REFERENCE TITLE: missing persons; law enforcement duties

State of Arizona Senate Forty-eighth Legislature Second Regular Session 2008

SB 1077

Introduced by Senator Allen

AN ACT

AMENDING TITLE 41, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 44; RELATING TO MISSING PERSONS OR UNIDENTIFIED HUMAN REMAINS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1	Be it enacted by the Legislature of the State of Arizona:
2	Section 1. Title 41, Arizona Revised Statutes, is amended by adding
3	chapter 44, to read:
4	CHAPTER 44
5	MISSING PERSONS OR UNIDENTIFIED HUMAN REMAINS
6	ARTICLE 1. LAW ENFORCEMENT PROCEDURES INVOLVING
7	MISSING PERSONS OR UNIDENTIFIED HUMAN REMAINS
8	41-4401. <u>Definitions</u>
9	IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:
10	1. "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC SAFETY.
11	2. "HIGH RISK MISSING PERSON" MEANS AN INDIVIDUAL WHOSE WHEREABOUTS
12	ARE NOT CURRENTLY KNOWN AND THE CIRCUMSTANCES INDICATE THAT THE INDIVIDUAL
13	MAY BE AT RISK OF INJURY OR DEATH.
14	3. "LAW ENFORCEMENT AGENCY" MEANS ANY AGENCY OR ENTITY OF THIS STATE
15	THAT EMPLOYS A PEACE OFFICER, WHICH DUTIES INCLUDE LAW ENFORCEMENT.
16	41-4402. <u>Missing persons; reports</u>
17	A. ALL LAW ENFORCEMENT AGENCIES SHALL ACCEPT WITHOUT DELAY ANY REPORT
18	OF A MISSING PERSON. A LAW ENFORCEMENT AGENCY SHALL NOT REFUSE TO ACCEPT A
19	MISSING PERSON REPORT FOR ANY OF THE FOLLOWING REASONS:
20	1. THE MISSING PERSON IS AN ADULT.
21	2. THE CIRCUMSTANCES DO NOT INDICATE FOUL PLAY.
22	3. THE PERSON HAS BEEN MISSING FOR A SHORT PERIOD OF TIME.
23	4. THE PERSON HAS BEEN MISSING FOR A LONG PERIOD OF TIME.
24	5. THERE IS NO INDICATION THAT THE MISSING PERSON WAS IN THE
25	JURISDICTION SERVED BY THE LAW ENFORCEMENT AGENCY AT THE TIME OF THE
26	DISAPPEARANCE.
27	6. THE CIRCUMSTANCES SUGGEST THAT THE DISAPPEARANCE MAY BE VOLUNTARY.
28	7. THE REPORTING PERSON DOES NOT HAVE PERSONAL KNOWLEDGE OF THE FACTS.
29	8. THE REPORTING PERSON CANNOT PROVIDE ALL OF THE INFORMATION THAT IS
30	REQUESTED BY THE LAW ENFORCEMENT AGENCY.
31	9. THE REPORTING PERSON LACKS A FAMILIAL OR OTHER RELATIONSHIP WITH
32	THE MISSING PERSON.
33	B. LAW ENFORCEMENT AGENCIES SHALL ACCEPT MISSING PERSON REPORTS IN
34	PERSON AND MAY ACCEPT REPORTS BY TELEPHONE OR BY ELECTRONIC OR OTHER MEDIA TO
35	THE EXTENT THAT THIS REPORTING IS CONSISTENT WITH LAW ENFORCEMENT POLICIES OR
36	PRACTICES.
37	C. IN ACCEPTING A MISSING PERSON REPORT, THE LAW ENFORCEMENT AGENCY
38	SHALL ATTEMPT TO GATHER RELEVANT INFORMATION RELATING TO THE DISAPPEARANCE,
39	INCLUDING THE FOLLOWING INFORMATION, IF KNOWN:
40	1. THE MISSING PERSON'S NAME, INCLUDING ALTERNATIVE NAMES USED.
41	2. THE MISSING PERSON'S DATE OF BIRTH.
42	3. IDENTIFYING MARKS, INCLUDING BIRTHMARKS, MOLES, TATTOOS OR SCARS.
43	4. HEIGHT AND WEIGHT.
44	5. GENDER.
45	6. RACE.

