

STATE OF NEW YORK

8473

2025-2026 Regular Sessions

IN ASSEMBLY

May 16, 2025

Introduced by M. of A. STERN, MANKTELOW -- read once and referred to the Committee on Veterans' Affairs

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 Assembly, 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:

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

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

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

6 (c) cooperate with the department of health, department of veterans'
7 services, office of mental health, office for people with developmental
8 disabilities, office for the aging, and other public and private organ-
9 izations to develop education and prevention programs concerning the
10 safety of vulnerable veterans at risk;

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

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

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

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

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

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

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

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

38 (ii) appropriate sources from which such materials and information may
39 be obtained;

40 (iii) the procedures by which such materials and information may be
41 obtained; and

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

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

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

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

54 (n) (i) In consultation with the division of state police, department
55 of veterans' services and other appropriate agencies, develop, regularly
56 update, and distribute model missing vulnerable veterans at risk prompt

1 response and notification plans. Such plans shall be available for use
2 by local communities and law enforcement personnel, and shall involve a
3 proactive, coordinated response that may be promptly triggered by law
4 enforcement personnel upon confirmation by a police officer, peace offi-
5 cer, or police agency of a report of a missing vulnerable veteran at
6 risk, as defined in subdivision two of this section.

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

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

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

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

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

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

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

54 (o) disseminate specific medical information about a missing vulner-
55 able veteran at risk to the extent that such medical information indi-
56 cates a physical quality or behavioral trait that is readily apparent

1 and contributes to a physical or behavioral description of the missing
2 vulnerable veteran at risk, provided that more extensive information
3 relating to the missing vulnerable veteran's at risk medical diagnosis
4 and condition may be provided to law enforcement personnel as needed.

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

12 § 3. Subdivisions 7, 10 and 11 of section 838 of the executive law,
13 subdivision 7 as amended and subdivisions 10 and 11 as added by chapter
14 222 of the laws of 2011, are amended to read as follows:

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

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

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

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

53 10. Notwithstanding any other provision of law, no criminal justice
54 agency shall establish or maintain any policy that requires the obser-
55 vance of a waiting period before accepting and investigating a report of
56 a missing vulnerable adult as defined in section eight hundred thirty-

1 seven-f-one or vulnerable veteran at risk as defined in section eight
2 hundred thirty-seven-f-three of this article. Upon receipt of a report
3 of such missing vulnerable adult or vulnerable veteran at risk, criminal
4 justice agencies shall make entries of such report in the manner
5 provided by subdivision eleven of this section.

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

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

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

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