

CHAPTER 257

MISSING CHILDREN

§2151. Missing children; information sent to National Crime Information Center (REPEALED)

SECTION HISTORY

PL 1985, c. 275, §2 (NEW). PL 1991, c. 201 (AMD). PL 1993, c. 425, §1 (RP).

§2152. Short title

This chapter may be known and cited as the "Missing Children Act." [PL 1993, c. 425, §2 (NEW).]

SECTION HISTORY

PL 1993, c. 425, §2 (NEW).

§2153. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1993, c. 425, §2 (NEW).]

1. Clearinghouse. "Clearinghouse" means the Missing Children Information Clearinghouse established pursuant to section 2155.

[PL 1993, c. 425, §2 (NEW).]

2. Commissioner. "Commissioner" means the Commissioner of Public Safety.

[PL 1993, c. 425, §2 (NEW).]

3. Department. "Department" means Department of Public Safety.

[PL 1993, c. 425, §2 (NEW).]

4. Director. "Director" means the Director of the Missing Children Information Clearinghouse.

[PL 1993, c. 425, §2 (NEW).]

5. Missing child. "Missing child" means an individual:

A. Who is under 18 years of age; [PL 1993, c. 425, §2 (NEW).]

B. Whose temporary or permanent residence is in or is believed to be in this State; [PL 1993, c. 425, §2 (NEW).]

C. Whose location is not determined; and [PL 1993, c. 425, §2 (NEW).]

D. Who has been reported as missing to a law enforcement agency. [PL 1993, c. 425, §2 (NEW).]
[PL 1993, c. 425, §2 (NEW).]

6. Missing child report. "Missing child report" means a report prepared on a form designated by the department for use by private citizens and law enforcement agencies to report information about missing children to the clearinghouse.

[PL 1993, c. 425, §2 (NEW).]

SECTION HISTORY

PL 1993, c. 425, §2 (NEW).

§2154. Missing child reports

1. Duty of law enforcement agency. Upon the filing of a missing child report by the child's parents, guardian or legal custodian, the law enforcement agency receiving written notification shall immediately:

A. Inform all on-duty law enforcement officers of the missing child report; [PL 1993, c. 425, §2 (NEW).]

B. Communicate the report to every other law enforcement agency having jurisdiction in the county in which the report was filed; [PL 1993, c. 425, §2 (NEW).]

C. Enter or cause the report to be entered for inclusion in the State Police and National Crime Information Center computer files on missing children; and [PL 1997, c. 608, §5 (AMD).]

D. Submit information in the missing child report to the clearinghouse. [PL 1993, c. 425, §2 (NEW).]

[PL 1997, c. 608, §5 (AMD).]

2. Report status. A missing child report filed with a law enforcement agency having jurisdiction is sufficient documentation for entering a juvenile in the missing persons file maintained by the clearinghouse and the National Crime Information Center or its successor.

[PL 1993, c. 425, §2 (NEW).]

3. Parental kidnapping. In the case of parental kidnapping, the law enforcement agency shall obtain, when possible, a certified copy of the custody papers from the reporting parent, guardian or legal custodian.

[PL 1993, c. 425, §2 (NEW).]

4. Medical and dental records. Within 60 days after a law enforcement agency enters the report of a missing child into the State Police and National Crime Information Center computers, that law enforcement agency shall verify and update the record with any additional information, including, when available, medical and dental records.

[PL 1997, c. 608, §6 (NEW).]

5. Child missing from interim care.

[PL 2003, c. 443, §1 (NEW); MRSA T. 25 §2154, sub-§5 (RP).]

SECTION HISTORY

PL 1993, c. 425, §2 (NEW). PL 1997, c. 608, §§5,6 (AMD). PL 2003, c. 443, §1 (AMD). PL 2003, c. 689, §B6 (REV).

§2154-A. Children missing involuntarily

1. Duty of law enforcement agency. A law enforcement agency that receives a missing child report shall immediately inform the following agencies if the missing child is considered a victim or possible victim of a crime under Title 17-A, chapter 13:

A. The child's school, if the child attended school in this State; [PL 1997, c. 468, §1 (NEW).]

B. The municipality in which the child's birth records are kept; and [PL 1997, c. 468, §1 (NEW).]

C. The Vital Records Unit of the Division of Data, Research and Vital Statistics in the Department of Health and Human Services. [PL 2007, c. 240, Pt. RR, §4 (AMD).]

[PL 2007, c. 240, Pt. RR, §4 (AMD).]

2. Duties of notified agencies. An agency that receives information from a law enforcement agency under subsection 1 shall identify the files and records of the missing child that are in the agency's custody as pertaining to a child considered a victim or possible victim of a crime under Title 17-A, chapter 13. If a request for those files or records is made, the agency shall immediately notify the law enforcement agency of the request and, when possible, the address of the person making the request.

[PL 1997, c. 468, §1 (NEW).]

SECTION HISTORY

PL 1997, c. 468, §1 (NEW). PL 2003, c. 689, §B6 (REV). PL 2007, c. 240, Pt. RR, §4 (AMD).

§2155. Missing Children Information Clearinghouse

1. Establishment; purpose. The Missing Children Information Clearinghouse is established within the department as a central repository of information regarding missing children. That information must be collected and disseminated.

[PL 1993, c. 425, §2 (NEW).]

2. Commissioner; duties. The commissioner shall appoint a director who shall supervise the clearinghouse. The commissioner shall establish services determined appropriate to aid in the location of missing children.

[PL 1993, c. 425, §2 (NEW).]

3. Director; duties. The director shall:

A. Establish a system of intrastate communication of information related to missing children who are determined missing by their parents, guardians, legal custodians or by a law enforcement agency; [PL 1993, c. 425, §2 (NEW).]

B. Provide a centralized file for the exchange of information on missing children within the State; [PL 1993, c. 425, §2 (NEW).]

C. Interface with the National Crime Information Center, or its successor, for the exchange of information; and [PL 1993, c. 425, §2 (NEW).]

D. Collect, process, maintain and disseminate information on missing children and strive to maintain or disseminate accurate and complete information. [PL 1993, c. 425, §2 (NEW).]

[PL 1993, c. 425, §2 (NEW).]

4. Receipt of reports. A law enforcement agency shall submit to the clearinghouse information received by the law enforcement agency pursuant to section 2154. Any parent or legal guardian may submit a missing child report to the clearinghouse regardless of the circumstances, subsequent to reporting the child missing to the appropriate law enforcement agency within the county in which the child became missing. The report must be included in the clearinghouse data base.

[PL 1993, c. 425, §2 (NEW).]

SECTION HISTORY

PL 1993, c. 425, §2 (NEW).

§2156. Location of child

1. Notification. The parent, guardian or legal custodian who is responsible for notifying the clearinghouse or a law enforcement agency about a missing child shall immediately notify the clearinghouse or the agency of any child whose location has been determined.

[PL 1993, c. 425, §2 (NEW).]

2. Purgings. Information received about a missing child pursuant to section 2154 that has been included in the clearinghouse must be purged from the data base by the appropriate law enforcement agency immediately upon location of the child.

[PL 1993, c. 425, §2 (NEW).]

SECTION HISTORY

PL 1993, c. 425, §2 (NEW).

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