1 7. CURRENT HAIR COLOR AND TRUE OR NATURAL HAIR COLOR. 2 8. EYE COLOR. 3 9. PROSTHETICS OR SURGICAL OR COSMETIC IMPLANTS. 4 10. PHYSICAL ANOMALIES. 5 11. BLOOD TYPE. 6 12. DRIVER LICENSE NUMBER. 7 13. SOCIAL SECURITY NUMBER. 14. A PHOTOGRAPH OF THE MISSING PERSON. THE AGENCY SHALL ATTEMPT TO 8 9 ASCERTAIN THE APPROXIMATE DATE THE PHOTOGRAPH WAS TAKEN. 10 15. A DESCRIPTION OF THE CLOTHING THE MISSING PERSON WAS BELIEVED TO BE 11 WEARING. 16. A DESCRIPTION OF ITEMS THAT MIGHT BE WITH THE MISSING PERSON. 12 13 INCLUDING JEWELRY, ACCESSORIES, SHOES OR BOOTS. 17. INFORMATION ON THE MISSING PERSON'S ELECTRONIC COMMUNICATION 14 15 DEVICES, INCLUDING CELL PHONE NUMBERS OR E-MAIL ADDRESSES. 16 18. THE REASONS WHY THE REPORTING PERSON BELIEVES THAT THE PERSON IS 17 MISSING. 19. THE NAME AND LOCATION OF THE MISSING PERSON'S SCHOOL OR EMPLOYER. 18 19 20. THE NAME AND LOCATION OF THE MISSING PERSON'S DENTIST OR PRIMARY 20 CARE PHYSICIAN. 21 21. ANY CIRCUMSTANCE THAT MAY INDICATE THAT THE DISAPPEARANCE WAS NOT 22 **VOLUNTARY.** 23 22. ANY CIRCUMSTANCE THAT MAY INDICATE THAT THE MISSING PERSON MAY BE 24 AT RISK OF INJURY OR DEATH. 25 23. A DESCRIPTION OF THE POSSIBLE MEANS OF TRANSPORTATION OF THE MISSING PERSON, INCLUDING MAKE, MODEL, COLOR, LICENSE OR VEHICLE 26 27 IDENTIFICATION NUMBER OF THE MISSING PERSON'S MEANS OF TRANSPORTATION. 28 24. ANY IDENTIFYING INFORMATION ABOUT A KNOWN OR POSSIBLE ABDUCTOR OR 29 OTHER PERSON WHO WAS LAST SEEN WITH THE MISSING PERSON, INCLUDING: 30 (a) THE PERSON'S NAME, PHYSICAL DESCRIPTION, DATE OF BIRTH AND 31 IDENTIFYING MARKS. 32 (b) A DESCRIPTION OF THE POSSIBLE MEANS OF TRANSPORTATION, INCLUDING 33 MAKE, MODEL, COLOR, LICENSE OR VEHICLE IDENTIFICATION NUMBER OF THE PERSON'S 34 MEANS OF TRANSPORTATION. 35 (c) KNOWN ASSOCIATES. 36 25. DATE OF LAST CONTACT. 37 26. ANY OTHER INFORMATION THAT MIGHT AID IN LOCATING THE MISSING 38 PERSON. 39 41-4403. Notification of and information given to reporting 40 person 41 A. A LAW ENFORCEMENT AGENCY SHALL NOTIFY THE PERSON MAKING THE REPORT. 42 A FAMILY MEMBER OR OTHER PERSON IN A POSITION TO ASSIST THE LAW ENFORCEMENT 43 AGENCY IN ITS EFFORTS TO LOCATE THE MISSING PERSON: 44 1. ABOUT GENERAL INFORMATION REGARDING THE HANDLING OF A MISSING 45 PERSON CASE OR THE INTENDED EFFORTS IN THE REPORTED CASE TO THE EXTENT THAT

THE LAW ENFORCEMENT AGENCY DETERMINES THAT DISCLOSURE WOULD NOT ADVERSELY
 AFFECT ITS ABILITY TO LOCATE OR PROTECT THE MISSING PERSON OR TO APPREHEND OR
 PROSECUTE ANY PERSON WHO IS CRIMINALLY INVOLVED IN THE DISAPPEARANCE.

