

107TH CONGRESS  
2D SESSION

# S. 3140

To assist law enforcement in their efforts to recover missing children and  
to clarify the standards for State sex offender registration programs.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 17, 2002

Mr. DODD (for himself and Ms. COLLINS) introduced the following bill; which  
was read twice and referred to the Committee on the Judiciary

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## A BILL

To assist law enforcement in their efforts to recover missing  
children and to clarify the standards for State sex of-  
fender registration programs.

1       *Be it enacted by the Senate and House of Representa-  
2       tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Prevention and Recov-  
5       ery of Missing Children Act of 2002”.

6 **SEC. 2. FINDINGS.**

7       Congress finds the following:

8           (1) An improved registration system for sex of-  
9       fenders and others who commit predatory acts  
10       against children will provide law enforcement agen-

1       cies with additional information critical to preventing and promptly resolving such crimes.

3           (2) Federal, State, and local law enforcement  
4       were called upon to investigate over 12,000 non-fam-  
5       ily abductions in the United States in 1999.

6           (3) The National Crime Information Center  
7       (NCIC) database, which links more than 16,000  
8       Federal, State, and local law enforcement agencies,  
9       is a critical means of cooperation among law en-  
10      forcement agencies.

11           (4) Delays in entering missing children reports  
12       into the NCIC database leads to investigative delays  
13       when time is critical to ensuring the safe return of  
14       missing children, as evidenced by the fact that in 74  
15       percent of abduction homicide cases the child is dead  
16       within the first 3 hours and 91 percent are killed  
17       within 24 hours.

18 **SEC. 3. MISSING CHILD REPORTING REQUIREMENTS.**

19           (a) IN GENERAL.—Section 3702 of the Crime Con-  
20       trol Act of 1990 (42 U.S.C. 5780) is amended—

21           (1) by redesignating paragraphs (2) and (3) as  
22       paragraphs (3) and (4), respectively; and

23           (2) by inserting after paragraph (1) the fol-  
24       lowing:

1               “(2) ensure that no law enforcement agency  
2 within the State establishes or maintains any policy  
3 that requires the removal of a missing person entry  
4 from its State law enforcement system or the Na-  
5 tional Crime Information Center computer network  
6 based solely on the age of the person;”; and

7               (3) in paragraph (3), as redesignated, by strik-  
8 ing “immediately” and inserting “within 2 hours of  
9 receipt”.

10 **SEC. 4. STANDARDS FOR SEX OFFENDER REGISTRATION**

11 **PROGRAMS.**

12               (a) IN GENERAL.—Section 170101 of the Violent  
13 Crime Control and Law Enforcement Act of 1994 (42  
14 U.S.C. 14071) is amended—

15               (1) in subsection (b)—

16               (A) in paragraph (1)(A)—

17               (i) by striking clause (i), and inserting  
18 the following:

19               “(i) inform the person of the duty to  
20 register and obtain the information re-  
21 quired for such registration, including the  
22 person’s name, current address, antici-  
23 pated future residence, employer name and  
24 address, license plate number and other  
25 identifying information about each vehicle

1 that the person owns, and student enrollment  
2 information;”;

3 (ii) by striking clause (iv) and insert-  
4 ing the following:

9 (iii) in clause (v), by striking the pe-  
10 riod at the end and inserting the following:  
11 “; and”; and

12 (iv) by adding at the end the fol-  
13 lowing:

24 (C) by striking paragraph (3) and insert-  
25 ing the following:

1           “(3) VERIFICATION.—For all persons required  
2 to register under this section, State procedures shall  
3 provide for verification of registry information not  
4 less than every 90 days.”;

5           (D) by striking paragraph (4) and insert-  
6 ing the following:

7           “(4) NOTIFICATION OF LOCAL LAW ENFORCE-  
8 MENT AGENCIES OF CHANGES IN REGISTRY INFOR-  
9 MATION.—State procedures shall provide that all  
10 persons required to register under this section shall  
11 report a change of name, address, employer name  
12 and address, vehicle information, and student enroll-  
13 ment information to a law enforcement agency that  
14 has jurisdiction where the person will reside, not  
15 later than 10 days after such change takes effect.”;

16 and

17           (E) by adding at the end the following:

18           “(8) CURRENT PHOTOGRAPH.—State proce-  
19 dures shall provide for local law enforcement to ob-  
20 tain a photograph for all persons required to register  
21 under this section—

22           “(A) at the initial registration of the per-  
23 son; and

1                   “(B) not less than annually at the time of  
2                   verification of the registry information of that  
3                   person, throughout the term of registration.

4                   “(9) DRIVER’S LICENSE OR IDENTIFICATION  
5                   CARD.—State procedures shall require that all per-  
6                   sons required to register under this section obtain,  
7                   at the time of initial registration, a driver’s license  
8                   or identification card from the State Department of  
9                   Motor Vehicles in the State in which that person re-  
10                  sides.”; and

11                  (2) in subsection (d)—

12                  (A) by striking “A” and inserting the fol-  
13                  lowing:

14                  “(1) IN GENERAL.—A”; and

15                  (B) by adding at the end the following:

16                  “(2) FELONY.—States shall designate a failure  
17                  to comply with the registration and verification re-  
18                  quirements of this section as a felony and permit  
19                  such failure to be grounds for the immediate  
20                  issuance of an arrest warrant.

21                  “(3) CONSIDERATIONS.—States shall consider a  
22                  failure to comply with the registration and  
23                  verification requirements of this section as an ongo-  
24                  ing offense for the purpose of statutes of limitation,

1 and shall consider a failure to register each item of  
2 changed registry information as a separate offense.”.

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