

STATE OF NEW YORK

10150

IN SENATE

April 30, 2026

Introduced by Sen. SCARCELLA-SPANTON -- read twice and ordered printed,
and when printed to be committed to the Committee on Codes

AN ACT to amend the executive law, in relation to establishing a missing
vulnerable veterans at risk program

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Short title. This act shall be known and may be cited as
2 the "missing vulnerable veterans at risk program act".

3 § 2. The executive law is amended by adding a new section 837-f-3 to
4 read as follows:

5 § 837-f-3. Missing vulnerable veterans at risk program. 1. There is
6 hereby established within the division a missing vulnerable veterans at
7 risk program to provide a comprehensive and coordinated approach to the
8 problem of missing vulnerable veterans at risk.

9 2. For purposes of this section:

10 (a) "Vulnerable veteran at risk" shall mean an individual who is a
11 United States veteran who has a cognitive impairment, mental disability,
12 or brain disorder and whose disappearance has been determined by law
13 enforcement to pose a creditable threat of harm to such missing individ-
14 ual and has elected to participate in the missing vulnerable veterans at
15 risk program.

16 (b) "Veteran" shall mean a person who served on active duty in
17 uniformed services of the United States regardless of discharge status;
18 and

19 (c) "Missing vulnerable veterans at risk alert" shall mean a method to
20 disseminate information regarding a missing vulnerable veteran at risk
21 to the general public in a manner consistent with paragraph (n) of
22 subdivision three of this section.

23 3. The commissioner shall be authorized to:

24 (a) plan and implement programs to ensure the most effective use of
25 federal, state, and local resources in the investigation of missing
26 vulnerable veterans at risk;

27 (b) disseminate a directory of resources to assist in locating missing
28 vulnerable veterans at risk;

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD13162-01-5

1 (c) cooperate with the department of health, department of veterans'
2 services, office of mental health, office for people with developmental
3 disabilities, office for the aging, and other public and private organ-
4 izations to develop education and prevention programs concerning the
5 safety of vulnerable veterans at risk;

6 (d) assist federal, state, and local agencies in the investigation of
7 cases involving missing vulnerable veterans at risk;

8 (e) utilize available resources to duplicate photographs and posters
9 of vulnerable veterans at risk reported as missing by police and dissem-
10 inate this information throughout the state;

11 (f) provide assistance in returning missing vulnerable veterans at
12 risk who are located out of state;

13 (g) develop a curriculum for the training of law enforcement personnel
14 investigating cases involving missing vulnerable veterans at risk,
15 including recognition and management of vulnerable veterans at risk;

16 (h) operate a toll-free twenty-four-hour hotline for the public to use
17 to relay information concerning missing vulnerable veterans at risk;

18 (i) establish a case database that shall include non-identifying
19 information on reported missing vulnerable veterans at risk and facts
20 developed in the phases of a search; and analyze such data for the
21 purposes of assisting law enforcement in their current investigations of
22 missing vulnerable veterans at risk, developing prevention programs and
23 increasing understanding of the nature and extent of the problem;

24 (j) prescribe general guidelines to enable state agencies to assist in
25 the location and recovery of missing vulnerable veterans at risk. The
26 guidelines shall provide information relating to:

27 (i) the form and manner in which materials and information pertaining
28 to missing vulnerable veterans at risk, including, but not limited to,
29 biographical data and pictures, sketches, or other likenesses, may be
30 included in stationary, newsletters, and other written or electronic
31 printings, provided such guidelines are consistent with paragraph (n) of
32 this subdivision;

33 (ii) appropriate sources from which such materials and information may
34 be obtained;

35 (iii) the procedures by which such materials and information may be
36 obtained; and

37 (iv) any other matter the program may deem important;

38 (k) maintain and make available to appropriate state and local law
39 enforcement agencies information concerning technological advances that
40 may assist in facilitating the recovery of missing vulnerable veterans
41 at risk;

42 (l) take such other steps as necessary to assist in education,
43 prevention, service provision, and investigation of cases involving
44 missing vulnerable veterans at risk;

45 (m) The division, in consultation with the department of veterans'
46 services, shall establish an opt-in procedure for vulnerable veterans at
47 risk who wish to be involved in the missing vulnerable veterans at risk
48 program;

49 (n) (i) In consultation with the division of state police, department
50 of veterans' services and other appropriate agencies, develop, regularly
51 update, and distribute model missing vulnerable veterans at risk prompt
52 response and notification plans. Such plans shall be available for use
53 by local communities and law enforcement personnel, and shall involve a
54 proactive, coordinated response that may be promptly triggered by law
55 enforcement personnel upon confirmation by a police officer, peace offi-

1 cer, or police agency of a report of a missing vulnerable veteran at
2 risk, as defined in subdivision two of this section.

