



June 2016

MISSING PERSONS AND UNIDENTIFIED REMAINS

Opportunities May Exist to Share Information More Efficiently

Accessible Version

GAO Highlights

Highlights of [GAO-16-515](#), a report to congressional committees

Why GAO Did This Study

Every year, more than 600,000 people are reported missing, and hundreds of human remains go unidentified. Two primary federal databases supported by DOJ—NCIC and NamUs—contain data related to missing and unidentified persons to help solve these cases. NCIC contains criminal justice information accessed by authorized agencies to assist with daily investigations. NamUs information can be used by law enforcement, medical examiners, coroners, and the general public to help with long-term missing and unidentified persons cases.

Senate Report 113-181 (accompanying the Consolidated and Further Continuing Appropriations Act of 2015) includes a provision for GAO to review NCIC and NamUs. This report describes the access to and use of missing and unidentified persons information contained in NCIC and NamUs, and the extent to which there are opportunities to improve the use of this information. GAO reviewed NCIC and NamUs data, and relevant state and federal statutes. GAO also conducted nongeneralizable interviews with stakeholders in three states, selected in part on state laws.

What GAO Recommends

To allow for more efficient use of missing and unidentified persons information, GAO recommends that DOJ evaluate options to share information between NCIC and NamUs. DOJ disagreed because it believes it lacks the necessary legal authority. GAO believes DOJ can study options for sharing information within the confines of its legal framework, and therefore believes the recommendation remains valid.

View [GAO-16-515](#). For more information, contact Diana C. Maurer, (202) 512-9627 or maurerd@gao.gov

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What GAO Found

The Federal Bureau of Investigation's (FBI) National Crime Information Center (NCIC) database includes criminal justice agency information and access to such data is restricted to authorized users. In contrast, the Department of Justice's (DOJ) National Institute of Justice (NIJ) funds and oversees the National Missing and Unidentified Persons System (NamUs), a database for which the public may register to access published case information. Because many users of NamUs are not authorized to access NCIC, there are no direct links between the systems. As a result, while both NCIC and NamUs contain information on long-term missing and unidentified persons, they remain separate systems.

DOJ could facilitate more efficient sharing of information on missing persons and unidentified remains (referred to as missing and unidentified persons cases) contained in these systems. GAO found, in part, that the following three key characteristics of NCIC and NamUs are fragmented or overlapping, creating the risk of duplication.

- **Database Records:** NCIC and NamUs contain fragmented information associated with long-term missing and unidentified persons (cases open for more than 30 days). For example, in fiscal year 2015, 3,170 long-term missing persons cases were reported to NamUs while 84,401 missing persons records reported to NCIC became long-term cases. NamUs also accepts and maintains records of missing and unidentified persons cases that may not be found in NCIC because, for example, they have not yet been filed with law enforcement. As a result, users relying on only one system may miss information that could be instrumental in solving these types of cases.
- **Registered Users:** The NCIC user base is significantly larger than the NamUs user base, and the types of users vary, which may contribute to the discrepancies in each system's data. For instance, almost all law enforcement agencies use NCIC, with only a small fraction registered to use NamUs. Additionally, members of the public do not have access to NCIC, but can report missing persons cases to NamUs.
- **Data Validation Efforts:** In part to minimize fragmentation, NamUs uses a case validation process and other ad hoc efforts to help ensure that data on missing and unidentified persons contained in NCIC is captured by NamUs. However, these processes introduce additional inefficiencies because they require officials to manually review and enter case data into both systems, resulting in duplicative data entry.

Inefficiencies exist in the use of information on missing and unidentified persons primarily because there is no mechanism to share information between the systems, such as a notifier to inform NCIC users if related case data were present in NamUs. According to FBI officials, federal law precludes full integration of NCIC and NamUs; however, opportunities to share information may exist within the legal framework to address fragmentation and overlap without full system integration. By evaluating the technical and legal feasibility of options to share information, documenting the results, and implementing feasible options, DOJ could better inform those who are helping solve missing and unidentified persons cases and increase the efficiency of solving such cases.

