of their dominant hand.</i>	
LAW ENFORCEMENT SENSITIVE INFORMATION (this information is only disclosed to Law Enforcement)	
Does the individual have a cell phone or other tracking device? If so, give details including what investigative efforts are being utilized regarding the device	

Does the individual regularly take medication? If so, do they have it with them? If not, what are the side effects or behavioral changes when they do not take this medication?
Is there any reason to believe the individual would be aggressive or violent if confronted?
Is there any indication that the person may be suicidal?

INVESTIGATIVE SUGGESTIONS FOR RESPONDING TO MEMORY-IMPAIRED ELDERLY MISSING PERSONS

This list is meant to offer *suggestions* when your agency is investigating a missing person believed to have dementia or other memory impairments. If, during the course of your investigation, you find another idea that proved useful, please share it with us at WISilverAlert@doj.state.wi.us.

- ✓ If the person left their residence on foot, search the *entire residence*, including any areas in which the person may have hidden themselves.
- ✓ Banking cards may be flagged. If possible, have a family member monitor banking activity online and/or receive immediate texts from the bank when the card is used.
- ✓ If your community has a mass-transit system, notify them of your missing person.
- ✓ Individuals with dementia may return to previous employers, former residences or neighborhoods years or decades later. If possible, check these locations and talk to anyone who currently lives there. Ask them to watch for the missing person. Also:
 - Is the person drawn to certain buildings, places or landmarks?
 - Has the person recently mentioned visiting a specific place? Or a specific person, even if long deceased?
 - If the person has gone missing previously, where were they found on that occasion?
 - If the missing person lives alone, ask a relative, neighbor or a law enforcement officer to monitor the home in case the person returns.
- ✓ Does the individual have any devices on his or her person that can assist with tracking their location? If the individual has a device such as a pacemaker or insulin pump, check with their physician to see if the device is GPS-enabled (for example, giving the person's location in a medical emergency). If in a vehicle, does the vehicle have OnStar or other navigation system?
- ✓ If on foot, wanderers tend to go in the direction of their dominant hand and will also generally continue without stopping until they encounter a physical barrier such as a fence or a body of water. Search high-risk areas first. Previous Silver Alert subjects have also sought shelter in unlocked vehicles or residences, especially in inclement weather.
- ✓ Reactions to sirens, helicopters, search dogs & their name being called can be informative: people with dementia may exhibit paranoia and may perceive that they are "in trouble", leading to further hiding or seclusion. Keep these issues in mind when searching, especially if the reporting party indicates that these adverse responses are likely.
- ✓ Many jurisdictions utilize UAV's (drones) to assist in the search for missing persons. If appropriate circumstances exist, such as freezing temps or large wooded areas, consider utilizing this resource from your or neighboring agencies.
- ✓ Check any available License Plate Readers in your area for any record of the missing vehicle.
- ✓ Contact the Aging and Disability Resource Center (ADRC) that serves your county to ask the staff if they have any helpful information regarding the missing person.
- ✓ The local Senior Center in your community may also have helpful information about the missing person.

LAW ENFORCEMENT GUIDE FOR RESPONDING TO MEMORY-IMPAIRED MISSING PERSONS

- If criteria are met, request a Silver Alert (see opposite side)
- Individuals with dementia may return to previous employers, residences or neighborhoods, even years or decades later
 - ⇒ Where did the person formerly live or work?
 - ⇒ Is the person drawn to certain buildings, places or landmarks?
 - ⇒ Has the person recently mentioned visiting a specific person or place?
 - ⇒ Previous wandering history may help inform current location
 - ⇒ If the missing person lives alone, ask a relative, neighbor or a law enforcement officer to monitor the home in case the person returns
- Credit card and/or debit cards can be tracked or flagged without delay
- Tracking technology devices & Alzheimer's registry systems can assist with identification
- If missing on foot, people with dementia often continue walking in a straight line until they reach a barrier (e.g. fence or body of water), then turn in the direction of their dominant hand at that barrier
- Reactions to sirens, helicopters, search dogs & their name being called can be informative: people with dementia may exhibit paranoia and may perceive that they are "in trouble", leading to further hiding or seclusion; consider amending the search response in light of these circumstances
- Contact the Aging and Disability Resource Center that serves your county to ask if staff has any helpful information regarding the missing person
Please add your local ADRC's phone #: _____
- Many jurisdictions utilize UAV's (drones) to assist in the search for missing persons; contact nearby jurisdictions to see if they have such a program if appropriate circumstances such as freezing temps or large wooded areas exist
- Vehicular guidelines
 - ⇒ If in a vehicle, check License Plate Readers (LPR's) in the area
 - ⇒ Does their vehicle have OnStar or other navigation system?



