HB2747

LRB10107793SLF52844b

101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2747

by Rep. Thomas Morrison

SYNOPSIS AS INTRODUCED:

50 ILCS 722/10

Amends the Missing Persons Identification Act. Provides that no later than 30 days after a responding law enforcement agency has received a missing person report, that agency shall transmit the report to the National Missing and Unidentified Persons System. Effective immediately.

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A BILL FOR

1   AN ACT concerning local government.

2   **Be it enacted by the People of the State of Illinois,**

3   **represented in the General Assembly:**

4   Section 5. The Missing Persons Identification Act is
5   amended by changing Section 10 as follows:

6   (50 ILCS 722/10)
7   Sec. 10. Law enforcement analysis and reporting of missing
8   person information.
9   (a) Prompt determination of high-risk missing person.
10   (1) Definition. "High-risk missing person" means a
11   person whose whereabouts are not currently known and whose
12   circumstances indicate that the person may be at risk of
13   injury or death. The circumstances that indicate that a
14   person is a high-risk missing person include, but are not
15   limited to, any of the following:
16   (A) the person is missing as a result of a stranger
17   abduction;
18   (B) the person is missing under suspicious
19   circumstances;
20   (C) the person is missing under unknown
21   circumstances;
22   (D) the person is missing under known dangerous
23   circumstances;

1   (E) the person is missing more than 30 days;

2   (F) the person has already been designated as a

3   high-risk missing person by another law enforcement

4   agency;

5   (G) there is evidence that the person is at risk

6   because:

7   (i) the person is in need of medical attention,

8   including but not limited to persons with

9   dementia-like symptoms, or prescription

10   medication;

11   (ii) the person does not have a pattern of

12   running away or disappearing;

13   (iii) the person may have been abducted by a

14   non-custodial parent;

15   (iv) the person is mentally impaired,

16   including, but not limited to, a person having a

17   developmental disability, as defined in Section

18   1-106 of the Mental Health and Developmental

19   Disabilities Code, or a person having an

20   intellectual disability, as defined in Section

21   1-116 of the Mental Health and Developmental

22   Disabilities Code;

23   (v) the person is under the age of 21;

24   (vi) the person has been the subject of past

25   threats or acts of violence;

26   (vii) the person has eloped from a nursing

1   home;

2   (G-5) the person is a veteran or active duty member

3   of the United States Armed Forces, the National Guard,

4   or any reserve component of the United States Armed

5   Forces who is believed to have a physical or mental

6   health condition that is related to his or her service;

7   or

8   (H) any other factor that may, in the judgment of

9   the law enforcement official, indicate that the

10   missing person may be at risk.

11   (2) Law enforcement risk assessment.

12   (A) Upon initial receipt of a missing person

13   report, the law enforcement agency shall immediately

14   determine whether there is a basis to determine that

15   the missing person is a high-risk missing person.

16   (B) If a law enforcement agency has previously

17   determined that a missing person is not a high-risk

18   missing person, but obtains new information, it shall

19   immediately determine whether the information

20   indicates that the missing person is a high-risk

21   missing person.

22   (C) Law enforcement agencies are encouraged to

23   establish written protocols for the handling of

24   missing person cases to accomplish the purposes of this

25   Act.

26   (3) Law enforcement agency reports.

1   (A) The responding local law enforcement agency

2   shall immediately enter all collected information

3   relating to the missing person case in the Law

4   Enforcement Agencies Data System (LEADS) and the

5   National Crime Information Center (NCIC) databases.

6   The information shall be provided in accordance with

7   applicable guidelines relating to the databases. The

8   information shall be entered as follows:

9   (i) All appropriate DNA profiles, as

10   determined by the Department of State Police,

11   shall be uploaded into the missing person

12   databases of the State DNA Index System (SDIS) and

13   National DNA Index System (NDIS) after completion

14   of the DNA analysis and other procedures required

15   for database entry.

16   (ii) Information relevant to the Federal

17   Bureau of Investigation's Violent Criminal

18   Apprehension Program shall be entered as soon as

19   possible.

20   (iii) The Department of State Police shall

21   ensure that persons entering data relating to

22   medical or dental records in State or federal

23   databases are specifically trained to understand

24   and correctly enter the information sought by

25   these databases. The Department of State Police

26   shall either use a person with specific expertise

1   in medical or dental records for this purpose or

2   consult with a chief medical examiner, forensic

3   anthropologist, or odontologist to ensure the

4   accuracy and completeness of information entered

5   into the State and federal databases.

6   (B) The Department of State Police shall

7   immediately notify all law enforcement agencies within

8   this State and the surrounding region of the

9   information that will aid in the prompt location and

10   safe return of the high-risk missing person.

11   (C) The local law enforcement agencies that

12   receive the notification from the Department of State

13   Police shall notify officers to be on the lookout for

14   the missing person or a suspected abductor.

15   (D) Pursuant to any applicable State criteria,

16   local law enforcement agencies shall also provide for

17   the prompt use of an Amber Alert in cases involving

18   abducted children; or use of the Endangered Missing

19   Person Advisory in appropriate high risk cases.

20   (4) No later than 30 days after a responding law

21   enforcement agency has received a missing person report,

22   that agency shall transmit the report to the National

23   Missing and Unidentified Persons System.

24   (Source: P.A. 100-631, eff. 1-1-19; 100-662, eff. 1-1-19;

25   100-835, eff. 1-1-19; revised 9-28-18.)

26   Section 99. Effective date. This Act takes effect upon

1   becoming law.