

IC 31-36

ARTICLE 36. JUVENILE LAW: MISSING CHILDREN

IC 31-36-1

Chapter 1. Reports of Missing Children

IC 31-36-1-1

Contents of reports

Sec. 1. A law enforcement agency in which a notification about a missing child has been made shall prepare a report on the missing child. That report must include the following:

- (1) Information that the law enforcement agency determines is relevant that is obtained in the course of the notification about the missing child, including the following:
 - (A) A physical description of the child.
 - (B) The date and place of the child's birth.
 - (C) The name and address of the last school attended by the child, if any.
- (2) Information or evidence gathered by a preliminary investigation, if one was made.
- (3) A statement by the law enforcement officer in charge setting forth that officer's assessment of the case based upon the evidence and information received.

As added by P.L.1-1997, SEC.19.

IC 31-36-1-2

Time for preparing report

Sec. 2. The law enforcement agency shall prepare the report required by section 1 of this chapter as soon as practicable, but not later than five (5) hours after the law enforcement agency received the notification about a missing child. However, a law enforcement agency is not required to prepare the report required by section 1 of this chapter earlier than twenty-four (24) hours after the law enforcement agency received the notification about a missing child if:

- (1) the law enforcement agency received a previous, unrelated notification that the child was missing; and
- (2) the law enforcement agency has reason to believe that the child is missing because the child has committed a delinquent act under IC 31-37-2-2.

As added by P.L.1-1997, SEC.19.

IC 31-36-1-3

Agencies that are to receive report

Sec. 3. Upon completion of the report required by section 1 of this chapter, the law enforcement agency shall immediately forward the contents of the report to:

- (1) all law enforcement agencies that have jurisdiction of the location in which the missing child lives and all law enforcement agencies that have jurisdiction of the location in

- which the missing child was last seen;
- (2) all law enforcement agencies to which the person who provided notification requests the report be sent, if the law enforcement agency determines that the request is reasonable in light of the information contained in the report;
 - (3) all law enforcement agencies that request a copy of the report;
 - (4) the Indiana clearinghouse for information on missing children and missing endangered adults established by IC 10-13-5;
 - (5) the Indiana data and communication system (IDACS); and
 - (6) the National Crime Information Center's Missing Person File.

As added by P.L.1-1997, SEC.19. Amended by P.L.2-2003, SEC.77; P.L.43-2009, SEC.21.

IC 31-36-1-4

Child care centers or homes and schools that are to receive report

Sec. 4. Not later than fifteen (15) days after completion of the report required by section 1 of this chapter, the law enforcement agency shall forward the contents of the report to the last:

- (1) child care center or child care home in which the child was enrolled; or
 - (2) school the child attended in Indiana, if any;
- if the child is less than thirteen (13) years of age.

As added by P.L.1-1997, SEC.19.

IC 31-36-1-5

School record attachments of missing children; procedure upon request for records

Sec. 5. (a) Upon receiving a report under section 4 of this chapter, a school shall attach a notice to the child's school records stating that the child has been reported missing. The school shall remove the notice when the school is notified under IC 31-36-2-6 that the child has been found.

(b) If a request for the school records of a missing child is received, the school shall:

- (1) obtain:
 - (A) the name, address, and telephone number of the person making the request; and
 - (B) the reason that the person is requesting the school records; and
- (2) immediately notify the Indiana clearinghouse for information on missing children and missing endangered adults.

(c) The school may not issue a copy of school records without authorization from the Indiana clearinghouse for information on missing children and missing endangered adults and may not inform the person making the request that a notice that the child has been reported missing has been attached to the child's records.

As added by P.L.1-1997, SEC.19. Amended by P.L.43-2009, SEC.22.