

CRS Report for Congress

Missing Adults: Background, Federal Programs, and Issues for Congress

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Summary

Adults may go missing due to choice, an abduction, foul play, a mental or physical disability, or a natural catastrophe, among other reasons. Although no accurate estimates exist of the number of missing adults, the Federal Bureau of Investigation (FBI) reported that as of January 1, 2008, over 50,000 missing adult cases were pending in the National Crime Information System (NCIC), a federal computerized index with data on crimes and locator files for missing and unidentified persons. Certain adults are particularly vulnerable to missing episodes; for example, those with dementia are at risk for wandering. Adults who engage in high-risk behaviors, including involvement in gang activity, may also be more prone to going missing.

Unlike children, adults have the legal right to go missing under most circumstances. As a result, families of missing adults may receive limited assistance from state and local law enforcement entities in recovering their loved ones. The federal government has not been involved in assisting law enforcement entities with missing adult cases in the same way it has with missing children cases. Further, cases of missing children and young adults under the age of 21 must be reported to the NCIC, while reporting missing adults to the database is voluntary. In recent years, however, the federal government has increasingly played a role in (1) preventing certain types of missing adult incidents and (2) working to recover adults who go missing, including those who are deceased and for whom only remains can be found.

Recognizing the needs of a growing aging population, Congress authorized funding for the Missing Alzheimer's Disease Patient Alert program under the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322). The program has awarded funds to the Alzheimer's Association of America since FY1996 to protect and locate missing individuals with dementia through a patient identification program, as well as outreach and education efforts. In 2000, Congress passed Kristen's Act (P.L. 106-468) to permit the Department of Justice (DOJ) to make grants to establish a national clearinghouse for missing adults and provide technical assistance to law enforcement agencies in locating these individuals. From FY2002 through FY2006, DOJ made grants to the National Center for Missing Adults (NCMA) for these purposes. Both DOJ and NCMA have established databases to collect and disseminate information to law enforcement on missing adults, their relatives, and unidentified human remains. The President's DNA Initiative has also supported efforts to recover missing persons and identify unidentified human remains by funding DNA analysis and providing technical assistance on using this analysis.

Policymakers and other stakeholders have increasingly focused on two issues related to adults who go missing: whether to provide federal assistance to states and localities to develop alert systems and technology to locate missing adults; and possibly expanding federal involvement in cases of missing adults with diminished mental capacity. Another issue is the coordination of the databases on missing persons. This report will be updated as events warrant.

Contents

Introduction	1
Why Do Adults Go Missing?	2
Data on Missing Adults and Unidentified Decedents	3
National Crime Information Center Missing Person and Unidentified Person Files	4
Missing Person Data for 2007	5
Unidentified Missing Persons	6
National DNA Index System	7
The National Missing and Unidentified Persons System	8
National Center for Missing Adults Database	10
Comparison and Interaction of Databases	11
Federal Role in Recovering Missing Adults	12
The President's DNA Initiative and Related Activities	13
National Missing Person's Taskforce	14
Missing Alzheimer's Disease Patient Alert Program	14
Reauthorization Activity in the 110 th Congress	15
Safe Return Program	16
Kristen's Act	17
Reauthorization Activity in the 110 th Congress	17
Overview of Services Provided by the National Center for Missing Adults	18
National Center for Missing and Exploited Children	21
Issues	21
Coordination of Federally Funded Databases on Missing Persons and Unidentified Decedents	22
Alert Systems	22
Silver or Senior Alerts	22
Alert Notices by Phone	24
Tracking Technology	25
Special Federal Protections for Vulnerable Missing Adults	26
Appendix	28

List of Tables

Table 1: Appropriations for Missing Alzheimer's Disease Patient Alert Program, FY2002 through FY2008	15
Table 2: Appropriations for Kristen's Act Grants, FY2002 through FY2008 ...	17
Table A-1: National Crime Information Center (NCIC): Missing Entries of Adults Ages 18 and Older, 2007	28
Table A-2: Databases of Missing Adults and Unidentified Remains	29

Missing Adults: Background, Federal Programs, and Issues for Congress

Introduction

Adults may go missing due to choice; an abduction or foul play; a physical or developmental disability; a natural catastrophe that displaces individuals, such as Hurricanes Katrina and Rita; and certain high-risk behaviors, including gang involvement or drug use, among other circumstances.

State and local laws govern how criminal justice entities respond to missing adult cases. This response is complicated by a number of factors. Unlike children, adults have the legal right to go missing in most cases and may do so to seek protection from a domestic abuser and other related reasons.¹ Further, law enforcement agencies may be hesitant to devote resources to missing adult cases, given competing priorities. Law enforcement agencies within and across states also respond differently to missing adult cases. Some states mandate that law enforcement officials take reports without a waiting period, while other states require at least a 24-hour waiting period after the person is believed to be missing.²

The federal government has not been involved in assisting state and local law enforcement entities with missing adult cases in the same way it has with missing children cases. Federal law requires law enforcement to report missing children and young adults under the age of 21 to the Federal Bureau of Investigation's (FBI) National Crime Information Center (NCIC), a federal database of crime and missing person information; reporting missing adults to the database is voluntary. In addition, since 1985, Congress has appropriated funding to the Missing and Exploited Children's Program to coordinate a federal response to missing children cases and to create and maintain a national clearinghouse that assists law enforcement and families with these cases.³

In recent years, the federal government has increasingly played a role in both (1) preventing certain types of missing adult incidents and (2) recovering adults who go missing, including those who are deceased and for whom only remains provide clues to their identity and circumstances surrounding their disappearance. In 1994,

¹ Guardians and the court system may limit the autonomy of some adults through conservatorship or guardianship arrangements.

² For differences among some states regarding waiting periods for taking reports, see [<http://www.find-the-missing.org/states/index.htm>].

³ For further information, see CRS Report RL34050, *Missing and Exploited Children: Background, Policies, and Issues*, by Adrienne L. Fernandes.

Congress authorized the Missing Alzheimer's Disease Patient Alert program under the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322) to assist in locating missing individuals with Alzheimer's disease and other forms of dementia through a patient identification program, as well as outreach and education efforts. In 2000, Congress authorized the Department of Justice (DOJ), through Kristen's Act (P.L. 106-468), to make grants to establish a national clearinghouse for missing adults and provide technical assistance to law enforcement agencies in locating missing adults. The federal government has also supported efforts to establish databases to track and identify missing adults, their relatives, and unidentified human remains. Some advocates of missing adults and policymakers have called for the federal government to expand its role in missing adult cases. For example, these advocates and policymakers would like the federal government to assist states by creating or expanding missing adult alert programs that serve as a warning to the public about cases of missing adults, much like the AMBER (America's Missing: Broadcast Emergency Response) Alert program for missing children.

The first section of this report discusses demographics and record keeping of missing adults and unidentified remains, and some of the factors that may contribute to the disappearance of adults. This section also discusses federally funded databases that are used to track data on missing adults and unidentified individuals. The second section of the report describes the federal programs and initiatives to assist in locating missing adults, including funding data for FY2002 through FY2008, where applicable. (No final action has been taken to fund these activities for FY2009.) Finally, the third section discusses issues about the federal role in missing adult cases.

Why Do Adults Go Missing?

Certain circumstances can make adults vulnerable to going missing. Adults may go missing because of an abduction or foul play. A physical or developmental disability or cognitive disorder, such as Alzheimer's disease and other forms of dementia, may also contribute to a missing episode. Adults with dementia have been identified as high-risk for going missing by advocates for older adults. According to the Alzheimer's Association, as many as five million people in the U.S. suffer from Alzheimer's disease and related dementia, and about 60% of those will wander away from their homes or health care facilities.⁴ Further, a natural catastrophe can displace individuals and make their whereabouts unknown to others. Approximately 13,000 adults were reported missing in the days following Hurricanes Katrina and Rita in 2005.⁵ Finally, other adults vulnerable to missing incidents may include those with

⁴ Ashlen Anderson, *Issue Kit: Public Policy Responses to Wandering Behavior*, Alzheimer's Association of America, September 2006. (Hereafter referenced Ashlen Anderson, *Public Policy Responses to Wandering Behavior*.) For a discussion of the incidence and prevalence of Alzheimer's disease, see CRS Report RL32970, *Biomedical Advances in Alzheimer's Disease*, by Michele M. Schoonmaker and Laura B. Shrestha.

⁵ This information was provided to the Congressional Research Service by the National Center for Missing Adults on May 1, 2008.

high-risk lifestyles, such as individuals who abuse drugs or are gang involved, and those that have a history of victimization, including domestic violence.⁶

Data on Missing Adults and Unidentified Decedents

There is no definitive estimate of the number of adults who go missing, because some adults are not known to be missing or are not reported to databases that compile data on missing persons. However, three federally supported data sources provide some insight into this number: the Missing Person File at the FBI's National Crime Information Center; the FBI's National DNA Index System (NDIS), which stores information on offenders and arrestees, forensic evidence, as well as individuals believed to be missing, their relatives, and unidentified human remains; and the National Missing and Unidentified Persons System (NamUs), administered by DOJ's National Institute of Justice (NIJ). The National Center for Missing Adults (NCMA), a clearinghouse in Glendale, Arizona, that assists the families of missing adults and law enforcement agencies, also has a database on missing adults; NCMA was funded with a DOJ grant authorized by Kristen's Act from FY2002 through FY2006. Profiles of missing individuals entered into one database do not necessarily populate other databases, although some missing individuals may be reported to more than one of the databases. Therefore, numbers of missing persons should not be added across any of the databases.