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Abbreviations

CJA	criminal justice agency
CJIS	Criminal Justice Information Services
CODIS	Combined DNA Index System
CSA	CJIS Systems Agencies
DOJ	Department of Justice
FBI	Federal Bureau of Investigation
LEA	law enforcement agency
NamUs	National Missing and Unidentified Person System
NamUs-MP	NamUs Missing Person Database
NamUs-UP	NamUs Unidentified Persons Database
NCIC	National Crime Information Center
NDIS	National DNA Index System
NGI	Next Generation Identification
NIJ	National Institute of Justice
ORI	Originating Agency Identifier
RSA	Regional System Administrator
UNTCHI	University of North Texas Health Science Center, Center for Human Identification
ViCAP	Violent Criminal Apprehension Program

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June 7, 2016

The Honorable Richard Shelby
Chairman
The Honorable Barbara Mikulski
Vice Chairwoman
Subcommittee on Commerce, Justice, Science, and Related Agencies
Committee on Appropriations
United States Senate

The Honorable John Culberson
Chairman
The Honorable Mike Honda
Acting Ranking Member
Subcommittee on Commerce, Justice, Science, and Related Agencies
Committee on Appropriations
House of Representatives

Hundreds of thousands of people across the country are reported missing each year. In fiscal year 2015, approximately 87 percent of these cases were resolved within 30 days, while the remaining 13 percent—or more than 84,000 people—became long-term missing persons cases. Additionally, as 2007 Department of Justice (DOJ) estimates suggest, there are more than 40,000 sets of unidentified human remains in medical examiner or coroner offices, with several hundred new cases reported each year.¹ Multiple federal databases supported by DOJ contain information related to missing persons and unidentified remains (referred to in this report as missing and unidentified persons) that can be used to assist law enforcement in resolving these cases. The two primary databases are the Federal Bureau of Investigation's (FBI) National Crime Information Center (NCIC) and the National Missing and Unidentified

¹Ritter, Nancy. "Missing Persons and Unidentified Remains: The Nation's Silent Mass Disaster." NIJ Journal No. 256, January 2007.

Persons System (NamUs), which is funded and overseen by DOJ's National Institute of Justice (NIJ).²

NCIC is an electronic repository of criminal justice information of nationwide interest with locator files, including missing and unidentified persons files, designed to assist the criminal justice community perform day-to-day duties. Responsibility for entering and managing the data contained in NCIC is shared between the FBI and federal, state, local, and tribal criminal justice users. Access to the system is limited to agencies that have authorization under federal law and have applied for access. NamUs is managed by NIJ through a cooperative agreement with the University of North Texas Health Science Center, and contains information on missing, unidentified, and unclaimed persons—deceased persons who have been identified by name, but for whom no next of kin or family member has been identified or located to claim the body. The system can be used by law enforcement, medical examiners, coroners, and the general public to enter and search for information on missing and unidentified persons cases.

Federal law requires that law enforcement agencies (LEA) enter required information about missing children, defined as individuals under the age of 21, into NCIC within 2 hours of receiving it—called the 2-hour entry rule.³ These requirements do not apply to NamUs, though NamUs does contain information about missing children. Further, there are no federal requirements associated with reporting information on missing adults to either database because adults have the legal right to go missing in most cases. For example, an adult may choose to go missing to seek protection from a domestic abuser. In addition, there are no federal requirements to report an unidentified person's remains (child or adult) to either database. As a result, not all information on missing and

²Other databases that contain information related to missing and unidentified persons include the Violent Criminal Apprehension Program (ViCAP); the Combined DNA Index System (CODIS)/National DNA Index System (NDIS); and the Next Generation Identification (NGI) system. For the purposes of this review, we excluded these databases because they provide very specific information, such as DNA profiles or fingerprints, whereas NCIC and NamUs contain more comprehensive case data with references to the more specific databases.

³42 U.S.C. §§ 5779(a), 5780(3). We reported on DOJ's implementation of the 2-hour entry rule in 2011. See GAO, *Missing Children: DOJ Could Enhance Oversight to Help Ensure That Law Enforcement Agencies Report Cases in a Timely Manner*, [GAO-11-444](#), (Washington, D.C.: June 21, 2011).

unidentified persons may necessarily be reported to one or both databases.⁴

Senate Report 113-181 (accompanying the Consolidated and Further Continuing Appropriations Act of 2015) includes a provision for us to review national databases containing information reported on missing persons and unidentified human remains, including NCIC and NamUs.⁵ NCIC and NamUs both collect data for authorized users to solve long-term missing and unidentified persons cases. This report describes the access to and use of missing and unidentified persons information contained in NCIC and NamUs and discusses the extent to which opportunities exist to improve the use of this information.

To describe the access to and use of missing and unidentified persons information contained in NCIC and NamUs, we reviewed and compared NCIC and NamUs operating and policy manuals and data entry guides. In addition, we observed access to and use of missing and unidentified persons information in NamUs. To corroborate information above, we conducted interviews with officials who access and use NCIC and NamUs, including criminal justice agencies, state and local LEAs, and medical examiners.

