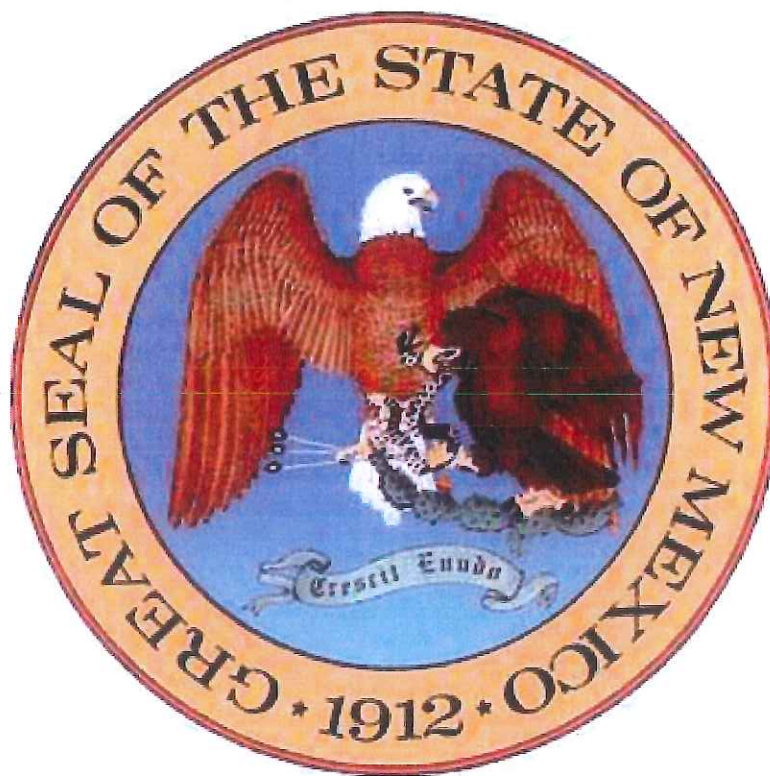


**State of New Mexico**  
**Department of Public Safety**  
**Law Enforcement Records Bureau**



**Missing Persons**  
**Reference Manual**

### **Information, 29-15-1 through 29-15-12.**

- Section 29-15-1 — short title.
- Section 29-15-2 — Definitions.
- Section 29-15-3 — Missing persons information clearinghouse; function.
- Section 29-15-4 — State department of public education; cooperation with clearinghouse.
- Section 29-15-5 — Custodian or immediate family member request for information.
- Section 29-15-6 — Missing person report forms.
- Section 29-15-7 — Law enforcement requirements; missing person reports; unidentified bodies.
- Section 29-15-8 — Release of dental records; immunity.
- Section 29-15-9 — Cross-checking and matching.
- Section 29-15-10 — Interagency cooperation.
- Section 29-15-11 — Confidentiality of records.
- Section 29-15-12 — Attorney general to require compliance

### **29-15-1. Short title. (2010)**

Chapter 29, Article 15 NMSA 1978 may be cited as the "Missing Persons Information and Reporting Act".

*History: Laws 1995, ch. 146, § 1; 2010, ch. 32, § 1; 2010, ch. 33, § 2.*

### **"29-15-2. Definitions**

As used in the Missing Persons Information and Reporting Act:

A. "Brittany alert" means a notification relating to an endangered person:

1. who is a missing person; and
2. about whom there is a clear indication that the person has a developmental disability as defined in Subsection A of Section 28-16A-6 NMSA 1978 and that the person's health or safety is at risk;

B. "child" means [an individual] a person under the age of eighteen years who is not emancipated;

C. "clearinghouse" means the missing person's information clearinghouse;

D. "custodian" means a parent, guardian or other person who exercises legal physical control, care or custody of a child or of an adult with a developmental disability; or a person who performs one or more activities of daily living for an adult;

E. "endangered person" means a missing person who:

1. is in imminent danger of causing harm to the person's self;
2. is in imminent danger of causing harm to another;
3. is in imminent danger of being harmed by another or who has been harmed by another;



4. has been a victim of a crime as provided in the Crimes Against Household Members Act or in Section 30-3A-3 or 30-3A-3.1 NMSA 1978, or their equivalents in any other jurisdiction;
5. is or was protected by an order of protection pursuant to the Family Violence Protection Act; [or]
6. has Alzheimer's disease, dementia or another degenerative brain disorder or a brain injury; or
7. has a developmental disability as defined in Subsection A of Section 28-16A-6 NMSA 1978 and that person's health or safety is at risk;

F. "immediate family member" means the spouse, nearest relative or close friend of a person;

G. "law enforcement agency" means a law enforcement agency of the state, a state agency or a political subdivision of the state;

H. "lead station" means an AM radio station that has been designated as the "state primary station" by the federal communications commission for the emergency alert system;

I. "missing person" means a person whose whereabouts are unknown to the person's custodian or immediate family member and the circumstances of whose absence indicate that:

1. the person did not leave the care and control of the custodian or immediate family member voluntarily and the taking of the person was not authorized by law; or
2. the person voluntarily left the care and control of the custodian without the custodian's consent and without intent to return;

J. "missing person report" means information that is:

1. given to a law enforcement agency on a form used for sending information to the national crime information center; and
2. about a person whose whereabouts are unknown to the reporter and who is alleged in the form submitted by the reporter to be missing;

K. "person" means an individual, regardless of age;



L. "possible match" means the similarities between unidentified human remains and a missing person that would lead one to believe they are the same person;

M. "reporter" means the person who reports a missing person;

N. "silver alert" means a notification relating to an endangered person:

1. who is a missing person;
2. who is fifty years or older; and
3. about whom there is a clear indication that the individual has an irreversible deterioration of intellectual faculties;

O. "state agency" means an agency of the state, a political subdivision of the state or a public postsecondary educational institution; and

P. "state registrar" means the employee so designated by the public health division of the department of health pursuant to the Vital Statistics Act."

*History: Laws 1995, ch. 146, § 2; 2007, ch. 119, § 1; 2010, ch. 32, § 2; 2010, ch. 33, § 3; 2013, ch. 81, § 2.*

### **29-15-3. Missing persons information clearinghouse; function. (2010)**

A. The "missing person's information clearinghouse" is established in the department of public safety. The department of public safety shall provide for the administration of the clearinghouse. The department of public safety may adopt rules to carry out the provisions of the Missing Persons Information and Reporting Act in the manner prescribed in Subsection E of Section 9-1-5 NMSA 1978.

B. The clearinghouse is a central repository of information on missing persons and shall be used by all law enforcement agencies, including tribal agencies, in this state.

C. The clearinghouse shall:

1. establish a system of intrastate communication of information relating to missing persons;
2. provide a centralized file for the exchange of information on missing persons and unidentified human remains within the state;
3. communicate with the national crime information center for the exchange of information on missing persons suspected of interstate travel;
4. collect, process, maintain and disseminate accurate and complete information on missing persons;
5. provide a statewide toll-free telephone line for the reporting of missing persons and for receiving information on missing persons;
6. disseminate to custodians, law enforcement agencies, the public education department, the children, youth and families department and the general public information that explains how to prevent child abduction and what to do if a child becomes missing;
7. compile statistics relating to the incidence of missing persons within the state;
8. provide training and technical assistance to law enforcement agencies and social services agencies pertaining to missing persons; and
9. establish a media protocol for disseminating information pertaining to missing persons.

D. The clearinghouse shall print and distribute posters, flyers and other forms of information containing descriptions of missing persons.

E. The department of public safety may accept public or private grants, gifts and donations to assist the department in carrying out the provisions of the Missing Persons Information and Reporting Act.

