

HCS HB 185 -- ABDUCTED CHILDREN

SPONSOR: Phillips

COMMITTEE ACTION: Voted "do pass" by the Committee on Children and Families by a vote of 7 to 0.

This substitute creates a statewide Amber Alert Program for the purpose of identifying and locating abducted persons. It defines an "abducted person" as one whose whereabouts are unknown and whose disappearance poses a credible threat of immediate danger of serious bodily harm or death to a person, as determined by local law enforcement officials.

The substitute requires the Department of Public Safety to develop regions for the program and to coordinate law enforcement agencies and broadcasters in those regions. The department also has the authority to notify other regions when there is credible evidence that an abduction is moving across regions. Participation in the Amber Alert Program is voluntary for local law enforcement agencies. Local law enforcement agencies that do not set up a local Amber Alert Program may contact the department if an abduction occurs in their area, and the department will notify local media.

The substitute requires local law enforcement agencies to develop procedures to verify that a person has been abducted. Upon verification, the local law enforcement agency may notify the Department of Public Safety and recommend an alert under the Amber Alert Program. The alert will be sent to the state emergency alert system broadcaster, and participating radio and television stations will issue the alert at designated intervals. The substitute requires the alert to contain all information the local law enforcement agency has that may assist in the safe return of the abducted individual and instructions for individuals with information to contact the local law enforcement agency. The alert is canceled upon notification by the department that the person has been found or at the end of the notification period.

The substitute requires programs established prior to August 28, 2003, to conform to certain standards. These standards include only activating the alert in cases of persons whose disappearance poses a credible threat of immediate danger of serious bodily harm or death as determined by local law enforcement officials and in situations when there are enough details available about the abducted person to make the activation useful. The alert will not be activated in custodial disputes unless there is a credible threat of immediate danger of serious bodily harm or death.

The substitute also establishes the Alert Missouri Oversight Committee to develop criteria and procedures for the Alert Missouri System. The committee members include the Director of the Department of Public Safety, a representative of the Missouri Sheriff's Association, two representatives of the Missouri Police Chiefs' Association, a representative of small market radio broadcasters, a representative of large market radio broadcasters, a representative of television broadcasters, a citizen representative from each region of the Alert Missouri System, and any other members deemed necessary by the Governor.

FISCAL NOTE: Estimated Net Cost to General Revenue Fund of \$91,612 in FY 2004, \$59,055 in FY 2005, and \$60,553 in FY 2006.

PROPOSERS: Supporters say that a statewide Amber Alert Program will allow expansion of a broadcast outside of a local or regional area. Local control is a fundamental aspect of the program, and the statewide system needs to be flexible to adapt to the needs of local communities. Participation in the program is voluntary. The establishment of a statewide system would allow smaller jurisdictions to utilize the statewide plan if they do not develop their own local program. The program should not be limited to children under the age of 17 because there are situations when it could be used effectively for older individuals. The Alert Missouri System could also be used as an alert system for other public emergencies. The State needs to enact enabling legislation to apply for federal grants to expand the communication system.

Testifying for the bill were Representative Schneider; Missouri Police Chiefs' Association; Missouri Broadcasters Association; and National Center for Missing and Exploited Children.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Testifying on the bill was State Highway Patrol.

Amy Woods, Legislative Analyst