2. THAT THE REPORTING PERSON OR OTHER PERSON SHOULD PROMPTLY CONTACT THE LAW ENFORCEMENT AGENCY IF THE MISSING PERSON REMAINS MISSING TO PROVIDE ADDITIONAL INFORMATION AND MATERIALS THAT MIGHT AID IN LOCATING THE MISSING PERSON. THE LAW ENFORCEMENT AGENCY ALSO SHALL NOTIFY THE REPORTING PERSON OF HE SPECIFIC INFORMATION OR MATERIALS NEEDED, INCLUDING A CREDIT OR DEBIT CARD THAT THE MISSING PERSON HAS ACCESS TO, OTHER BANKING INFORMATION AND RECORDS OF CELL PHONE USE.

113. THAT ANY DNA SAMPLES THAT ARE PROVIDED FOR THE MISSING PERSON CASE12ARE PROVIDED ON A VOLUNTARY BASIS, WILL BE USED SOLELY TO HELP LOCATE OR13IDENTIFY THE MISSING PERSON AND WILL NOT BE USED FOR ANY OTHER PURPOSE.

B. THE LAW ENFORCEMENT AGENCY MAY MAKE AVAILABLE INFORMATIONAL
MATERIALS THROUGH PUBLICATIONS OR ELECTRONIC OR OTHER MEDIA THAT ADVISE THE
PUBLIC ABOUT HOW THE INFORMATION OR MATERIALS IDENTIFIED IN THIS ARTICLE ARE
USED TO HELP LOCATE OR IDENTIFY THE MISSING PERSON.

18 C. AFTER ACCEPTING A MISSING PERSON REPORT, THE LAW ENFORCEMENT AGENCY 19 SHALL PROVIDE THE REPORTING PERSON WITH CONTACT INFORMATION FOR THE NATIONAL 20 CENTER FOR MISSING AND EXPLOITED CHILDREN IF THE MISSING PERSON IS UNDER 21 EIGHTEEN YEARS OF AGE AND SHALL PROVIDE THE REPORTING PERSON WITH CONTACT 22 INFORMATION FOR THE NATIONAL CENTER FOR MISSING ADULTS IF THE MISSING PERSON 23 IS AT LEAST EIGHTEEN YEARS OF AGE.

24

25

40

41-4404. <u>Missing persons; receipt of additional information and</u> <u>materials</u>

A. IF THE PERSON WHO IS IDENTIFIED IN THE MISSING PERSON REPORT
REMAINS MISSING MORE THAN THIRTY DAYS AND THE FOLLOWING INFORMATION AND
MATERIALS HAVE NOT YET BEEN OBTAINED, THE LAW ENFORCEMENT AGENCY SHALL
ATTEMPT TO OBTAIN:

DNA SAMPLES FROM FAMILY MEMBERS OR FROM THE MISSING PERSON, ALONG
 WITH ANY NEEDED DOCUMENTATION, INCLUDING CONSENT FORMS, THAT IS REQUIRED FOR
 USE BY LOCAL, STATE OR FEDERAL DNA DATABASES.

33 2. AN AUTHORIZATION TO RELEASE DENTAL OR SKELETAL X-RAYS OF THE34 MISSING PERSON.

35 3. ANY ADDITIONAL PHOTOGRAPHS OF THE MISSING PERSON THAT MAY AID IN 36 THE INVESTIGATION OR AN IDENTIFICATION. THE LAW ENFORCEMENT AGENCY IS NOT 37 REQUIRED TO OBTAIN WRITTEN AUTHORIZATION BEFORE IT PUBLICLY RELEASES ANY 38 PHOTOGRAPH THAT WOULD AID IN THE INVESTIGATION OR IDENTIFICATION OF THE 39 MISSING PERSON.

4. FINGERPRINTS.

B. ALL DNA SAMPLES OBTAINED IN A MISSING PERSON CASE SHALL BE
IMMEDIATELY FORWARDED TO THE DEPARTMENT FOR ANALYSIS. THE DEPARTMENT SHALL
ESTABLISH PROCEDURES FOR DETERMINING HOW TO PRIORITIZE ANALYSIS OF THE
SAMPLES RELATING TO MISSING PERSON CASES.