A SILVER ALERT CAN ASSIST IN LOCATING AN AT RISK MISSING ELDERLY PERSON



If the following criteria are met, a Silver Alert **must** (per WI Act 264 Section 175.51) be requested via the Wisconsin Department of Justice, Division of Criminal Investigation:

1. Is the missing person age 60 or older?
2. Is the missing person believed to have Alzheimer's, dementia, or other permanent cognitive impairment that threatens personal health and safety?
3. Is there reasonable belief that the missing person's disappearance is due to their impaired cognitive condition?
4. Is the Silver Alert request within 72 hours of the person's disappearance (*This does not mean to wait 72 hours before requesting a Silver Alert but that the person has been missing less than 72 hours when law enforcement becomes aware that the person is missing.*)
5. Is there sufficient information available to disseminate to the public that could assist in locating the missing person?
6. Is the missing person entered into NCIC?

If all of the above criteria are met, **fill out a Silver Alert Request Form** (found on WLEnet.org under DOJ), have photo(s)* ready and call **Dane County Public Communications Center at 608-267-3913**. *DOT photos cannot be used.

<p>Used with permission from the IACP's Alzheimer's Initiatives www.theiacp.org/alzheimers</p>	<p>10 Warning Signs a driver may have Alzheimer's Disease or dementia</p> <ol style="list-style-type: none"> 1. Erratic driving with slow or poor traffic decisions. 2. Intoxicated-like behavior such as incorrect words, delusional thoughts, and poor eye contact. 3. Inability to pull over safely. 4. Lost or disoriented behavior. (Never give directions or let the person go if he or she seems disoriented — the person may not realize they are lost.) 5. Defensive or agitated behavior 6. Vague answers that don't match the question. 7. Destination location or route doesn't make sense or doesn't exist anymore. 8. Shuffle or reduced gait in movement. (Not all persons with Alzheimer's disease exhibit a shuffle). 9. Problem producing a valid driver's license or vehicle registration and insurance documents. 10. Difficulty determining date, time or year. (Avoid giving "reality checks".) 	<p>10 Steps for Interacting with a driver who may have Alzheimer's Disease or dementia</p> <ol style="list-style-type: none"> 1. Speak in a calm, friendly tone. Do not raise your voice or argue. 2. Approach from the front and, if possible, remove hat and sunglasses to maintain eye contact. 3. Avoid touching the person without asking or explaining. 4. Be prepared for sudden mood or demeanor changes. 5. Ask one simple question at a time and allow extra response time. 6. Move the person to a safe, comfortable location in his or her own car, if possible. 7. Check for a tracking device or MedicAlert + Alzheimer's Assoc. Safe Return ID. 8. Run the vehicle registration to check for a missing person alert. 9. Ensure safe transit home with a relative or friend. 10. Always write a citation. This establishes a record and a possible need for a driver re-evaluation.
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Criteria* for Issuance of Silver Alert

1

Is the missing person
60 years of age or older?

Is the missing person **believed** to
have **Alzheimer's, dementia, or
other permanent cognitive
impairment** which poses a threat
to their health and safety?

2

3

Is there reasonable belief
that the missing person's
**disappearance is due to
their impaired cognitive
condition?**

Is the Silver Alert request
within 72 hours of the
individual's disappearance?

4

5

Is there **sufficient
information** available to
disseminate to the public that
could assist in locating the
missing person?



Contact Information

Wisconsin Department of Justice
Division of Criminal Investigation
Wisconsin Statewide Information Center
Risser Justice Center
17 West Main Street
PO Box 7857
Madison, WI 53707-7857
608-245-8952
wsic@doj.state.wi.us



SILVER
ALERT

Wisconsin's

Silver

Alert

Program





*if any of these are not present, a Missing/Endangered alert
may be issued via the WI Crime Alert Network.

