

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1143

H.P. 797

House of Representatives, March 18, 1991

Submitted by the Department of Public Safety pursuant to Joint Rule 24.
Reference to the Committee on Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative FARNUM of South Berwick.

Cosponsored by Representative BOWERS of Sherman, Representative PENDEXTER of Scarborough and Senator MATTHEWS of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Disseminate More Rapidly Information Concerning Missing
Children.**

Be it enacted by the People of the State of Maine as follows:

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4 25 MRSA §2151, as enacted by PL 1985, c. 275, §2, is amended to read:

6 **§2151. Missing children; information sent to National Crime Information Center**

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10 1. **Definition.** As used in this section "missing child" means any individual less than 18 years of age whose whereabouts are unknown to that individual's legal custodian ~~if~~.

12 ~~A.---The---circumstances---surrounding---that---individual's disappearance indicate that the individual may possibly have been removed by another from the control of the individual's legal custodian without the custodian's consent; or~~

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18 ~~B.---The circumstances of the case strongly indicate that the individual is likely to be abused or sexually exploited.~~

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22 2. **Report.** Upon receiving a report of a missing child, a law enforcement agency shall conduct a preliminary investigation to determine whether the child is missing. ~~Within 48 hours of receiving the report,--if~~ If the preliminary investigation reveals that there is probable cause to believe the child is missing, the agency shall immediately enter identifying and descriptive information about the missing child into the National Crime Information Center computer and into any state computer which that the Commissioner of Public Safety may designate to receive that information. Law enforcement agencies having direct access to the National Crime Information Center computer shall enter and retrieve the data directly and shall cooperate in the entry and retrieval of data on behalf of law enforcement agencies which that do not have direct access to the systems.

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36 Immediately after a missing child is located, the law enforcement agency which located or returned the missing child shall notify the law enforcement agency having jurisdiction over the investigation, and that agency shall cancel the entry from the National Crime Information Center computer.

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42 3. Medical and dental records. No later than 60 days after the original entry of the record into the National Crime Information Center computer and the state computer, the entering law enforcement agency shall verify and update the record with any additional information, including, where available, medical and dental records.

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STATEMENT OF FACT

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6 This bill changes the definition of missing child to mean
8 any person under the age of 18 years whose whereabouts are
10 unknown to the child's legal custodian. The bill also deletes
12 the provision that a child may be missing for up to 48 hours
14 prior to making an entry into the National Crime Information
16 Center and the Maine Wanted and Missing computer systems. When a
preliminary investigation by a law enforcement agency indicates
that a child is in fact missing, that information should be
entered immediately so that all law enforcement agencies have
access to the data. Further, the entry must be updated within 60
days with any additional information, including, where available,
medical and dental records. These changes make Maine's statute
mirror the National Child Search Assistance Act of 1990.