

SENATE AMENDMENTS TO SENATE BILL 351

By COMMITTEE ON JUDICIARY

May 4

- 1 On page 1 of the printed bill, line 2, delete “146.505.”.
- 2 In line 3, after “181.506” delete the rest of the line and insert “and 181.643.”.
- 3 After line 30, insert:
- 4 “(12) ‘Unidentified human remains’ does not include human remains that are unidentified human
- 5 remains that are part of an archaeological site or suspected of being Native American and covered
- 6 under ORS chapters 97 and 390 and ORS 358.905 to 358.961.
- 7 **“SECTION 2. Written policies shall be adopted by Oregon law enforcement agencies re-**
- 8 **garding missing persons and shall specify the procedures for investigating missing persons**
- 9 **in order to ensure that reported missing persons cases, particularly those involving minor**
- 10 **children, are investigated as soon as possible, utilizing all available resources. In adopting**
- 11 **policies under this section, Oregon law enforcement agencies may consider standards set by**
- 12 **the Oregon Accreditation Alliance and adopt policies consistent with Oregon Accreditation**
- 13 **Alliance standards. Policies adopted under this section should include the following:**
- 14 **“(1) Requirements for accepting missing persons reports;**
- 15 **“(2) Procedures for initial investigations;**
- 16 **“(3) Responsibility for follow-up investigations;**
- 17 **“(4) Standards for maintaining and clearing computer data of missing persons informa-**
- 18 **tion stored in the Law Enforcement Data System and the National Crime Information Cen-**
- 19 **ter; and**
- 20 **“(5) Initiation and activation criteria for Amber Plan alerts under ORS 181.035.”.**
- 21 On page 2, line 1, delete “2” and insert “3”.
- 22 In line 2, after the period delete the rest of the line and lines 3 through 8.
- 23 Restore lines 9 through 12.
- 24 In line 14, delete “Shall” and insert “May”.
- 25 On page 3, restore lines 4 through 7.
- 26 In line 4, delete “police” and insert “law enforcement”.
- 27 Delete lines 8 through 45 and delete page 4 and insert:
- 28 **“SECTION 4. (1) A law enforcement agency shall forward a DNA sample obtained for use**
- 29 **in a missing persons case to the Department of State Police, as directed by the department.**
- 30 **Analysis of the DNA sample by the department is subject to availability of funds dedicated**
- 31 **for that purpose.**
- 32 **“(2) A person, or the executor of the person’s estate, who was a missing person and who**
- 33 **had a DNA sample obtained for use in the person’s case may request the destruction of the**
- 34 **DNA sample, and any resultant database entries, when the missing person has been located**
- 35 **or identified. The request shall be made in writing to the department. The department, upon**

1 **confirming that the status of the missing person has been resolved, shall destroy the DNA**
2 **sample and remove any database entries related to the DNA sample.**

3 **“(3) As used in this section, ‘DNA’ means deoxyribonucleic acid.”.**

4 On page 5, delete lines 1 through 28.

5 In line 29, delete “8” and insert “5”.

6 In line 31, restore the bracketed material and delete the boldfaced material.

7 Delete lines 34 and 35 and insert:

8 “(2) The medical examiner shall make reasonable attempts to promptly identify human remains
9 and may consider procedures consistent with current forensic autopsy performance standards of the
10 National Association of Medical Examiners. Reasonable attempts to identify human remains include,
11 but are not limited to, obtaining:”.

12 Delete lines 44 and 45 and insert “completes the steps described in subsection (2) of this
13 section.”.

14 On page 6, delete line 1.

15 In line 2, delete “9” and insert “6”.

16 In line 12, delete “10” and insert “7”.

17 In line 22, restore “ORS”.

18 In line 23, restore “146.525” and delete “section 6 of this 2007 Act”.

19 In line 24, delete the boldfaced material.

20 In line 26, delete “and section 3 of this 2007 Act”.

21 In line 29, delete “11” and insert “8”.

22 In line 30, restore the bracketed material and after “children” insert “and other”.

23 In line 32, restore the bracketed material and after “children” insert “and other”.

24 In line 34, restore the bracketed material and after “children” insert “and other”.

25 In line 38, delete “12” and insert “9”.

26 In line 39, after “missing” insert “children and other”.

27 In line 44, restore the bracketed material and after “children” insert “and other”.

28 On page 7, line 3, restore the bracketed material and after “children” insert “and other”.

29 In line 5, delete “13” and insert “10”.

30 In line 8, restore the bracketed material and after “children” insert “and other”.

31 Delete lines 11 through 45.

32 On page 8, delete lines 1 through 38.

33 In line 39, delete “15” and insert “11” and delete “3 to 6” and insert “2 and 4”.