*History: Laws 1995, ch. 146, § 3; 2010, ch. 33, § 4.*



**29-15-4. State department of public education; cooperation with clearinghouse.  
(1995)**

The state department of public education [public education department] shall cooperate with the clearinghouse in seeking to locate missing children who may be enrolled in New Mexico school systems, including private schools, and for the reporting of children who may be missing or who may be unlawfully removed from schools.

*History: Laws 1995, ch. 146, § 4.*

**29-15-5. Custodian or immediate family member request for information. (2010)**

A. Upon written or oral request to a law enforcement agency by a custodian or immediate family member of a missing person, the law enforcement agency shall immediately request from the clearinghouse information concerning the missing person that may aid the custodian or immediate family member in the identification or location of the missing person.

B. A law enforcement agency to which a request has been made pursuant to Subsection A of this section shall report to the custodian or immediate family member on the results of its inquiry to the clearinghouse within seven calendar days after the day the request is received by the law enforcement agency, or as soon as the results of its inquiry become available, whichever occurs last.

*History: Laws 1995, ch. 146, § 5; 2010, ch. 33, § 5.*

### **29-15-6. Missing person report forms. (2010)**

- A. The clearinghouse shall distribute missing person report forms to law enforcement agencies in the state.
- B. A missing person report may be made to a law enforcement agency in person, or by telephone, electronic media or other indirect method of communication and the person taking the report may enter the information on the form for the reporter. A missing person report form may be completed by the reporter and delivered to a law enforcement officer.
- C. A copy of the missing person report form shall be filed with the clearinghouse.
- D. A missing person report form shall include, to the extent available, the following information:
  - 1. the missing person's:
    - a. name, including any alternative names used;
    - b. date of birth;
    - c. identifying marks, including birthmarks, moles, tattoos and scars;
    - d. height and weight;
    - e. gender;
    - f. race;
    - g. current hair color and true or natural hair color;
    - h. eye color;
    - i. prosthetics, surgical implants or cosmetic implants;
    - j. physical anomalies;
    - k. blood type;
    - l. driver's license number; and
    - m. social security number;
  - 2. a photograph of the missing person, with a recent photograph being preferable;
  - 3. a description of the clothing the missing person was believed to be wearing;



4. a description of items that might be with the missing person, such as jewelry and accessories;
5. information on the missing person's electronic communications devices, including cell phone numbers and email addresses;
6. reasons why the reporting person believes that the person is missing;
7. the name and location of the missing person's school or employer;
8. the name and location of the missing person's dentist or primary care physician;
9. any circumstances that may indicate that the disappearance of the missing person was not voluntary;
10. any circumstances that indicate that the missing person may be at risk of injury or death;
11. a description of the possible means of transportation of the missing person, including make, model, color, license and vehicle identification number of a vehicle;
12. any identifying information about a known or possible abductor of the missing person or the person last seen with the missing person;
13. any other information that can aid in locating the missing person; and
14. the date of last contact with the missing person.

*History: Laws 1995, ch. 146, § 6; 2010, ch. 33, § 6.*

**29-15-7. Law enforcement requirements; missing person reports; unidentified human remains. (2010)**

A. A law enforcement agency shall accept without delay and without exception for any reason any report of a missing person and, no later than two hours after receiving a missing person report or additional or supplemental information for the report, shall:

1. start an appropriate investigation to determine the present location of the missing person and to determine whether the missing person is an endangered person;
2. provide to the clearinghouse all information the law enforcement agency has relating to an investigation regarding or the location or identification of a missing person;
3. enter the name of the missing person into the clearinghouse and the national crime information center missing person file; and
4. if the missing person is determined to be an endangered person, notify the department of public safety in accordance with procedures prescribed by the department.

B. Information not immediately available shall be obtained as soon as possible by the law enforcement agency and, no later than two hours after receipt of the information, entered into the clearinghouse and the national crime information center file as a supplement to the original entry.

C. All New Mexico law enforcement agencies are required to enter information about all unidentified human remains found in their jurisdiction into the clearinghouse and the national crime information center unidentified person file, including all available identifying features of the human remains and a description of the clothing found on the human remains. If an information entry into the national crime information center file results in an automatic entry of the information into the clearinghouse, the law enforcement agency is not required to make a direct entry of that information into the clearinghouse.

*History: Laws 1995, ch. 146, § 7; 2007, ch. 119, § 2; 2010, ch. 32, § 3; 2010, ch. 33, § 7.*

**29-15-7.1. Missing child reports; law enforcement agencies; duties; registrar.  
(2010)**

A. Upon receiving a report of a child believed to be missing, a law enforcement agency shall:

1. no later than two hours after receiving the report, enter identifying and descriptive information about the child into the national crime information center computer. Law enforcement agencies having direct access to the national crime information center computer shall enter and retrieve the data directly and shall cooperate in the entry and retrieval of data on behalf of law enforcement agencies that do not have direct access to the system; and
2. notify the state registrar within twenty-four hours, by telephone, facsimile or electronic transmission, of the missing child. Within three days of this initial notification, the law enforcement agency shall make a written notification in a manner and form prescribed by the state registrar. Both notifications shall include the missing child's name, date of birth and county and state of birth; the mother's maiden name; the name of the noncustodial parent if the parents are not married; the name and telephone number of a contact person at the reporting law enforcement agency; and any other information required by the state registrar.

B. Immediately after a missing child is located, the law enforcement agency that located or returned the missing child shall notify the law enforcement agency having jurisdiction over the investigation, and the originating agency shall clear the entry from the national crime information center computer and shall, within twenty-four hours, notify the state registrar in writing that the missing child has been located.

*History: 1978 Comp., § 29-15-7.1, as enacted by Laws 2010, ch. 33, § 8.*



**29-15-7.2. Birth records of missing children; state registrar's duties. (2010)**

A. Upon notification by a law enforcement agency that a child born in the state is missing, the state registrar shall flag the child's birth record in such a manner that whenever a copy of the birth certificate or information concerning the birth record is requested, the state registrar shall be alerted to the fact that the certificate is that of a missing child.

B. Upon notification by a law enforcement agency that a child born outside the state is missing, the state registrar shall notify the corresponding officer in the state where the child was born that the child has been reported missing.

C. In response to any inquiry, the state registrar or any local registrar appointed by the state registrar or any employee of the vital statistics bureau of the health services division of the department of health shall not provide a copy of a birth certificate or information concerning the birth record of any missing child whose birth record is flagged pursuant to this section, except following notification of the law enforcement agency having jurisdiction over the investigation of the missing child. Such inquiries shall be handled in the following manner:

1. when a copy of the birth certificate of a missing child whose record has been flagged is requested in person, the local registrar or employee accepting the request shall immediately notify that person's supervisor or the state registrar. If possible, the person making the request shall complete a form supplying the requester's name, address, telephone number and relationship to the missing child and the name, address and birth date of the missing child. The driver's license of the requester, if available, shall be photocopied and returned. The requester shall be informed that a copy of the birth certificate will be mailed to the requester. The local registrar or employee shall note the physical description of the requester, and, upon that requester's departure from the vital statistics bureau office, the supervisor or state registrar shall immediately notify the law enforcement agency having jurisdiction of the request and the information obtained pursuant to this paragraph. The state registrar will retain the form completed by the person making the request; and

2. when a copy of the birth certificate of a missing child whose birth record has been flagged is requested in writing, the state registrar shall immediately notify the law enforcement agency having jurisdiction of the request and shall provide a copy of the written request. The state registrar shall retain the original written request.

D. Upon notification by a law enforcement agency that a missing child has been recovered, the state registrar shall remove the flag from the child's birth record.

