

JUSTICE AND PUBLIC SAFETY CABINET

Department of Kentucky State Police.

(Amended at ARRS Committee)

**502 KAR 35:030. Quality of information reported to the Kentucky Missing Child Information Center.**

RELATES TO: KRS 17.450, 17.460

STATUTORY AUTHORITY: KRS 15A.060, ~~17.080,~~ 17.450

NECESSITY, FUNCTION, AND CONFORMITY: KRS 17.450(8) ~~authorizes~~provides ~~that~~ the Secretary of the Justice and Public Safety Cabinet ~~to promulgate~~may issue administrative regulations ~~in order~~ to provide for the orderly receipt and retrieval ~~and/or retrieval~~ of missing child information. This administrative regulation establishes the procedures for the entry and retrieval of missing child information ~~procedures~~.

Section 1. Only law enforcement agencies as defined in this Chapter ~~502 KAR 35:010(4)~~ shall be allowed to enter information, change existing information, or retrieve information from the files of the Missing Child Information Center. Initial entry or modification of existing missing child information shall ~~only~~ be accomplished by the submission of KSP Form 261, the Kentucky Missing Persons Report Form, to the Missing Child Information Center. Each submitted form ~~Kentucky Missing Persons Report Form~~ shall be as complete as possible and list the submitting law enforcement officer's name and ~~as well as~~ the authorizing law enforcement agency.

~~[Section 2.] [A parent or guardian may enter or retrieve missing child information directly to or from the Missing Child Information Center on his child when the law enforcement agency of jurisdiction has refused to enter or retrieve such missing child information. The parent or guardian of the missing child that has been denied service by a law enforcement agency may directly contact the Kentucky Missing Child Information Center for assistance in the initial entry, modification thereof, or retrieval of information relating to his or her missing child. The Missing Child Information Center shall immediately notify the State Police Post, which serves the area, to initiate an investigation on the missing child.]~~

Section 2. ~~[Section 3.]~~ Affidavit Certifying Noncompliance with KRS 17.450 by a Law Enforcement Agency. The parent or guardian attesting that a law enforcement agency has not rendered the appropriate service, as outlined in KRS 17.450 or 17.460, shall be required to file a formal affidavit outlining the circumstances surrounding the failure of the law enforcement agency to provide service. Copies of the ~~said~~ affidavit shall be forwarded to the chief administrative officer of the agency denying service in addition to the State Police Post which ~~shall~~will conduct the investigation on the missing child.

(12 Ky.R. 92; eff. 8-13-1985; 48 Ky.R. 1321, 2406; eff. 5-31-2022.)

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