1 C. INFORMATION THAT IS RELEVANT TO THE FEDERAL BUREAU OF 2 INVESTIGATION'S VIOLENT CRIMINAL APPREHENSION PROGRAM SHALL BE ENTERED AS 3 SOON AS POSSIBLE. D. THIS SECTION DOES NOT PRECLUDE A LAW ENFORCEMENT AGENCY FROM 4 5 ATTEMPTING TO OBTAIN THE MATERIALS PRESCRIBED IN THIS SECTION BEFORE THE 6 EXPIRATION OF THE THIRTY-DAY PERIOD. 7 41-4405. <u>High risk missing persons; presumption; notification;</u> 8 report; definition 9 A. AN INDIVIDUAL IS PRESUMED TO BE A HIGH RISK MISSING PERSON IF ANY 10 OF THE FOLLOWING CIRCUMSTANCES EXISTS: 11 1. THE PERSON IS MISSING AS A RESULT OF A STRANGER ABDUCTION. 12 THE PERSON IS MISSING UNDER SUSPICIOUS CIRCUMSTANCES. 2. 13 3. THE PERSON IS MISSING UNDER UNKNOWN CIRCUMSTANCES. 14 4. THE PERSON IS MISSING UNDER KNOWN DANGEROUS CIRCUMSTANCES. 15 5. THE PERSON IS MISSING MORE THAN THIRTY DAYS. 6. THE PERSON HAS ALREADY BEEN DESIGNATED AS A HIGH RISK MISSING 16 17 PERSON BY ANOTHER LAW ENFORCEMENT AGENCY. 7. THERE IS EVIDENCE THAT THE PERSON IS AT RISK BECAUSE THE MISSING 18 19 **PERSON:** 20 (a) IS IN NEED OF MEDICAL ATTENTION OR PRESCRIPTION MEDICATION. 21 (b) DOES NOT HAVE A PATTERN OF RUNNING AWAY OR DISAPPEARING. 22 (c) MAY HAVE BEEN ABDUCTED BY A NONCUSTODIAL PARENT. 23 (d) IS MENTALLY IMPAIRED. 24 (e) IS A PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE. 25 (f) HAS BEEN THE SUBJECT OF PAST THREATS OR ACTS OF VIOLENCE. 8. ANY OTHER FACTOR THAT, IN THE JUDGMENT OF THE LAW ENFORCEMENT 26 27 AGENCY, MAY LEAD THE AGENCY TO DETERMINE THAT THE MISSING PERSON MAY BE AT 28 RISK. 29 B. ON THE INITIAL RECEIPT OF A MISSING PERSON REPORT, THE LAW 30 ENFORCEMENT AGENCY SHALL IMMEDIATELY DETERMINE WHETHER THE MISSING PERSON IS 31 A HIGH-RISK MISSING PERSON. IF A LAW ENFORCEMENT AGENCY HAS PREVIOUSLY 32 DETERMINED THAT A MISSING PERSON IS NOT A HIGH RISK MISSING PERSON BUT 33 OBTAINS NEW INFORMATION AFTER MAKING THAT DETERMINATION, THE AGENCY SHALL IMMEDIATELY DETERMINE WHETHER THE INFORMATION INDICATES THAT THE PERSON 34 35 MISSING IS A HIGH RISK MISSING PERSON. A LAW ENFORCEMENT AGENCY SHALL PERFORM THE RISK ASSESSMENTS NOT MORE THAN _____ HOURS AFTER THE INITIAL 36 37 MISSING PERSON REPORT IS FILED OR _____ HOURS AFTER ANY NEW INFORMATION IS 38 PROVIDED TO THE LAW ENFORCEMENT AGENCY. A LAW ENFORCEMENT AGENCY MAY 39 ESTABLISH WRITTEN PROTOCOLS FOR THE HANDLING OF MISSING PERSON CASES. 40 C. IF THE LAW ENFORCEMENT AGENCY DETERMINES THAT THE MISSING PERSON IS 41 A HIGH RISK MISSING PERSON, THE AGENCY SHALL NOTIFY THE DEPARTMENT AND SHALL 42 IMMEDIATELY PROVIDE TO THE DEPARTMENT THE INFORMATION MOST LIKELY TO AID IN 43 THE LOCATION AND SAFE RETURN OF THE HIGH RISK MISSING PERSON. THE AGENCY 44 SHALL PROVIDE AS SOON AS POSSIBLE ALL OTHER INFORMATION OBTAINED RELATING TO 45 THE HIGH RISK MISSING PERSON CASE. THE DEPARTMENT SHALL IMMEDIATELY NOTIFY

ALL LAW ENFORCEMENT AGENCIES IN THIS STATE AND SURROUNDING REGIONS OF THE
 INFORMATION THAT WILL AID IN THE PROMPT LOCATION AND SAFE RETURN OF THE HIGH
 RISK MISSING PERSON.