*History: 1978 Comp., § 29-15-7.2, as enacted by Laws 2010, ch. 33, § 9.*

**29-15-8. Release of dental records; immunity. (2010)**

A. At the time a missing person report is made, the law enforcement agency to which the missing person report is given shall provide a dental record release form conforming to the requirements of the federal Health Insurance Portability and Accountability Act of 1996 to the custodian or immediate family member of the missing person, provided that the custodian or immediate family member is authorized pursuant to that federal act to execute a release on behalf of the missing person. The law enforcement agency shall endorse the dental record release form with a notation that a missing person report has been made in compliance with the provisions of the Missing Persons Information and Reporting Act. When the dental record release form is properly completed by the custodian or immediate family member of the missing person and contains the endorsement, the form is sufficient to permit a dentist or physician in this state to release dental records relating to the missing person to the law enforcement agency.

B. If a release form cannot be executed, the law enforcement agency shall seek disclosure of the dental records of a missing person directly from the records custodian pursuant to the provisions of the federal Health Insurance Portability and Accountability Act of 1996 that allow disclosure of health information for law enforcement purposes.

C. The law enforcement agency shall send the dental records to the clearinghouse.

D. A dentist or physician who releases dental records pursuant to this section is immune from civil liability or criminal prosecution for the release of the dental records.

*History: Laws 1995, ch. 146, § 8; 2010, ch. 33, § 10.*



**29-15-9. Cross-checking and matching. (2010)**

A. The clearinghouse shall cross-check and attempt to match unidentified human remains with descriptions of missing persons. When the clearinghouse discovers a possible match between unidentified human remains and a missing person description, the clearinghouse shall notify the appropriate law enforcement agencies.

B. Law enforcement agencies that receive notice of a possible match shall make arrangements for positive identification. If a positive identification is made, the law enforcement agency shall complete and close the investigation with written notification to the clearinghouse.

C. Law enforcement agencies that receive notice of a possible match between human remains and a missing person description shall notify the office of the state medical investigator.

*History: Laws 1995, ch. 146, § 9; 2010, ch. 33, § 11.*

**29-15-10. Interagency cooperation. (2010)**

A. State agencies and public and private schools shall cooperate with a law enforcement agency that is investigating a missing person report and shall furnish any information that will assist the law enforcement agency in completing the investigation.

B. Information provided by a state agency or a public or private school shall not be released to any person outside the law enforcement agency or the clearinghouse, except as provided by rule of the department of public safety.

*History: Laws 1995, ch. 146, § 10; 2010, ch. 33, § 12.*

**29-15-11. Confidentiality of records. (2010)**

A. The department of public safety shall by rule provide for the classification of information and records as confidential that:

1. are otherwise confidential under state or federal law or rules adopted pursuant to state or federal law;
2. are related to the investigation by a law enforcement agency of a missing person or unidentified human remains, if the department of public safety, in consultation with the law enforcement agency, determines that release of the information would be deleterious to the investigation;
3. are records or notations that the clearinghouse maintains for internal use in matters relating to missing persons and unidentified human remains and the department of public safety determines that release of the internal documents might interfere with an investigation by a law enforcement agency in New Mexico or any other jurisdiction; or
4. the department of public safety determines might interfere with an investigation or otherwise harm a person, custodian or reporter.

B. The rule may provide for the sharing of confidential information with the custodian or immediate family member of the missing person.

*History: Laws 1995, ch. 146, § 11; 2010, ch. 33, § 13.*

**29-15-12. Attorney general to require compliance; removal or discipline. (2010)**

A. The attorney general shall enforce state agency compliance with the provisions of the Missing Persons Information and Reporting Act as appropriate to assure the immediate response to a report of a missing person.

*History: Laws 1995, ch. 146, § 12; 2010, ch. 33, § 14.*



**ARTICLE 15A**  
**AMBER Alert**

Section

29-15A-1 Short title.

29-15A-2 Definitions.

29-15A-3 State police; AMBER alert notification plan; declaration of AMBER Alert

29-15A-4 AMBER alert; initiation by other law enforcement agencies.

29-15A-5 Submission of false information; penalty.

**Amber Alert:**

**29-15A-1. Short title. (2003)**

This act [29-15A-1 to 29-15A-5] may be cited as the "AMBER Alert Law".

*History: Laws 2003, ch. 93, § 1.*

**29-15A-2. Definitions. (2003)**

As used in the AMBER Alert Law:

- A. "AMBER alert" means a declaration by the authorized requester that an abduction has occurred and that notifications and broadcasts should be made pursuant to the AMBER alert notification plan;
- B. "authorized requester" means the person designated by the chief of the state police to implement the AMBER alert notification plan;
- C. "chief of the state police" means the director of the New Mexico state police division of the department of public safety;
- D. "lead station" means an AM radio station that has been designated as the "state primary station" by the federal communications commission for the emergency alert system; and
- E. "state police" means the New Mexico state police division of the department of public safety.

*History: Laws 2003, ch. 93, § 2.*

**29-15A-3. State police; AMBER alert notification plan; declaration of AMBER alert. (2013)**

A. The state police shall develop and implement an AMBER alert notification plan for the purpose of disseminating, as rapidly as possible, information about a child abduction so that law enforcement agencies and citizens throughout the state may be aware and vigilant. The plan shall:

1. provide a procedure for notifying the lead station by the authorized requester that an AMBER alert has been declared. The procedure shall include codes for use by the authorized requester in communicating with the lead station to prevent false alerts;
2. provide a procedure in which other state and private print, radio, television or other media may alert the members of the public of the abduction;
3. include a procedure for notifying the department of information technology that an AMBER alert has been declared. The department of information technology shall immediately transmit the notification and related information to all state field operations employees so that they may be aware and vigilant in the course of their regular activities;
4. include a procedure for notifying a representative of each cellular service company and paging service company operating in New Mexico so that a text message may be sent to the company's customers at no additional expense to the recipient or to any service that accepts the information from the authorized requester and delivers it to the cellular service or paging service company;
5. include a procedure for notifying all local and federal law enforcement agencies that an AMBER alert has been declared; and
6. provide for dissemination of information about a child or a child's abductor to the lead station, the department of information technology and local law enforcement agencies when an AMBER alert has been declared.

B. The state police shall distribute the AMBER alert notification plan to all local law enforcement agencies and provide such training and other assistance as is necessary to ensure that the plan can be properly implemented.

C. The authorized requester may declare an AMBER alert when the requester has reason to believe that:

1. a child under the age of eighteen has been abducted;
2. the child is in imminent danger of serious bodily harm or death; and
3. there is specific information available about the child or the child's abductor that may assist in an expedient and successful end to the abduction.

D. Once an AMBER alert has been declared, only the authorized requester may terminate the AMBER alert.

*History: Laws 2003, ch. 93, § 3; 2005, ch. 142, § 1; 2007, ch. 290, § 24; 2013, ch. 51, § 1.*



**29-15A-4. AMBER alert; initiation by other law enforcement agencies. (2003)**

A. The procedures for initiating an AMBER alert pursuant to the AMBER Alert Law are available to all law enforcement agencies in New Mexico; provided that nothing in that law prohibits a local law enforcement agency from developing and implementing its own similar notification plan; provided further that nothing in that act supercedes a provision or procedure in such a local notification plan.

B. If a law enforcement agency that has not developed and implemented its own similar plan desires that an AMBER alert be declared, it shall notify the authorized requester. The authorized requester shall declare an AMBER alert if, after evaluating the information, the authorized requester believes that the criteria for declaring an alert has been satisfied.

C. If an AMBER alert is initiated and there is information that the child's abductor may be traveling or has traveled across state lines, the authorized requester shall notify the other states or the Republic of Mexico in order for those governments to issue an alert. The state police shall work with all bordering states and the Republic of Mexico in order to establish agreements to carry out regional alerts.

*History: Laws 2003, ch. 93, § 4.*

**29-15A-5. Submission of false information; penalty. (2003)**

A person who knowingly submits false information to a law enforcement agency regarding a child abduction is guilty of a petty misdemeanor and shall be sentenced in accordance with Section 31-19-1 NMSA 1978.

