

to chapter 112 (§10601 et seq.) of Title 42, The Public Health and Welfare, prior to editorial reclassification as chapter 201 (§20101 et seq.) of this title. For complete classification of this Act to the Code, see Short Title of 1984 Act note set out under section 10101 of this title and Tables.

SUBCHAPTER IV—ROBERT MATAVA ELDER ABUSE PROSECUTION ACT OF 2017

§ 21741. **Training and technical assistance for States**

The Attorney General, in consultation with the Secretary of Health and Human Services and in coordination with the Elder Justice Coordinating Council (established under section 1397k of title 42), shall create, compile, evaluate, and disseminate materials and information, and provide the necessary training and technical assistance, to assist States and units of local government in—

(1) investigating, prosecuting, pursuing, preventing, understanding, and mitigating the impact of—

- (A) physical, sexual, and psychological abuse of elders;
- (B) exploitation of elders, including financial abuse and scams targeting elders; and
- (C) neglect of elders; and

(2) assessing, addressing, and mitigating the physical and psychological trauma to victims of elder abuse.

(Pub. L. 115–70, title IV, §403, Oct. 18, 2017, 131 Stat. 1214.)

§ 21742. **Interstate initiatives**

(a) **Interstate agreements and compacts**

The consent of Congress is given to any two or more States (acting through State agencies with jurisdiction over adult protective services) to enter into agreements or compacts for cooperative effort and mutual assistance—

- (1) in promoting the safety and well-being of elders; and
- (2) in enforcing their respective laws and policies to promote such safety and well-being.

(b) **Recommendations on interstate communication**

The Executive Director of the State Justice Institute, in consultation with State or local adult protective services, aging, social, and human services and law enforcement agencies, nationally recognized nonprofit associations with expertise in data sharing among criminal justice agencies and familiarity with the issues raised in elder abuse cases, and the Secretary of Health and Human Services, shall submit to Congress legislative proposals relating to the facilitation of interstate agreements and compacts.

(Pub. L. 115–70, title IV, §404, Oct. 18, 2017, 131 Stat. 1215.)

SUBCHAPTER V—MISCELLANEOUS

§ 21751. **Model power of attorney legislation**

The Attorney General shall publish model power of attorney legislation for the purpose of preventing elder abuse.

(Pub. L. 115–70, title V, §504, Oct. 18, 2017, 131 Stat. 1217.)

§ 21752. **Best practices and model legislation for guardianship proceedings**

The Attorney General shall publish best practices for improving guardianship proceedings and model legislation relating to guardianship proceedings for the purpose of preventing elder abuse.

(Pub. L. 115–70, title V, §505, Oct. 18, 2017, 131 Stat. 1217.)

CHAPTER 219—ASHANTI ALERT COMMUNICATIONS NETWORK

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21901.	Ashanti Alert communications network.
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21903.	Minimum standards for issuance and dissemination of alerts through Ashanti Alert communications network.
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§ 21901. **Definitions**

In this chapter:

(1) **AMBER Alert communications network**

The term “AMBER Alert communications network” means the AMBER Alert communications network established under subtitle A of title III of the PROTECT Act (34 U.S.C. 20501 et seq.).

(2) **Ashanti Alert**

The term “Ashanti Alert” means an alert issued through the Ashanti Alert communications network, related to a missing adult.

(3) **Ashanti Alert communications network**

The term “Ashanti Alert communications network” means the national communications network established by the Attorney General under section 21902(a) of this title.

(4) **Ashanti Alert Coordinator of the Department of Justice; Coordinator**

The term “Ashanti Alert Coordinator of the Department of Justice” or “Coordinator” means the employee designated by the Attorney General to act as the national coordinator of the Ashanti Alert communications network under section 21903(a) of this title.

(5) **Ashanti Alert plan**

The term “Ashanti Alert plan” means a local element of the Ashanti Alert communications network.

(6) **Indian Tribe**

The term “Indian Tribe” means a federally recognized Indian Tribe or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 1602 of title 43).