The NCIC Unidentified Person File, NamUs, and NDIS contain information about unidentified decedents. However, the true number of unidentified missing adult cases is unknown because remains can go undiscovered, or if they are recovered, they may not be reported to the databases or retained. In a census conducted by DOJ in 2004, medical examiners and coroners reported a total of 13,486 unidentified human remains on record, though about 51% of medical examiner and coroners' offices lacked policies for retaining records such as x-rays, DNA, or fingerprints that could identify missing individuals.⁷ (The report also found that 90% of offices serving large jurisdictions did retain such records.) Further, medical examiners and coroners estimated that about 4,400 unidentified human decedents were reported in an average year, with approximately 1,000 (23.0%) remaining unidentified after one year. Another DOJ study estimated, using death records reported to the Centers for Disease Control from 1980 through 2004, that as many as 10,300 of these records were for unidentified decedents. This number is an approximation, as states do not uniformly specify on the death certificate when a person's identity is not known.⁸ In addition,

⁶ These groups have been identified as vulnerable to going missing by the National Center for Missing Adults.

⁷ Matthew J. Hickman et al., *Medical Examiners and Coroners' Offices, 2004*, U.S. Department of Justice, Bureau of Justice Statistics, June 2007, at [<http://www.ojp.usdoj.gov/bjs/pub/pdf/meco04.pdf>].

⁸ Kristen Hughes, *Unidentified Human Remains in the United States*, U.S. Department of Justice, Bureau of Justice Statistics, November 2007, at [<http://www.ojp.usdoj.gov/bjs/pub/>]

the criteria used by DOJ to search the death records may have included individuals whose identities were known, as well as unidentified individuals who were later identified.

The discussion below will show that the databases range in the number of profiles they contain, as well as the type of information they collect (e.g., basic demographic profiles, DNA profiles, etc.). The discussion also raises the question about whether these databases can, or should, share data or indicate that data about an individual profile is available in another database (some cross-referencing between the databases now occurs, though on a limited basis).

National Crime Information Center Missing Person and Unidentified Person Files

The NCIC within the FBI's Criminal Justice Information Services (CJIS) Division maintains statistics on missing adults and unidentified decedents.⁹ The NCIC is a computerized index of documented information concerning crimes and criminals of nationwide interest and a locator file for missing and unidentified persons. Since October 1, 1975, the NCIC has maintained records of missing persons (known as the Missing Person File) who are reported to the FBI by federal, state, and local law enforcement agencies, foreign criminal justice agencies, and authorized courts. The Missing Person File was created in response to a request in 1974 from the NCIC Advisory Policy Board (APB).¹⁰ The APB is composed of local, state, and federal criminal justice and national security agencies and advises the FBI on criminal justice information matters. The Missing Person File includes records for individuals who are missing because they

- have a proven physical or mental disability,
- are missing under circumstances indicating that they may be in physical danger,
- are missing under circumstances indicating their disappearance may not have been voluntary,
- are under the age of 21 and do not meet the above criteria,

⁸ (...continued)
pdf/uhrus04.pdf].

⁹ Unless otherwise noted, this information was provided to the Congressional Research Service by the U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division on January 25, 2008. For further information about the current NCIC Advisory Policy Board, see [<http://www.fbi.gov/hq/cjisd/advisorypolicyboard.htm>]. The FBI is authorized to maintain the NCIC under 28 U.S.C. 434.

¹⁰ The Missing Children Act of 1982 affirmed the need for the Missing Person File by requiring the FBI to “acquire, collect, classify, and preserve any information which would assist in the location of any missing person (including an unemancipated person as defined by the laws of the places of residence of such person) and provide confirmation as to any entry for such a person to the parent, legal guardian, or next of kin of that person.” 28 U.S.C. 534(a). The FBI amended NCIC entry procedures in May 1999 to replace the phrase “unemancipated person” with “a person who is missing under the age of 18.”

- are missing after a catastrophe, or
- are 21 and older and do not meet any of the above criteria but for whom there is a reasonable concern for their safety.

These categories are presented in further detail in **Table A-1** in the **Appendix**. Pursuant to the National Child Search Assistance Act of 1990 (Title XXXVII of the Crime Control Act of 1990, P.L. 101-647), records of missing children under age 18 *must* be immediately entered into the Missing Person File. The act also requires the Attorney General to publish an annual statistical summary of the Missing Person File. Suzanne's Law, under the Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act of 2003 (PROTECT Act, P.L. 108-21), requires law enforcement to also immediately submit information about missing adults to the NCIC ages 18 through 20. Law enforcement agencies are not mandated under federal law to submit missing person records of adults over the age of 21 into the Missing Person File. Therefore, although records of missing adults are captured, the NCIC does not include the complete number of adults who go missing and are not reported to the database.

Missing Person Data for 2007.¹¹ In calendar year 2007, approximately 815,000 individuals of all ages were reported missing to the NCIC. Also in that same year, approximately 820,000 missing person records were cleared or canceled; some of these records were entered prior to 2007. Of all individuals reported missing in 2007, over 171,000 (about 21.0%) were ages 18 and older. **Table A-1** summarizes the number of missing cases entered in 2007 for individuals ages 18 and older under the six missing person categories. Nearly half of all missing adult cases involved persons missing under circumstances suggesting that they might be endangered. The next highest number of missing adults went missing for another, unspecified reason, but for whom there was a reasonable concern for their safety.

Of all adults ages 18 and older reported missing in 2007, most were male — 57.1% — compared to 42.9% who were female.¹² The majority (67.9%) of missing adults were white, followed by individuals who were black (25.9%), of an unknown race (2.7%), Asian (2.6%), and American Indian or Alaskan Native (0.9%). African Americans appear to be overrepresented compared to their share of the general population by more than ten percentage points.¹³ The NCIC does not report on the Hispanic origin of missing individuals, and NCIC users are instructed to enter records for Hispanic individuals using the race code (American Indian or Alaskan Native,

¹¹ Unless otherwise noted, this information was provided to the Congressional Research Service by the U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division on May 6, 2008.

¹² The gender of three individuals was unknown.

¹³ For information about demographics of the general population, see U.S. Department of Commerce. Census Bureau. *Overview of Race and Hispanic Origin*. Census 2000 Brief. March 2001.

Asian or Pacific Islander, black, or white) that most closely represents that individual as perceived by the law enforcement official.¹⁴

As of January 1, 2008, there were 105,229 individual records (entered in 2007 and other years) remaining in the Missing Person File.¹⁵ Of these, 50,581 (48.1%) were for missing adults ages 18 and older.

Unidentified Missing Persons. Some individuals who go missing may be deceased, and their remains, intact or not, may be the only available clues concerning their identity and circumstances surrounding their disappearance. Since 1983, the NCIC has taken reports of unidentified missing persons, pursuant to the passage of the Missing Children Act of 1982 (P.L. 97-292). The act required the FBI to “acquire, collect, classify, and preserve any information which would assist in the identification of any deceased individual who has not been identified after the discovery of such deceased individual.”¹⁶ Pursuant to this requirement, reports are taken of unidentified deceased persons, persons of any age who are living and unable to determine their identity, and unidentified catastrophe victims. Reports may include information about bodies found shortly after death, when a persons’ remains may be fairly intact, as well as skeletal remains.

As of January 1, 2008, information on 6,945 unidentified persons were recorded in NCIC. Of these, 1,788 (25.7%) were entered in 2007. Nearly all (6,822) of the active entries were for deceased unidentified bodies; the remaining were for unidentified catastrophe victims and living persons who could not be identified, either because they could not identify themselves or refused to disclose their identity. Also in 2007, nearly 1,000 records were canceled or cleared by a law enforcement agency for such reasons as the subject being identified or the records being invalid. The total number of unidentified persons in the NCIC may represent just a fraction of the true number of missing remains.

¹⁴ In October 1997, the Office of Management and Budget published revised standards for the reporting by federal agencies of statistics on race and ethnicity. The standards specify the racial categories of American Indian or Alaska Native, black or African American, Native Hawaiian or Other Pacific Islander, and white; and ethnic categories of Hispanic or Latino and Not Hispanic or Latino. However, the FBI received an exemption from this reporting requirement for the NCIC. According to the FBI, states are not required to comply with the racial and ethnic classifications, due to the uniqueness of crime data and the fact that the data are reported by state and local jurisdictions. This information was provided to the Congressional Research Service by the U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division on May 6, 2008.

¹⁵ This information was provided to the Congressional Research Service by the U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division on May 23, 2008.

¹⁶ 28 U.S.C. 534(a).