*History: Laws 2003, ch. 93, § 5.*

## **BRITTANY ALERT**

### **Brittany Alert Definition:**

- A. "Brittany alert" means a notification relating to an endangered person:
1. who is a missing person; and
  2. about whom there is a clear indication that the person has a developmental disability as defined in Subsection A of Section 28-16A-6 NMSA 1978 and that the person's health or safety is at risk;

### **Brittany Alert Advisory:**

A. The department of public safety shall issue a Brittany alert if, after review and investigation of a missing person report of a person subject to the alert, the department makes an independent determination that the missing person is a person subject to the alert.

B. The department shall develop and implement Brittany alert procedures for the purpose of disseminating, as rapidly as possible, information about a person subject to the alert. The procedures shall include:

1. notification to the lead station of the Brittany alert;
2. notification to other public and private media sources and members of the public as necessary; and
3. the provision of information about the subject of the Brittany alert, including all identifying information, to the lead station and other media sources."

EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2016.

## **28-16A-6. Eligibility.**

For purposes of eligibility for support and services:

- A. “Developmental disability” means a severe chronic disability of a person that:
1. is attributable to a mental or physical impairment, including the result from trauma to the brain, or combination of mental and physical impairments;
  2. is manifested before the person reaches the age of twenty-two years;
  3. is expected to continue indefinitely;
  4. results in substantial functional limitations in three or more of the following areas of major life activity:
    - a. self-care;
    - b. receptive and expressive language;
    - c. learning;
    - d. mobility;
    - e. self-direction;
    - f. capacity for independent living; and
    - g. economic self-sufficiency; and
  5. reflects the person's need for a combination and sequence of special, interdisciplinary or generic care treatment or other support and services that are of life-long or extended duration and are individually planned and coordinated;
- B. are children, birth through two years of age, who are at risk for or have developmental delays as defined by the department. These children are eligible for early intervention services; or
- C. is a person who is eligible for services based on any previous definition of developmental disability used by the state and is receiving services on the effective date of the Developmental Disabilities Act. However, children birth through age two who were determined to be a risk for or have developmental delays are eligible for early intervention services only, unless meeting the criteria set forth in Subsection A of this section.

**History:** *Laws 1993, ch. 50, § 6.*



## SILVER ALERT

### Silver Alert Definition:

Silver Alert means a notification relating to an endangered person:

1. who is a missing person;
2. who is fifty years or older; and
3. about whom there is a clear indication that the individual has an irreversible deterioration of intellectual faculties;

### **29-15-3.2. Silver alert advisory. (2013)**

A. The department of public safety shall issue a silver alert if, after review and investigation of a missing person report of a person subject to the alert, the department makes an independent determination that the missing person is a person subject to the alert.

B. The department shall develop and implement silver alert procedures for the purpose of disseminating, as rapidly as possible, information about a person subject to the alert. The procedures shall include:

- (1) notification to the lead station of the silver alert;
- (2) notification to other public and private media sources and members of the public as necessary; and
- (3) providing information about the subject of the silver alert, including all identifying information, to the lead station and other media sources.

*History: Laws 2013, ch. 81, § 1.*



## ENDANGERED PERSON ADVISORY

### Endangered Person Advisory Definition:

Endangered person means a missing person who:

1. is in imminent danger of causing harm to the person's self;
2. is in imminent danger of causing harm to another;
3. is in imminent danger of being harmed by another or who has been harmed by another;
4. has been a victim of a crime as provided in the Crimes Against Household Members Act or in Section 30-3A-3 or 30-3A-3.1 NMSA 1978, or their equivalents in any other jurisdiction;
5. is or was protected by an order of protection pursuant to the Family Violence Protection Act; [or]
6. has Alzheimer's disease, dementia or another degenerative brain disorder or a brain injury; or
7. has a developmental disability as defined in Subsection A of Section 28-16A-6 NMSA 1978 and that person's health or safety is at risk;

### **29-15-3.1. Endangered person advisory. (2007)**

A. The department of public safety shall issue an endangered person advisory if, after review and investigation of a missing person report of an endangered person, the department makes an independent determination that the missing person is an endangered person.

B. The department shall develop and implement endangered person advisory procedures for the purpose of disseminating, as rapidly as possible, information about an endangered person. The procedures shall include:

1. notification to the lead station of the endangered person advisory;
2. notification to other public and private media sources and members of the public as necessary; and
3. providing information about the endangered person, including all identifying information, to the lead station and other media sources.

*History: Laws 2007, ch. 119, § 3.*

## **Suzanne's Law**

### **Investigation of Missing Persons**

"Suzanne's Law" amends Section 3701 (a) of the Crime Control Act of 1990 so that there is no waiting period before a law enforcement agency initiates an investigation of a missing person under the age of twenty one (21) (to include children of residents) and reports the missing person to the National Crime Information Center of the Department of Justice.

"Suzanne's Law" is named after Suzane Lyall a student at State University of New York at Albany, who has been missing since 1998. Previously, police were only mandated to report missing persons under the age of eighteen. This law was signed by former President Bush as part of the national Amber Alert bill on April 30, 2003, requires police to initiate prompt investigation into missing young people.





# INVESTIGATIVE CHECKLIST FOR LAW ENFORCEMENT WHEN HELPING UNSUPERVISED AND RUNAWAY CHILDREN



This Checklist provides an investigative framework for officers when coming in contact with unsupervised and/or runaway children<sup>1</sup> while on patrol. This information is offered to enhance the officer's ability to make educated decisions when helping to safeguard unsupervised and/or runaway children. Officers are encouraged to rely on the laws in their jurisdiction as well as their intuition and experience when making decisions regarding the best interest of the child and community.

## Field Interview: Initial Phase

The initial phase of the field interview should be conducted in a manner so as to establish the child's statements, which will form the basis in assessing the child's level of risk.

- Conduct a field interview. If the child is in the company of other people, **separate** everyone before conducting the field interview(s).
- Obtain identifying information, such as name and address, and descriptors such as height, weight, and age. Remember the child may be reluctant to provide the information or may provide incorrect information.
- Query information obtained through the Federal Bureau of Investigation's (FBI) National Crime Information Center's (NCIC) database and the state/territorial law-enforcement system counterpart. If a record is located, determine the child's status, such as missing or a charged offense, and determine whether grounds exist to immediately place the child in protective custody and transport the child for proper investigative follow-up, placement, or disposition. If no record is located, proceed with the field interview.
- Develop a timeline of the child's **whereabouts** and **activities** by asking
  - Who have you associated with while on the street?
  - What is your relationship with this/these individual(s)?
  - Where have you stayed?
  - With whom have you stayed?
  - How long have you stayed with them?
  - How long have you spent time on the street, and what have you done while on the street?
- Ask the child, in a **direct** manner, if he or she is missing, he or she is a runaway, or it is **possible** someone may be looking for him or her. Focus on deviations in behavior, both verbal and non-verbal, exhibited by the child during this initial interview phase. Keep in mind the child may be deceptive or fail to disclose information due to concerns such as fear, intimidation, or threats of reprisal.
  - If the child indicates **yes**, consider placing him or her in protective custody and transporting him or her for proper investigative follow-up, placement, or disposition.
  - If the child indicates **no**, proceed with the second phase of the field interview.

## Field Interview: Second Phase

An **in-depth** interview of the child should be conducted based on information obtained during the initial phase of the field interview in order to further **assess the child's level of risk** if allowed to remain unsupervised. Continue to look for discrepancies in information obtained in the initial phase of the field interview with information obtained during the second phase of the interview.

