

## Arkansas:

TITLE 9. FAMILY LAW  
SUBTITLE 3. MINORS  
CHAPTER 34. VOLUNTARY PLACEMENT OF A CHILD  
SUBCHAPTER 2. VOLUNTARY DELIVERY OF A CHILD

### § 9-34-204. Missing Persons Information Clearinghouse

The Division of Children and Family Service of the Department of Human Services shall utilize the Missing Persons Information Clearinghouse and any other national and state resources to determine whether the child is a missing child.

### § 12-12-205. Missing Persons Information Clearinghouse

(a) There is created a Missing Persons Information Clearinghouse within the Arkansas Crime Information Center.

(b) The clearinghouse shall be administered by the Director of the Arkansas Crime Information Center.

(c) The clearinghouse shall:

(1) Establish a computerized system to communicate information on:

(A) Persons reported to be missing; and

(B) Unidentified deceased persons;

(2) Interface with the National Crime Information Center for the exchange of information on:

(A) Missing persons; and

(B) Unidentified deceased persons;

(3) Establish educational services and publications deemed appropriate to aid in dealing with missing persons;

(4) Be authorized to issue regulations and procedures for the orderly collection and entry of information on missing persons and unidentified deceased persons, as well as rules governing access to information on missing persons and unidentified deceased persons;

(5) Annually compile and make available statistical information on the number of missing persons and unidentified deceased persons entered into the computerized system of the clearinghouse and, where available, information on the number located; and

(6) Release information upon request to any court in a pending custody proceeding when the court needs information concerning whether a child has been reported as missing.

(d) (1) Upon receiving notice of a missing child, a law enforcement agency shall complete a missing person report and immediately enter identifying and descriptive information about the missing child into the computerized system of the clearinghouse.

(2) (A) (i) Upon receiving notice of a missing adult, a law enforcement agency shall complete a missing person report and immediately enter identifying and descriptive information about the missing adult into the computerized system of the clearinghouse, provided the entering agency has signed documentation from a family member, friend, or other authoritative source, including a signed report by an investigating official when other documentation is not reasonably attainable, stating the conditions under which the person is declared missing.

(ii) Such documentation will aid in the protection of the individual's right of privacy.

(B) Missing adults shall be entered based on categories established by the Federal Bureau of Investigation and the categories may include disability, endangered, involuntary, or catastrophe victim.

(3) It shall be the duty of the initial investigating law enforcement agency to immediately cancel the computer entry when the missing child or adult is located or returned.

(4) No law enforcement agency shall delay an investigation or entry of missing persons information based on an agency rule or policy which specifies an automatic waiting period.

(e) A person shall be deemed guilty of a Class A misdemeanor who knowingly makes to a law enforcement agency:

(1) A false report of a missing person; or

(2) A false statement in any missing person report.

(f) When the unidentified body of a deceased individual is found, the law enforcement agency receiving the report shall immediately enter identifying and descriptive information about the unidentified body into the computerized system of the clearinghouse according to standards established by the center and the Federal Bureau of Investigation.

(g) When an individual is found whose identity is unknown and cannot be readily determined, the law enforcement agency receiving the report shall immediately enter identifying and descriptive information about the individual into the computerized system of the clearinghouse according to standards established by the center and the Federal Bureau of Investigation.

(h) As used in this section,

(1) "Missing adult" means any person:

(A) Who is eighteen (18) or older;

(B) Whose residence is in Arkansas or is believed to be in Arkansas; and

(C) Who has been reported to a law enforcement agency as missing under circumstances indicating that:

(i) The individual has a physical or mental disability as evidenced by written documentation;

(ii) The individual is missing under circumstances indicating that the disappearance was not voluntary;

(iii) The individual is missing under circumstances indicating that the individual's safety may be in danger; or

(iv) The individual is missing as a result of a natural or intentionally caused catastrophe;

(2) "Missing child" means any person:

(A) Who is under the age of eighteen (18);

(B) Whose residence is in Arkansas or is believed to be in Arkansas;

(C) Whose location is unknown or who has been taken, enticed, or kept from any person entitled by law or a court decree or order to the right of custody; and

(D) Who has been reported as missing to a law enforcement agency; and

(3) "Missing person report" means a report prepared on a form designated by the center for use by law enforcement agencies to record missing persons information.

(i) The Attorney General shall require each law enforcement agency to comply with the mandatory entry provisions found in subdivisions (d)(1) and (2) of this section and in subsections (f) and (g) of this section and may seek writs of mandamus or other appropriate remedies to enforce this section.

(j) Missing person entries and unidentified deceased person entries, regardless of age, shall remain in the computerized system of the clearinghouse indefinitely or until the missing person is located or returns or positive identification is obtained and the investigation is completed and closed.

(k) The clearinghouse may assist in:

(1) Public notification;

(2) Providing informational resources to families of missing persons; and

(3) Constructing and distributing missing person flyers.

TITLE 12. LAW ENFORCEMENT, EMERGENCY MANAGEMENT, AND MILITARY  
AFFAIRS  
SUBTITLE 2. LAW ENFORCEMENT AGENCIES AND PROGRAMS  
CHAPTER 12. CRIME REPORTING AND INVESTIGATIONS  
SUBCHAPTER 8. MISSING CHILDREN

§ 12-12-801. Report of missing child -- Notation on records

(a) When either a law enforcement officer or the Attorney General is notified by the parents, guardian, or other person having custody of a child that the child is missing, the law enforcement officer or the Attorney General shall, within five (5) business days after being so notified, inform by certified mail, return receipt requested, the Division of Vital Records of the Department of Health and the superintendent of the school where the child was attending that the child has been reported as missing.

(b) The division shall enter on or attach to the child's birth certificate a notice that the child has been reported missing. The school shall make or attach the same notation on the child's school records.

§ 12-12-802. Request for birth certificate -- Notification of law enforcement officer or Attorney General

(a) When the Division of Vital Records of the Department of Health receives a request for the birth certificate of a child who has been reported missing pursuant to this subchapter, the division shall within five (5) business days after receipt of the inquiry notify the law enforcement officer or the Attorney General, whoever initiated the report to the division, and furnish the name, address, and telephone number, if known, of the person making the inquiry.

(b) The notice to the law enforcement officer or the Attorney General shall be by certified mail, return receipt requested.

§ 12-12-803. Request for school records -- Notification of law enforcement officer or Attorney General

(a) When a school receives a request for the records of a child who has been reported missing, the school shall, within five (5) business days, excluding days when the school is closed, after receipt of the inquiry, notify the law enforcement officer or the Attorney General and furnish the name, address, and telephone number, if known, of the person making the inquiry.

(b) The notice shall be by certified mail, return receipt requested.

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