D. THE LOCAL LAW ENFORCEMENT AGENCIES THAT RECEIVE NOTIFICATION FROM
THE DEPARTMENT PURSUANT TO SUBSECTION C SHALL NOTIFY OFFICERS TO BE ON THE
WATCH FOR THE MISSING PERSON OR A SUSPECTED ABDUCTOR.

7 E. THE RESPONDING LOCAL LAW ENFORCEMENT AGENCY SHALL IMMEDIATELY ENTER ALL COLLECTED INFORMATION RELATING TO THE MISSING PERSON CASE IN AVAILABLE 8 9 STATE AND FEDERAL DATABASES. IF THE RESPONDING LOCAL LAW ENFORCEMENT AGENCY DOES NOT HAVE THE CAPABILITY TO ENTER THIS DATA DIRECTLY IN THE STATE AND 10 11 FEDERAL DATABASES. THE DEPARTMENT SHALL IMMEDIATELY ENTER ALL COLLECTED INFORMATION RELATING TO THE MISSING PERSON CASE IN AVAILABLE STATE AND 12 13 FEDERAL DATABASES. THE INFORMATION SHALL BE PROVIDED PURSUANT TO APPLICABLE 14 GUIDELINES RELATING TO THE DATABASES. THE RESPONDING LOCAL LAW ENFORCEMENT 15 AGENCY OR THE DEPARTMENT SHALL:

1. ENTER THE REPORT IN A HIGH RISK MISSING PERSON CASE AND ALL 16 17 RELEVANT INFORMATION PROVIDED INTO THE NATIONAL CRIME INFORMATION CENTER DATABASE WITHIN TWO HOURS AFTER THE DETERMINATION THAT THE MISSING PERSON IS 18 19 A HIGH RISK MISSING PERSON. ALL OTHER MISSING PERSON REPORTS AND ALL 20 RELEVANT INFORMATION SHALL BE ENTERED INTO THE NATIONAL CRIME INFORMATION 21 CENTER DATABASE WITHIN ONE DAY AFTER THE MISSING PERSON REPORT IS RECEIVED. 22 SUPPLEMENTAL INFORMATION ON HIGH RISK MISSING PERSON CASES SHALL BE ENTERED 23 AS SOON AS POSSIBLE.

24 2. UPLOAD ALL DNA PROFILES INTO THE MISSING PERSON DATABASES OF THE
25 STATE DNA INDEX SYSTEM AND NATIONAL DNA INDEX SYSTEM AFTER COMPLETION OF THE
26 DNA ANALYSIS AND OTHER PROCEDURES REQUIRED FOR DATABASE ENTRY.

273. ENTER ANY INFORMATION THAT IS RELEVANT TO THE FEDERAL BUREAU OF28INVESTIGATION'S VIOLENT CRIMINAL APPREHENSION PROGRAM AS SOON AS POSSIBLE.

F. THE DEPARTMENT SHALL ENSURE THAT A PERSON WHO ENTERS DATA RELATING
TO MEDICAL OR DENTAL RECORDS IN A STATE OR FEDERAL DATABASE IS SPECIFICALLY
TRAINED TO UNDERSTAND AND CORRECTLY ENTER THE INFORMATION. THE DEPARTMENT
SHALL EITHER USE PERSONS WITH SPECIFIC EXPERTISE IN MEDICAL OR DENTAL RECORDS
FOR THIS PURPOSE OR CONSULT WITH THE PROPER EXPERTS TO ENSURE THE ACCURACY
AND COMPLETENESS OF ANY INFORMATION THAT IS ENTERED INTO THE STATE AND
FEDERAL DATABASES.