National DNA Index System¹⁷

A second federally funded database that stores DNA records on missing adults and unidentified remains, NDIS, was authorized under the DNA Identification Act of 1994 as part the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322). P.L. 103-322 specified that the FBI could establish an index of DNA identification records of persons convicted of crimes, analyses of DNA samples recovered from crime scenes, and analyses from unidentified human remains.¹⁸ A fourth category of records for relatives of missing persons was added in 1999 by the Consolidated Appropriations Act of 2000 (P.L. 106-113). DNA laboratories may enter DNA information into NDIS that involves one of the four categories of records, as well as the records of missing adults. The data are first entered by authorized users into the Local DNA Index System (LDIS), which can then populate the central laboratory for each state, known as a State DNA Index System (SDIS). Only SDIS laboratories may upload DNA profiles directly to the NDIS. LDIS or SDIS laboratories can conduct searches of their own databases prior to uploading the data to NDIS. Searches of data entered by other states into NDIS are conducted by the FBI Laboratory, which automatically searches new DNA data when profiles are submitted by the states.

NDIS contains over six million profiles in five databases: offenders and arrestees database, forensic evidence database, missing unidentified human remains database, missing person database, and biological relatives of missing persons database.¹⁹ The three missing person databases are part of the FBI Laboratory's National Missing Person DNA Database (NMPDD) program, which works to identify missing and unidentified persons based on available DNA profiles and other clues.²⁰ The unidentified human remains database contains DNA profiles from the remains of individuals that cannot be identified by fingerprint; dental, medical, or anthropological examinations; and of individuals who are living, but are unidentifiable using typical investigative methods (e.g., children and others who cannot or refuse to identify themselves). The relatives of missing persons database contains DNA profiles that are voluntarily submitted by the relatives of known missing individuals. Finally, the missing person database contains DNA records of

¹⁷ Unless otherwise noted, this information was provided to the Congressional Research Service by the U.S. Department of Justice, Federal Bureau of Investigation, Office of Congressional Affairs on June 18, 2008, and July 16, 2008.

¹⁸ According to the FBI, the authority to include DNA from missing persons is derived from P.L. 103-322, because in order to identify unidentified remains, a search of missing person records must be conducted that compares those records to the records for unidentified remains. This information was provided to the Congressional Research Service by the Department of Justice, Federal Bureau of Investigation, Office of Congressional Affairs on August 8, 2008.

¹⁹ The other two databases, the convicted offender database and forensic database, can be searched against one another to assist law enforcement personnel in solving crimes.

²⁰ In addition to conducting DNA analysis, the FBI Laboratory also assists state and local law enforcement agencies with investigations of missing persons involving examinations of anthropology, trace evidence, facial reconstruction, fingerprinting, and toolmarking. These services are provided at no cost.

missing persons obtained from their belongings or derived from the profiles of their relatives.

The three missing persons databases can be searched against one another. The Combined DNA Index System (CODIS) is the software in NDIS that compares various DNA profiles, and if a match is made between two sets of DNA profiles, the software sends an electronic message to the laboratories that contributed the samples. DNA analysts at the laboratories review the data to confirm the match. The laboratories are responsible for alerting the investigating law enforcement agency, medical examiner, coroner, or medical-legal authority of the results. The FBI is continuing to develop technology, including software to conduct kinship DNA analyses, and is using meta-data (e.g., sex, date of last sighting, and age), that is intended to assist in locating missing persons.²¹

Most of the DNA profiles are those stored in criminal and forensic evidence databases. As of July 2008, NDIS contained the DNA profiles from 528 missing persons; 4,641 biological relatives of missing persons; and 1,600 unidentified human remains; 6.1 million offenders and arrestees; and 227,048 forensic-related profiles. The FBI does not maintain statistics on the number of samples or profiles maintained in the LDIS or SDIS.

The National Missing and Unidentified Persons System²²

NamUs was established in July 2007 as an online repository for information about missing persons and unidentified remains.²³ The system was created as part of the President's DNA Initiative,²⁴ described below, out of concern that state and local law enforcement agencies, medical examiners, and coroners are not required to report missing adult and unidentified decedent cases to the NCIC, and therefore, the true number of missing adults is unknown.²⁵ To further investigate this issue, DOJ appointed an expert panel of medical examiners and coroners, which ultimately confirmed the need for a central reporting system for unidentified human remains. These efforts also led DOJ to establish and fund NamUs. NamUs is composed of two databases, one for missing persons and the other for unidentified remains.

²¹ U.S. Department of Justice, Federal Bureau of Investigation, "CODIS: Combined DNA Index System," at [<http://www.fbi.gov/hq/lab/pdf/codisbrochure.pdf>].

²² Unless otherwise noted, this information is provided by U.S. Department of Justice, "About Missing Persons Database," NamUs, at [<http://www.namus.gov/index.htm>].

²³ According to the Department of Justice, there is no specific statutory authority for NamUs; however, the agency derives its authority to establish the database from statutes on the general authorities of the National Institute of Justice (NIJ, 42 U.S.C. 3721-3723), which manages the database, to support research and develop tools and technologies, as well as statutes concerning the general authorities of NIJ's Office of Science and Technology (6 U.S.C. 161-165). This information was provided to the Congressional Research Service by the U.S. Department of Justice, Office of Justice Programs on June 16, 2008.

²⁴ The President's DNA Initiative was created under President George W. Bush.

²⁵ U.S. Department of Justice, "About Missing Persons Database," NamUs, at [<http://www.namus.gov/index.htm>].

The Missing Person Database is under construction; the site currently includes information about each state's statutes on recovering missing persons as well as links to state missing person clearinghouses, which are maintained by state law enforcement agencies or advocacy organizations and provide information about missing adults. The Unidentified Remains Database is available for medical examiners and coroners to upload their cases.²⁶ Website users — members of the public, law enforcement, coroners, and medical examiners — may view profiles of the unidentified remains; however, only law enforcement agencies and other authorized entities may enter information and review additional information and photographs that are not available to the public. Some of the profiles are fully intact, whereas others include pieces of the missing person's body or information about the remains and where they were found. Users can also search based on characteristics such as demographics, anthropologic analysis, the NCIC record number, dental information, and distinct body features. DOJ anticipates that the two databases will be linked in 2009, and law enforcement and the public will be able to search for matches between missing persons and unidentified decedent records.

During the development of NamUs, representatives from NDIS, NCIC, the Violent Criminal Apprehension Program (ViCAP), described below, and Integrated Automated Fingerprint Identification System (IAFIS), described below, were involved as partners in working groups and focus groups that developed requirements for the system.²⁷ Also, according to DOJ, state and local practitioners participated in developing the requirements of the system and made recommendations for specific technology upgrades that were incorporated. The database was funded in FY2007 with \$2.5 million from DOJ's Justice Assistance account and \$500,000 from the Community Oriented Policing (COPS) account.²⁸ The Justice Assistance funds were awarded to the National Forensic Science Technology Center to develop the Missing Person Database and to implement NamUs. The COPS funds were awarded to the University of Central Florida's National Center for Forensic Science to complete the development of the Unidentified Decedent Database and to administer the database for 18 months.

²⁶ The database was initially developed in 2005 and 2006 as a public service project by the National Association of Medical Examiners, Occupational Research and Assessment, Inc. (ORAINC), and the International Association of Coroners and Medical Examiners.

²⁷ This information was provided to the Congressional Research Service by the U.S. Department of Justice, Office of Justice Programs on June 16, 2008.

²⁸ Congress specified in the Science, State, Justice, Commerce, and Related Agencies Appropriations Act of 2006 (P.L. 109-108) that funds from the COPS account were to be used for "a DNA analysis and capacity enhancement program, and for other state, local, and federal forensic activities." The Revised Continuing Appropriations Resolution of 2007 (P.L. 110-5) continued funding for these activities.

National Center for Missing Adults Database²⁹

The National Center for Missing Adults has received funding from DOJ for its efforts to work on behalf of missing adults and their families, as described below. NCMA maintains a database of the number of adults who are reported missing to the organization by family members or law enforcement. The organization takes reports of missing adults from family members after reports have first been made to law enforcement.³⁰

According to NCMA, from 2003 through April 2008, the organization received nearly 25,200 reports of missing persons ages 18 and older. Of these entries, about 70.0% have been resolved and about 30.0% are pending. Most of the missing individuals entered into the database since 2003 are women (60.7%). These figures differ from those reported to the Missing Person File, which consists mostly of missing adult profiles for males (57.1%). Non-Hispanic whites comprise the largest share (42.1%) of individuals entered into the database, followed by Hispanics (26.2%),³¹ non-Hispanic blacks (21%), and other racial groups (11.0%). These figures suggest that non-Hispanic blacks and Hispanics appear to be overrepresented relative to their share of the general U.S. population of approximately 12.0% each.³² Note, however, that these figures may not be representative of the racial and ethnic composition of missing persons generally because the true number of missing adults is unknown.

In 2005, NCMA added several collection fields to its missing person database to include such characteristics as disabilities, history of domestic violence, homelessness, missing from group homes, and other categories. Among the 3,921 missing adults since 2005 who have been reported to have disabilities, nearly 1,800 (about 45.0%) had a diagnosed medical condition that required care or medication. About 1,300 (or 35.0%) had a mental illness or diminished mental capacity, which includes general depression, Post Traumatic Stress Disorder (PTSD), bipolar disorder, schizophrenia, attention deficit (hyperactivity) disorder, autism, and other genetic conditions. The balance had Alzheimer's disease or related dementia (about 8.0%), alcohol or chemical dependency (about 7.0%), or another unspecified disability (about 5.0%). Data are not available for characteristics other than disabilities.

