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**Testimony to the Senate Judiciary Committee
In Support of SB118
February 18, 2013**

Chairman King and Committee Members,

Missing persons reports are one of many responsibilities of law enforcement that are not simple to investigate and not readily adaptable to detailed cookie cutter procedures in statute. For that reason, our members were very concerned about this bill as proposed. As a result of ensuing conversations with Senator Smith, we came to agreements on amendments to the bill that will clarify existing law while still allowing law enforcement the flexibility required to assure operational efficiencies.

Law enforcement stands behind the premise that all missing person cases are important and require immediate action. There is no dispute that information on a missing person needs to be entered into state and federal law enforcement databases as quickly as possible. There is no question that a missing person's report is often the first indicator law enforcement receives of a kidnapping or other life endangering criminal victimization and that no missing person report can be taken lightly.

We are opposed to detailed law enforcement procedures being placed in statute where they become rigid rules without the flexibility law enforcement needs. The proposed amendments remove the provisions of the original bill giving rise to this concern.

Some of the challenges law enforcement faces in missing person cases include:

1. Some reports of missing persons are made to agencies having no jurisdiction in the locations where the missing person is known to have been located. This requires the agency receiving the report to rely on other agencies, sometimes out of state, to make initial inquiries about the circumstances surrounding the missing person's activities and even to conduct the entire investigation.
2. There can be some merit to referring a reporting party to make the report with the agency having jurisdiction over where the person was last seen or known to have been. But, again, circumstances may make that a bad option. Even with the amendments, this bill does not change the requirement in current law for a law enforcement agency to complete the report even when the missing person is known to not have been in their jurisdiction and when the agency will have no authority to investigate the matter.
3. Some reports of missing persons are attempts to make law enforcement find a person who is an adult and simply doesn't want to be found by the person looking for them.
4. A large number of missing person reports are cleared within hours of the filing of a report when the person returns home.
5. If the report of a missing person is made by phone, it will be difficult to confirm the identity of the caller and validity of the information. It will also be difficult to obtain the signed documents required to making some entries into the NCIC database.

However, provided the amendments we have discussed with Senator Smith are included in the bill, our associations can support SB118.

Ed Klumpp
Legislative Liaison