

JUSTICE AND PUBLIC SAFETY CABINET
Department of Kentucky State Police
(Amended After Comments)

502 KAR 35:040. Reporting of missing children by law enforcement agencies.

RELATES TO: KRS 17.450, 17.460

STATUTORY AUTHORITY: KRS 15A.160, 17.450, 17.460

NECESSITY, FUNCTION, AND CONFORMITY: KRS 17.450 requires the Justice and Public Safety Cabinet to establish a Kentucky Missing Child Information Center which shall serve as the central repository of and clearing house for information about Kentucky children believed to be missing and children from other states believed to be missing in Kentucky . KRS 17.460 requires the law enforcement agencies receiving notification of a missing child to report information relating to that missing person to the Missing Child Information Center. KRS 17.450 authorizes the cabinet to promulgate administrative regulations for the orderly receipt of missing child information and requests for retrieval of missing child information. This administrative regulation establishes procedures associated with the reporting of a missing child.

Section 1. Reporting to the Missing Child Information Center.

- (1) A KSP 261, Kentucky Missing Person's Report Form, shall be completed immediately by a law enforcement agency upon receiving notification from a parent or guardian that a child is missing. This form shall be:
 - (a) Completed to the fullest extent possible by the law enforcement agency receiving the missing child report; and
 - (b) Forwarded to the Missing Child Information Center no later than twenty-four (24) hours after notification was made.
- (2) If possible, a current photograph shall be obtained from the parent, guardian, or, if approved by the parent or guardian, from the school of the missing child.

Section 2. LINK/NCIC Entry.

- (1) The law enforcement agency receiving the initial report of a missing child shall immediately enter into the Law Information Network of Kentucky (LINK) and the National Crime Information Center (NCIC) computer criterion information related to the missing child.
- (2) If the reporting agency does not have direct terminal access to NCIC or is not participating in the regional LINK/NCIC Network, the reporting agency shall:
 - (a) Complete a Kentucky Missing Person's Report Form, KSP 261; and
 - (b) Forward the KSP 261 to the Missing Child Information Center no later than twenty-four (24) hours after notification was made.
- (3) Responsibility for the ongoing investigation of the missing child incident shall remain with the reporting agency and shall not automatically transfer to the Kentucky State Police post that entered the information on behalf of the reporting agency.

Section 3. As soon as possible, but no later than twenty-four (24) hours after the entry of missing child information, the investigating law enforcement agency shall notify law enforcement agencies having concurrent jurisdiction via electronic or telecommunicative means. Receiving agencies shall promptly notify agency duty personnel of all information relating to a missing child incident.

Section 4. The Kentucky Missing Child Information Center. The Kentucky Missing Child Information Center shall:

- (1) Issue bulletins containing physical and situational descriptions, or photographs whenever possible, of missing children if requested by a law enforcement agency or as

determined by the Kentucky Missing Child Information Center . Any bulletin that is issued shall contain the following information, at minimum:

- (a) Reporting agency;
 - (b) Case number;
 - (c) Date missing;
 - (d) Name;
 - (e) Address;
 - (f) Sex;
 - (g) Race;
 - (h) Date of birth;
 - (i) Height;
 - (j) Weight;
 - (k) Hair color; and
 - (l) The most recent photograph providing an adequate likeness.
- (2) Bulletins shall be sent to requesting Kentucky law enforcement agencies and to law enforcement agencies in geographical areas to which there is reason to believe the missing child is proceeding or in the process of being taken.

Section 5. Cancellation of Missing Child Report.

- (1) The law enforcement agency that found or returned the missing child shall append the existing LINK/NCIC message by placing a locator message on the entry.
 - (2) The reporting agency, upon notification and verification that the child has been found, shall cancel the missing child entries in LINK/NCIC.
 - (3) The reporting agency shall update the case report in the KYOPS with the location of the recovery of the missing child. If the reporting agency does not use KYOPS, it shall notify the Kentucky Missing Child Information Center with the location of the recovery of the missing child within seventy-two (72) hours .
- (12 Ky.R. 94; eff. 8-13-1985; 48 Ky.R.1322, 2259; eff. 5-31-2022.)

COL. PHILLIP J. BURNETT, JR., Commissioner
KERRY B. HARVEY, Secretary

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