²⁹ This information was provided to the Congressional Research Service by the National Center for Missing Adults on May 1, 2008.

³⁰ For further information about the reporting process, see [<http://www.theyaremissd.org/ncma/content.php?webid=search>].

³¹ Hispanic includes individuals who were entered into the database as "Hispanic," "white Hispanic," or "black Hispanic."

³² For information about demographics of the general population, see U.S. Department of Treasury. Census Bureau. *Overview of Race and Hispanic Origin*. Census 2000 Brief. March 2001.

Other Federal Databases that Can Store Information About Missing Persons

Integrated Automated Fingerprint Identification System (IAFIS): IAFIS is an electronic database that stores information on fingerprints and corresponding criminal histories. This information is submitted voluntarily by state, local, and federal law enforcement agencies. The database includes more than 55 million subjects in its Criminal Master File; nearly 50 records are for missing persons. Law enforcement agencies that submit electronic fingerprints receive electronic responses to criminal ten-print fingerprint submissions within two hours and within 24 hours for civil fingerprint submissions (i.e., background checks for employment and other non-criminal justice related purposes). The response indicates whether an individual has a criminal history. IAFIS is administered by the FBI's Criminal Justice Information Services Division. For more information, see [<http://www.fbi.gov/hq/cjisd/iafis.htm>].

Violent Criminal Apprehension Program (ViCAP): ViCAP is a data center that collects and analyzes information on crimes, including missing person cases where the circumstances indicate a strong possibility of foul play and the victim is still missing. However, few missing adult cases are actually entered because, according to the FBI, the NCIC does not automatically populate the ViCAP database. Cases with an arrested or identified offender can be entered into the ViCAP system by law enforcement investigators for database comparison and possible matching with unsolved cases. Once a case is entered into the ViCAP database, it is compared continuously against all other entries on the basis of certain aspects of the crime. The purpose of this process is to detect signature aspects and traits of the crime to allow ViCAP personnel with the FBI's Criminal Justice Information Services Division to identify crimes that have been committed by the same offender. For additional information, see [<http://www.fbi.gov/hq/isd/ciirg/ncavc.htm#vicap>].

Source: Congressional Research Service.

The database also includes data fields to indicate if the investigating law enforcement agency or medical examiner has DNA samples or dental records.³³ (NCMA previously worked with families of missing adults to collect reference samples.)

Comparison and Interaction of Databases

Table A-2 in the **Appendix** summarizes some of the features of the databases on missing persons and unidentified remains, as well as the entities that may access them. As described above, NDIS includes DNA profiles and IAFIS includes fingerprint records, whereas some of the other databases only indicate whether these records are available. These other databases also tend to include more general information about missing persons and the circumstances surrounding their disappearance. Further, IAFIS and ViCAP have a broader mandate to store criminal justice-related data and do not focus, per se, on missing adult cases. None of the

³³ This information was provided to the Congressional Research Service by the National Center for Missing Adults on July 14, 2008.

databases is linked or populate one another.³⁴ This has been identified as a concern of DOJ's National Missing Persons Taskforce.

Records are submitted to most of the databases by authorized law enforcement agencies, state missing persons clearinghouses, medical examiners and coroners, or DNA laboratories. Nearly all of the databases can be accessed exclusively by the federal government or authorized law enforcement and other personnel; however, records in NamUs and the NCMA database can also be reviewed by the public, though sometimes only on a limited basis for NamUs.

Federal Role in Recovering Missing Adults

Efforts to recover missing adults are primarily under the jurisdiction of state and local governments. These efforts may be complicated by a number of factors. Unlike children, adults have the legal right to go missing in most cases and can do so to seek protection from a domestic abuser and other reasons.³⁵ Further, law enforcement agencies may be hesitant to devote resources to missing adult cases given competing priorities. In addition, law enforcement agencies within and across states respond differently to missing adult cases. Some states mandate that law enforcement officials take reports without a waiting period, whereas other states require at least a 24-hour waiting period after the person is believed to be missing.³⁶

In recent years, the federal government has increasingly played a role both in preventing certain types of missing adult incidents and in working to recover adults who go missing, including those who are deceased and for whom only remains provide clues to the circumstances surrounding their disappearance. In addition to funding or operating databases that track information about missing adults and unidentified remains, the federal government has undertaken other related efforts, including support for (1) the President's DNA Initiative, which has focused on identifying the remains of unidentified deceased individuals; (2) National Missing Persons Task Force, with its emphasis on achieving greater cooperation among the various federal databases; (3) the Missing Alzheimer's Disease Patient Alert program to prevent missing episodes and locate missing individuals with Alzheimer's disease and related dementia; (4) activities funded under Kristen's Act to locate missing adults; and (5) the National Center for Missing and Exploited Children (NCMEC), which works to recover missing children and adults ages 18 to 21 who are reported to the agency as missing by law enforcement officials. The Missing Alzheimer's Disease Patient Alert program and activities funded under Kristen's Act have specifically received congressional appropriations for missing adult activities. The

³⁴ This may be due, in part, to concerns with protecting the privacy of individuals registered in the databases. For example, the DNA Identification Act of 1994 (P.L. 103-322) limit the accessibility of the profiles in NDIS for certain purposes.

³⁵ Guardians and the court system may limit the autonomy of some adults through conservatorship or guardianship arrangements.

³⁶ For differences among some states regarding waiting periods for taking reports, see [<http://www.find-the-missing.org/states/index.htm>].

other activities have been funded under appropriations for initiatives or programs that encompass more than missing adult activities.

The President's DNA Initiative and Related Activities

In March 2003, President George W. Bush announced a new DNA Initiative to promote the use of forensic DNA technology to solve crimes, protect individuals from wrongful prosecution, and identify missing persons.³⁷ Congress has appropriated funding to DOJ to carry out the following activities to assist with locating missing adults and unidentified remains:³⁸

- sample analysis of unidentified human remains and family reference samples;³⁹
- standardized sample DNA collection kits for unidentified remains of missing persons;
- evaluation and implementation of advanced DNA technologies to facilitate the analysis of skeletal remains;
- focus group on using DNA technology to assist the identification of human remains;
- training and technical assistance on using DNA to identify missing persons and unidentified remains (see below);
- census of medical examiners and coroners and inventory of unidentified remains; and
- NamUs Unidentified Decedent Database.

Each of these activities has been funded in one or more years from FY2004 through FY2008. No final action has been taken to fund these activities in FY2009. Congress has passed, and the President has enacted, a continuing resolution for FY2009 (P.L. 110-329), which, for many programs, provides for the same level of funding as in FY2008. The resolution extends until March 9, 2009, and does not reflect final funding levels for FY2009.

³⁷ For additional information about the President's DNA Initiative, see CRS Report RL33489, *An Overview and Funding History of Select Department of Justice (DOJ) Grant Programs*, by Nathan James.

³⁸ The Justice for All Act of 2004 (P.L. 108-405) authorized funding for DNA technology to meet some of the activities set forth in the President's DNA Initiative. Sec. 308 of the act provides that the Attorney General may use DNA technology to identify missing persons and unidentified human remains. Sec. 308 further requires that each state or unit of local government that receives funding under the section is required to submit the DNA profiles of missing persons and unidentified human remains to the NDIS national missing persons database. According to the Department of Justice, no specific appropriation has been made pursuant to this section of the act.

³⁹ Laboratories that participate in NDIS conduct these sample analyses, and the DNA results are forwarded to the relevant missing person indexes in NDIS.

Also as part of the DNA Initiative, DOJ held two regional missing person forums and the First National Strategy Meeting on Identifying the Missing in 2005.⁴⁰ (No other national meetings have been held to date.) The forums provided attendees, including medical examiners, coroners, law enforcement personnel, managers of state missing children clearinghouses, family members of missing persons, forensic scientists, and policymakers, with information about resources to solve missing person and unidentified human remains cases in their jurisdictions. The forums addressed topics including model state programs for recovering missing persons and unidentified remains, reference sample DNA collection kits, and evidence repositories. The national strategy meeting was convened with the same groups of attendees described above to identify policies and practices, including the use of DNA, to solve missing person and unidentified decedent cases. The Task Force also created model state legislation to encourage states to adopt laws that improve the ability of law enforcement to locate and return missing persons, identify human remains, and provide timely information to family members of missing persons.⁴¹

National Missing Person's Taskforce⁴²

As part of the President's DNA Initiative, in 2005, NIJ and FBI were directed by DOJ leadership to establish a national task force to assess how to better encourage, facilitate, and achieve greater use of federal missing person databases to solve missing persons cases and identify human remains. In response to this directive, NIJ and the FBI convened the National Missing Persons Taskforce, composed of a broad cross-section of criminal justice officials, forensic science experts, and victim advocates. The task force met July 2005 through January 2006 to address, among other issues, the federal databases that store information on missing persons and unidentified human remains. According to DOJ, members of the task force convened these meetings to better understand and improve the information sharing tools and DNA technologies available to solve cases involving missing persons and unidentified decedents.

