

Chapter 13.60 RCW
MISSING CHILDREN CLEARINGHOUSE

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RCW 13.60.010 Missing children and endangered person clearinghouse—Hotline—Distribution of information—Amber alert plan, endangered missing person advisory plan, silver alert and missing indigenous person alert designations. (1) The Washington state patrol shall establish a missing children and endangered person clearinghouse which shall include the maintenance and operation of a toll-free telephone hotline. The clearinghouse shall distribute information to local law enforcement agencies, school districts, the department of children, youth, and families, and the general public regarding missing children and endangered persons. The information shall include pictures, bulletins, training sessions, reports, and biographical materials that will assist in local law enforcement efforts to locate missing children and endangered persons. The state patrol shall also maintain a regularly updated computerized link with national and other statewide missing person systems or clearinghouses, and within existing resources, shall develop and implement a plan, commonly known as an "amber alert plan" or an "endangered missing person advisory plan" which includes "silver alert" and "missing indigenous person alert" designations for voluntary cooperation between local, state, tribal, and other law enforcement agencies, state government agencies, radio and television stations, cable and satellite systems, and social media pages and sites to enhance the public's ability to assist in recovering abducted children and missing endangered persons consistent with the state endangered missing person advisory plan.

(2) For the purposes of this chapter:

(a) "Child" or "children" means an individual under 18 years of age.

(b) "Missing endangered person" means:

(i) A missing indigenous woman or indigenous person; or

(ii) A person who is believed to be in danger because of age, health, mental or physical disability, in combination with environmental or weather conditions, or is believed to be unable to return to safety without assistance and who is:

(A) A person with a developmental disability as defined in *RCW 71A.10.020(5);

(B) A vulnerable adult as defined in RCW 74.34.020; or

(C) A person who has been diagnosed as having Alzheimer's disease or other age-related dementia.

(c) "Missing indigenous person alert" means the designated title of a missing endangered person advisory that will be used on a variable message sign and text of the highway advisory radio message when used as part of an activated advisory to assist in the recovery of a missing indigenous person.

(d) "Silver alert" means the designated title of a missing endangered person advisory that will be used on a variable message sign and text of the highway advisory radio message when used as part of an activated advisory to assist in the recovery of a missing endangered person age 60 or older. [2022 c 256 § 2; 2017 3rd sp.s. c 6 § 315; 2015 1st sp.s. c 2 § 2; 2013 c 285 § 1; 2009 c 20 § 1; 1985 c 443 § 22.]

***Reviser's note:** RCW 71A.10.020 was amended by 2022 c 277 § 2, changing subsection (5) to subsection (6).

Finding—Intent—2022 c 256: "The legislature finds that indigenous people experience disproportionate rates of violence in Washington state. Tribes, state leaders, and grassroots activists have done substantial work to identify factors directly affecting the rates of violence and to ensure that addressing the crisis of missing and murdered indigenous people is a priority at every level. The legislature intends to provide law enforcement with additional tools to disseminate timely, accurate information to engage the public more effectively in assisting with locating missing indigenous people, and to compensate for the unique challenges that indigenous communities face accessing media coverage and the ability to share information." [2022 c 256 § 1.]

Effective date—2017 3rd sp.s. c 6 §§ 102, 104-115, 201-227, 301-337, 401-419, 501-513, 801-803, and 805-822: See note following RCW 43.216.025.

Conflict with federal requirements—2017 3rd sp.s. c 6: See RCW 43.216.908.

Findings—2015 1st sp.s. c 2: "The legislature finds that Washington state's elderly population is growing and the number of individuals with dementia is increasing. The legislature further finds that approximately sixty percent of individuals with dementia will wander at least once and, that if not found within twenty-four hours, up to half of wandering seniors with dementia will suffer serious injury or death. The legislature further finds that the state of Washington has a compelling interest in protecting the safety of vulnerable citizens with cognitive impairments. The legislature further finds that creating a public notification system to broadcast information about missing persons with Alzheimer's disease, dementia, or other mental disabilities to aid in their safe return will help prevent unnecessary suffering and death." [2015 1st sp.s. c 2 § 1.]

Severability—Effective date—1985 c 443: See notes following RCW 7.69.010.

RCW 13.60.020 Entry of information on missing children or endangered persons into missing person computer network—Access.

Local law enforcement agencies shall file an official missing person report and enter biographical information into the state missing person computerized network within six hours after notification of a missing child or endangered person is received under *RCW 13.32A.050(1) (a), (c), or (d), or an endangered missing person received pursuant to the state endangered missing person advisory plan. The patrol shall collect such information as will enable it to retrieve immediately the following information about a missing child or endangered person: Name, date of birth, social security number, fingerprint classification, relevant physical descriptions, and known associates and locations. Access to the preceding information shall be available to appropriate law enforcement agencies, and to parents and legal guardians, when appropriate. [2013 c 285 § 2; 1985 c 443 § 23.]

***Reviser's note:** RCW 13.32A.050 was recodified as RCW 43.185C.260 pursuant to 2015 c 69 § 30. RCW 43.185C.260 was subsequently amended by 2019 c 312 § 15, deleting subsection (1)(d).

Severability—Effective date—1985 c 443: See notes following RCW 7.69.010.

