Avonte’s Law of 2015
Summary

June 2015

On January 13, 2015, Senator Chuck Schumer (D-NY) introduced a bill (S. 163) that would establish a 5-year, $10 million dollar grant program to reduce injury and death relating to the wandering and safety of individuals with disabilities.

Nearly half of children with autism and other developmental disabilities are found to wander from a supervised location – four times higher than their unaffected siblings (Law & Anderson, 2011). Emergency, school, and community personnel often lack the training and education they need to assist individuals with disabilities with other safety issues outside of wandering, that could be prevented with adequate training and resources.


1. Reduce the risk of injury and death relating to the wandering characteristics of some individuals with autism and other disabilities; and

2. Safeguard the well-being of individuals with disabilities during interactions with law enforcement.

In addition to these amendments, S. 163 authorizes funds to education, training and resources to law enforcement agencies, search-and-rescue agencies, first responders, schools, clinicians, and the public. Families and school personnel are included into the education and training provision, relating to training and emergency protocols.

The education and training must:

- Reduce the risk of wandering by individuals with autism or other disabilities;
- Increase personal safety and survival skills for individuals with autism or other disabilities;
- Help to identify signs of abuse in individuals with autism or other disabilities;
• Facilitate effective communication with individuals who have communicated-related disabilities, including the use of assistive communication techniques and technology; and,

• Provide training on response tools, such as, tracking technology; reverse 911; assistive communication technology; Endangered Missing Advisories; and, federal search-and-rescue guidelines for individuals with disabilities.

Within 120 days of enactment, S. 163 requires the Attorney General to establish standards and best practices relating to the use of tracking technology to monitor children, 18 or younger, with autism and other disabilities.

The following requirements are identified to establish these standards:

• A requirement for the criteria used to determine the benefit of a tracking device on an individualized basis.

• A requirement to determine who should have access to the tracking system.

• A requirement to safeguard the privacy and use of the data used by the tracking system.

• A requirement to determine whether the tracking device is the least restrictive alternative to prevent injury or death.

• A requirement to protect the civil rights and liberties of children with disabilities who use tracking devices.

The bill currently has three co-sponsors: Joe Donnelly (D-IN), Christopher Murphy (D-CT), and Sheldon Whitehouse (D-RI). The bill was referred to the Judiciary Committee. There is no House companion bill to date.

AUCD and many other national developmental disabilities organizations are in strong support of this bill and are working to educate Members of Congress and garner additional bipartisan co-sponsors.

References