Missing Alzheimer's Disease Patient Alert Program⁴³

The Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322) authorized the Missing Alzheimer's Disease Patient Alert program to provide grants to locally based organizations to protect and locate missing patients with Alzheimer's disease and related dementia. Funding was authorized at \$900,000 for each of FY1996, FY1997, and FY1998. Congress has appropriated funding for the program from FY1996 through FY2008. These funds, administered by DOJ's Office of Justice Programs, have been awarded to the Alzheimer's Association of America.

⁴⁰ For additional information, see President's DNA Initiative, *Training and Technical Assistance on Using DNA to Identify Missing Persons* at [http://www.dna.gov/uses/m_person/outreach/#nsm].

⁴¹ The model state legislation is at [<http://www.ncjrs.gov/pdffiles1/nij/210740v2.pdf>].

⁴² This information was provided to the Congressional Research Service by the U.S. Department of Justice, Office of Justice Programs on June 16, 2008.

⁴³ This section was co-authored with Kirsten J. Colello, Analyst in Gerontology.

Table 1 shows funding for the program from FY2002 through FY2008. No final action has been taken to fund the program in FY2009.

Table 1: Appropriations for Missing Alzheimer’s Disease Patient Alert Program, FY2002 through FY2008
(\$ in millions)

FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
0.90	0.86	0.85	0.87	0.84	0.84	0.94

Sources: FY2000 from H.Rept. 106-680; FY2001 from H.Rept. 107-139; FY2002 from H.Rept. 107-278; FY2003 from H.Rept. 108-10; FY2004 from H.Rept. 108-401; FY2005 from H.Rept. 108-792; FY2006 from H.Rept. 109-272. FY2007 appropriation is based on FY2006 enacted minus a 1.28% rescission, as per P.L. 110-5. FY2008 enacted taken from U.S. House, Committee on Rules, Joint Explanatory Statement to Accompany FY2008 Consolidated Appropriations Amendment to H.R. 2764 (P.L. 110-161), Division B.

Note: Congress has passed, and the President has enacted, a continuing resolution for FY2009 (P.L. 110-329) that provides for the same level of funding as in FY2008 for most programs. See Division A of the act.

Reauthorization Activity in the 110th Congress. On May 14, 2008, the House Judiciary Committee marked up the Elder Justice Act (H.R. 1783), introduced by Representative Rahm Emanuel.⁴⁴ An amendment to the bill — introduced by Representatives Maxine Waters, Sheila Jackson-Lee, and Adam Schiff — to re-authorize and expand the Missing Alzheimer’s Patient Alert Program was adopted. More specifically, the amendment would have, subject to available appropriations, provided competitive grants to states, local governments, or nonprofit organizations to pay for programs to protect and locate missing persons with Alzheimer’s disease, related dementia, or other missing elderly. The amendment would have also authorized appropriations of \$5 million for each of FY2009 through FY2015 to carry out these grant activities. On June 11, 2008, the bills were approved by the Judiciary Committee and ordered favorably reported as amended.

On July 30, 2008, the House Judiciary Committee held a markup hearing for the Missing Alzheimer’s Disease Patient Alert Program Reauthorization of 2008 (H.R. 6503), introduced by Representative Maxine Waters. The bill was favorably reported, and the House passed it by voice vote under suspension of the rules on September 17, 2008. The bill language is identical to the amendment to H.R. 1783 involving the program.

⁴⁴ The Elder Abuse Victims Act of 2008 (H.R. 5352), introduced by Representative Joe Sestak, was amended in a markup hearing held by the House Judiciary Committee to include the same provisions as those in the amendment proposed by Ms. Waters and others. Although the House passed H.R. 5352, the bill did not include provisions to reauthorize the Missing Alzheimer’s Disease Patient Alert Program.

Safe Return Program.⁴⁵ DOJ has awarded funds through the Missing Alzheimer's Disease Patient Alert program to the Alzheimer's Association of America in each year since FY1996. These funds have been used to establish and carry out the Safe Return Program, which works to protect and locate missing individuals with Alzheimer's and related dementia. Wandering may pose a significant, if not life threatening, danger to the personal health, safety, and welfare of those with dementia.⁴⁶ This may occur from exposure to the elements, lack of food, dehydration or lack of medication for extended periods of time, and general inability to think, act, or communicate in a way that could assist them. Nevertheless, it is not uncommon for persons with dementia to wander from their homes, sometimes repeatedly. The Alzheimer's Association reports that six out of ten people with Alzheimer's disease will wander during the course of the disease.

The Safe Return program provides enrollees with a bracelet indicating that the individual is memory impaired and includes a toll-free, 24-hour emergency response number to call if the person is found wandering or lost. The call is routed to the nearest local chapter of the organization, which works to reunite the person with his or her caregiver, including long-term care facilities. The local chapter obtains information — through the organization's central database that includes personal and medical information and sometimes a picture of the enrollee — about the individual, and then contacts the caregiver or local law enforcement agency. Family members or caregivers with a loved one or care recipient enrolled in the program may also contact the Alzheimer's Association in the event that he or she goes missing.

The Alzheimer's Association reports that in two thirds of cases, the enrolled missing individual and caretaker are immediately reunited. In the one-third of cases that are truly missing persons incidents, local law enforcement agencies are involved, and the local chapter provides assistance during search and rescue efforts. The chapter also provides emotional support to the family and can serve as a media contact. In addition to these services, the Alzheimer's Association works with families to identify needed resources to prevent missing incidents and support the caregivers of individuals with Alzheimer's and dementia.

Approximately 120,000 individuals are enrolled in the Safe Return program.⁴⁷ The program reportedly has helped in the safe return of over 8,000 people since 1993. The organization also provides training materials to law enforcement agencies about individuals with Alzheimer's, and how to recognize wandering behavior or individuals with dementia who are engaging in unsafe or uncharacteristic behavior, such as driving or shoplifting. Some chapters have partnerships with local law

⁴⁵ Unless otherwise noted, this information was provided to the Congressional Research Service by the Alzheimer's Association on November 21, 2007.

⁴⁶ Ashlen Anderson, *Public Policy Responses to Wandering Behavior*.

⁴⁷ On November 1, 2007, the Alzheimer's Association, in partnership with MedicAlert, began to offer a bracelet that also includes information about medical conditions (e.g., medication allergies, diabetes, high blood pressure, etc.) of the individual with Alzheimer's disease or dementia. Each identification bracelet is \$40 (\$49 with accompanying medical information for the Safe Return program and MedicAlert program) and a \$20 annual renewal fee (\$25 to include MedicAlert information).

enforcement agencies to educate them about wandering behavior, but the level of contact varies across the country. Most chapters coordinate with state units on aging to make them aware of the organization and Safe Return program.

Kristen's Act

In 2000, Congress passed Kristen's Act (P.L. 106-468), named after Kristen Modafferi, who has been missing since 1997. Kristen was 18 when she disappeared and her family was unable to access services through the National Center for Missing and Exploited Children because, at the time, the organization only provided assistance to missing incident cases for children under age 18. NCMEC now provides services for missing young adults ages 18 to 21, pursuant to Suzanne's Law, which requires law enforcement to also immediately submit information about missing adults to the NCIC ages 18 through 20. Kristen's Act authorized \$1 million in funding for each of FY2001 to FY2004 and permitted the Attorney General to make grants to assist law enforcement agencies in locating missing adults; maintain a database for tracking adults believed by law enforcement to be endangered due to age, diminished mental capacity, and possible foul play; maintain statistical information on missing adults; provide resources and referrals to the families of missing adults; and establish and maintain a national clearinghouse for missing adults.

Table 2 shows funding appropriated pursuant to Kristen's Act. Kristen's Act grants were made from FY2002 through FY2006 through the Edward Byrne Discretionary Grant Program to NCMA, though funding authorization expired at the end of FY2004. As mentioned above, FY2009 funding for many programs is the same as it was in FY2008. Kristen's Act grants were not funded in FY2008, and therefore may not be funded in FY2009. However, final funding decisions for FY2009 have not been made.

**Table 2: Appropriations for Kristen's Act Grants,
FY2002 through FY2008**
(\$ in millions)

FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
1.7	0.75	0.50	0.25	0.15	— ^a	— ^b

Sources: FY2002 from H.Rept. 107-278; FY2003 from H.Rept. 108-10; FY2004 from H.Rept. 108-401; FY2005 from H.Rept. 108-792; FY2006 from H.Rept. 109-272.

- a. Under the FY2007 continuing resolution (P.L. 110-5), earmarks enacted in the FY2006 appropriations bills have no effect in FY2007.
- b. Funds were not appropriated in FY2008.

Reauthorization Activity in the 110th Congress. On January 11, 2007, Representative Sue Myrick introduced Kristen's Act Reauthorization of 2007 (H.R. 423) to reauthorize the grant for assistance to missing adults. The legislation would authorize \$4 million for each of FY2008 through FY2018. Further, it would insert congressional findings into law about the work of NCMA. The House Judiciary

Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on H.R. 423 on July 15, 2008.⁴⁸ Ms. Myrick testified about the need for federal support to assist in the recovery of missing adults. On July 30, 2008, the House Judiciary Committee approved an amendment to incorporate most of H.R. 423 into the National Silver Alert Act (H.R. 6064), discussed in further detail below. The House passed H.R. 6064 on September 17, 2008. Senator Mel Martinez introduced companion legislation in the Senate on September 25, 2008.