3 (ii) Such plans shall, at a minimum, provide that: (A) the name of the
4 missing vulnerable veteran at risk, a description of the missing indi-
5 vidual, and other pertinent information may be promptly dispatched over
6 the police communication system pursuant to subdivision three of section
7 two hundred twenty-one of this chapter;

8 (B) such information may be immediately provided, both: (1) orally,
9 electronically, or by facsimile transmission to one or more radio
10 stations and other broadcast media outlets serving the community includ-
11 ing, but not limited to, those who have voluntarily agreed in advance to
12 promptly notify other such radio stations and broadcast media outlets in
13 like manner; and (2) by electronic mail message to one or more internet
14 service providers and commercial mobile service providers serving the
15 community including, but not limited to, those which have voluntarily
16 agreed in advance to promptly notify other such internet service provid-
17 ers in like manner;

18 (C) participating radio stations and other participating broadcast
19 media outlets serving the community may voluntarily agree to promptly
20 broadcast a missing vulnerable veteran at risk alert providing pertinent
21 details concerning the missing vulnerable veteran's disappearance,
22 breaking into regular programming where appropriate;

23 (D) participating internet service providers and commercial mobile
24 service providers serving the community may voluntarily agree to prompt-
25 ly provide by electronic mail message a missing vulnerable veteran at
26 risk alert providing pertinent details concerning the missing vulnerable
27 veteran's disappearance;

28 (E) police agencies not connected with the basic police communication
29 system in use in such jurisdiction may transmit such information to the
30 nearest or most convenient electronic entry point, from which point it
31 may be promptly dispatched in conformity with the orders, rules, or
32 regulations governing the system; and

33 (F) a statewide response may be initiated as soon as the division
34 deems it is necessary to find the missing vulnerable veteran at risk.
35 Such a plan may not require the issuance of an alert if the investigat-
36 ing police department, in its discretion, advises that the release of
37 such information may jeopardize the investigation or the safety of the
38 missing vulnerable veteran at risk or the investigating police depart-
39 ment requests forbearance for any reason.

40 (iii) The commissioner shall also designate a unit within the division
41 that shall assist law enforcement agencies and representatives of radio
42 stations, broadcast media outlets, internet service providers, and
43 commercial mobile service providers in the design, implementation, and
44 improvement of missing vulnerable veteran at risk response and notifica-
45 tion plans. Such unit shall make ongoing outreach efforts to local
46 government entities and local law enforcement agencies to assist such
47 entities and agencies in the implementation and operation of such plans
48 with the goal of implementing and operating such plans in every juris-
49 isdiction in New York state.

50 (o) disseminate specific medical information about a missing vulner-
51 able veteran at risk to the extent that such medical information indi-
52 cates a physical quality or behavioral trait that is readily apparent
53 and contributes to a physical or behavioral description of the missing
54 vulnerable veteran at risk, provided that more extensive information
55 relating to the missing vulnerable veteran's at risk medical diagnosis
56 and condition may be provided to law enforcement personnel as needed.

1 4. The commissioner shall submit an annual report to the governor and
2 legislature regarding the activities of the missing vulnerable veterans
3 at risk program, including statistical information involving reported
4 cases of missing vulnerable veterans at risk, the number of veterans at
5 risk who have opted to participate in the missing vulnerable veterans
6 at risk program and a summary of the division's efforts with respect to
7 the activities authorized under subdivision three of this section.