- Obtain **detailed** information about the child including
  - Full name.
  - Nickname(s).
  - Full physical description to include clothing, body piercings, tattoos, and any personal items such as a backpack and wireless device. **Note:** NCIC online searches should be conducted on personal items.
  - Date of birth/age. **Note:** Children 13 years old or younger do not have the survival skills necessary to protect themselves from exploitation on the streets.
  - Place of birth.
  - Addresses, both current and prior.
  - Home phone number.
  - Cell phone number.
  - Last time the child was **seen** at home.
  - Name of school attending or has attended.
  - Date last attended school.
  - Employment information, if the child is employed, including name, address, and phone number of the employer.
- Obtain full name, address, and home/business phone number(s) of last person/people to **see** the child at
  - Home.
  - School.



- Ask the child if he or she is under the care of a doctor. If so obtain the doctor's name, address, and phone number.
- Determine if the child is taking any prescription medication and/or other drugs, ranging from over-the-counter medications to illegal substances, and if he or she is in possession of any. Note any drug dependencies putting the child at risk.
- Ask the child if he or she has been involved in or the victim of any crimes since leaving home. Potential risk factors and/or indicators of trafficking and exploitation include
  - History of emotional, sexual, or other physical abuse.
  - Signs of current physical abuse and/or sexually transmitted diseases.
  - History of running away or current status as a runaway.
  - Appearance of expensive gifts, clothing, or other costly items with no valid explanation of their source.
  - Presence of an older boy-/girlfriend.
  - Drug addiction.
  - Withdrawal or lack of interest in previous activities.
  - Gang involvement.
- Ask the child for information about family members, both immediate and extended, including name, address, home/business phone number(s), and place(s) of employment.
- Determine the relationship(s) the child has with the identified family members.
- Identify and explore any dysfunctional relationships between family member(s) and the child. Keep in mind the child may have left home due to mental, physical, or sexual abuse or exploitation at the hands of a family member or individual otherwise known to the child.
- Ask the child to provide names, addresses, and phone numbers of friends who live or lived nearby and those with whom he or she attends or attended school.
- Identify and determine if the child is out of his or her zone of safety based on the child's age, the child's level of maturity, and environment in which the child is found. If so consider placing the child in protective custody and transporting the child for proper investigative follow-up, placement, or disposition.

#### **Field Interview: Final Phase**

Additional information must be obtained, based on the initial and secondary information gathered, in order to make a determination about allowing the child to remain unsupervised or placing the child in protective custody.

- Ask communications to check for any prior contact or calls for service with the child or child's family members
- Check with surrounding jurisdictions for prior contact with the child and the child's family members
- Check with the National Center for Missing & Exploited Children® (NCMEC) at 1-800-THE-LOST® (1-800-843-5678) for previous intake or new intake of information regarding reports of missing and/or sexually exploited children
- Check with the appropriate state/territorial missing-child (person) clearinghouse(s) for any prior contact with the child or the child's family members
- Check with the National Runaway Switchboard at 1-800-RUNAWAY (1-800-786-2929)
- Contact the National Human Trafficking Resource Center (NHTRC) at 1-888-373-7888 for assistance in cases of trafficking
- Query NCIC utilizing non-unique identifiers
- Check with social services for prior contact with the child or the child's family members
- Check with homeless shelters for any prior contact with the child
- Check with the person/people the child identified as the last one(s) to see him or her at home
- Check with the person/people the child identified as the last one(s) to see him or her at school
- Check with the child's family members to obtain additional information about the child
- Check with the child's friends to obtain additional information about the child
- Check with the child's school to obtain additional information about the child
- Check with the child's place of employment, if employed, to obtain additional information about the child

This Checklist should be used in conjunction with NCMEC's *Investigative Checklist for First Responders and Missing-Child, Emergency-Response, Quick-Reference Guide for Families* to help ensure a thorough investigation. These Checklists may be viewed, downloaded, and ordered from the "More Publications" section of NCMEC's website at [www.missingkids.com](http://www.missingkids.com).

This project was supported by Grant No. 2011-MC-CX-K001 awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. This document is provided for informational purposes only and does not constitute legal advice or professional opinion on specific facts. Information provided in this document may not remain current or accurate, so recipients should use this document only as a starting point for their own independent research and analysis. If legal advice or other expert assistance is required, the services of a competent professional should be sought. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice. Copyright © 2011 National Center for Missing & Exploited Children. All rights reserved. National Center for Missing & Exploited Children® and 1-800-THE-LOST® are registered trademarks of the National Center for Missing & Exploited Children. NCMEC Order #03.

**Missing  
Person's  
Clearinghouse  
Forms**





**DEPARTMENT OF PUBLIC SAFETY**  
**Missing Persons Clearinghouse (MPCH) Report Form**



MPCH Number: \_\_\_\_\_

**Case Agency:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Call Taken By: \_\_\_\_\_

Caller's Name: \_\_\_\_\_  
 Last, First, Middle

Relationship to Missing: \_\_\_\_\_

Caller's Address: \_\_\_\_\_  
 Number, Street, Apartment Number

City, State, Zip Code \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

**Missing Category:**     Non-Family Abduction     Parental Abduction     Runaway  
 Adult (18 years old or over)     Other – Explain Below: \_\_\_\_\_

NCIC Criteria:     Disability     Endangered     Involuntary     Juvenile  
 Catastrophe Victim     Caution Code

**Missing Person's Name:** \_\_\_\_\_  
 Last, First, Middle

Aliases: \_\_\_\_\_

Date Missing: \_\_\_\_\_ Time: \_\_\_\_\_ Race: \_\_\_\_\_ Sex:  Male     Female

Place of Birth: \_\_\_\_\_ Age: \_\_\_\_\_ DOB: \_\_\_\_\_ Hgt: \_\_\_\_\_ Wgt: \_\_\_\_\_

Eye Color: \_\_\_\_\_ Hair Color: \_\_\_\_\_ Complexion: \_\_\_\_\_

Scar/Marks/Tattoos: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ OLN#: \_\_\_\_\_ OLN State: \_\_\_\_\_ OLN Year: \_\_\_\_\_

Blood Type: \_\_\_\_\_ Fingerprints Available:  Yes     No    Where: \_\_\_\_\_

Distinguishing Features/Unique Characteristics (limp, jewelry, glasses. etc...): \_\_\_\_\_

Dental Records Available?  Yes     No    Medical Records Available?  Yes     No

Mental State (depressed, suicidal, etc...): \_\_\_\_\_

Location Last Seen (include city, state): \_\_\_\_\_





**DEPARTMENT OF PUBLIC SAFETY  
Missing Persons Clearinghouse (MPCH) Report Form**



Possible Destination (city, state): \_\_\_\_\_

Last Seen Wearing: \_\_\_\_\_

Hobbies & Interests: \_\_\_\_\_

Vehicle Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_

Vehicle Color: \_\_\_\_\_ Plate Number: \_\_\_\_\_ State: \_\_\_\_\_

**Abductor/Companion's Name:** \_\_\_\_\_  
Last, First, Middle

Aliases: \_\_\_\_\_

Sex:  Male  Female Relationship: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Hair Color: \_\_\_\_\_ Dyed:  Yes  No Length: \_\_\_\_\_ Style: \_\_\_\_\_

Eye Color: \_\_\_\_\_ Glasses/Contacts:  Yes  No Blood Type: \_\_\_\_\_ Right/Left Handed: \_\_\_\_\_

Blood Type: \_\_\_\_\_ Fingerprints Available:  Yes  No Where: \_\_\_\_\_

Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Build: \_\_\_\_\_ Race: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Additional Information: (distinguishing features, jewelry, tattoos, piercings, etc.):

Forward a copy of this report to:

**Department of Public Safety  
Missing Person's Information Clearinghouse  
Law Enforcement Records Bureau  
P.O. Box 1628  
Santa Fe, New Mexico 87504-1628  
1-800-HLP-FIND (457-3463) and/or 505-827-9026  
Fax # 505-827-3399  
Email: [DPS.MissingPerson@state.nm.us](mailto:DPS.MissingPerson@state.nm.us)**