Overview of Services Provided by the National Center for Missing Adults.⁴⁹ NCMA began in 1995 as the missing adult division of the Nation's Missing Children Organization. NCMA received funding under Kristen's Act to expand its efforts to recover missing adults beginning in FY2002 and received this funding through FY2006. Although the organization has continued to operate since FY2006, it does so on a more limited scale than when it received funding through the grant program.

NCMA is not an investigating agency and only accepts missing adult cases that have first been reported to a law enforcement agency. A missing adult case can be registered with NCMA by a law enforcement official or family member (or significant other, friend, and certain other individuals) of the missing individual. The reporting parties complete a registration form that requests any available descriptive information, circumstances of disappearance, law enforcement case number, NCIC number, investigating law enforcement agency contact information, and other information. The reporting party may also submit a photo.

A case manager is assigned to the missing person case and will enter any relevant information, including answers from the registration form, types of services provided, and dates and summaries of all conversations with the reporting party, among other information. The case manager contacts the law enforcement agency to verify case information and that the missing person has been entered into the NCIC Missing Person File. (If the law enforcement agency does not enter the record into the NCIC, the case manager will offer to assist with referrals and resources.) The case manager then determines which services will be provided by the organization and contacts the family to let them know about these services. NCMA may also add the missing person's profile and picture to its website (www.missingadults.org), send missing person flyers to the family and law enforcement, assist with press releases, help generate or manage media attention, and maintain routine contact with the family.

⁴⁸ U.S. Congress, House Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security, *National Clearing Houses on Missing Elderly and Other Adults*, hearing on H.R. 423, H.R. 5898, and H.R. 6064, 2nd sess., July 15, 2008 (Washington: GPO, 2008).

⁴⁹ National Center for Missing Adults, *Overview*, November 29, 2007. (Hereafter referenced National Center for Missing Adults, *Overview*.)

Efforts During Hurricanes Katrina and Rita.⁵⁰ In August and September 2005, Hurricanes Katrina and Rita made landfall in four states, displacing hundreds of thousands of adults and children. To coordinate efforts to recover individuals believed to be missing as a result of the hurricanes, DOJ requested that NCMA and NCMEC coordinate services to track and recover individuals missing as a result of Hurricane Katrina, which made landfall first. In response, NCMEC managed a missing person hotline and forwarded all cases of missing adults to NCMA. On the basis of an approximation that NCMA would need to handle between 1,000 and 2,000 missing person reports, the organization submitted a draft budget of \$50,000 to DOJ for services that would be provided for up to two months; DOJ provided this level of funding. Within the first two days of operation, the number of reports exceeded 2,000. NCMA ultimately took 13,502 reports of missing adults, of which 89 cases remain active. The costs for funding these efforts was approximately \$270,000. NCMA received \$50,000 from DOJ and used some funds from its FY2006 DOJ grant to cover the costs. Because of funding constraints resulting from the hurricanes, NCMA reports that it has scaled back operations and now employs one full-time employee, down from 13 in 2006, and relies on assistance from volunteers.

Support to Secondary Victims.⁵¹ NCMA assists the secondary victims of missing persons cases — the families and friends of the missing — to cope with the temporary or long-term loss of their loved ones. Since 2003 through April 2008, over 75,000 secondary victims have been added to the NCMA missing person database.⁵² According to NCMA, secondary victims suffer anxiety, depression, and Post Traumatic Stress Disorder (PTSD).⁵³ The loss of a loved one may also result in lost income and benefits. Unless the missing person is located deceased, family members may have difficulty obtaining Social Security benefits or managing his or her estate. NCMA staff provide these family members with support and referrals to support services and victim assistance programs. NCMA also maintains an online support group, Hope2Support, to enable family members of missing adults to interact with others in similar situations. Members may exchange resources, learn about working with law enforcement agencies and the media, and help them cope with their loss. As a result of funding constraints, NCMA reports that it has been unable to publish its Missing Adults Family Handbook, a guidebook to assist families of missing adults.⁵⁴

⁵⁰ This information was provided to the Congressional Research Service by the National Center for Missing Adults on May 1, 2008.

⁵¹ Unless otherwise noted, this information was provided to the Congressional Research Service by the National Center for Missing Adults on May 1, 2008.

⁵² *Ibid.*

⁵³ National Center for Missing Adults, *Overview*.

⁵⁴ This information was provided to the Congressional Research Service by the National Center for Missing Adults on May 1, 2008.

Law Enforcement Training.⁵⁵ In partnership with Fox Valley Technical College in Appleton, Wisconsin, NCMA's Law Enforcement Training Advisory Committee⁵⁶ developed a curriculum to provide training to law enforcement on missing adult cases. Training has been provided by Fox Valley faculty and staff to chief executive officers as well as to investigators and first responders. Training for chief executive officers (i.e., police chiefs, sheriffs, and policymakers from law enforcement and criminal justice agencies) teaches them how to create a community-wide response to missing adult cases. The training addresses family issues, legal considerations for developing law enforcement protocols and public policies, the role of the chief executive officer, and developing resources for a community-based response, among other topics. The training for investigators and first responders focuses on the perspective of the secondary victims, effective use of the media, legal considerations for developing a case, framing an investigation through use of case studies and practical exercises, and effective staffing for case management, among other topics. Due to funding constraints, training courses have not been provided since 2006. From 2004 through 2006, 62 CEOs and 258 investigators and first responders received training.

Model Policy.⁵⁷ NCMA's Law Enforcement Training Advisory Committee, in consultation with Fox Valley Technical College, developed a model policy on taking missing adult reports for law enforcement to implement within their agency. The policy states that the agency is to accept every missing person report and where a threat or risk exists, the agency is to conduct a thorough investigation. The model policy also includes definitions of missing adults and sub-categories of missing adults,⁵⁸ including those with Alzheimer's disease and dementia; procedures for taking missing person reports and the response by an officer or investigator; and protocols for completing missing person reports, including entering information into the NCIC and the recovery or return of missing adults.

Data Tracking. As detailed above, NCMA maintains descriptive information on missing adults and secondary victims. The system also records case management activities, calls for service, correspondence, and tracking and mailing activities. The system is designed to track specific disabilities (Alzheimer's disease, psychological disabilities, and high risk lifestyles, among others) and causes of death (homicide, vehicular accident, car jacking, accidental death, among others) to help identify high-risk categories of missing adults. In addition, the data management system collects

⁵⁵ This information was provided to the Congressional Research Service by Fox Valley Technical College and the National Center for Missing Adults on May 7, 2008.

⁵⁶ The committee is composed of law enforcement and other government officials, victim advocates, the National Center for Missing and Exploited Children, and staff from Fox Valley Technical College.

⁵⁷ This information was provided to the Congressional Research Service by the National Center for Missing Adults on November 28, 2007.

⁵⁸ The policy manual defines missing adult as "any person 18 years of age or older whose whereabouts are unknown and who is missing under circumstances not conforming to their ordinary routine and habits or who may be in need of assistance or intervention. The manual defines missing/at-risk; missing/unusual circumstances; and missing/not at-risk adult.

information to determine if a case was closed due to the individual being located alive or deceased. NCMA anticipates this information being used to help create profiles of missing persons and to assist in their recovery. The system also collects information on secondary victims, such as the number of dependents, to determine how families and loved ones are affected by the loss of the missing person.

National Center for Missing and Exploited Children

The National Center for Missing and Exploited Children is a primary component of the federally funded Missing and Exploited Children's Program.⁵⁹ Although NCMEC's mission is to recover missing children under age 18, it also provides services for missing young adults ages 18 through 20, pursuant to Suzanne's Law, which requires law enforcement to also immediately submit information about missing adults to the NCIC ages 18 through 20. This law changed the upper age limit of individuals who must be entered into the NCIC.

NCMEC processes young adult cases differently than cases for missing children.⁶⁰ NCMEC will accept a young adult case only if it is reported by a law enforcement entity — and not by parents, spouses, partners, or others — because the organization relies on law enforcement personnel to verify that the young adult is missing due to foul play or other reasons that would cause concern about the individual's whereabouts, such as diminished mental capacity. NCMEC then assists in recovery efforts for these adults as it would for children under age 18. A case manager in the Missing Children's Division is assigned to serve as the single point of contact for the searching family and to provide technical assistance to locate abductors and recover missing children and young adults.

Issues

The various federal data systems to record information about missing adults raise the question about the need and ability for the systems to share this information. Further, federal and state policymakers and other stakeholders have increasingly focused on two issues related to adults who go missing: (1) assisting states with building the capacity to develop both alert systems to inform the public about missing older adults and technology to recover these individuals and (2) extending federal protections to missing adults with diminished mental capacity. Where applicable, this section discusses legislation that was pending in the 110th Congress to address these issues.

⁵⁹ NCMEC receives federal funding through the Missing and Exploited Children's Program and other sources. For a full discussion of NCMEC activities, see CRS Report RL34050 *Missing and Exploited Children: Background, Policies, and Issues*, by Adrienne L. Fernandes.

⁶⁰ This information was provided to the Congressional Research Service by the National Center for Missing and Exploited Children on April 17, 2007.

