

# HOUSE BILL REPORT

## HB 1611

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**As Passed House:**

March 9, 2001

**Title:** An act relating to missing persons record retention policies.

**Brief Description:** Modifying missing persons record retention policies.

**Sponsors:** By Representatives Schindler and Romero; by request of Washington State Patrol.

**Brief History:**

**Committee Activity:**

Criminal Justice & Corrections: 2/14/01, 2/21/01 [DP].

**Floor Activity:**

Passed House: 3/9/01, 98-0.

**Brief Summary of Bill**

- Allows a person's dental records to remain in the Washington State Patrol's (WSP) dental identification system after a person reported as missing has been found.

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### HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

**Majority Report:** Do pass. Signed by 8 members: Representatives Ballasiotes, Republican Co-Chair; O'Brien, Democratic Co-Chair; Ahern, Republican Vice Chair; Lovick, Democratic Vice Chair; Cairnes, Kagi, Kirby and Morell.

**Staff:** Matthew Zuchetto (786-7291).

**Background:**

When a missing person has not been found for 30 days, the law enforcement agency conducting the investigation requests consent from the missing person's family to obtain the missing person's dental records. After conferring with the county coroner or medical examiner, the law enforcement agency then submits both a missing person's report and the dental records of the missing person to the WSP.

The missing person's dental records are entered into the WSP's dental identification system. The dental identification system stores the dental examination records and compares the records with other dental records filed by law enforcement authorities of unidentified human remains. When an unidentified body is discovered, the dental records are used as a means of identification.

The dental identification system maintains a file of information for all persons reported missing, but not reported found. The law requires all of the missing person's records to be erased from the dental identification system when the person is found.

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**Summary of Bill:**

The dental records of persons reported as missing are no longer required to be removed from the dental identification system after the person is found.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Once dental records of missing persons are purged from the state patrol's dental identification system, the state patrol must return the records to the local law enforcement agencies. Because the local law enforcement agencies have different retention policies, often the dental records of missing persons who have been found are lost or purged. Many times this is the only existing record and a person may end up missing more than once. If the records are lost or purged at the local level, the state patrol will not have the record to go back to when the person ends up missing a second or subsequent time. Mentally ill and others often will be missing persons multiple times and the state patrol wants to be able to keep the dental records in the dental identification system. There is no cost involved with this bill and this is just a better way to keep records in order to locate missing persons.

**Testimony Against:** None.

**Testified:** Captain Eric Robertson, Washington State Patrol; and Debbie Wilke, Coroners and Medical Examiners and Forensic Investigations Council.