

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 301
Judiciary

(Delegate Proctor, *et al.*)

Public Safety - Task Force on Missing Persons

This bill establishes a Task Force on Missing Persons. The State agencies represented on the task force must provide staff for the task force. The task force must report its findings and recommendations to the Governor and the General Assembly by December 31, 2021. **The bill takes effect July 1, 2020, and terminates June 30, 2022.**

Fiscal Summary

State Effect: Any expense reimbursements for task force members and staffing costs for the Department of State Police (DSP), the Office of the Attorney General, the Department of Natural Resources, and the Department of Public Safety and Correctional Services are assumed to be minimal and absorbable within existing budgeted resources. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The task force must study (1) best practices regarding conducting searches for missing persons and (2) details regarding the establishment of a State Coordinator for Missing Persons who must serve as a point of contact for loved ones of missing persons. The task force must also make recommendations regarding (1) any changes or improvements that should be made in the State's systems for conducting searches for missing persons and (2) the establishment of a State Coordinator for Missing Persons.

Current Law: Chapters 503 and 504 of 2009 created the statewide Silver Alert Program within DSP to provide a system for rapid dissemination of information to assist in locating a “missing person.” A “missing person” is defined as an individual:

- whose whereabouts are unknown;
- who suffers a cognitive impairment including a diagnosis of Alzheimer’s disease or dementia to the extent that the individual requires assistance from a caregiver; and
- whose disappearance poses a credible threat to the health and safety of the individual due to age, health, mental or physical disability, environment, or weather conditions, as determined by a law enforcement agency.

A caregiver or person filing a report regarding a missing person must immediately notify the local law enforcement agency with which the report was filed and DSP if the missing person who was the subject of the report is located, and it is unlikely that the local law enforcement agency or DSP has knowledge that the missing person has been located.

The AMBER Alert Plan, also coordinated by DSP, is a voluntary partnership between local law enforcement agencies and broadcasters to activate an urgent bulletin in the most serious child abduction cases.

Chapter 502 of 2018 required law enforcement agencies to enter all necessary and available information with regard to a missing person into the National Crime Information Center (NCIC) computer network within two hours after receipt of the minimum information necessary to make the entry. Among other things, NCIC maintains a database of records relating to missing persons (including children) who have been reported missing to law enforcement, and there is a reasonable concern for their safety.

Background: Several states have clearinghouses and alert systems related to missing persons cases, and some states have a specific coordinator in charge of tracking missing persons cases. For example, in Illinois, the Child Safety Coordinator of the Illinois Department of State Police also acts as the Endangered Missing Person Coordinator and Silver Search Program Coordinator. In South Carolina, the Chief of the South Carolina Law Enforcement Division or the chief’s designee serves as the state coordinator for missing persons.

Additional Information

Prior Introductions: HB 1417 of 2019 received a hearing in the House Judiciary Committee, but no further action was taken.

Designated Cross File: None.

Information Source(s): Department of Public Safety and Correctional Services; Department of State Police; Department of Legislative Services

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mr/lgc

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