Coordination of Federally Funded Databases on Missing Persons and Unidentified Decedents

The first section of this report discussed the various federally funded databases that store information on missing persons and unidentified decedents. These databases do not currently populate one another, although some of the databases indicate whether information about a particular individual is available in another database. This limitation raises the question about whether the federal government can and should develop technology to enable the databases to coordinate, although concerns about privacy and funding would likely need to be addressed. DOJ appears to have begun initial discussions about the interactions of the databases through its Missing Person Task Force. Further, the NamUs database is expected to be fully operational in 2009 and could ultimately serve as a central repository on missing adults and unidentified remains.

Alert Systems

Silver or Senior Alerts.⁶¹ Alert systems, known as Silver or Senior Alerts, reportedly have been established in at least eleven states — Colorado, Georgia, Illinois, Kentucky, Michigan, New Mexico, North Carolina, Oklahoma, Ohio, Texas, and Virginia — to alert law enforcement or the public through various media outlets about vulnerable adults who are reported missing.⁶² These alert systems were created out of concern for the safety of seniors and other at-risk adult populations who are prone to wandering due to a physical or cognitive disability or medical condition such as Alzheimer's or other forms of dementia. Some missing adult alert programs, including those for Oklahoma and Virginia, are modeled after the states' AMBER Alert system.⁶³

Issuing alerts to law enforcement agencies and the public for missing vulnerable adults in some of the states appears to be at the discretion of the law enforcement

⁶¹ This section was co-authored with Kirsten J. Colello, Analyst in Gerontology.

⁶² These states were mentioned as having missing adult alert systems in news articles and policy publications, including Ben Schmitt, "Silver Alerts Could Help Pinpoint Missing Seniors' Location," *USA Today*, July 8, 2008; Kelly Wilkicki, *Silver Alerts Sound the Alarm When Certain Seniors Go Missing*, National Conference of State Legislatures, May 27, 2008; Carol A. Jones and Kathy G. Miller, *Long-Term Care: Facility Quality and Safety, Health Policy Tracking Service*, End-of-Year Issue Brief, January 2008; and National Center for Assisted Living, *NCAL Focus*, American Health Care Association, Washington, DC, August 2006. The Congressional Research Services held informal discussions with officials in six of the 11 states (Colorado, Georgia, North Carolina, Oklahoma, Texas, and Virginia) in March 2008. We did not conduct our own search of state statutes or survey states that may have adopted alert systems for missing adults through administrative rules or other mechanisms.

⁶³ AMBER systems are voluntary partnerships among law enforcement agencies, broadcasters, and transportation agencies to activate messages in a targeted area when a child is abducted and believed to be in grave danger. For additional information, see CRS Report RL34050, *Missing and Exploited Children: Background, Policies, and Issues*, by Adrienne L. Fernandes.

agency — local or state or both — and is not required of the agency.⁶⁴ In addition, state alert systems vary in terms of the target population for issuing an alert (i.e., older adults with dementia versus any adult with a disability). Most law enforcement agencies have the ability to disseminate the alert to law enforcement agencies and media in the local area, region, statewide, and other states. For example, the Texas Division of Emergency Management disseminates information within the alert advisory area to local, state, and federal law enforcement agencies, primary media outlets, the Texas Department of Transportation, the Texas Lottery Commission, and the Independent Bankers Association of Texas. However, Illinois issues alerts only to law enforcement agencies and does not involve the public or media. Some states also have the ability to issue regional or interstate alerts.

Some advocates have raised concerns that alert systems may not be useful for some adults who go missing. For example, it is reported that nearly all (94%) persons with Alzheimer's disease who wander are found less than 1.5 miles from home and almost 30% are found among makeshift shelters under brush or briar.⁶⁵ Further, there is concern that alerting the media repeatedly about a missing adult case could desensitize the public to the issue of wandering. Some advocates suggest that policymakers may wish to consider Silver Alerts in combination with a combination of other policy approaches.⁶⁶

Legislation in the 110th Congress. On April 24, 2008, Representative Gus Bilirakis introduced the Silver Alert Grant Program Act of 2008 (H.R. 5898). H.R. 5898 sought to authorize the Attorney General to award grants to states to implement a state-administered notification system (a Silver Alert system), to help locate missing individuals with Alzheimer's disease and other dementia-related illnesses or make improvements to a state's existing Silver Alert system. The bill would have also required the Attorney General to prepare an annual report to Congress on state Silver Alert Systems.

On May 16, 2008, Representative Lloyd Doggett introduced the National Silver Alert Act (H.R. 6064), which would have authorized the Attorney General, subject to the availability of appropriations, to establish and administer a national Silver Alert communications system that provides assistance to regional and local search efforts for missing seniors. The Attorney General would have been directed to assign an officer to serve as the national coordinator of the network and coordinate with states to encourage the development of Silver Alert plans; establish voluntary guidelines for states to use in developing plans; develop proposed public safety and

⁶⁴ This information is primarily based on the Congressional Research Service's review of authorizing legislation. In addition, the Congressional Research Service held informal discussions with six states (Colorado, Georgia, North Carolina, Oklahoma, Texas, and Virginia) in March 2008.

⁶⁵ Ashlen Anderson, *Public Policy Responses to Wandering Behavior*.

⁶⁶ For example, one such approach might be providing support to the caregivers of individuals with dementia, to better ensure that adults with the disease do not go missing. For information about current federal funding to assist caregivers, see CRS Report RL34123, *Family Caregiving to the Older Population: Background, Federal Programs, and Issues for Congress*, by Kirsten J. Colello.

other protocols to recover missing seniors; and establish an advisory group to assist states and other entities with developing Silver Alert plans, among other duties. The coordinator would have also been required to develop minimum standards for issuing alerts and the extent that alerts should be issued through the network. H.R. 6064 specified that the standards would have been adoptable on a voluntary basis and would not have included specific age requirements. Like H.R. 5898, the bill would have established a grant program to support the development and enhancement of programs and activities for Silver Alerts. H.R. 6064 would have also required the Attorney General to prepare an annual report to Congress on state Silver Alert systems.

The Judiciary Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on July 15, 2008, concerning H.R. 5898, H.R. 6064, and the Kristen's Act Reauthorization Act of 2007 (H.R. 423).⁶⁷ The bills' sponsors asserted the need for federal support of state efforts to develop Silver Alert systems and the need to authorize funding for programs to locate missing adults generally with grants authorized under Kristen's Act. On July 30, 2008, the Judiciary Committee marked up and favorably reported H.R. 6064 with two amendments. One of the amendments, introduced by Representative Bobby Scott, modified H.R. 6064 and incorporated parts of H.R. 5898 and H.R. 423.⁶⁸ The other amendment, introduced by Representative Sheila Jackson-Lee, sought to authorize DOJ, after consulting with the Department of Health and Human Services (HHS), to award grants to states and local governments to carry out programs that provide electronic monitoring services to elderly individuals that would assist in their recovery if they go missing; this amendment would have authorized \$2 million for each of FY2009 through FY2014 for these services. On September 17, 2008, the House passed H.R. 6064 by voice vote under suspension of the rules. On September 25, 2008, Senator Mel Martinez introduced companion legislation (S. 3579).

Alert Notices by Phone. Congress has supported technology that alerts the public by phone about missing individuals by funding A Child Is Missing Alert and Recovery Center, a nonprofit organization in Fort Lauderdale, Florida, that provides

⁶⁷ U.S. Congress, House Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security, *National Clearing Houses on Missing Elderly and Other Adults*, hearing on H.R. 423, H.R. 5898, and H.R. 6064, 2nd sess., July 15, 2008 (Washington: GPO, 2008). The subcommittee scheduled a hearing on July 15, 2008, to markup H.R. 6064; however, the bill was not marked up because a quorum was not present.

⁶⁸ The amendment made changes to H.R. 6064, including adding information to the guidelines that would be issued to states; requiring the Coordinator of the Silver Alert Program to consult with state and local officials in establishing minimum standards for issuing alerts; specifying the authorization of appropriations for the grant program separate from the communication network activities; and making technical changes. The amendment incorporated from H.R. 5898 the information that would be included in the report to Congress about the program. The amendment incorporated most of H.R. 423, except that it omitted one of the findings in the bill about the work of NCMA. Further, the amendment added that the Attorney General would periodically solicit applications for grants to maintain a national resource center for missing adults, among other activities, by publishing a request for applications in the Federal Register and by posting the request on the DOJ website.

this service. The organization works with law enforcement when a child, disabled individual, or vulnerable older individual is missing. After being contacted by local law enforcement about a missing incident, the organization sends a recorded message by phone and text about the missing child or adult to residences and businesses in an area where the individual is suspected of going missing. The message asks the community to call the police with any information they may have about the missing person. Between FY2002 through FY2008, Congress appropriated funding to A Child Is Missing through the earmarking process in three years: \$496,665 in FY2003; \$98,949 in FY2004; and \$2.4 million in FY2005.⁶⁹

Legislation in the 110th Congress. Legislation in the 110th Congress — A Child Is Missing Alert and Recovery Center Act (H.R. 5464/S. 2667), introduced by Representative Ron Klein and Senator Robert Menendez — would have directed the Attorney General to make an annual grant to A Child Is Missing Alert and Recovery Center to expand its operations, maintain and expand technologies to recover missing individuals, and establish and maintain regional centers to provide training and distribute information to law enforcement about utilizing the services of the center, among other purposes. The law defined “missing child” as an individual whose whereabouts are unknown to a federal, state, or local law enforcement agency. The bills did not restrict the definition of “missing child” to a specific age range, or limit the use of funds to recovering only missing children. The proposed authorization level for the grant was \$5 million for each of FY2009 through FY2014.