If your loved one is missing

Immediately call 911. Your local law enforcement agency will respond to your location and subsequently notify the Department of Justice if the criteria for a Silver Alert is met.

Silver Alert Resources

The following distribution channels are available for Silver Alert Broadcasts.

	<i>Wisconsin Crime Alert Subscribers (includes media)</i>
	<i>State Lottery Terminals</i>
	<i>Department of Transportation Dynamic Messaging Signs</i>
	<i>Digital Advertising Billboards</i>

A special Thank You

Claire and Leo Baeb became lost while driving in June 2013 and drove around the state for over 24 hours. The Baeb family's experience and subsequent advocacy led to the creation of the Silver Alert in Wisconsin and will undoubtedly save lives of others in the future.

We hope that no family is ever in the situation to need our help.

Unfortunately, we know that many will be.

If your family member is at risk of becoming lost, the best thing to do is be prepared.

- Have a clear photo of your loved one stored in a digital file so it can be transmitted to law enforcement quickly if need be.
- If you are concerned about your loved one's ability to safely operate a vehicle, you can submit a *Driver Condition or Behavior Report* (MV3141) to the WI Department of Transportation at www.dot.state.wi.us. This will begin a process by which the DOT will assess your loved one's driving ability. You can also engage the help of your family member's doctor when filling out this form.
- Know your loved one's vehicle details, license plate and any unique descriptors. Keep a photo of the vehicle and any identifying features of it. Even if they no longer have a license and/or keys are kept out of view, it is best to be prepared if your family member becomes lost while in a vehicle.
- Encourage personalized plates, a unique bumper sticker or window cling on your loved one's vehicle. This will make the vehicle more noticeable.
- Utilize local resources such as the local chapter of the Alzheimer's Association at www.alz.org, Aging and Disability Resource Center (a bureau of the WI Dept. of Health Services) at www.dhs.wisconsin.gov, or Alzheimer's and Dementia Alliance of Wisconsin at www.alz.wisc.org for information on wandering triggers and prevention tips.
- Contact your local law enforcement agency to determine whether they endorse and are trained in a tracking device program. Some Wisconsin communities also maintain their own registry of elderly residents who are at risk of becoming lost.
- Sign up at wisconsincrimealert.gov to receive alerts from the Wisconsin Crime Network, which include Silver Alerts and Amber Alerts. You may be the person who finds someone else's lost family member.

Be Prepared



Wisconsin Silver Alert Law Enforcement Protocol



The following procedures are required for all Wisconsin law enforcement agencies requesting a Silver Alert activation, update, or cancellation.

Silver Alerts must be requested by the law enforcement agency of jurisdiction and are only issued by the WI Department of Justice, Division of Criminal Investigation (DCI)

1. A law enforcement officer (LEO) who has reason to believe a missing person fits the criteria for a Silver Alert **will gather all relevant details and fill out a Silver Alert Details Form (located on WILEnet/DOJ/Silver Alert)**. The investigating LEO should also obtain an electronic image to be forwarded for inclusion in the alert. Please note that a WI Driver's License photo cannot be used.
 - a. Is the missing person 60 years of age or older?
 - b. Is the missing person believed to have Alzheimer's, dementia, or other permanent cognitive impairment which poses a threat to their health and safety? (we do not require an official medical diagnosis)
 - c. Is there reasonable belief that the missing person's disappearance is due to their impaired cognitive condition?
 - d. Is the Silver Alert request within 72 hours of the individual's disappearance?
 - e. Is there sufficient information available to disseminate to the public that could assist in locating the missing person?
 - f. Is the missing person entered into NCIC?
2. The investigating LEO will contact the Dane County Communications Center at 608-267-3913.
3. The Dane County Communications Center will collect the requesting LEO's name and direct contact number.
4. The Dane County Communications Center will contact the DCI on-call supervisor and provide the LEO contact's name and number. *At this point, the Dane County Communication Center's involvement ends.*
5. The DCI supervisor contacts the LEO and verifies that the factors meet the Silver Alert criteria. The supervisor will then provide an email address to which the Silver Alert Details Form and available

photo(s) should be sent. Once the supervisor receives the Details Form, the supervisor and the LEO will go over the information to make sure all relevant details are included.

