



# LAWS OF ALASKA

1988

**Source**

HCS CSSB 102 (Jud)

**Chapter No.**

72

**AN ACT**

Relating to reports of missing persons; and creating a missing persons information clearinghouse.

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**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

THE ACT FOLLOWS ON PAGE 1, LINE 10

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: May 27, 1988  
Actual Effective Date: August 25, 1988

AN ACT

Relating to reports of missing persons; and creating  
a missing persons information clearinghouse.

\* Section 1. AS 18.65 is amended by adding new sections to read:

ARTICLE 7. MISSING PERSONS INFORMATION CLEARINGHOUSE.

Sec. 18.65.600. MISSING PERSONS INFORMATION CLEARINGHOUSE.

There is in the Department of Public Safety the missing persons information clearinghouse.

Sec. 18.65.610. DUTIES OF MISSING PERSONS INFORMATION CLEARINGHOUSE. (a) The missing persons information clearinghouse is established as a central repository of information regarding missing persons.

(b) The clearinghouse shall

(1) establish within the state a system and appropriate procedures for communication of information regarding missing persons;

(2) collect, maintain, and disseminate accurate and complete information on missing persons for the purpose of identifying, locating, and returning them;

(3) provide for exchange of information on missing persons within the state;

(4) cooperate with private citizens, local law enforcement agencies, and other state and federal agencies in investigations concerning missing persons;

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1 (5) provide training and assistance to law enforcement  
2 agencies to promote effective use of the clearinghouse.

3 Sec. 18.65.620. DUTY OF LAW ENFORCEMENT AGENCIES. In addition  
4 to the requirements of AS 47.10.141 regarding reports of missing  
5 minors, a local or state law enforcement agency shall submit to the  
6 clearinghouse all missing person reports received by the law enforce-  
7 ment agency that relate to a person who is not located within 48 hours  
8 after the first report concerning that person was filed.

9 Sec. 18.65.630. MEDICAL AND DENTAL RECORDS OF MISSING PERSONS.

10 (a) When a person files a report of a missing person with a law  
11 enforcement agency or with the clearinghouse, a form authorizing the  
12 release of medical and dental records to the law enforcement agency  
13 and to the clearinghouse shall be supplied to the family, next of kin,  
14 or legal guardian of the missing person. The family, next of kin, or  
15 legal guardian of the missing person may complete the release form and  
16 deliver the release form to the physician or dentist of the missing  
17 person. The physician or dentist who receives a release form signed  
18 by the family, next of kin, or legal guardian of the missing person  
19 shall release to the law enforcement agency and the clearinghouse only  
20 that information that is necessary to identify the missing person.

21 (b) When the family, next of kin, or legal guardian of a missing  
22 person cannot be located or does not exist, a law enforcement agency  
23 may execute a written declaration stating that an active investigation  
24 is being conducted and that medical and dental records are required  
25 for the exclusive purpose of furthering the investigation. Notwith-  
26 standing AS 09.25.120 and AS 17.30.155, the declaration signed by  
27 a peace officer under this subsection is sufficient authority for the  
28 physician or dentist to release information necessary to aid in the  
29 identification of the missing person. The physician or dentist may

1 only release that information that is necessary to identify the miss-  
2 ing person.

3 (c) Medical and dental records obtained under this section shall  
4 be provided to the clearinghouse.

5 (d) When a missing person is found, the law enforcement agency  
6 and the clearinghouse shall destroy all records in their files ob-  
7 tained under this section.

8 Sec. 18.65.640. REPORTS UPON FINDING A MISSING PERSON. A person  
9 who has filed a missing person report with the clearinghouse or a law  
10 enforcement agency shall immediately notify the clearinghouse or the  
11 law enforcement agency when the location of the missing person is  
12 determined.

13 Sec. 18.65.650. CIVIL PENALTY. The commissioner of public  
14 safety, or a person designated by the commissioner of public safety,  
15 may file a civil complaint in the district court to enforce AS 18.65.-  
16 640. A person who fails to comply with AS 18.65.640 is subject to a  
17 civil fine of not more than \$1,000.

18 Sec. 18.65.660. DEFINITION. In AS 18.65.600 - 18.65.660 "clear-  
19 inghouse" means the missing persons information clearinghouse estab-  
20 lished in AS 18.65.600.

21 \* Sec. 2. AS 18.60.170 is amended to read:

22 Sec. 18.60.170. REPORT AND INVESTIGATION OF DISAPPEARANCE. The  
23 commissioner of public safety or a designee shall file each notifica-  
24 tion of disappearance with the missing persons information clearing-  
25 house under AS 18.65.620 [IN ALPHABETICAL ORDER IN THE OFFICE OF THE  
26 COMMISSIONER OR DESIGNEE], and shall notify the peace officer in the  
27 district where the disappearance occurred or in the nearest districts  
28 where there is a peace officer to make an investigation regarding the  
29 disappearance. If the circumstances give reasonable grounds for

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1 suspicion that a murder has been committed or that a person has met  
2 with foul play, the peace officer shall report all the facts to the  
3 district attorney in the peace officer's district or the assistant  
4 district attorney living nearest the place where the peace officer  
5 resides. The district attorney or the assistant district attorney  
6 shall assist and advise the peace officer in the investigation.

7 \* Sec. 3. AS 47.10.141(a) is amended to read:

8 (a) Upon receiving a request to locate a minor evading the  
9 minor's legal custodian or to locate a minor otherwise missing, a law  
10 enforcement agency shall make reasonable efforts to locate the minor  
11 and shall immediately complete a missing person's report containing  
12 information necessary for the identification of the minor. As soon as  
13 practicable, but not later than 24 hours after completing the report,  
14 the agency shall transmit the report for entry into the Alaska Public  
15 Safety Information Network and the National Crime Information Center  
16 computer system. The report shall also be submitted to the missing  
17 persons information clearinghouse under AS 18.65.620. As soon as  
18 practicable, but not later than 24 hours after the agency learns that  
19 the minor has been located, it shall request that the Department of  
20 Public Safety and the Federal Bureau of Investigation remove the  
21 information from the computer systems.