

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

RELATES TO: KRS 17.450, 17.460

STATUTORY AUTHORITY: KRS 15A.160 17.080, 17.450, 17.460

NECESSITY, FUNCTION, AND CONFORMITY: KRS 17.450 mandates that the Justice Cabinet shall establish a Kentucky Missing Child Information Center which shall serve as the Central Repository of and clearing house for information about Kentucky related missing children. KRS 17.460 mandates that the law enforcement agencies receiving notification of a missing child shall report information relating to that missing person to the Missing Child Information Center in a timely nature. This administrative regulation establishes procedures and time frames associated with the reporting of a missing child.

Section 1. As defined in 502 KAR 35:010(3), a Kentucky Missing Persons Report Form shall be initiated and completed immediately by a law enforcement agency upon receiving notification from a parent or guardian that a child is missing. If possible, a current photograph and a Child-I-Dent Form will be obtained from the parent, guardian, or, if approved by the parent or guardian, from the school of the missing child. The Kentucky Missing Persons Report Form shall either be completed by the responsible law enforcement agency or completed to the fullest extent possible with the information available and in all cases will be forwarded to the Missing Child Information Center no later than twenty-four (24) hours after notification by parent or guardian. In the event that the missing child is located prior to forwarding the report form, it is not necessary to forward that report form to the Missing Child Information Center.

Section 2. The law enforcement agency receiving the initial report of a missing child shall immediately enter into the Law Information Network of Kentucky and the National Crime Information Center computer criterion information related to the missing child.

Section 3. In the event that the reporting agency does not have direct terminal access to NCIC or is not participating in the regional LINK/NCIC Network, it shall be the responsibility of the reporting agency to enter criterion information through the nearest Kentucky State Police Post. It shall not be the responsibility of said post to assure the ongoing investigation of the missing child incident, that responsibility shall remain with the submitting agency.

Section 4. 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 5. The Kentucky Missing Child Information Center shall issue flyers containing physical and situational descriptions of missing children when requested by a law enforcement agency or when determined by the Kentucky Missing Child Information Center. Minimum information required before a flyer may be issued from the Kentucky Missing Child Information Center, shall be: agency, case number, ORI, date missing, name, address, sex, race, date of birth, height, weight, hair color, the most recent photograph providing an adequate likeness, signature of parent or guardian, officer submitting report and agency authorization. It shall be the responsibility of the investigating agency to request that a flyer be issued and to submit to the Kentucky Missing Child Information Center all information needed. Flyers will be provided to all Kentucky law enforcement agencies as defined in 502 KAR 35:010(4) in addition to law enforcement agencies in geographical areas where there is reason to believe the missing child is proceeding to or in the process of being taken to.

Section 6. Cancellation of Missing Child Report. It shall be the responsibility of the law enforcement agency that found or returned the missing child to append the existing LINK/NCIC message by placing a locator message on the entry. It shall be the responsibility of the reporting agency upon notification and verification that the child has been found, to cancel missing child entries in LINK/NCIC. The Kentucky Missing Child Information Center may require information related to the finding or recovery of the missing child to better provide statistical information on missing children.
(12 Ky.R. 94; eff. 8-13-85; Certified to be amended; filing deadline 8-26-2021.)