To determine the extent to which opportunities exist to improve the use of missing and unidentified persons information contained in NCIC and NamUs, we analyzed summary level case data by state for each system for fiscal year 2015.⁶ We assessed the reliability of the data and found it to be sufficiently reliable to demonstrate the extent to which information contained in the two systems is similar or different. To identify details about the design of each system, we reviewed and compared NCIC and NamUs operating manuals and data entry guides, including minimum

⁴In past years, legislation—called the Help Find the Missing Act, or Billy’s Law—was introduced to authorize funding for, and increase accessibility to NamUs, and to facilitate sharing between NamUs and NCIC of data related to missing and unidentified persons. See, e.g., H.R. 3695, 111th Cong. (2009); S. 2105, 114th Cong. (2015); H.R. 3653, 114th Cong. (2015). Different versions of the bill have been introduced in Congress, but no action has been taken. Identical versions of the bill are currently being considered in the House and Senate and both were referred to committee in September 2015.

⁵Pub. L. No. 113-235, 128 Stat. 2130 (2014).

⁶Because of statutory limitations on access to criminal justice information contained in NCIC, discussed in more detail later in this report, we did not assess record level case data from either NCIC or NamUs.

data requirements for record entry, individual data elements in each system, and their definitions. We also reviewed laws, policies, and information associated with reporting and sharing information on missing and unidentified persons, to include information about the types of users that can access or enter information into each system within three categories: (1) LEA, (2) non-LEA criminal justice agency (CJA)—such as a court; and (3) medicolegal investigator—such as coroners and forensic analysts. NCIC and NamUs assign user access differently, with NCIC assigning access at the agency level, while NamUs provides access directly to individuals. Additional details and limitations related to how we adjusted for these differences, as well as steps taken to assess NCIC and NamUs data reliability can be found in appendix I. We assessed this information against *Standards for Internal Control in the Federal Government* and GAO’s evaluation and management guide for fragmentation, overlap, and duplication.⁷

To corroborate information above, and to obtain more in-depth perspectives about the extent to which opportunities exist to improve the collection and use of missing and unidentified persons information, we also conducted interviews. Specifically, we interviewed DOJ officials, relevant stakeholders from selected states, and officials from nongovernmental agencies, in part to learn about past and current efforts to share information between NCIC and NamUs. We interviewed a nongeneralizeable sample of stakeholders from state criminal justice agencies, state and local LEAs, and medical examiner or coroner offices in three states—Arizona, California, and New York. We selected these states to include in this review, based in part on their respective state laws and policies associated with missing and unidentified persons, as well as the number of cases reported to each database for fiscal year 2015. Specifically, after identifying the 10 states that reported the highest number of cases to both NCIC and NamUs, we then compared characteristics of state laws and policies related to reporting missing and unidentified persons. Although the views expressed from these interviews cannot be generalized to all states, they provide valuable insights about the types of experiences different stakeholder groups experience in states with varied reporting requirements. We also reviewed state documents associated with the data systems used by each state to report missing

⁷GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#), (Washington, D.C.: Sept. 10, 2014), and *Fragmentation, Overlap, and Duplication: An Evaluation and Management Guide*, [GAO-15-49SP](#) (Washington, D.C.: Apr. 14, 2015).

and unidentified persons information to NCIC. For additional detail regarding the state selection process, see appendix I.

We conducted this performance audit from September 2015 to April 2016 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

NCIC

NCIC is a law enforcement database maintained by the FBI's Criminal Justice Information Services (CJIS) Division and was first established in 1967 to assist LEAs in apprehending fugitives and locating stolen property.⁸ In 1975, NCIC expanded to include the missing persons file to include law enforcement records associated with missing children and certain at-risk adults.⁹ The missing persons file contains records for individuals reported missing who: (1) have a proven physical or mental disability; (2) are missing under circumstances indicating that they may be in physical danger; (3) are missing after a catastrophe; (4) are missing under circumstances indicating their disappearance may not have been voluntary; (5) are under the age of 21 and do not meet the above criteria; or (6) are 21 and older and do not meet any of the above criteria but for whom there is a reasonable concern for their safety.

The unidentified persons file was implemented in 1983 to include law enforcement records associated with unidentified remains and living individuals who cannot be identified, such as those individuals who

⁸The FBI is required to maintain NCIC under 28 U.S.C. § 534 and 28 C.F.R. pt. 20. NCIC currently consists of 21 files. Fourteen of these files are persons files, including the National Sex Offender Registry; Foreign Fugitives; Gangs; and Known or Suspected Terrorists, to name a few. Seven of the files are property files containing records on items like stolen boats, guns, and vehicles.

⁹See 28 U.S.C. § 534(a)(3).

cannot identify themselves, including infants or individuals with amnesia.¹⁰ When a missing persons record is entered or modified, NCIC automatically compares the data in that record against all unidentified persons records in NCIC. These comparisons are performed daily on the records that were entered or modified on the previous day. If a potential match is identified through this process, the agency responsible for entering the record is notified.