(7) **Missing adult**

The term “missing adult” means an individual who—

- (A) is older than the age for which an alert may be issued through the AMBER Alert

communications network in the State or territory of an Indian Tribe in which the individual is identified as a missing individual;

(B) is identified by a law enforcement agency as a missing individual; and

(C) meets the requirements to be designated as a missing adult, as determined by the State in which, or the Indian Tribe in the territory of which, the individual is identified as a missing individual.

(8) State

The term “State” means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(Pub. L. 106-468, title II, §201, as added Pub. L. 115-401, §2(5), Dec. 31, 2018, 132 Stat. 5336.)

REFERENCES IN TEXT

The PROTECT Act, referred to in par. (1), is Pub. L. 108-21, Apr. 30, 2003, 117 Stat. 650, also known as the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003. Subtitle A of title III of the Act is classified generally to chapter 205 (§20501 et seq.) of this title. For complete classification of this Act to the Code, see Short Title of 2003 Amendment note set out under section 1 of Title 18, Crimes and Criminal Procedure, and Tables.

§ 21902. Ashanti Alert communications network

(a) In general

The Attorney General shall, subject to the availability of appropriations, establish a national communications network within the Office of Justice Programs of the Department of Justice to provide assistance to regional and local search efforts for missing adults through the initiation, facilitation, and promotion of local elements of the network, in coordination with States, Indian Tribes, units of local government, law enforcement agencies, and other concerned entities with expertise in providing services to adults.

(b) Integration with existing communications network

In establishing the Ashanti Alert communications network under subsection (a), the Attorney General shall coordinate, when advisable, with missing person alert systems in existence as of December 31, 2018, such as the AMBER Alert communications network and Silver Alert communications networks.

(Pub. L. 106-468, title II, §202, as added Pub. L. 115-401, §2(5), Dec. 31, 2018, 132 Stat. 5337.)

§ 21903. Ashanti Alert Coordinator

(a) National coordinator within Department of Justice

The Attorney General shall designate an employee of the Office of Justice Programs of the Department of Justice to act as the national coordinator of the Ashanti Alert communications network.

(b) Duties of the Coordinator

In acting as the national coordinator of the Ashanti Alert communications network, the Coordinator shall—

(1) work with States and Indian Tribes to encourage the development of additional Ashanti Alert plans in the network;

(2) establish voluntary guidelines for States and Indian Tribes to use in developing Ashanti Alert plans that will promote compatible and integrated Ashanti Alert plans throughout the United States, including—

(A) a list of the resources necessary to establish an Ashanti Alert plan;

(B) criteria for evaluating whether a situation warrants issuing an Ashanti Alert, taking into consideration the need for the use of Ashanti Alerts to be limited in scope because the effectiveness of the Ashanti Alert communications network may be affected by overuse, including criteria to determine—

(i) whether the mental capacity of an adult who is missing, and the circumstances of his or her disappearance, including any history of domestic violence, sexual assault, child abuse, or human trafficking, warrant the issuance of an Ashanti Alert; and

(ii) whether the individual who reports that an adult is missing is an appropriate and credible source on which to base the issuance of an Ashanti Alert;

(C) a description of the appropriate uses of the Ashanti Alert name to readily identify the nature of search efforts for missing adults; and

(D) recommendations on how to protect the privacy, dignity, independence, autonomy, and safety of any missing adult who may be the subject of an Ashanti Alert;

(3) develop proposed protocols for efforts to recover missing adults and to reduce the number of adults who are reported missing, including protocols for procedures that are needed from the time of initial notification of a law enforcement agency that the adult is missing through the time of the return of the adult to family, guardian, or domicile, as appropriate, including—

(A) public safety communications protocol;

(B) case management protocol;

(C) command center operations;

(D) reunification protocol;

(E) incident review, evaluation, debriefing, and public information procedures; and

(F) protocols for declining to issue an Ashanti Alert;

(4) work with States and Indian Tribes to ensure appropriate regional coordination of various elements of the network;

(5) establish an advisory group to assist States, Indian Tribes, units of local government, law enforcement agencies, and other entities involved in the Ashanti Alert communications network with initiating, facilitating, and promoting Ashanti Alert plans, which shall include—

(A) to the maximum extent practicable, representation from the various geographic regions of the United States; and

(B) members who are—

(i) representatives of adult citizen advocacy groups, law enforcement agencies,