SENATE, NO. 2350

AN ACT ESTABLISHING THE MASSACHUSETTS MISSING CHILD CLEARINGHOUSE

Be it enacted by the Senate and House of Representatives in General Court assembled,
And by the authority of the same, as follows:

SECTION 1. Chapter 22A of the General Laws is hereby amended by inserting after section 4A the following section:-

Section 4B.

(A) For purposes of this section the words "missing person" shall mean any person under the age of 21 missing from his normal and ordinary place of residence and whose whereabouts cannot be determined by a person or agency responsible for his care, or any person under the age of 21 known to have been taken, enticed or concealed from the custody of his lawful guardian by a person who has no legal right to do so.

(B) There is hereby established a statewide central register in the commonwealth for missing children to be known as the Massachusetts Missing Child Clearinghouse. This clearinghouse shall be created by the Executive Office of Public Safety and Security through electronic data processing and related procedures. The central register shall be maintained by the Department of State Police or the Executive Office of the Public Safety

14 and Security, accessible through a public website and compatible with the National
15 Crime Information Center register, maintained pursuant to the federal Missing Children
16 Act of 1982 .
17 (C) Whenever a parent, guardian or other caretaker makes a report to any law
18 enforcement official of a missing person, such law enforcement official shall immediately
19 notify the local police department of jurisdiction where the child went missing from and
20 shall provide relevant identifying information regarding the missing person and the
21 circumstances surrounding his disappearance, including identifying data for persons last
22 seen with the missing person or persons suspected of abducting the missing person. The
23 local police department of jurisdiction receiving the missing persons report shall enter
24 this information into the Criminal Justice Information Systems and the National Crime
25 Information Center computer networks. The entering police department may also
26 forward the intake report to the Massachusetts Missing Child Clearinghouse and other
27 agency designated within the state to receive such reports. The Clearinghouse
28 coordinator will review the submitted information and the missing child's flier will be
29 posted to the Massachusetts Missing Child Clearinghouse website for public viewing.
30 Local police and or the state police may immediately undertake to locate the missing
31 person.
32 (D) No law enforcement agency within the commonwealth shall establish or maintain any
33 policy that requires the observance of any waiting period before accepting a missing
34 person report or a report of an unidentified person.
35 (E) The Massachusetts Missing Child Clearinghouse shall contain all available
36 identifying data of a missing person including, but not limited to: the name, date of birth,

37 sex, race, height, weight and eye and hair color of the missing person; the date and
38 location of the last known contact with the missing person; recent photographs of the
39 missing person; and the category under which the person is reported missing.
40 (F) After receipt of a missing person report, the Department of State Police shall:
41 (1) institute or assist with appropriate search and investigative procedures;
42 (2) maintain a close liaison with the National Center for Missing and Exploited
43 Children for the exchange of information and technical assistance in missing
44 persons cases; and
45 (3) verify and update the Massachusetts Missing Child Clearinghouse records
46 with any additional information not later than 60 days after the original entry of
47 the missing person data into the clearinghouse.
48 (G) The Secretary of Public Safety and Security shall adopt regulations consistent with
49 this section including, but not limited to:
50 (1) ensuring the timeliness and completeness of the data contained in the
51 clearinghouse;
52 (2) prescribing the manner in which entries to the register shall be made and
53 updated as investigations progress;
54 (3) prescribing the manner in which entries and inquiries to the clearinghouse and
55 notices to other relevant agencies and entities shall be made and processed;
56 (4) ensuring the proper disposition of all obsolete clearinghouse data, except that
57 data related to a missing person who has reached the age of 21 and remains
58 missing shall be preserved;
59 (5) linking the clearinghouse with the National Crime Information Center register;

60 (6) verifying and updating clearinghouse records with any additional information
61 not later than 60 days after the original entry of the missing person data into the
62 clearinghouse.
63 (H) The Secretary of Public Safety and Security may:
64 (1) plan and implement programs to ensure the most effective use of federal, state
65 and local resources in the investigation of missing persons;
66 (2) exchange information and resources with other states, and within the
67 commonwealth, concerning missing persons;
68 (3) establish a case database which includes non-identifying information on
69 reported missing persons and facts developed in the phases of a search, and
70 analyze such data for the purposes of: assisting law enforcement in current
71 investigations of missing persons; developing prevention programs and increasing
72 the understanding of the nature and extent of the problem; and sharing the data
73 and analysis on a regular basis with the National Center for Missing and
74 Exploited Children;
75 (4) cooperate with public and private schools and organizations to develop
76 education advertising prevention programs concerning child safety for
77 communities, parents and children;
78 (5) utilize available resources to duplicate photographs and posters of missing
79 persons and, with the consent of parents, guardians or others legally responsible,
80 disseminate this information throughout the commonwealth;
81 (6) operate a toll-free 24-hour hotline for the public to use to relay information
82 concerning missing persons; and

83 (7) implement such other measures deemed to assist in education, prevention,
84 service provision and investigation of cases involving missing persons.
85 SECTION 2. Within 180 days of the passage of this act, the Secretary of Public Safety
86 and Security shall arrange for the development of a curriculum within the department of
87 state police for the training of law enforcement personnel investigating cases involving
88 missing persons.