

Testimony of Congressman Poe

Thursday, January 21, 2010

Subcommittee on Crime, Terrorism and Homeland Security

Judiciary Committee

H.R. 3695, the Help Find the Missing Act (Billy's Law)

It is my pleasure today to testify in support of a common sense piece of legislation that should have been passed years ago. First, I would like to thank my colleague, Congressman Murphy for taking up this worthy cause, and for asking me to work with him on this legislation. Also, I would like to thank Janice Smolinski for being here and sharing with us the story of her son Billy. As we analyze this piece of legislation, it is imperative for us to remember how important this bill is to people like Janice Smolinski.

H.R. 3695 authorizes funding for the National Missing and Unidentified Persons System which will serve as a unique database that can be searched and cross-referenced. This database was created by the Department of Justice in 2007. Loved ones of the missing can add information to profiles in the database, making them stronger. It is my belief that this new system will allow federal, state, and local law enforcement officers to quickly locate information about missing persons enabling them to solve crimes faster.

Having served as a chief felony prosecutor in Harris County, Texas for 8 years, as well as a felony court judge for over 22 years, I know firsthand the toll that violent crime puts on our communities. The friends and family of the victims go through tremendous stress and heartache. A family that has lost a loved one to violent crime is forced to bear a terrible burden. This burden is made even worse when the family is not able to determine what exactly happened to their loved one. Often, families have to wait for many months, or years, until they can finally find closure. The brave men and women of our local police forces do everything within their power to solve all violent crimes, and their work should be commended. However, crimes cross state lines. A victim may be taken far from home by his or her kidnappers. H.R. 3695 will give our law enforcement officials the tools they need to quickly solve crimes that cross state lines and bring closure to families and swift justice to criminals.

Shortly after I was elected to Congress, I started the Victims' Rights Caucus. This Caucus supports legislation and advocates for policies that will help victims of crime in the United States. H.R. 3695 is such a bill. I am proud to be a part of this bill, and I urge all members of this subcommittee to support it, and I will urge all members of the Victims Rights Caucus to support it as well.

However, we must remember, violent crime is not the only reason an adult might go missing. A physical or developmental disability such as Alzheimer's disease or dementia may cause an adult to go missing. A large scale disaster such as Hurricane Katrina may cause large numbers of adults to be reported missing. Many children and adults in my congressional district were reported missing in the confusion following the evacuation before Hurricane Rita. In situations like these, quick access to national databases is the key to finding these missing persons.

Today, we have a mixture of many federal, state, local, and non-profit databases that can be used to help identify remains. However, these systems are not fully connected to each other. Information that is contained in one database might not be contained in another. Most of these databases do not allow the public to search or add information. We need a unified, national, system that can collect and gather information from multiple sources and allow this information to be easily searched by law enforcement across the country. Social media and sites like Wikipedia have shown us how much information can be shared and compiled in one place, by multiple individuals, if it is managed properly. It is my belief that the NamUS database can be just such a clearinghouse for information about missing adults and children.

H.R. 3695 would authorize \$2.4 million dollars a year for the Attorney General to maintain the National Missing and Unidentified Persons System (NamUS). Additionally, H.R. 3695 would require the Attorney General to share all of the information on missing persons and unidentified human remains that currently is found in NCIC to be shared with the NamUS database. H.R.3695 contains protections to ensure that sensitive information is not shared with NamUS as it will be a public database. Then, from this point forward, we will have one database which is easily searchable by both law enforcement and the public, to serve as a nationwide information clearing house on the missing.

Every year in this country, tens of thousands of Americans go missing. In 2004, there were an estimated 40,000 sets of human remains being held by medical examiners or coroner offices across the country. According to the National Institute of Justice, only 6,000 of such cases have been entered into the National Crime Information Center's Unidentified Person File of the Federal Bureau of Investigation. To address this problem, H.R. 3695 creates incentives for state and local law enforcement officials to report information about the missing to NCIC, NamUS, and the National DNA Index System.

Clearly, a unified, easily accessible, national database is needed to allow information to be more easily shared and help law enforcement find missing adults and children as fast as possible. H.R. 3695 is a common sense piece of legislation that should be supported by the members of this subcommittee.