G. PURSUANT TO ANY APPLICABLE STATE CRITERIA, LOCAL LAW ENFORCEMENT
AGENCIES SHALL PROVIDE FOR THE PROMPT USE OF AN AMBER ALERT OR PUBLIC
DISSEMINATION OF PHOTOGRAPHS IN APPROPRIATE HIGH RISK CASES.

39

41-4406. <u>Death scene investigations; handling</u>

40A. THE DEPARTMENT SHALL PROVIDE INFORMATION TO LOCAL LAW ENFORCEMENT41AGENCIES ABOUT BEST PRACTICES FOR HANDLING DEATH SCENE INVESTIGATIONS.

42 B. THE DEPARTMENT SHALL IDENTIFY ANY PUBLICATIONS OR TRAINING
43 OPPORTUNITIES THAT MAY BE AVAILABLE TO LOCAL LAW ENFORCEMENT AGENCIES OR
44 PEACE OFFICERS CONCERNING THE HANDLING OF DEATH SCENE INVESTIGATIONS.

1 C. AFTER PERFORMING ANY DEATH SCENE INVESTIGATION DEEMED APPROPRIATE 2 UNDER THE CIRCUMSTANCES, THE OFFICIAL WITH CUSTODY OF THE HUMAN REMAINS SHALL 3 ENSURE THAT THE HUMAN REMAINS ARE DELIVERED TO THE COUNTY MEDICAL EXAMINER. 4 41-4407. <u>Discovery of human remains: notification</u> 5 A. ANY PERSON WITH CUSTODY OF HUMAN REMAINS THAT ARE NOT IDENTIFIED WITHIN TWENTY-FOUR HOURS AFTER DISCOVERY SHALL PROMPTLY NOTIFY THE DEPARTMENT 6 7 OF THE LOCATION OF THOSE REMAINS. B. IF THE PERSON WITH CUSTODY OF THE REMAINS CANNOT DETERMINE WHETHER 8 9 THE REMAINS FOUND ARE HUMAN, THE PERSON SHALL NOTIFY THE DEPARTMENT OF THE EXISTENCE OF POSSIBLE HUMAN REMAINS. 10 41-4408. <u>Unidentified human remains identification</u>; 11 12 responsibilities 13 A. IF THE OFFICIAL WITH CUSTODY OF UNIDENTIFIED HUMAN REMAINS IS NOT A MEDICAL EXAMINER, THE OFFICIAL SHALL PROMPTLY TRANSFER THE UNIDENTIFIED HUMAN 14 15 REMAINS TO THE COUNTY MEDICAL EXAMINER FOR IDENTIFICATION. B. NOTWITHSTANDING ANY OTHER ACTION DEEMED APPROPRIATE FOR THE 16 17 HANDLING OF HUMAN REMAINS, THE COUNTY MEDICAL EXAMINER SHALL PROMPTLY IDENTIFY THE HUMAN REMAINS BY OBTAINING ANY OF THE FOLLOWING: 18 19 1. PHOTOGRAPHS OF THE HUMAN REMAINS BEFORE AN AUTOPSY. 20 2. DENTAL OR SKELETAL X-RAYS. 21 3. PHOTOGRAPHS OF ITEMS FOUND WITH THE HUMAN REMAINS. 22 4. FINGERPRINTS FROM THE HUMAN REMAINS, IF POSSIBLE. 23 5. SAMPLES OF TISSUE THAT ARE SUITABLE FOR DNA TYPING. IF POSSIBLE. 24 6. SAMPLES OF WHOLE BONE OR HAIR THAT ARE SUITABLE FOR DNA TYPING. 25 7. ANY OTHER INFORMATION THAT MAY SUPPORT IDENTIFICATION EFFORTS. C. THE COUNTY MEDICAL EXAMINER OR ANY OTHER PERSON SHALL NOT DISPOSE 26 27 OF OR ENGAGE IN ACTS THAT WILL MATERIALLY AFFECT THE UNIDENTIFIED HUMAN 28 REMAINS BEFORE THE MEDICAL EXAMINER OBTAINS THE FOLLOWING: 29 SAMPLES THAT ARE SUITABLE FOR DNA IDENTIFICATION OR ARCHIVING. 1. 30 2. PHOTOGRAPHS OF THE UNIDENTIFIED HUMAN REMAINS. 31 3. ANY OTHER INFORMATION THAT WOULD ASSIST IN IDENTIFYING THE HUMAN 32 REMAINS. 33 D. A PERSON SHALL NOT CREMATE UNIDENTIFIED HUMAN REMAINS. E. IF THE HUMAN REMAINS HAVE NOT BEEN IDENTIFIED BY OTHER MEANS WITHIN 34 35 THIRTY DAYS, THE COUNTY MEDICAL EXAMINER OR THE DEPARTMENT SHALL MAKE REASONABLE EFFORTS TO OBTAIN PROMPT DNA ANALYSIS OF BIOLOGICAL SAMPLES. 36 37 F. THE COUNTY MEDICAL EXAMINER OR THE DEPARTMENT SHALL SEEK SUPPORT 38 FROM APPROPRIATE STATE AND FEDERAL AGENCIES FOR HUMAN REMAINS IDENTIFICATION 39 EFFORTS, INCLUDING AVAILABLE MITOCHONDRIAL OR NUCLEAR DNA TESTING, FEDERAL 40 GRANTS FOR DNA TESTING OR FEDERAL GRANTS FOR CRIME LABORATORY OR MEDICAL 41 EXAMINER OFFICE IMPROVEMENT. 42 G. THE COUNTY MEDICAL EXAMINER OR THE DEPARTMENT SHALL PROMPTLY ENTER 43 INFORMATION IN FEDERAL AND STATE DATABASES THAT CAN AID IN THE IDENTIFICATION 44 OF HUMAN REMAINS. THE COUNTY MEDICAL EXAMINER OR THE DEPARTMENT SHALL ENTER:

- 1 1. INFORMATION INTO THE NATIONAL CRIME INFORMATION CENTER WITHIN _____ 2 HOURS.
- 3

2. DNA PROFILES AND INFORMATION INTO THE NATIONAL DNA INDEX SYSTEM WITHIN FIVE BUSINESS DAYS AFTER THE COMPLETION OF THE DNA ANALYSIS AND PROCEDURES NECESSARY FOR THE ENTRY OF THE DNA PROFILE.

5 6 7

4

3. INFORMATION THAT IS RELEVANT TO THE FEDERAL BUREAU OF INVESTIGATION'S VIOLENT CRIMINAL APPREHENSION PROGRAM AS SOON AS POSSIBLE.

8 H. IF COUNTY MEDICAL EXAMINER OFFICE PERSONNEL DO NOT INPUT THE DATA 9 DIRECTLY INTO THE FEDERAL DATABASES, THE DEPARTMENT SHALL CONSULT WITH THE 10 COUNTY MEDICAL EXAMINER TO ENSURE APPROPRIATE TRAINING OF THE DATA ENTRY 11 PERSONNEL AND THE ESTABLISHMENT OF A QUALITY ASSURANCE PROTOCOL FOR ENSURING 12 THE ONGOING QUALITY OF DATA ENTERED IN THE FEDERAL AND STATE DATABASES.

I. THIS CHAPTER DOES NOT PRECLUDE ANY COUNTY MEDICAL EXAMINER, THE
 DEPARTMENT OR A LOCAL LAW ENFORCEMENT AGENCY FROM PURSUING OTHER EFFORTS TO
 IDENTIFY UNIDENTIFIED HUMAN REMAINS, INCLUDING EFFORTS TO PUBLICIZE
 INFORMATION, DESCRIPTIONS OR PHOTOGRAPHS THAT MAY AID IN THE IDENTIFICATION
 OF THE UNIDENTIFIED HUMAN REMAINS, ALLOWING FAMILY MEMBERS TO IDENTIFY THE
 MISSING PERSON AND SEEKING TO PROTECT THE DIGNITY OF THE MISSING PERSON.

J. A LAW ENFORCEMENT AGENCY THAT IS HANDLING THE REMAINS OF A PERSON WHO WAS REPORTED MISSING SHALL NOTIFY THE LAW ENFORCEMENT AGENCY THAT IS HANDLING THE MISSING PERSON CASE. THE LAW ENFORCEMENT AGENCIES SHALL MAKE DOCUMENTED EFFORTS TO LOCATE FAMILY MEMBERS OF THE DECEASED PERSON TO INFORM THEM OF THE DEATH AND THE LOCATION OF THE REMAINS OF THEIR FAMILY MEMBER.