H.R. 5464 was referred to the House Judiciary Committee, which held a markup hearing on May 14, 2008, on the bill and favorably reported it to the House, where it was passed by voice vote under suspension of the rules on July 14, 2008. The Senate Judiciary Committee did not take up S. 2667.

Tracking Technology.⁷⁰ Electronic monitoring services for individuals who are susceptible to going missing are being implemented by some state and local law enforcement agencies with technology developed by Project Lifesaver International, a nonprofit organization that administers the Project Lifesaver program. Project Lifesaver uses a personalized wristband that emits a signal to track individuals prone to going missing. The wristband is worn by the clients continuously, and each month, a law enforcement officer or trained volunteer visits with the clients to replace the wristband batteries and provide referrals to clients and their caregivers in need of social services. When family members or caregivers report to the designated Project Lifesaver agency — typically a local law enforcement or first responder agency — that the client is missing, a search and rescue team responds to the wanderer’s area to search using a mobile locator tracking system.⁷¹

⁶⁹ This information was provided to the Congressional Research Service by the U.S. Department of Justice, Office of Congressional Affairs on July 16, 2008. Congress has also provided funding through the earmarking process for A Child Is Missing affiliates in states and localities.

⁷⁰ This information was provided to the Congressional Research Service by Project Lifesaver on March 18, 2008.

⁷¹ According to Project Lifesaver International, the cost for implementation is \$7,680, (continued...)

Project Lifesaver grew out of local law enforcement experience with search and rescue efforts for missing persons with Alzheimer's and other forms of dementia. The target population of the program has expanded to include children with special needs such as autism and Down's syndrome and to anyone else that may be at risk of wandering for a medical reason. In addition to providing the technology, the program trains the designated agency to communicate with persons with Alzheimer's disease and other disorders.

Project Lifesaver International reported that, as of March 2008, the tracking technology was used by 711 law enforcement agencies in 42 states and in some parts of Canada. According to Project Lifesaver International, the benefits from the program include saving law enforcement and search and rescue response time and resources in locating missing persons due to wandering. The organization reports that search times have been reduced from hours and days for searches without radio technology to minutes in searches that use the technology. In over 1,500 searches, there have been no reported serious injuries or deaths and recovery times have averaged less than 30 minutes.⁷²

Legislation in the 110th Congress. As referenced above, H.R. 6064, as approved by the House Judiciary Committee, would have authorized DOJ, after consulting with HHS, to award grants to states and local governments to carry out programs that provide electronic monitoring services to elderly individuals that will assist in their recovery if they go missing; this amendment would have authorized \$2 million for each of FY2009 through FY2014 for these services.

Further, amendments to H.R. 1783 and H.R. 5352, which were approved by the House Judiciary Committee, would have, subject to available appropriations, provided competitive grants for the Missing Alzheimer's Disease Patient Alert program. Grants would have been available to states, local governments, or nonprofit organizations to pay for programs to protect and locate missing persons with Alzheimer's disease, related dementia, or other missing elderly.

Special Federal Protections for Vulnerable Missing Adults

There is currently no federal mandate to locate missing adults who function cognitively as children. One bill in the 110th Congress sought to extend the same federal assistance to these adults that is provided for missing children. On May 9, 2007, Representative Ginny Brown-Waite introduced the Audrey Nerenberg Act (H.R. 271). The legislation proposed to change the definition of "missing child" under the Missing Children's Assistance Act, as amended, to include individuals determined to have a mental capacity of less than 18 years of age as determined by an appropriate medical authority. The act did not specify which adults with a

⁷¹ (...continued)

which includes the equipment and training of search and rescue teams in how to use the technology. A monthly cost of about \$9 per transmitter covers the costs for replacement of the battery and band. Some agencies may pass this monthly charge on to clients enrolled in the program.

⁷² For further information, see [<http://www.projectlifesaver.org/site/>].

diminished mental capacity would be protected. For example, the legislation could have included disorders as diverse as Down's syndrome and Alzheimer's, and if left for states to decide, the definition could have varied widely from one state to another. The bill also did not define the rights of adults with cognitive disabilities who want to go missing and may choose to do so for legitimate reasons.

H.R. 271 would have essentially required the National Center for Missing and Exploited Children — which receives most of the funding from the federal Missing and Exploited Children's program, authorized by the Missing Children's Assistance Act — to work to recover any missing adults deemed eligible under H.R. 271. In response to the possibility that NCMEC would need to focus its work on certain vulnerable adults ages 21 and older, the organization has said that it would prefer to initially take on missing adults cases on a pilot basis to assess the issues and problems that may arise, such as varying state law definitions of diminished capacity.⁷³ According to NCMEC, "We would only take diminished capacity cases if requested to do so by a law enforcement agency. And given that these are cases of missing adults, who are not like children whose disappearance is presumed to be involuntary, we would likely need limited civil and criminal liability to prevent costly and burdensome lawsuits."

⁷³ This information was provided to the Congressional Research Service by the National Center for Missing and Exploited Children on October 25, 2007.

Appendix

**Table A-1: National Crime Information Center (NCIC):
Missing Entries of Adults Ages 18 and Older, 2007**

Category (as defined under the NCIC Operating Manual)	Number of Missing Adults and Share of Total Missing Adult Cases
Disability: a person of any age who is missing and under proven mental/physical disability or senile, thereby subjecting him/herself or others to personal and immediate danger. ^a	30,964 (18.1%)
Endangered: a person of any age who is missing under circumstances indicating that his/her physical safety may be in danger.	79,885 (46.7%)
Involuntary: a person of any age who is missing under circumstances indicating that the disappearance may not have been voluntary, i.e., abduction or kidnapping.	15,582 (9.1%)
Juvenile: a person under the age of 21 who is missing and does not meet any of the enter criteria set forth under the Disability, Endangered, Involuntary, or Catastrophe categories.	8,697 (5.1%)
Catastrophe: are missing after a catastrophe. ^a	245 (0.1%)
Other: are 21 and older and do not meet any of the above criteria but for whom there is a reasonable concern for their safety.	35,840 (20.9%)
Total	171,213

Source: Congressional Research Service presentation of data provided by the U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division on April 23, 2008, and May 1, 2008.

- a. According to the FBI, “proven physical or mental disability” refers to an individual who could have suicidal tendencies or a drug addiction, is a hemophiliac or diabetic, or has previously escaped custody, among other possible characteristics. A “catastrophe” refers to a disaster, such as an airplane crash, terrorist attack, natural disaster, among other possible scenarios. This information was provided to the Congressional Research Service by the U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division on December 26, 2007.

Table A-2: Databases of Missing Adults and Unidentified Remains

Database — Administering Agency or Organization	Features	Access to Database
National Crime Information Center (NCIC) Missing Person File and Unidentified Persons File — DOJ/FBI	The database includes descriptive information about the missing individual or their remains. Individuals are classified under one of six missing person categories or one of three unidentified missing person categories. The databases indicate whether DNA and fingerprinting information are available.	Data are reported by, and available to, authorized federal, state, and local criminal justice and non-criminal justice agencies.
National DNA Index System (NDIS) — DOJ/FBI	The system includes three databases for the DNA of missing persons, unidentified remains, and relatives of missing persons.	Data are reported by state and local DNA laboratories, in cooperation with state and local law enforcement officials. All profiles can be accessed by the FBI; some profiles can be accessed by the state and local DNA laboratories.
National Missing and Unidentified Persons System (NamUs) — DOJ/NIJ	The system is under construction and will include two databases for descriptive information and pictures about missing persons and unidentified remains. The unidentified remains database is operational, and features information about the location of the remains, distinguishing features, and law enforcement contact information, and whether DNA and dental records are available. The two databases will ultimately be linked.	Data are reported by, and available to, authorized federal, state, and local criminal justice and non-criminal justice agencies. Profiles can be accessed by these entities and the public, although the public may not have access to information and photographs for some profiles.
National Center for Missing Adults (NCMA) Database — NCMA	The system includes descriptive information about missing adults, including information about the circumstances of the individual's disappearance, distinguishing features, whether DNA and dental records are available, and law enforcement contact information, among other information.	Data are entered by NCMA staff after confirming that a missing adult report was first submitted to a law enforcement entity. Profiles can be access by the public.

Database — Administering Agency or Organization	Features	Access to Database
Integrated Automated Fingerprint Identification System (IAFIS) — DOJ/FBI	The system includes fingerprints and corresponding criminal histories.	Data are reported by authorized international, federal, state, and local criminal justice and non-criminal justice agencies.
Violent Criminal Apprehension Program (ViCAP) — DOJ/FBI	The system includes information on crimes, including missing person cases where the circumstances indicate a strong possibility of foul play and the victim is still missing. The database entries are continuously compared on the basis of certain aspects of the crime.	Data are reported by authorized federal, state, and local criminal justice and non-criminal justice agencies.

Source: Congressional Research Service.