NEBRASKA ADMINISTRATIVE CODE

TITLE 272, NEBRASKA ADMINISTRATIVE CODE, CHAPTER XXIII

NEBRASKA STATE PATROL

Missing Persons Information Clearinghouse

TITLE 272 NAC XXIII

ALPHABETICAL TABLE OF CONTENTS

Subject or Title	Statutory Authority	Code Section
Administration of Missing Person Information Clearinghouse	Neb. Rev. Stat. § 29-214.01	003
Definitions	Neb. Rev. Stat. § 29-212 & § 43-2001	002
Dissemination of Information About Missing Persons	Neb. Rev. Stat. § 29-214.01	007
Information to be Contained in the Missing Person Report	Neb. Rev. Stat. § 29-214.01	005
Notification Following Location of Missing Persons	Neb. Rev. Stat. § 29-214.01	006
Prevention and Education Programs	Neb. Rev. Stat. § 29-214.01	008
Reporting a Missing Person	Neb. Rev. Stat. § 29-214 & § 43-2004	004
Retention of Information	Neb. Rev. Stat. § 29-214.01	009
Scope and Purpose	Neb. Rev. Stat. § 29-212 & § 43-2012	001

NEBRASKA ADMINISTRATIVE CODE

TITLE 272 NAC XXIII

NUMERICAL TABLE OF CONTENTS

Subject or Title	Statutory Authority	Code Section
Scope and Purpose	Neb. Rev. Stat. § 29-212 & § 43-2012	001
Definitions	Neb. Rev. Stat. § 29-212 & § 43-2001	002
Administration of Missing Person Information Clearinghouse	Neb. Rev. Stat. § 29-214.01	003
Reporting a Missing Person	Neb. Rev. Stat. § 29-214 & § 43-2004	004
Information to be Contained In the Missing Person Report	Neb. Rev. Stat. § 29-214.01	005
Notification Following Location of Missing Person	Neb. Rev. Stat. § 29-214.01	006
Dissemination of Information About Missing Persons	Neb. Rev. Stat. § 29-214.01	007
Prevention and Education Programs	Neb. Rev. Stat. § 29-214.01	008
Retention of Information	Neb. Rev. Stat. § 29-214.01	009
Amber Alert	Neb. Rev. Stat. § 29-214.01	010

Title 272 – NEBRASKA STATE PATROL

Chapter XXIII – Missing Persons Information Clearinghouse

001 SCOPE AND PURPOSE

01.01 These regulations are to implement the Missing Persons Information Clearinghouse pursuant to Neb. Rev. Stat. §§ 29-212 to 29-214. The purpose of the Missing Persons Information Clearinghouse is to provide a program for compiling, coordinating, and disseminating information, in order to locate missing persons through public awareness and cooperation, and to educate law enforcement officers and the general public about the issues related to missing persons.

01.02 These regulations are also to implement the Missing Children Identification Act pursuant to Neb. Rev. Stat. §§ 43-2001 to 43-2012. The purpose of the Missing Children Identification Act is to locate missing children through school records and birth certificates filed with the schools and the Department of Health and Human Services.

002 DEFINITIONS

002.01 "Law enforcement agency" shall mean a recognized police department, sheriff's office, or the Nebraska State Patrol, having an assigned originating agency identifier (ORI) issued by the Federal Bureau of Investigation.

002.02 "Minor" means for purposes of these regulations a person under the age of eighteen.

002.03 "Missing Person" means a person who has been reported as missing to a law enforcement agency.

002.04 "Missing Child" means a person sixteen years of age or younger reported to any law enforcement agency or abducted or lost.

002.05 "Missing Persons Information Clearinghouse" means the repository established within the Nebraska State Patrol pursuant to Neb. Rev. Stat. § 29-214.01.

002.06 "Nebraska State Patrol" shall mean the Criminal Investigation Division of the Nebraska State Patrol, P.O. Box 94907, Lincoln, Nebraska 68509.

002.07 "Prevention and education materials" means those materials that are designed to aid in the prevention of kidnapping and that are used in conjunction with a prevention and education program.

