

PROTECTED INNOCENCE INITIATIVE

STATE ACTION. NATIONAL CHANGE.

Issue Brief

SECTION 6.6

Area of Law	Criminal Justice Tools for Investigation and Prosecution
The Policy Point	Law enforcement and child welfare agencies are mandated to promptly report missing and recovered children.
The Legislative Solution	Many children are reported missing each year. Unfortunately, there is a strong corollary between missing and runaway children and domestic minor sex trafficking as children removed from the stability of a home and supervision have heightened vulnerabilities that are identified and exploited within days if not hours by traffickers. State laws that mandate the reporting of missing and found children can lead to data to assist in the tracking of these children and ultimately provide a tool for law enforcement and child welfare to identify the repeat runaways and frequent missing children who are at high-risk for exploitation through sex trafficking and commercial sexual exploitation. Integrated reporting requirements between law enforcement, schools and child welfare agencies can help to close gaps that interfere with identification and reporting of missing children who become victims of sex trafficking.

Select Statute Highlights

California

Cal. Penal Code § 14205 (Missing person reports; persons under 16 and persons at risk) requires local police and sheriffs' departments to report missing and runaway children. Cal. Penal Code § 14201.5 (Missing and exploited children's recovery network) provides for the creation of the Missing and Exploited Children's Recovery Network, which consists of an automated computerized system that transmits to all state and local law enforcement agencies and media services a missing child's personal information. Cal. Penal Code § 14201.6(a)(2) requires the California Department of Justice must "maintain a publicly accessible computer internet directory of information relating to . . . [c]ritical missing children." Cal. Penal Code § 14207(a) (Report of finding missing person) requires the law enforcement agency that locates the missing person to "immediately report that information to the Attorney General.

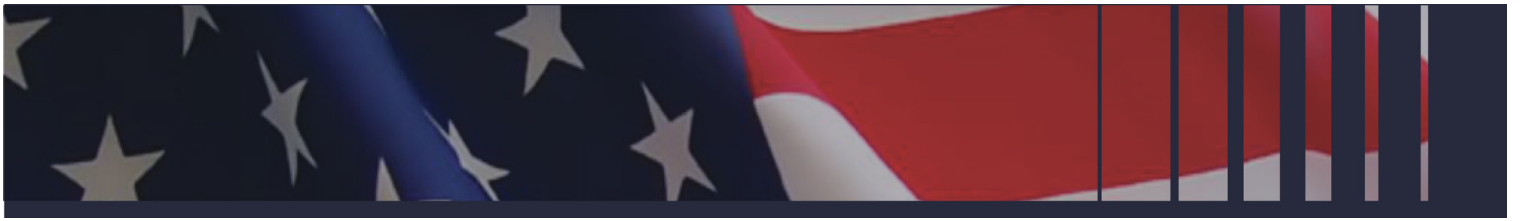
Florida

Fla. Stat. § 937.025(1) (Missing children; student records; reporting requirements; penalties) states that "upon notification by the Department of Law Enforcement that a child is listed or reported as a missing child, the school in which the child is currently enrolled,

or was previously enrolled, shall flag the student records in such a manner that whenever a copy of or information concerning the records of the missing child is requested, the person authorized to provide such copy or information is alerted to the fact that the child has been listed or reported as missing."

Nevada

Pursuant to Nev. Rev. Stat. Ann. § 432.200(1) (Duties of law enforcement agency receiving report of missing child; request for and use of identifying information; notification that child is found or returned), "1. A law enforcement agency shall accept every report of a missing child which is submitted to the agency, including, but not limited to, a report made by telephone. Upon receipt of such a report, the agency shall immediately conduct a preliminary investigation and classify the cause of the disappearance of the child as "runaway," "abducted by the parent of the child," "abducted by a stranger" or "cause of disappearance unknown," and shall:(a) Transmit all available information about the child to the Clearinghouse within 36 hours after the report is received; (b) Immediately notify such persons and make such inquiries concerning the missing child as the agency deems necessary;. . . (d) Enter into the National Crime Information Center's Missing Person File, as miscellaneous information, any person reasonably believed to have unlawfully abducted or detained the missing child, or aided or abetted the un-



lawful abduction or detention.” Nev. Rev. Stat. Ann. § 432.200(4) requires the law enforcement agency to transmit information of a recovered child to the national Crime Information Center and Clearinghouse.

Issues Briefs are derived from the 40 legal components contained in the Protected Innocence Legislative Framework, an analysis of state laws performed by the American Center for Law & Justice and Shared Hope International, under the Protected Innocence Initiative. This initiative is designed to set a national standard of protection against domestic minor sex trafficking.

To access the Protected Innocence Legislative Framework Methodology, and Report Cards, foundational analysis and recommendations for each state, please visit: www.sharedhope.org/reportcards.aspx.

