

# Legislative Analysis

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## UNIFORM CRIME REPORTING SYSTEM: INCLUDE NamUs

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**House Bill 4633 as reported from committee w/o amendment**  
**Sponsor: Rep. Tommy Brann**  
**Committee: Law and Justice**  
**Complete to 2-28-18**

Analysis available at  
<http://www.legislature.mi.gov>

*(Enacted as Public Act 102 of 2018)*

**BRIEF SUMMARY:** House Bill 4633 would expand the list of state and national databases to which information about missing persons and the unidentified bodies of deceased persons must be reported to include the National Missing and Unidentified Persons System (NamUs).

**FISCAL IMPACT:** This bill would have a minor fiscal impact on the Department of State Police (MSP) and local law enforcement agencies, the extent of which would be determined by the additional administrative and investigatory time needed to obtain information required by NamUs that is not already collected for inclusion in LEIN and NCIC, and the additional time needed to include already obtained information in the NamUs database. These costs would likely be covered by existing appropriations to the MSP.

### **THE APPARENT PROBLEM:**

Almost 40 years ago, a young man who was on parole went missing along with his girlfriend from a nearby town. For decades it was believed that they had run away from Michigan and were living elsewhere. Neither was reported missing at the time (although the young woman's family believed a family member had done so). Sometime shortly after the couple disappeared, a John Doe was found in Missouri and a Jane Doe found 12 miles away across the border in Arkansas. Fast forward to the spring of 2017, when highway patrol officers from the Missouri state police re-ran fingerprint samples from the John Doe against the National Missing and Unidentified Persons System (NamUs) database. This time, due in part to new technology capable of reading fingerprints that older systems couldn't, a match to the missing parolee was made with fingerprints on file with the Michigan Department of Corrections. A connection was then made with the Jane Doe found in Arkansas. After waiting for decades, the families of the missing couple learned that they had been murdered, most likely by the same person.

According to the U.S. Department of Justice Office of Justice Programs, NamUs is a national, centralized repository and resource center for missing persons and records from unidentified deceased persons. It is a free, online system that can be searched not only by law enforcement agencies and medical examiners, but also by the general public. Besides containing the records of missing and unidentified deceased persons, the database also contains records of unclaimed persons—those who have been identified by name but for whom the next of kin is unknown and therefore no one has been identified to claim the body.

In Michigan, information on missing or unidentified deceased persons, such as fingerprints, dental records, or DNA, is not required to be entered into the NamUs database. It is only done on a voluntary basis. Some feel, however, that requiring such information to be reported, as it is for other databases such as the state Law Enforcement Information Network (LEIN), could result in cases such as the one described above being solved more quickly.

### ***THE CONTENT OF THE BILL:***

Currently, when an individual is reported missing, an unidentified body is found, or an individual is found whose identity is unknown, the law enforcement agency receiving the report, after conducting a preliminary investigation, must immediately enter certain information regarding that individual into the state Law Enforcement Information Network (LEIN), the National Crime Information Center (NCIC), and, if the individual is a child, the Michigan Child Information Clearinghouse. Information required to be submitted includes the individual's name and vital statistics, such as a physical description. If an individual has not been found within 30 days, the law enforcement agency receiving the report must seek the individual's dental records and enter that information into the databases.

House Bill 4633 would amend Public Act 319 of 1968, known as the uniform crime reporting act, to require law enforcement agencies to enter the same information into the National Missing and Unidentified Persons System (NamUs) as is currently reported to LEIN, NCIC, and the state Missing Child Information Clearinghouse regarding a person reported missing or when an unidentified body is found. NamUs is a national, centralized repository and resource center for missing persons and the records of the deceased who are unknown. The NamUs database can be searched for free by medical examiners, coroners, law enforcement officials, and the general public to resolve cases of missing and unidentified bodies.

In addition to the types of information specifically listed in the act, several provisions require a law enforcement agency to also enter any other information that would assist in identifying a body, identifying an unknown individual, or locating a missing individual. The bill would also require the entry of any other information required to be entered into the National Missing and Unidentified Persons System.

The bill would take effect 90 days after being enacted.

MCL 28.258

### ***ARGUMENTS:***

#### ***For:***

The bill is a low-cost measure that will increase the ability to solve missing person and John and Jane Doe cases. Importantly, NamUs is the only crime- or missing person-related database that can be searched by the general public. In fact, it was a public user searching

records in NamUs that made the link between a Jane Doe who died in Texas from a hit and run accident and a Michigan woman who had walked away from her home in 1978 (the local police had kept the case opened and entered her information into NamUs in 2008). The public user notified law enforcement, the family was notified, and the case was finally closed. In another case, Michigan law enforcement officers were able to use NamUs in solving the cold case of a missing 13-year-old girl from Detroit. After 30 years, the girl's mother was finally able to know that she had died around the time she went missing. Many in law enforcement believe that if information about all missing persons, even probation or parole absconders, and all unidentified deceased persons were entered into NamUs, more cold cases could be solved and, for the future, such cases could be solved more quickly. Doing so would save family members and friends the agony of not knowing for years if a loved one was alive and in need of assistance or had already passed.

***Against:***

No arguments were offered in opposition to the bill.

***POSITIONS:***

Representatives from the Michigan Department of State Police testified in support of the bill. (2-13-18)

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.