002.08 "Prevention and education programs" means those programs which have as their primary purpose the prevention of kidnapping.

002.09 "Unemancipated Minor" shall mean a child under the age of nineteen (19) who has not been granted the status of adulthood by a court order or other formal legal arrangement. Emancipated minor status is not automatically bestowed on those who have simply moved away from their parents' home.

003 ADMINISTRATION OF MISSING PERSON INFORMATION CLEARINGHOUSE

003.01 The division of criminal investigation administers the missing person information clearinghouse, and all questions, comments, or requests for, or submission of information should be directed to the clearinghouse at the division of criminal investigation. Inquiries by mail should be addressed to: Missing Person Information Clearinghouse, Division of Criminal Investigation, Nebraska State Patrol, P.O. Box 94907, Lincoln, NE 68509.

004 REPORTING A MISSING PERSON

004.01 When a report of a missing person has been received by a law enforcement agency having jurisdiction, the agency shall notify;

004.01A On duty personnel of the jurisdictional agency as soon as practicable through internal means and over the appropriate police communication network;

004.01B All law enforcement agencies considered to be involved by the law enforcement agency having jurisdiction;

004.01C All law enforcement agencies requesting the information;

004.01D All other law enforcement agencies deemed appropriate by the jurisdictional agency;

004.01E The Missing Persons Clearinghouse.

004.02 If a report of a missing person involves an unemancipated minor, the law enforcement agency, having original jurisdiction, shall immediately transmit the proper information for inclusion in the National Crime

Information Center computer and the Missing Persons Information Center Clearinghouse.

004.03 If a report of a missing person involves a missing child, the law enforcement agency having original jurisdiction, shall immediately notify the Nebraska State Patrol which shall notify the school district office in which such missing child is enrolled and the Nebraska Department of Health and Human Services. In the case of a missing child attending school exempted from state accreditation and approval requirements under Neb. Rev. Stat. §§ 79-1601(3) through (6), for example a "home school," the local law enforcement agency will notify the Nebraska Department of Education and the Nebraska Department of Health and Human Services.

004.04 Any local law enforcement agency notified pursuant to the Missing Children Identification Act of the request for the birth certificate, school record or other information concerning a missing child shall immediately notify the Nebraska State Patrol of such request and shall investigate such matter.

005 INFORMATION TO BE CONTAINED IN THE MISSING PERSON REPORT

005.01 When reporting a missing person to the Nebraska State Patrol Missing Person Information Clearinghouse, a law enforcement agency having jurisdiction of the case shall provide the following information on a uniform form prescribed by the Nebraska State Patrol (Exhibit 1). The form must contain, at a minimum, the following information:

005.01A Reporting Agency name and ORI number;

005.01B Name and phone number or email of the Case Officer or Person of Contact from the reporting agency;

005.01C Date of the Report;

005.01D Full legal name of the Missing Person as well as any aliases;

005.01E Sex;
005.01F Race;

005.01G Physical Description, to include Height, Weight, Eye-color and Hair Color.

005.01H Category of Missing status;

005.01I Date the person went missing;

005.01J Last known location;

005.01K Date of last contact (if other than date person went missing);

005.01L Location of last contact (if other than last known location).

005.02 005.02A When reporting a missing minor child to the Nebraska State Patrol Missing Person Information Clearinghouse, the following information is also required:

005.02A(1) Date of Birth

005.02B When reporting a missing person other than a minor child to the Nebraska State Patrol Missing Person Information Clearinghouse, at least one of the following is required and all of the following shall be submitted if known:

005.02B(1) Date of Birth;

005.02B(2) FBI Number (from a criminal history inquiry);

005.02B(3) Miscellaneous Number (for example: passport number, alien registration number, armed forces serial number);

005.02B(4) Social Security Number;

005.02B(5) Operator's License Number (to include issuing state and year of expiration);

005.02B(6) License Plate Number (to include issuing state, year of expiration and type of license plate);

005.02B(7) Vehicle Identification Number (include vehicle year, vehicle make, and vehicle style/model).

