"KEVIN AND AVONTE'S LAW" (S. 2070)
(115th Congress)

U.S. Sens. Chuck Grassley (R-Iowa) and Amy Klobuchar (D-Minn.) on November 2, 2017 introduced bipartisan legislation to help protect children with developmental disabilities, and seniors with Alzheimer's, who are prone to wandering. The bill, which passed the Senate by voice vote in the 114th Congress, is named in honor of two young boys diagnosed with autism who wandered away from supervised settings and drowned. One of the two, nine year-old Kevin Curtis Wills, died in 2008 after jumping into the Raccoon River near his home town of Jefferson, Iowa. The other, high school student Avonte Oquendo of Queens, New York, drowned in NYC's East River in 2014. Six year-old Hamza Elmi of St. Cloud, Minnesota, who was also diagnosed with autism, drowned in the Mississippi River near his home in 2015.

Need for Legislation: Families with developmentally disabled children and aging parents often experience challenges that others do not face on a daily basis. For example, it's common for many children with autism or seniors with Alzheimer's disease to wander away from their caregiver's supervision—with sometimes tragic results.

If an ounce of prevention is worth a pound of cure, renewing the federal "Missing Alzheimer's Disease Patient Alert program" makes sense for public safety. Extending the federal program would benefit the thousands of families keeping watch 24 hours a day, 7 days a week of a vulnerable family member with Alzheimer's disease or other forms of dementia.

It also makes sense to expand this program to cover children with developmental disabilities, such as autism, whose condition leads them to wander away from their families or caregivers. The number of children diagnosed with autism continues to climb, and about a third of children with autism had wandered in the last year, according to a recent survey.

Summary of Bill Provisions: Parents and caregivers who have ever experienced the frantic search for a missing loved one with special needs no doubt feel powerless, or even hopeless, if the search turns from hours into days. This bill aims to give them some peace of mind by:

- **Revising and extending the federal missing patient alert program.** This program, which Congress established to meet the needs of Alzheimer's patients who go missing, originally was authorized at $900,000 annually (42 U.S.C. § 14181). Kevin and Avonte's Law would double its authorized funding level to $2 million per year and expand the program to cover additional individuals with dementia or developmental disabilities. The program would be re-named the "Missing Americans Alert Program."

- **Making resources available to deploy the use of technology to help unite missing family members before tragedy occurs.** Kevin and Avonte's Law would authorize DOJ grants to be used for the purchase of tracking technology to help the families of children with developmental disabilities recover their child in the event that the child becomes separated from parents or caregivers. The bill would also establish privacy protections to ensure that the tracking technology is used safely and data is kept secure.

- Providing resources for education and training to help prevent a vulnerable family member's disappearance or, in the event he or she goes missing, take immediate action to return that endangered family member to safety.   DOJ grants could be used by nonprofits or law enforcement agencies to develop training and emergency protocols for school officials and first responders; to increase personal safety and survival skills of vulnerable individuals with these conditions; or to operate notification systems for alerts and advisories to aid in an endangered missing individual's recovery.

Endorsements: Autism Society of Iowa, Autism Speaks, the National Autism Association, SafeMinds, the National Center for Missing and Exploited Children, ANCOR (American Network of Community Options), National Autism Society of America, the Alzheimer's Impact Movement, the National Down Syndrome Society, and the Color of Autism Foundation.