

HB4212



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4212

by Rep. Daniel Swanson

SYNOPSIS AS INTRODUCED:

50 ILCS 722/10

Amends the Missing Persons Identification Act. Provides that the definition of "high-risk missing person" includes a person who is a veteran or active duty member of the United States Armed Forces, the National Guard, or any reserve component of the United States Armed Forces who is believed to have a physical or mental health condition that is related to his or her service.

LRB100 15699 SLF 30801 b

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

17 (vi) the person has been the subject of past
18 threats or acts of violence;

19 (vii) the person has eloped from a nursing
20 home; ~~or~~

21 (G-5) the person is a veteran or active duty member
22 of the United States Armed Forces, the National Guard,
23 or any reserve component of the United States Armed
24 Forces who is believed to have a physical or mental
25 health condition that is related to his or her service;
26 or

1 (H) any other factor that may, in the judgment of
2 the law enforcement official, indicate that the
3 missing person may be at risk.

4 (2) Law enforcement risk assessment.

5 (A) Upon initial receipt of a missing person
6 report, the law enforcement agency shall immediately
7 determine whether there is a basis to determine that
8 the missing person is a high-risk missing person.

9 (B) If a law enforcement agency has previously
10 determined that a missing person is not a high-risk
11 missing person, but obtains new information, it shall
12 immediately determine whether the information
13 indicates that the missing person is a high-risk
14 missing person.

15 (C) Law enforcement agencies are encouraged to
16 establish written protocols for the handling of
17 missing person cases to accomplish the purposes of this
18 Act.

19 (3) Law enforcement agency reports.

20 (A) The responding local law enforcement agency
21 shall immediately enter all collected information
22 relating to the missing person case in the Law
23 Enforcement Agencies Data System (LEADS) and the
24 National Crime Information Center (NCIC) databases.
25 The information shall be provided in accordance with
26 applicable guidelines relating to the databases. The

1 information shall be entered as follows:

2 (i) All appropriate DNA profiles, as
3 determined by the Department of State Police,
4 shall be uploaded into the missing person
5 databases of the State DNA Index System (SDIS) and
6 National DNA Index System (NDIS) after completion
7 of the DNA analysis and other procedures required
8 for database entry.

9 (ii) Information relevant to the Federal
10 Bureau of Investigation's Violent Criminal
11 Apprehension Program shall be entered as soon as
12 possible.

13 (iii) The Department of State Police shall
14 ensure that persons entering data relating to
15 medical or dental records in State or federal
16 databases are specifically trained to understand
17 and correctly enter the information sought by
18 these databases. The Department of State Police
19 shall either use a person with specific expertise
20 in medical or dental records for this purpose or
21 consult with a chief medical examiner, forensic
22 anthropologist, or odontologist to ensure the
23 accuracy and completeness of information entered
24 into the State and federal databases.

25 (B) The Department of State Police shall
26 immediately notify all law enforcement agencies within

1 this State and the surrounding region of the
2 information that will aid in the prompt location and
3 safe return of the high-risk missing person.

4 (C) The local law enforcement agencies that
5 receive the notification from the Department of State
6 Police shall notify officers to be on the lookout for
7 the missing person or a suspected abductor.

8 (D) Pursuant to any applicable State criteria,
9 local law enforcement agencies shall also provide for
10 the prompt use of an Amber Alert in cases involving
11 abducted children; or use of the Endangered Missing
12 Person Advisory in appropriate high risk cases.

13 (Source: P.A. 95-192, eff. 8-16-07; 96-149, eff. 1-1-10.)