RCW 13.60.030 Information and education regarding missing children—Plan. The superintendent of public instruction shall meet semiannually with the Washington state patrol to develop a coordinated plan for the distribution of information and education of teachers and students in the school districts of the state regarding the missing children problem in the state. The superintendent of public instruction shall encourage local school districts to cooperate by providing the state patrol information on any missing children that may be identified within the district. [1985 c 443 § 24.]

Severability—Effective date—1985 c 443: See notes following RCW 7.69.010.

RCW 13.60.040 Children receiving services from department of children, youth, and families—Reporting by the department—Notification of child's whereabouts. The department of children, youth, and families shall develop a procedure for reporting missing children information to the missing children clearinghouse on children who are receiving departmental services in each of its administrative regions. The purpose of this procedure is to link parents to missing children. When the department has obtained information that a minor child has been located at a facility funded by the department, the department shall notify the clearinghouse and the child's legal custodian, advising the custodian of the child's whereabouts or that the child is subject to a dependency action. The department shall inform the clearinghouse when reunification occurs. [2017 3rd sp.s. c 6 § 316; 1999 c 267 § 18.]

Effective date—2017 3rd sp.s. c 6 §§ 102, 104-115, 201-227, 301-337, 401-419, 501-513, 801-803, and 805-822: See note following RCW 43.216.025.

Conflict with federal requirements—2017 3rd sp.s. c 6: See RCW 43.216.908.

Findings—Intent—Severability—1999 c 267: See notes following RCW 43.20A.790.

Short title—Purpose—Entitlement not granted—Federal waivers—1999 c 267 §§ 10-26: See RCW 74.15.900 and 74.15.901.

RCW 13.60.050 Endangered missing person advisory plan. Within existing resources, the Washington state patrol shall develop and implement a plan, commonly known as an "endangered missing person advisory plan," for voluntary cooperation between local, state, tribal, and other law enforcement agencies, state government agencies, radio and television stations, and cable and satellite systems to enhance the public's ability to assist in recovering endangered missing persons who do not qualify for inclusion in an amber alert. [2009 c 20 § 2.]

RCW 13.60.100 Task force on missing and exploited children—Findings, intent. The legislature finds a compelling need to address the problem of missing children, whether those children have been abducted by a stranger, are missing due to custodial interference, or are classified as runaways. Washington state ranks twelfth in the nation for active cases of missing juveniles and, at any given time, more than one thousand eight hundred Washington children are reported as missing. The potential for physical and psychological trauma to these children is extreme. Therefore, the legislature finds that it is paramount for the safety of these children that there be a concerted effort to resolve cases of missing and exploited children.

Due to the complexity of many child abduction cases, most law enforcement personnel are unprepared and lack adequate resources to successfully and efficiently investigate these crimes. Therefore, it is the intent of the legislature that a multiagency task force be established within the Washington state patrol, to be available to assist local jurisdictions in missing child cases through referrals, on-site assistance, case management, and training. The legislature intends that the task force will increase the effectiveness of a specific case investigation by drawing from the combined resources, knowledge, and technical expertise of the members of the task force. [1999 c 168 § 1.]

Short title—1999 c 168: "This act may be known and cited as the Teekah Lewis act." [1999 c 168 § 4.]

RCW 13.60.110 Task force on missing and exploited children—Establishment—Activities. (1) A task force on missing and exploited children is established in the Washington state patrol. The task force shall be under the direction of the chief of the state patrol.

(2) The task force is authorized to assist law enforcement agencies, upon request, in cases involving missing or exploited children by:

(a) Direct assistance and case management;

- (b) Technical assistance;
- (c) Personnel training;
- (d) Referral for assistance from local, state, national, and international agencies; and
- (e) Coordination and information sharing among local, state, interstate, and federal law enforcement and social service agencies.

(3) To maximize the efficiency and effectiveness of state resources and to improve interagency cooperation, the task force shall, where feasible, use existing facilities, systems, and staff made available by the state patrol and other local, state, interstate, and federal law enforcement and social service agencies. The chief of the state patrol may employ such additional personnel as are necessary for the work of the task force and may share personnel costs with other agencies.

(4) The chief of the state patrol shall seek public and private grants and gifts to support the work of the task force.

(5) For the purposes of this chapter, "exploited children" means children under the age of eighteen who are employed, used, persuaded, induced, enticed, or coerced to engage in, or assist another person to engage in, sexually explicit conduct. "Exploited children" also means the rape, molestation, or use for prostitution of children under the age of eighteen. [2016 c 208 § 2; 2009 c 518 § 4; 1999 c 168 § 2.]

Finding—Intent—2016 c 208: "The legislature finds that the advisory board on missing and exploited children has successfully achieved seamless communication and coordinated efforts between Washington state agencies investigating child exploitation cases under the oversight of the Washington state patrol, thereby fully satisfying the purposes and goals of the advisory board as established in 1999 under RCW 13.60.120. The legislature therefore intends to ensure the multiagency task force on missing and exploited children continues to operate under the oversight of the Washington state patrol and continue to successfully identify and arrest individuals who exploit children." [2016 c 208 § 1.]

Short title—1999 c 168: See note following RCW 13.60.100.