

SENATE No. 910

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

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:

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

3 Section 4B.

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

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

14 through a public website and compatible with the National Crime Information Center register,
15 maintained pursuant to the federal Missing Children Act of 1982.

16 (C) Whenever a parent, guardian or other caretaker makes a report to any law
17 enforcement official of a missing person , such law enforcement official shall immediately notify
18 the local police department of jurisdiction where the child went missing from and shall provide
19 relevant identifying information regarding the missing person and the circumstances surrounding
20 his disappearance, including identifying data for persons last seen with the missing person or
21 persons suspected of abducting the missing person. The local police department of jurisdiction
22 receiving the missing persons report shall enter this information into the Criminal Justice
23 Information Systems and the National Crime Information Center computer networks. The
24 entering police department may also forward the intake report to the Massachusetts Missing
25 Child Clearinghouse and other agency designated within the state to receive such reports. The
26 Clearinghouse coordinator will review the submitted information and the missing child's flier
27 will be posted to the Massachusetts Missing Child Clearinghouse website for public viewing.
28 Local police and or the state police may immediately undertake to locate the missing person.

29 (D) No law enforcement agency within the commonwealth shall establish or maintain any
30 policy that requires the observance of any waiting period before accepting a missing person
31 report or a report of an unidentified person.

32 (E) The Massachusetts Missing Child Clearinghouse shall contain all available
33 identifying data of a missing person including, but not limited to: the name, date of birth, sex,
34 race, height, weight and eye and hair color of the missing person; the date and location of the last

35 known contact with the missing person; recent photographs of the missing person; and the
36 category under which the person is reported missing.

37 (F) After receipt of a missing person report, the Department of State Police shall:

38 (1) institute or assist with appropriate search and investigative procedures;

39 (2) maintain a close liaison with the National Center for Missing and Exploited Children
40 for the exchange of information and technical assistance in missing persons cases; and

41 (3) verify and update the Massachusetts Missing Child Clearinghouse records with any
42 additional information not later than 60 days after the original entry of the missing person data
43 into the clearinghouse.

44 (G) The Secretary of Public Safety and Security shall adopt regulations consistent with
45 this section including, but not limited to:

46 (1) ensuring the timeliness and completeness of the data contained in the clearinghouse ;

47 (2) prescribing the manner in which entries to the register shall be made and updated as
48 investigations progress ;

49 (3) prescribing the manner in which entries and inquiries to the clearinghouse and notices
50 to other relevant agencies and entities shall be made and processed;

51 (4) ensuring the proper disposition of all obsolete clearinghouse data, except that data
52 related to a missing person who has reached the age of 21 and remains missing shall be
53 preserved;

54 (5) linking the clearinghouse with the National Crime Information Center register;

55 (6) verifying and updating clearinghouse records with any additional information not
56 later than 60 days after the original entry of the missing person data into the clearinghouse.

57 (H) The Secretary of Public Safety and Security may:

58 (1) plan and implement programs to ensure the most effective use of federal, state and
59 local resources in the investigation of missing persons ;

60 (2) exchange information and resources with other states, and within the commonwealth,
61 concerning missing persons;

62 (3) establish a case database which includes non-identifying information on reported
63 missing persons and facts developed in the phases of a search, and analyze such data for the
64 purposes of: assisting law enforcement in current investigations of missing persons; developing
65 prevention programs and increasing the understanding of the nature and extent of the problem;
66 and sharing the data and analysis on a regular basis with the National Center for Missing and
67 Exploited Children;

68 (4) cooperate with public and private schools and organizations to develop education
69 advertising prevention programs concerning child safety for communities, parents and children;

70 (5) utilize available resources to duplicate photographs and posters of missing persons
71 and, with the consent of parents , guardians or others legally responsible, disseminate this
72 information throughout the commonwealth;

73 (6) operate a toll-free 24 - hour hotline for the public to use to relay information
74 concerning missing persons; and

75 (7) implement such other measures deemed to assist in education, prevention, service
76 provision and investigation of cases involving missing persons .

77 SECTION 2. Within 180 days of the passage of this act, the Secretary of Public Safety
78 and Security shall arrange for the development of a curriculum within the department of state
79 police for the training of law enforcement personnel investigating cases involving missing
80 persons.