|  |  |  |
| --- | --- | --- |
| Seal2**CHARLES D. BAKER**Governor**KARYN E. POLITO**Lt. Governor | The Commonwealth of MassachusettsExecutive Office of Public Safety and SecurityOne Ashburton Place, Room 2133Boston, Massachusetts 02108Tel: (617) 727-7775TTY Tel: (617) 727-6618Fax: (617) 727-4764[www.mass.gov/eops](http://www.mass.gov/eops) | **THOMAS A. TURCO, III**Secretary |

**Missing Persons Task Force Meeting Minutes**

**July 23, 2019**

McCormack Building - One Ashburton Place

21st Floor, Conference Rm. #2

Boston, MA 02108

**Members Present:**

Angela F. F. Davis, Chair

Erica Cushna, Committee for Public Council Services/designee
Tara Maguire, Massachusetts District Attorneys (MDAA)/designee

Sarah Kiley Schoff, Forensic Anthropologist

Chief Steven Wojnar, Massachusetts Chiefs of Police Association (MCOPA)/designee

**Members Not Present:**

Sgt. Nicole Morrell, Massachusetts State Police

Lian Hogan, DCF Designee

**Others in Attendance:**

Spencer Lord, EOPSS Legal

Michaela Martini, EOPSS

Daniel Hutchinson, DCJIS

 Cliff Goodband, EOPSS

 Marcia Roddy, DCF

 Chris Martel, DCF

Chair Davis called the meeting to order at 1:07p.m. and introductions were made.

A motion was made and passed to approve the meeting minutes of April 23, 2019.

Sarah Kiley Schoff led the Task Force through her April 2019 memo providing analysis of missing persons data. The data consists of missing persons categories including 57,626 cancelled records and 55,964 cleared records. The State Police Fusion Center is presently using CopLink to capture data. This data does not include cases from 2009-2012. Sarah mentioned that the term “cold case” varies from jurisdiction to jurisdiction and that it is our mandate to review cases open for more than thirty days. Sarah will follow up with the FBI to request a query of the data and suggested that they may not be able to provide the entire data set. Cliff Goodband was going to see if we could include the “cleared” data in this query. Sarah wishes to ascertain the DTE for all cleared cases and acquire comprehensive data.

The last data point Sarah presented was related to the number of missing persons under 18 years old. Of active missing persons cases reported to NCIC, there are 2,057 entries with the FBI. 1,210 (about 59%) are children under 18. Of the 1,210 missing 88% or 1064 are age 13-17. 1,325 persons, or 64% are under 21 of the 2,057. The last data set demonstrated 89% or 1179 are age 13-21. Sarah mentioned that we could discuss race and ethnicity in this data as well.

Sarah discussed the legislation and policy/regulation review of federal laws, regulations and policies as they relate to missing persons cases. Sarah called the group’s attention to the last page of her memo examining other states legislation. She referred to the failure of Billy’s Law at the federal level, and pointed to some states that have taken the initiative to include NamUS in their legislative language. Daniel Hutchinson mentioned that when a record is entered, within 90 days they have to verify that record, clearing it or keeping it in the system. After that time, it is validated yearly. He said that they also audit the missing person’s records, even if validated, because at times, the person is returned and the numbers may not have been updated. He mentioned some of these instances happen at halfway houses where DYS reports them missing. Sarah mentioned that many of the states have taken components of Billy’s Law and incorporated it into their legislation. Sarah suggested that the Arizona law is still pending but that there is widespread support for having NamUS as part of the process. She spoke to a version of Billy’s Law that was adopted by states with input from families. In Massachusetts, it is HB 2132 (going back to 2009). Sarah annotated notes of what was omitted from the original model legislation in the Massachusetts bill. She acknowledged that family input is very important. She touched on New York’s statute as the first to mandate the coroner’s/ME’s office input data.

Chair Davis asked if Sarah considered any of the state’s legislation to be the “gold standard” in her research. Sarah suggested that New York and Arizona are both very good. She suggested that the Task Force consider these model statutes along with the latest MA House bill.

Chair Davis asked when Billy’s Law was first proposed and Sarah answered that she believes it was 2006 in Connecticut. Steve mentioned that it is a two-year legislative cycle and the Task Force might want to reach out to the legislature and see what the status is if we are interested in moving the bill forward. EOPSS will have legislative affairs look into the status of HB2132 and provide an update at the next meeting.

The Chair asked for feedback on the integration of data on what we have discussed thus far. Chief Wojnar mentioned that there are so many different systems within federal agencies versus states, etc. and that we must figure out how to put the data together and go to a central point to extract the data. Cliff Goodband mentioned that creating a database typically requires filling it out twice by police agencies and usually that creates problems because it is extra work and may cause confusion if one database is cleared and one is not. Daniel Hutchinson stated that all law enforcement use NCIC and that they would probably allow the data to be shared. It was suggested that NCIC will not allow public access to their system but would allow an agency to be able to access it. Sarah mentioned that Ohio did something similar and she will reach out to them for more information. Chair Davis agreed that finding that out is vitally important and helpful to our work.

The Chair asked for more details on the yearly validation process. Daniel Hutchinson responded that the requirement for the yearly validation is that the individual validating it contact the family to confirm that the individual is still missing and if they are going to keep the case open. The person doing data entry should also be monitoring for dental information or DNA while doing the yearly validation. Sarah suggested that the model statute would include asking for physical anomalies and blood type. She gave some brief background on Suzanne’s Law and mentioned that Dr. Ann Marie Mires who runs the center at Anna Maria College would be an excellent contact. Sarah mentioned that Molly Bish’s family might be interested in serving on the Task Force.

Erica Cushna asked about cremation and mentioned an article about the ME’s office being overburdened with unidentified individuals and how that would play into the proposed legislation. Sarah responded that in her experience, unidentified individuals are assessed and data is updated to NamUs, and some are buried. Spencer Lord asked about the DNA extraction process when the body is housed at the OCME for a period of time. Sarah shared that the bone cells contain DNA and that the body can be rehydrated to obtain the DNA from bone cells even if the body is stored in a non-climate controlled environment.

Next Chair Davis spoke to the importance of producing the legislative report in 2019. She suggested looking at the outline and asked the group to set a date to have a final draft ready for review. She mentioned that the report was originally to cover 2005-2015, and suggested that now as a courtesy to the legislature the group could include data from 2016-2019 as well. Sarah said that she does not object to the suggestion, she will go back and get more data.

Chair Davis asked if there were any concerns or objections adding the additional data sets and there were none. Chairwoman Davis proceeded to ask the group for consensus around a deadline for the draft report. Spencer Lord mentioned that EOPSS has staff to assist in drafting the report and can start the report but would leave the recommendations up to the Task Force members. The Chair suggested EOPSS could create report draft by the next meeting and that the Task Force can concurrently work on their recommendations (both policy and legislative). It was unanimous the group decided to send Michaela Martini their legislative and policy recommendations. EOPSS will send out a rough draft of the first few sections of the report by August 13, and the Task Force members are asked to send their recommendations to Michaela Martini by August 20.  All recommendations will be organized and sent out to the Task Force for discussion at the next meeting. Erica Cushna mentioned the CRA Law and what HHS is currently doing. Sarah annotated a model statute and is going to send that information to Michaela for circulation to the membership.

Chair Davis suggested another meeting soon, the group agreed upon Wednesday, September 4, 2019, 11:00 a.m. to 1:00 p.m.. EOPSS will send out a calendar invite.

The meeting adjourned at 2:13 p.m..