8 § 3. Subdivisions 7, 10 and 11 of section 838 of the executive law,
9 subdivision 7 as amended and subdivisions 10 and 11 as added by chapter
10 222 of the laws of 2011, are amended to read as follows:

11 7. (a) When a person previously reported missing has been found, the
12 superintendent of state police, sheriff, chief of police, coroner or
13 medical examiner, or other law enforcement authority shall erase all
14 records with respect to such person and/or destroy any documents which
15 are maintained pursuant to this section and shall report to the division
16 that the person has been found and that the records and documents have
17 been so erased or destroyed. After receiving such a report, the division
18 shall erase all records with respect to such person and/or destroy any
19 documents which are maintained pursuant to this section.

20 (b) Nothing in paragraph (a) of this subdivision shall be construed as
21 prohibiting law enforcement agencies from maintaining case files relat-
22 ing to vulnerable adults, as defined in section eight hundred thirty-
23 seven-f-one, or vulnerable veteran at risk pursuant to section eight
24 hundred thirty-seven-f-three of this article who were reported missing,
25 provided, however, that any DNA, fingerprints and/or dental records
26 acquired in the course of such investigation shall be erased and/or
27 destroyed in accordance with paragraph (a) of this subdivision after the
28 person previously reported missing has been found.

29 (c) (i) Notwithstanding the provisions of paragraph (a) of this subdivi-
30 sion, if a vulnerable adult, as defined in section eight hundred thir-
31 ty-seven-f-one or vulnerable veteran at risk pursuant to section eight
32 hundred thirty-seven-f-three of this article, previously reported miss-
33 ing has been found, the division shall maintain a sealed record of the
34 case file for a period of ten years, after which it shall be erased
35 and/or destroyed. The sealed record shall be unsealed if the individual
36 to whom the record pertains is reported missing on a subsequent occasion
37 or if needed for evidentiary purposes in any civil litigation against
38 the division or its personnel that arises from the investigation. Howev-
39 er, in the event that there are grounds for a criminal action arising
40 from the investigation, nothing in this subdivision shall be interpreted
41 as prohibiting the division from allowing such records to remain
42 unsealed until such criminal action is concluded or otherwise resolved.

43 (ii) The division shall establish rules and regulations relating to
44 the unsealing of records. Such rules and regulations shall require that,
45 pursuant to subparagraph (i) of this paragraph, the process of unsealing
46 such records shall take no longer than two hours from the time the divi-
47 sion receives a report that a vulnerable adult or vulnerable veteran at
48 risk, for whom there is a previous record, is missing.

49 10. Notwithstanding any other provision of law, no criminal justice
50 agency shall establish or maintain any policy that requires the obser-
51 vance of a waiting period before accepting and investigating a report of
52 a missing vulnerable adult as defined in section eight hundred thirty-
53 seven-f-one or vulnerable veteran at risk as defined in section eight
54 hundred thirty-seven-f-three of this article. Upon receipt of a report
55 of such missing vulnerable adult or vulnerable veteran at risk, criminal

1 justice agencies shall make entries of such report in the manner
2 provided by subdivision eleven of this section.

3 11. Whenever a criminal justice agency determines that a person is a
4 missing vulnerable adult, as defined in section eight hundred thirty-
5 seven-f-one of this article, or that an unidentified living person may
6 be a missing vulnerable adult or vulnerable veteran at risk as defined
7 in section eight hundred thirty-seven-f-three of this article, such
8 criminal justice agency shall enter the report of such missing vulner-
9 able adult or vulnerable veteran at risk in any database of missing
10 persons maintained by the division and the federal government.

11 § 4. The provisions of this act shall not be construed to limit in any
12 way the authority of a municipality to enact, implement, and continue to
13 enforce local laws and regulations relating to an alert system to locate
14 missing individuals that were in effect prior to the effective date of
15 this act, or to enact, implement, and enforce any amendments thereto
16 after the effective date of this act.

17 § 5. Severability. If any clause, sentence, paragraph, section or part
18 of this act shall be adjudged by any court of competent jurisdiction to
19 be invalid and after exhaustion of all further judicial review, the
20 judgment shall not affect, impair or invalidate the remainder thereof,
21 but shall be confined in its operation to the clause, sentence, para-
22 graph, section or part of this act directly involved in the controversy
23 in which the judgment shall have been rendered.

24 § 6. This act shall take effect on the ninetieth day after it shall
25 have become a law. Effective immediately, the addition, amendment and/or
26 repeal of any rule or regulation necessary for the implementation of
27 this act on its effective date are authorized to be made and completed
28 on or before such effective date.