

Legislative Report

08 - 0465

**Missing/Unidentified Persons Report
299C.565 Section 2**

In the 2006 legislative session, legislation was enacted addressing problems with missing persons and unidentified bodies cases in the state of Minnesota and the current lack of entry of these individuals into appropriate state and federal databases. DNA, dental records, fingerprints and other critical information has been underutilized in the past. A one time appropriation was given to begin working on these cases, with a requirement (299C.565 Section 2 Subdivision 2) that the BCA report to the legislature on efforts to reduce the number of cases that are missing critical information, report on how the appropriation was spent and how it affected the backlog of cases and, lastly, make recommendations on funding and legislative changes needed to continue solving missing and unidentified persons cases.

The appropriation in 299C.565 Section 2 Subdivision 3 was spent to hire two employees to serve as a central point of contact for all local law enforcement agencies, medical examiners/coroners and victim families. These two employees created a database that houses all of the active missing and unidentified persons cases in the state of Minnesota. To date, over 700 cases have been entered. This database tracks critical information on cases and identifies missing information that must be added.

Unidentified bodies: In addressing this problem, we discovered more than 200 unidentified bodies located at Medical Examiners/Coroners offices in the state that could potentially match current active missing person's cases. We learned that many local agencies have so few of these cases that they are not aware of what information needs to be collected nor how to complete entries. We have worked with the medical examiners/coroners to collect DNA on the unidentified and enter them into CODIS (the National Missing and Unidentified Persons Database) to determine if any unidentified matched a missing person. Our goal is to collect DNA on all of the cases and immediately enter that information into NCIC (National Crime Information Center) and CODIS.

Missing Persons: A recent NCIC audit by the FBI found that Minnesota was severely out of compliance on Missing Persons cases. There are currently over 800 active missing persons cases in Minnesota. Of these 800 cases, only 5 had DNA collected and only 27 had dental records in NCIC. This means that if one of these individuals died in another state or was located in one of Minnesota's medical examiners/coroners offices, they would likely be classified as unidentified.

BCA Analysts are contacting individual local agencies to review specific cases, identify what information is missing and requesting that information. This collection process began in January 2007 with one analyst and to date they have sent out 140 DNA kits requesting DNA on 70 active missing person's cases. All missing person's cases from

1974 to 2002 are currently in the process of having information, including DNA, collected. The BCA and local agencies are working with the victim families to collect DNA from parents and siblings for entry into the National CODIS Missing Persons Database.

Recommendations: Continue to have the BCA serve as the statewide central point of contact for law enforcement, medical examiners/coroners and victim families. The Missing/Unidentified Persons Unit would continue to collect required information on missing person's cases and would continue to work with medical examiners/coroners to enter information on every unidentified body into the appropriate state and federal databases. Current state law encourages medical examiners and coroners to contact the BCA's Missing/Unidentified Persons Unit directly to assist with unidentified cases. They are getting accustomed to and embracing this process; progress is being made.

The Missing/Unidentified Persons Unit at the BCA would be most effective by assisting on a missing person's case after it has been active for 30 days. Most often when a missing person returns home, they do so in the first 30 days. After that, the odds of them returning home drop significantly. In these cases, it is important to collect DNA promptly while there are still samples readily available. The Missing/Unidentified Persons Unit would work with local law enforcement and victim families collecting all of the necessary information until it is complete. The BCA Unit would ensure prompt, accurate, complete entries.

A centralized point of contact will reduce the number of missing and unidentified person's cases in the state. The need to continue this work is urgent, as the number of cases will continue to grow. The BCA should continue the work addressed in this report and request no additional funding in the next year. An assessment should be done once all unidentified and missing persons cases in the state are up to date to make long term recommendations. At that point, the BCA should be able to determine the number of cases opened in a year and what is needed to maintain compliance and ensure all necessary steps are being taken. Minnesota is one of a handful of states leading the nation in the effort to implement the President's Model Legislation on Utilizing DNA to Solve Missing Persons Cases. Surrounding states are contacting Minnesota's Missing and Unidentified Persons Unit to request assistance with cases.

Missing Adult Model Policy

Representatives from the MN Bureau of Criminal Apprehension, the MN Chiefs Association and the Sheriff's Association created a model policy for local agencies to use as a guide.