**Endangered  
Advisory Alert  
Forms**



**DEPARTMENT OF PUBLIC SAFETY**  
**Endangered Person Advisory Report Form**



<b>MPCH Number:</b>				<b>Case Agency:</b>			
<b>Date:</b>		<b>Time:</b>		<b>Call Taken By:</b>			
<b>CALLERS INFORMATION:</b>							
<b>Relationship to Missing:</b> _____							
<b>NAME (Last, First, Middle)</b> _____							
<b>ADDRESS: (street, apt, etc.)</b> _____							
<b>City, State, ZIP</b> _____							
<b>Contact Phone #'s: Home:</b> _____ <b>Work:</b> _____ <b>Cell:</b> _____							
<b>MISSING CATEGORY:</b>							
		Non Family Abduction: <input type="checkbox"/>		Parental Abduction: <input type="checkbox"/>		Runaway: <input type="checkbox"/>	
		Adult (18 years or over) <input type="checkbox"/>		Other <input type="checkbox"/> Explain: _____			
<b>NCIC CRITERIA:</b>							
		Disability: <input type="checkbox"/>		Endangered: <input type="checkbox"/>		Involuntary: <input type="checkbox"/>	
		Catastrophe Victim <input type="checkbox"/>		Caution Code: _____		Juvenile: <input type="checkbox"/>	
		Other: _____					
<input type="checkbox"/> AMBER Alert Activated		<input type="checkbox"/> SILVER Alert Activated			<input type="checkbox"/> BRITTANY Alert Activated		
<b>MISSING PERSON INFORMATION:</b>							
<b>NAME (Last, First, Middle)</b> _____							
<b>Date Missing:</b> _____				<b>Time:</b> _____ <b>AM/PM</b>			
<b>Age:</b> _____		<b>Race:</b> _____		Male <input type="checkbox"/> Female <input type="checkbox"/>		<b>Height</b> _____	
<b>Weight:</b> _____							
<b>Eye color:</b> _____			<b>Hair color:</b> _____			<b>Skin:</b> _____	
<b>Social Security #:</b> _____			<b>DOB:</b> _____			<b>Place of Birth:</b> _____	
<b>OL Number, Year, State):</b> _____							
<b>Blood type:</b> _____		<b>Fingerprints available: Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, where:</b> _____					
<b>Dental Records Available? Yes <input type="checkbox"/> No <input type="checkbox"/></b>				<b>Medical Records Available? Yes <input type="checkbox"/> No <input type="checkbox"/></b>			
<b>Scars / Marks / Tattoos:</b> _____							
<b>Distinguishing Features/Unique Characteristics (limp, jewelry, glasses, etc.):</b> _____							
<b>Mental State (depressed, suicidal, etc.):</b> _____							
<b>Location last seen (address, city, state):</b> _____							





**DEPARTMENT OF PUBLIC SAFETY**  
**Endangered Person Advisory Report Form**



Possible Destination (city, state):			
Last seen wearing:			
Hobbies & interests:			
<b>VEHICLE LAST SEEN IN:</b>		License Plate Number:	State:
Color:	Year:	Make:	Model:

ABDUCTORS / COMPANIONS INFORMATION:				
<b>NAME (Last, First, Middle)</b>				
Aliases:				
Male: <input type="checkbox"/>	Female: <input type="checkbox"/>	Relationship:		
Date of Birth:		Social Security Number:		
HAIR:	Color:	Dyed: Yes <input type="checkbox"/> No <input type="checkbox"/>	Length:	Style:
EYES:	Color:	Glasses/Contacts: Yes <input type="checkbox"/> No <input type="checkbox"/>		
Height:	Weight:	Build:	Right Handed: <input type="checkbox"/>	Left Handed: <input type="checkbox"/>
Fingerprints available: Yes <input type="checkbox"/> No <input type="checkbox"/>		If yes, where?		
Race:		Blood Type:		
Distinguishing Features:				
Additional Information:				

<b>Forward a copy of this report to:</b>	Department of Public Safety Missing Person's Information Clearinghouse Law Enforcement Records Bureau (LERB) P.O. Box 1628 Santa Fe, New Mexico 87504-1628 1-800-HLP-FIND (457-3463) and/or 505-827-9293 Fax # 505-827-3399 EMAIL: <a href="mailto:DPS.MissingPerson@state.nm.us">DPS.MissingPerson@state.nm.us</a>
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# Amber Alert Forms



**DEPARTMENT OF PUBLIC SAFETY  
AMBER ALERT REPORT FORM**



AGENCY INFORMATION:						
Officer's Name:			Contact #'s:			
Media Contact & Dept. PIO #'s:		District Office #:				
<b>Check the Appropriate Box</b>					YES	NO
1.	Is the child seventeen (17) years of age or less?				<input type="checkbox"/>	<input type="checkbox"/>
2.	Is there specific information concerning the child and/or abductor and is it available?				<input type="checkbox"/>	<input type="checkbox"/>
3.	Is there evidence and is the child believed to be in imminent danger of serious bodily harm or death?				<input type="checkbox"/>	<input type="checkbox"/>
<b>** DO NOT ACTIVATE IF YOU ANSWERED NO TO ANY OF THE ABOVE QUESTIONS.</b>						
4.	Has the child been entered into NCIC?				<input type="checkbox"/>	<input type="checkbox"/>
<b>Missing Category:</b>						
Non-Family Abduction: <input type="checkbox"/>		Parental Abduction: <input type="checkbox"/>		Other Abduction: <input type="checkbox"/>		
<b>VICTIM INFORMATION:</b>						
<b>Missing Child #1:</b>		Name:			DOB:	
Race:	Sex:	HGT:	WGT:	Eyes:		
Hair color, style, etc.:						
Clothing Description:						
Miscellaneous Information:						
<b>Missing Child #2:</b>		Name:			DOB:	
Race:	Sex:	HGT:	WGT:	Eyes:		
Hair color, style, etc.:						
Clothing Description:						
Miscellaneous Information:						



**DEPARTMENT OF PUBLIC SAFETY  
AMBER ALERT REPORT FORM**



<b>SUSPECT INFORMATION:</b>				
<b>Suspect Data #1</b>	Name:			DOB:
Race:	Sex:	HGT:	WGT:	Eyes:
Hair color, style, etc.:				
Clothing description:				
Miscellaneous Information:				
<b>Suspect Data #2</b>	Name:			DOB:
Race:	Sex:	HGT:	WGT:	Eyes:
Hair color, style, etc.:				
Clothing description:				
Miscellaneous Information:				
<b>Suspect Vehicle Data:</b>				
License Plate Number:			State:	
Color:	Year:	Make:	Model:	
Body Damage or other distinguishing details:				
<b>ABDUCTION:</b>				
City, County Last Seen in:				
Date & Time Last Seen:				
Circumstances:				
<b>Attach Photo:</b> (If Available)				





**DEPARTMENT OF PUBLIC SAFETY  
AMBER ALERT REPORT FORM**



<b>SCRIPT:</b>	
<b>TO BE USED WHEN CALLING IN A AMBER ALERT TO KKOB:</b>	
<b>This is an emergency broadcast:</b>	
At approximately <u>(time)</u> today, <u>(date)</u> , a man/woman by the name of; <u>(abductor's person's name)</u> described as: <u>(age, sex, ethnicity, other descriptors/distinguishing features, etc.)</u> has abducted a <u>male/female</u> child.	
The child's name is <u>(missing child's name)</u> and is described as: <u>(age, sex, ethnicity, other descriptors/distinguishing features, etc.)</u> and has been determined to meet the criteria for an <b>AMBER</b> Alert.	
<u>(missing person's name)</u> was last seen <u>(last known location)</u> on <u>(date/time)</u> in the area of <u>(city, county, etc.)</u> ; and may be driving the following vehicle.	
<b>Vehicle Information (if any)</b>	
The vehicle is a <u>(color, year, make and model)</u> bearing <u>(registration plate state and number)</u> . Additional descriptors for the vehicle include: <u>(distinguishing features such as decals, rims, paint, etc.)</u> .	
This is an <b>ABDUCTION</b> . Anyone with information should immediately call your local Law Enforcement Agency or ( ) . Thank You.	
<b>Point of Contact Information:</b>	
Agency:	
Name:	
Phone number:	
Fax Number:	
E-mail:	