6. The DCI supervisor then contacts on-call Silver Alert staff and provides all necessary information and forwards the documentation and photo(s). *At this point, the DCI supervisor's involvement ends.*
7. Silver Alert staff calls the LEO and provides their direct contact number. **The Silver Alert staff person now becomes the direct contact to the LEO and their agency regarding anything related to the Silver Alert.**
8. Silver Alert staff activates the Silver Alert via the Wisconsin Crime Alert Network.
9. Depending on the circumstances, the following regional, multi-regional or statewide resources can be utilized during the Silver Alert. Which resources are used will be at the discretion of Silver Alert staff and/or the DCI supervisor.
 - a. Wisconsin Crime Alert Network message
 - b. Department of Transportation highway message boards: If the person is in a vehicle, the DOT message boards can be activated. The Silver Alert message is displayed for a maximum of 5 hours (not including the hours of 10PM-6AM).
 - c. Wisconsin Lottery terminals: Lottery terminals will display the alert for up to 3 days.
 - d. Time System Control Center: TSCC will issue an administrative teletype message to notify law enforcement agencies in the region in which the Silver Alert was activated.
 - e. Digital Billboards: Outdoor Advertising Association of Wisconsin may display the Silver Alert on digital billboards in the area.
10. The LEO and/or their agency are responsible for notifying Silver Alert staff of any significant updates so that an updated alert or a cancellation can be issued. Only the Wisconsin Department of Justice Division of Criminal Investigation can officially update or cancel a Silver Alert.
11. After the individual is located, the Silver Alert Coordinator will request information for record-keeping purposes regarding how the individual was located and if the Silver Alert was directly responsible for their recovery. Any additional information about where they were during their time missing is also helpful.
12. We recommend that LE make a referral to the local Aging and Disability Resource Center (ADRC) serving the county in which the person lives.

**Please contact DCI Silver Alert
Coordinator Kari Orn
with any questions, feedback
or concerns.**

**ornkm@doj.state.wi.us
608-234-3160**



WISCONSIN URGENT INCIDENT ALERTS



Know when and how to utilize these resources

IMMINENT THREAT TO LAW ENFORCEMENT



Investigating agency or TIME Control Center (TSCC) issues TIME System message using broadcast group ITLE

FATAL HIT & RUN



Investigating agency issues WCAN Alert using "Standard Alert" form

✓ For Fatal Hit & Run and Green Alerts: if the WCAN was sent statewide, contact TSCC to broadcast a statewide message

MISSING VETERAN Green Alert



Investigating agency issues WCAN Alert using "Green Alert" form

MISSING ELDER Silver Alert



Investigating agency contacts Dane County Dispatch to begin DCI approval process

DCI approves & issues Silver Alerts

MISSING CHILD AMBER Alert



Investigating agency contacts Dane County Dispatch to begin DCI approval process

DCI approves & issues AMBER Alerts

CRITERIA

Death or serious injury of a law enforcement officer in the line of duty
-or-
Threat of death or serious injury to law enforcement officer
-or-
Law enforcement officer missing in connection with official duties

CRITERIA

Person has been killed
-and-
Law enforcement agency has information that could help identify the driver or vehicle involved
-and-
Alert could help avert further harm

CRITERIA

Veteran is missing believed due to his or her physical or mental health condition related to their service
-and-
Sufficient information to disseminate that could assist in locating the missing veteran

CRITERIA

60 years of age or older
-and-
Believed to have Alzheimer's, dementia, or another permanent cognitive impairment
-and-
Disappearance due to the impaired cognitive condition
-and-
Request made within 72 hours of disappearance
-and-
Entered into NCIC

CRITERIA

17 years of age or younger
-and-
Danger of serious bodily harm or death
-and-
Sufficient descriptive information

CERTIFICATION OF PROPOSED GUIDANCE DOCUMENT

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

On behalf of the Attorney General

A handwritten signature in blue ink, appearing to read 'Charlotte Gibson', is written over a horizontal line.

CHARLOTTE GIBSON

Division of Legal Services Administrator