005.03 005.03A When reporting a missing person to the Nebraska State Patrol Missing Person Information Clearinghouse, it is strongly recommended that the following information be submitted:

005.03A(1) City and State of Birth;

005.03A(2) Last Known Address;

005.03A(3) Last known phone number;

005.03A(3)(a) If the phone number is a cell phone, pursuant to Neb. Rev. Stat. §§ 86-801 thru 86-807, the Kelsey Smith Act, the required list of Wireless Communication Carriers and their Emergency Law Enforcement Contact information will be made available by way of several different locations to all Law Enforcement and are as follows:

005.03A(3)(b) The Nebraska NeLEIS Website; In the Users Email Account; Public Folders; Resources; Titled – NE Wireless Carrier Contact Info.pdf;

005.03A(3)(c) The NCJIS Website; in the Documents Section; NE Wireless Carrier Contact Info.pdf;

005.03A(3)(d) Through the Nebraska State Patrol, by contacting the Nebraska Information Analysis Center (NIAC) during normal Business hours @ 402.479.4049 or any of the Troop Area Communication Centers.

005.03A(4) Birth Certificate;

005.03A(5) Mother's Maiden Name;

005.03A(6) A photograph.

006 NOTIFICATION FOLLOWING LOCATION OF MISSING PERSON

006.01 The Missing Persons Clearinghouse shall be notified by the reporting agency when the missing person has been located and the information is confirmed.

006.02 After the location of a missing person has been determined and confirmed, the clearinghouse shall only release the same information contained in the monthly missing person bulletin concerning the located person.

007 DISSEMINATION OF INFORMATION ABOUT MISSING PERSONS

007.01 The Nebraska State Patrol shall maintain a statewide toll-free telephone line 24 hours a day, to receive and disseminate information related to missing persons.

007.02 The Clearinghouse shall distribute missing person information that contains the names, photographs, descriptions, and information related to surrounding the disappearance of missing persons through publication of the Missing Person Information Clearinghouse Web site. The law enforcement agency or person to contact if a missing person is located and the names of all located missing persons will be included in the information shown on the Web site. NOTE: The Web site of the missing person information clearinghouse is http://www.statepatrol.nebraska.gov/MissPerClearing.aspx.

007.03 Each week the clearinghouse shall produce, update, and publish public service announcements on the clearinghouse Web site.

008 PREVENTION AND EDUCATION PROGRAMS

008.01 The Nebraska State Patrol shall develop training programs for law enforcement agencies concerning the appropriate procedures to report missing persons to the Clearinghouse.

008.02 The Clearinghouse shall maintain a repository of approved prevention and education programs and materials regarding prevention of kidnapping.

008.03 Any person or group wishing to submit prevention and education programs and materials for approval and inclusion in the repository may contact the Clearinghouse in order to request information on submitting prevention and education programs and materials for approval.

008.04 The Clearinghouse shall consider prevention and education programs and materials submitted for approval only upon receipt by the Clearinghouse

of all specified materials. The person or group submitting prevention and education programs or materials to the Clearinghouse shall be notified of approval or rejection of the programs or materials on the repository. No prevention and education programs or materials shall be represented as having been approved by the Clearinghouse or the Nebraska State Patrol unless they have been approved and placed on the repository.

008.05 Prevention and education programs and materials which have been approved by the National Center for Missing and Exploited Children are deemed to be approved by the Department.

009 RETENTION OF INFORMATION IN THE CLEARINGHOUSE

009.01 After the location of a missing person has been determined and confirmed, information concerning the history of the missing person case shall be disclosed only to law enforcement agencies of this state and other jurisdictions when necessary for the discharge of official duties, and to the juvenile court in the county of residence of a formerly missing person who is a minor.

009.02 All information in the Clearinghouse relating to a missing person who is an adult shall be purged when the person's location has been determined and confirmed. All information in the Clearinghouse relating to a missing person who is a minor shall be purged when the person reaches eighteen years of age and the person's location has been determined and confirmed.