



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB3915

Introduced 2/26/2009, by Rep. Emily McAsey

#### SYNOPSIS AS INTRODUCED:

325 ILCS 40/6

from Ch. 23, par. 2256

Amends the Intergovernmental Missing Child Recovery Act of 1984. Provides that the Department of State Police shall develop and implement a policy whereby a statewide or regional alert would be used in situations relating to sex offenses committed by child sex offenders or violent offenses against youth in which the offenders have not been apprehended utilizing the information about child sex offenders and violent offenders against youth entered into LEADS.

LRB096 10654 RLC 20827 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning children.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Intergovernmental Missing Child Recovery  
5 Act of 1984 is amended by changing Section 6 as follows:

6 (325 ILCS 40/6) (from Ch. 23, par. 2256)

7 Sec. 6. The Department shall:

8 (a) Establish and maintain a statewide Law Enforcement  
9 Agencies Data System (LEADS) for the purpose of effecting an  
10 immediate law enforcement response to reports of missing  
11 children. The Department shall implement an automated data  
12 exchange system to compile, to maintain and to make available  
13 for dissemination to Illinois and out-of-State law enforcement  
14 agencies, data which can assist appropriate agencies in  
15 recovering missing children.

16 (b) Establish contacts and exchange information regarding  
17 lost, missing or runaway children with nationally recognized  
18 "missing person and runaway" service organizations and monitor  
19 national research and publicize important developments.

20 (c) Provide a uniform reporting format for the entry of  
21 pertinent information regarding reports of missing children  
22 into LEADS.

23 (d) Develop and implement a policy whereby a statewide or

1 regional alert would be used in situations relating to the  
2 disappearances of children, based on criteria and in a format  
3 established by the Department. Such a format shall include, but  
4 not be limited to, the age and physical description of the  
5 missing child and the suspected circumstances of the  
6 disappearance.

7 (d-5) Develop and implement a policy whereby a statewide or  
8 regional alert would be used in situations relating to sex  
9 offenses committed by child sex offenders as defined in Section  
10 11-9.4 of the Criminal Code of 1961 or violent offenses against  
11 youth as defined in Section 5 of the Child Murderer and Violent  
12 Offender Against Youth Registration Act in which the offenders  
13 have not been apprehended utilizing the information entered  
14 into LEADS under paragraphs (k) and (l) of this Section.

15 (e) Notify all law enforcement agencies that reports of  
16 missing persons shall be entered as soon as the minimum level  
17 of data specified by the Department is available to the  
18 reporting agency and that no waiting period for entry of such  
19 data exists.

20 (f) Provide a procedure for prompt confirmation of the  
21 receipt and entry of the missing child report into LEADS to the  
22 parent or guardian of the missing child.

23 (g) Compile and retain information regarding missing  
24 children in a separate data file, in a manner that allows such  
25 information to be used by law enforcement and other agencies  
26 deemed appropriate by the Director, for investigative

1 purposes. Such files shall be updated to reflect and include  
2 information relating to the disposition of the case.

3 (h) Compile and maintain an historic data repository  
4 relating to missing children in order (1) to develop and  
5 improve techniques utilized by law enforcement agencies when  
6 responding to reports of missing children and (2) to provide a  
7 factual and statistical base for research that would address  
8 the problem of missing children.

9 (i) Create a quality control program to monitor timeliness  
10 of entries of missing children reports into LEADS and conduct  
11 performance audits of all entering agencies.

12 (j) Prepare a periodic information bulletin concerning  
13 missing children who it determines may be present in this  
14 State, compiling such bulletin from information contained in  
15 both the National Crime Information Center computer and from  
16 reports, alerts and other information entered into LEADS or  
17 otherwise compiled and retained by the Department pursuant to  
18 this Act. The bulletin shall indicate the name, age, physical  
19 description, suspected circumstances of disappearance if that  
20 information is available, a photograph if one is available, the  
21 name of the law enforcement agency investigating the case, and  
22 such other information as the Director considers appropriate  
23 concerning each missing child who the Department determines may  
24 be present in this State. The Department shall send a copy of  
25 each periodic information bulletin to the State Board of  
26 Education for its use in accordance with Section 2-3.48 of the

1 School Code. The Department shall provide a copy of the  
2 bulletin, upon request, to law enforcement agencies of this or  
3 any other state or of the federal government, and may provide a  
4 copy of the bulletin, upon request, to other persons or  
5 entities, if deemed appropriate by the Director, and may  
6 establish limitations on its use and a reasonable fee for so  
7 providing the same, except that no fee shall be charged for  
8 providing the periodic information bulletin to the State Board  
9 of Education, appropriate units of local government, State  
10 agencies, or law enforcement agencies of this or any other  
11 state or of the federal government.

12 (k) Provide for the entry into LEADS of the names and  
13 addresses of sex offenders as defined in the Sex Offender  
14 Registration Act, including child sex offenders as defined in  
15 Section 11-9.4 of the Criminal Code of 1961, who are required  
16 to register under that Act. The information shall be  
17 immediately accessible to law enforcement agencies and peace  
18 officers of this State or any other state or of the federal  
19 government. Similar information may be requested from any other  
20 state or of the federal government for purposes of this Act.

21 (l) Provide for the entry into LEADS of the names and  
22 addresses of violent offenders against youth as defined in the  
23 Child Murderer and Violent Offender Against Youth Registration  
24 Act who are required to register under that Act. The  
25 information shall be immediately accessible to law enforcement  
26 agencies and peace officers of this State or any other state or

1 of the federal government. Similar information may be requested  
2 from any other state or of the federal government for purposes  
3 of this Act.

4 (Source: P.A. 94-945, eff. 6-27-06.)