

Senate Bill 92

Missing Persons Under 21 Years Old

Presentation to the Senate State Affairs Committee

by

Department of Public Safety

Kathy Monfreda, Director, Division of Statewide Services

04/27/2021



Department of Public Safety

Federal Reporting Requirements

- Suzanne's Law: P. LAW 108-21, Title II, Section 204
 - Requires law enforcement to enter records for missing persons under the age of 21 into the National Crime Information Center (NCIC) database (2003)
- Adam Walsh Act: P. LAW 109-248 Section 154
 - Requires law enforcement to enter records for missing persons under the age of 21 into the NCIC database within two hours of being reported missing (2006)



Current Statutory Language

- AS 18.65.620 requires reporting missing minors to the state's Missing Persons Clearinghouse if not located within 48 hours after first reported missing
- AS 47.10.141 requires reporting missing minors into state and national databases no later than 24 hours after completing the missing person report
- AS 47.10.390 defines 'runaway minor' as a person under 18 years of age



Summary of Statutory Changes

- Changes required for AS 47.10.141 and AS 18.65.620 to comply with the two federal laws regarding
 - Entry into state and national databases for missing persons under age 21 instead of the state requirement of age 18
 - Entry of the records into state and national databases within 2 hours instead of the state requirement of 24 hours



Current Procedures

- Statewide training for law enforcement is already in place regarding the more restrictive federal requirements
- Most state and local law enforcement agencies are already complying with the more restrictive federal requirements
- Programming for the state database, Alaska Public Safety Information Network (APSIN), has already been completed to allow law enforcement to enter reports to comply with the more restrictive federal requirements



Benefits

- Remove conflicting, less restrictive state statutory requirements
- Faster state and nationwide notification of missing person records for those under age 21
 - The National Center for Missing and Exploited Children monitors national databases and proactively offers assistance
- Improved response for the vulnerable, college-age population of missing persons



Sectional Analysis

- Section 1: Includes conforming language related to the duty of law enforcement agencies to reflect changes made in section 2.
- Section 2: Adds a new subsection to AS 18.65.620, requiring law enforcement agencies to transmit a missing person's report for a person under the age of 21 to the Alaska Public Safety Information Network and the National Crime Information Center as soon as practicable, but not later than two hours after completing the report. If the person is later found, the agency shall remove that information from those databases as soon as practicable, but not later than 24 hours after learning the person has been located.
- Section 3: Contains conforming language to AS 47.10.141, runaway and missing children, to the changes made in section 2. All reporting procedures for persons under the age of 21 are moved to AS 18.65, as amended in section 2 of the bill.



Thank you for your consideration

Kathy Monfreda

Director, Division of Statewide Services

Division of Statewide Services

kathryn.monfreda@alaska.gov

(907) 269-5581

Kelly Howell

Special Assistant to the Commissioner

kelly.howell@alaska.gov

(907) 269-5618