### Amber Alert Checklist for Law Enforcement Agencies

- Call is received by a local agency of a possible abduction
- Dispatch** gives out alert to all units of a possible abduction. Alert includes all information received from initial call.
- Dispatch** assigns units to respond to scene of incident. All available resources should respond immediately and be devoted to the investigation and obtaining facts and developing information.
- Once abduction is verified on scene, the **dispatcher** should send out a teletype using the Amber Alert form in Messenger.
- Officers on scene should obtain a photo of the child, descriptors of the child, vehicle information, and suspect information. [Refer to NMSP “Attachment A – Amber Alert Form”]
- Immediately notify the local New Mexico State Police (NMSP) dispatch so they can start the Amber Alert notification. If agency has a public information officer (PIO), that officer should coordinate with NMSP PIOs and should begin gathering information to disseminate to the media.
- Dispatch** entry should be made into NCIC as “MP Endangered” and setting the “MP Category” as “AA” (Amber Alert) to ensure the National Center for Missing and Exploited Children (NCMEC) is notified (Dispatch should have enough information received on the initial call to enter the missing person into NCIC, as this information should have been obtained on the initial call.). Remember, the NCIC entry as an Amber Alert triggers the NCMEC notification and the teletype notifies all law enforcement agencies.
- Notify the NCMEC Amber Alert Coordinator at 800-843-5678 of the pending Amber Alert. The NCMEC coordinator will then confirm the information with NMSP in order to issue notification.
- The report, teletype, and NCIC entry will be completed by the local law enforcement agency handling the call (or NMSP, if they are assigned the call). **In all Amber Alerts, NMSP is to be notified as quickly as possible.**
- Updates to the teletype should be made by **dispatch** as often as new information is received or information has changed.

### Amber Alert Criteria

- There must be evidence of a non-family OR custodial abduction
- Of a Child 17 years of age or less
- There must be specific information concerning the abductor and/or child, which would prove useful to the public in hopes of recovering the child
- There must be reason to believe the child is in imminent danger of bodily harm or death
- The child must have already been entered in to NCIC as missing

# Silver Alert Forms



**DEPARTMENT OF PUBLIC SAFETY  
SILVER ALERT REPORT FORM**



AGENCY INFORMATION:						
Officer's Name:		Contact #'s:				
Media Contact & Dept. PIO #'s:		District Office #:				
Check the Appropriate Box					YES	NO
1.	Is the individual a <b>MISSING PERSON</b> ?				<input type="checkbox"/>	<input type="checkbox"/>
2.	Is the individual fifty (50) years or older?				<input type="checkbox"/>	<input type="checkbox"/>
3.	Is there clear indication that the individual has an irreversible deterioration of intellectual faculties?				<input type="checkbox"/>	<input type="checkbox"/>
<b>*Do NOT activate if you answered NO to any of the above questions.*</b>						
4.	Has the missing person been entered into NCIC?				<input type="checkbox"/>	<input type="checkbox"/>
<b>#1- Missing Person Information</b>						
Name:				DOB:		
Race:	Sex:	Height:	Weight:	Eyes:		
Hair color, style, etc:						
Clothing:						
Miscellaneous:						
<b>#2- Missing Person Information</b>						
Name:				DOB:		
Race:	Sex:	Height:	Weight:	Eyes:		
Hair color, style, etc:						
Clothing:						
Miscellaneous:						





**DEPARTMENT OF PUBLIC SAFETY  
SILVER ALERT REPORT FORM**



<b>INFORMATION for Last Person #1 Seen With MISSING:</b>				
Name:				DOB:
Race:	Sex:	Height:	Weight:	Eyes:
Hair color, style, etc:				
Clothing:				
Miscellaneous:				
<b>INFORMATION for Last Person #2 seen with MISSING:</b>				
Name:				DOB:
Race:	Sex:	Height:	Weight:	Eyes:
Hair color, style, etc:				
Clothing:				
Miscellaneous:				
<b>VEHICLE Last Seen in:</b>				
Year:	Make:	Model:		
Color:	License Plate and State:			
Body Damage or other:				
<b>MISSING FROM:</b>				
City or County Last Seen in:				
Date & Time Last Seen:				
Circumstances:				
<b>Attach Photo: (If Available)</b>				





DEPARTMENT OF PUBLIC SAFETY  
SILVER ALERT REPORT FORM



**SCRIPT:**

**TO BE USED WHEN CALLING IN A SILVER ALERT TO KKOB:**

**This is an emergency broadcast:**

At approximately **(time)**, on **(date)** a man/woman by the name of; **(missing person's name)** described as: **(age, ethnicity, other descriptors/distinguishing features, etc.)** has been determined to be missing and meeting the criteria for a **BRITTANY** Alert.

**(missing person's name)** was last seen on **(date/time)** in the area of **(city, county, etc.)** and has not been able to be contacted.

**(missing person's name)** is considered to be in **danger** due to **(describe health/mental concerns)**.

**(missing person's name)** was last seen **click to select**.

**Vehicle Information (if any)**

The vehicle is a **(color, year, make and model)** bearing **(registration plate state and number)**. Additional descriptors for the vehicle include: **(distinguishing features such as decals, rims, paint, etc.)**.

**Companion/s information (if any);**

The companion is a man/woman by the name of; **(name)** ; described as: **(age, ethnicity, descriptors)**

This is a **SILVER ALERT**: Anyone with information should immediately call your local Law Enforcement Agency or ( \_\_\_\_\_ ) \_\_\_\_\_. Thank You.

**Point of Contact Information:**

Agency:

Name:

Phone number:

Fax Number:

E-mail:

# **Brittany Alert**

## **Forms**



**DEPARTMENT OF PUBLIC SAFETY  
BRITTANY ALERT REPORT FORM**



AGENCY INFORMATION:					
Officer's Name:			Contact #'s:		
Media Contact & Dept. PIO #'s:				District Office #:	
Check the Appropriate Box				YES	NO
1.	Is the individual a <b>MISSING PERSON</b> ?			<input type="checkbox"/>	<input type="checkbox"/>
2.	Is the individual developmentally disabled?			<input type="checkbox"/>	<input type="checkbox"/>
3.	Is the individual's health or safety at risk?			<input type="checkbox"/>	<input type="checkbox"/>
<b>*Do NOT activate if you answered NO to any of the above questions.*</b>					
4.	Has the missing person been entered into NCIC?			<input type="checkbox"/>	<input type="checkbox"/>
<b>#1- Missing Person Information</b>					
Name:				DOB:	
Race:	Sex:	Height:	Weight:	Eyes:	
Hair color, style, etc:					
Clothing:					
Miscellaneous:					
<b>#2- Missing Person Information</b>					
Name:				DOB:	
Race:	Sex:	Height:	Weight:	Eyes:	
Hair color, style, etc:					
Clothing:					
Miscellaneous:					





DEPARTMENT OF PUBLIC SAFETY  
BRITTANY ALERT REPORT FORM



INFORMATION for Last Person #1 Seen With MISSING:				
Name:				DOB:
Race:	Sex:	Height:	Weight:	Eyes:
Hair color, style, etc:				
Clothing:				
Miscellaneous:				
INFORMATION for Last Person #2 seen with MISSING:				
Name:				DOB:
Race:	Sex:	Height:	Weight:	Eyes:
Hair color, style, etc:				
Clothing:				
Miscellaneous:				
VEHICLE Last Seen in:				
Year:	Make:	Model:		
Color:	License Plate and State:			
Body Damage or other:				
MISSING FROM:				
City or County Last Seen in:				
Date & Time Last Seen:				
Circumstances:				
Attach Photo: (If Available)				



DEPARTMENT OF PUBLIC SAFETY  
BRITTANY ALERT REPORT FORM



**SCRIPT:**

**TO BE USED WHEN CALLING IN A BRITTANY ALERT TO KKOB:**

**This is an emergency broadcast:**

At approximately (time), on (date) a man/woman/child by the name of; (missing person's name) described as: (age, ethnicity, other descriptors/distinguishing features, etc.) has been determined to be missing and meeting the criteria for a BRITTANY Alert.

(missing person's name) was last seen on (date/time) in the area of (city, county, etc.) and has not been able to be contacted.

(missing person's name) is considered to be in **danger** due to (describe health/mental concerns).

(missing person's name) was last seen click to select.

**Vehicle Information (if any)**

The vehicle is a (color, year, make and model) bearing (registration plate state and number). Additional descriptors for the vehicle include: (distinguishing features such as decals, rims, paint, etc.).

**Companion/s information (if any);**

The companion is a man/woman by the name of; (name) ; described as: (age, ethnicity, descriptors)

This is a **BRITTANY ALERT**: Anyone with information should immediately call your local Law Enforcement Agency or ( \_\_\_\_\_ ) \_\_\_\_\_. Thank You.

**Point of Contact Information:**

Agency:

Name:

Phone number:

Fax Number:

E-mail:

# **Vital Statistics Request Forms**



**MISSING CHILD NOTIFICATION  
BIRTH CERTIFICATE FLAG REQUEST FORM  
New Mexico Vital Records and Health Statistics  
FAX (505) 827-1751**

New Mexico Vital Records and Health Statistics  
Post Office Box 26110  
Santa Fe, NM 87502

Dear State Registrar:

This report is being sent to you in accordance with the New Mexico Missing Child Reporting Act, [Section 32A-14-2 NMSA 1978]. The act states that a law enforcement agency shall notify the State Registrar, within 24-hours (by FAX) of a reported missing child.

Upon Receipt of this notice, the State Registrar shall flag the missing child's birth certificate if the child was born in the State of New Mexico.

In accordance with statute, the complete missing child's birth information is provided:

Name of Child:	First	Middle	Last Name
Child's Date of Birth:	Month/Day/Year	Place of Birth:	City, County,
Birth Name of Mother:	First	Middle	(Maiden Last Name)
Name of Father or Non-Custodial Parent:	First	Middle	Last Name

**NOTE: (If mother is unmarried, also provide the name of the Non-Custodial parent):**

**REPORTING LAW ENFORCEMENT AGENCY:**

Date of Notice: \_\_\_\_\_ Case Number: \_\_\_\_\_  
 Law Enforcement Agency: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Contact Person and Title: \_\_\_\_\_  
 Telephone Number: \_\_\_\_\_

<b>For New Mexico Vital Records and Health Statistics Use Only</b>	
Date Flagged: _____	File Number: _____

**LOCATED MISSING CHILD NOTIFICATION  
BIRTH CERTIFICATE FLAG CANCELLATION REQUEST FORM  
New Mexico Vital Records and Health Statistics  
FAX (505) 827-1751**

New Mexico Vital Records and Health Statistics  
Post Office Box 26110  
Santa Fe, NM 87502

Dear State Registrar:

This report is being sent to you in accordance with the New Mexico Missing Child Reporting Act, [Section 32A-14-2 NMSA 1978]. The act states that a law enforcement agency shall notify the State Registrar, **within 24-hours (by FAX)** when a missing child has been located.

Upon Receipt of this notice, the State Registrar shall un-flag the missing child's birth certificate if the child was born in the State of New Mexico.

In accordance with statute, the complete missing child's birth information is provided:

Name of Child:	First	Middle	Last Name
Child's Date of Birth:	Month/Day/Year	Place of Birth:	City, County, State
Birth Name of Mother:	First	Middle	Maiden Last Name
Name of Father or Non-Custodial Parent:	First	Middle	Last Name

**NOTE: (If mother is unmarried, also provide the name of the Non-Custodial parent):**

**REPORTING LAW ENFORCEMENT AGENCY:**

Date of Notice: \_\_\_\_\_ Case Number: \_\_\_\_\_  
 Law Enforcement Agency: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Contact Person and Title: \_\_\_\_\_  
 Telephone Number: \_\_\_\_\_

For New Mexico Vital Records and Health Statistics Use Only	
Date Flagged: _____	File Number: _____

# Department of Public Safety

## Dental Records Release Form

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### Authorization for Disclosure of Dental Record Information for a Missing Person

**IN THE MATTER OF:**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date of Birth

\_\_\_\_\_  
Social Security Number

I certify that a missing person report has been made in compliance with the provisions of the Missing Persons Information Act [29-15-1 NMSA 1978].

\_\_\_\_\_  
Signature of Law Enforcement Officer

\_\_\_\_\_  
Printed Name, Rank, Agency

**To: Dental Practitioner/Clinic**

You are hereby requested pursuant to the Laws of the State of New Mexico, [29-15-8 NMSA 1978]<sup>1</sup> to produce all dental records of the above named missing person. Please include all original dental x-rays, dental chartings, periodontal chartings, treatment notes, treatment plans, photographs, and study models. Please release these records to the investigating law enforcement agency. The Health Insurance Portability and Accountability Act of 1996 (HIPAA) also includes an exemption for law enforcement and medical examiners.<sup>2</sup>

All original records will be returned to your office once the investigation has been completed. Thank you for your assistance.

\_\_\_\_\_  
Signature (Custodian or Immediate Family Member)

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date



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<sup>1</sup> **Statutory Chapter in New Mexico Statutes Annotated 1978**

**29-15-8. Release of dental records; immunity.**

A. At the time a missing person report is made, the law enforcement agency to which the missing person report is given shall provide a dental record release form to the custodian or immediate family member of the missing person. The law enforcement agency shall endorse the dental record release form with a notation that a missing person report has been made in compliance with the provisions of the Missing Persons Information Act [29-15-1 NMSA 1978]. When the dental record release form is properly completed by the custodian or immediate family member of the missing person and contains the endorsement, the form is sufficient to permit a dentist or physician in this state to release dental records relating to the missing person to the law enforcement agency.

B. A district court judge may for good cause shown authorize the release of dental records of a missing person to a law enforcement agency.

C. A dentist or physician who releases dental records to a person presenting a proper release executed or ordered pursuant to this section is immune from civil liability or criminal prosecution for the release of the dental records.

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**HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA)**

104th Congress

PUBLIC LAW 104-191

Code of Federal Regulations 45

Subpart C - Compliance and Enforcement

§164.512 Uses and disclosures for which consent, an authorization, or opportunity to agree or object is **not** required.

45 CFR 164.512 (g) HIPAA Exception for Law Enforcement

(f) Standard: Disclosures for law enforcement purposes.

(3) A covered entity may disclose protected health information in response to a law enforcement official's request for such information about an individual who is or is suspected to be a victim of a crime.

45 CFR 164.512(g) HIPAA Exemption for Medical Examiners and Coroners

(g) Standard: Uses and disclosures about decedents.

(1) Coroners and medical examiners. A covered entity may disclose protected health information to a coroner or medical examiner for the purpose of identifying a deceased person, determining a cause of death, or other duties as authorized by law.