Management of NCIC is shared between CJIS and the authorized federal, state, and local agencies that access the system. CJIS Systems Agencies (CSA)—criminal justice agencies with overall responsibility for the administration and usage of NCIC within a district, state, territory, or federal agency—provide local governance of NCIC use.¹¹ A CSA generally operates its own computer systems, determines what agencies within its jurisdiction may access and enter information into NCIC, and is responsible for assuring LEA compliance with operating procedures within its jurisdiction. An Advisory Policy Board, with representatives from criminal justice and national security agencies throughout the United States, and working groups are responsible for establishing policy for NCIC use by federal, state, and local agencies and providing advice and guidance on all CJIS Division programs, including NCIC.

NamUs

NamUs became operational in 2009, and was designed to improve access to database information by people who can help solve long-term missing and unidentified persons cases—those cases that have been open for 30 days or more. NamUs is comprised of three internet-based data repositories that can be used by law enforcement, medical examiners, coroners, victim advocates or family members, and the general public to enter and search for information on missing and unidentified persons cases. These repositories include the missing person database (NamUs-MP), the unidentified person database

¹⁰The Missing Children Act of 1982 required the FBI to “acquire, collect, classify, and preserve any information which would assist in the identification of any deceased individual who has not been identified after the discovery of such deceased individual.” Pub. L. No. 97-292, § 2, 96 Stat. 1259 (1982) (codified at 28 U.S.C. § 534(a)(2)).

¹¹There is a CSA in each of the 50 states, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, and Canada, as well as in 15 federal criminal justice agencies such as the Department of Justice and U.S. Customs and Border Protection. As of March 2016, there were 69 CSAs in total.

(NamUs-UP), and the unclaimed persons database.¹² NamUs-MP and NamUs-UP allow automated and manual comparison of the case records contained in each.

The University of North Texas Health Science Center, Center for Human Identification (UNTCHI) has managed and administered the NamUs program under a cooperative agreement with NIJ since October 2011. Two Directors within UNTCHI's Forensic and Investigative Services Unit are responsible for daily management, oversight, and planning associated with NamUs. Additionally, eight regional system administrators (RSAs) and eight forensic specialists provide individualized case support.¹³

Authorizations to Use NCIC and NamUs Differ so the Data in Each Remains Separated

To gain access to NCIC, an agency must have authorization under federal law and obtain an Originating Agency Identifier (ORI).¹⁴ In general, to be authorized under federal law for full access to NCIC, an agency must be a governmental agency that meets the definition of a CJA.¹⁵ Specifically, data stored in NCIC is "criminal justice agency information and access to that data is restricted to duly authorized users," namely CJAs as defined in regulation.¹⁶ The *CJIS Security Policy* allows data associated with the missing and unidentified persons files to be disclosed to and used by government agencies for official purposes or private

¹²The unclaimed persons database contains information about deceased persons who have been identified by name, but for whom no next of kin or family member has been identified or located to claim the body for burial or other disposition.

¹³Individualized case support includes forensic analytical services, such as DNA or dental record analysis, which NamUs provides to LEAs, medical examiners, and coroners. The forensic specialists on the NamUs staff include forensic odontologists, fingerprint analysts, DNA analysts, and an anthropologist. RSAs may also assist members of the public in formally filing reported cases with the responsible LEA.

¹⁴Under 28 U.S.C. § 534(a)(4), the Attorney General is authorized to exchange the records in NCIC "with, and for the official use of, authorized officials of the Federal Government, including the United States Sentencing Commission, the States, including State sentencing commissions, Indian tribes, cities, and penal and other institutions."

¹⁵28 C.F.R. § 20.3. A CJA is defined as a court, a governmental agency, or any subunit of a governmental agency which performs the administration of criminal justice. The administration of criminal justice is defined as the performance of activities such as detection, apprehension, or prosecution of accused persons or criminal offenders or the management of criminal history record information.

¹⁶Privacy Act of 1974; Notice of Modified Systems of Records, 64 Fed. Reg. 52,343, 52,346 (Sept. 28, 1999); 28 C.F.R. § 20.3.

entities granted access by law.¹⁷ For example, there is a specific provision that allows these files to be disclosed to the National Center for Missing and Exploited Children, a nongovernmental organization, to assist in its efforts to operate a nationwide missing children hotline, among other things.¹⁸ As of February 2016, there were almost 118,000 active ORI numbers that granted authorized agencies at least limited access to NCIC.¹⁹ Table 1 shows the different types of users granted ORI numbers to access NCIC and their associated access levels.

Figure 1: Types of Users with Access to the National Crime Information Center (NCIC) and Associated Access Levels

User	Access type	Files accessible	Enter records	Modify records	View records
Law enforcement agencies (LEA) <i>Any federal, state, local, and tribal law enforcement agency, defined as a governmental agency or subunit thereof having statutory power of arrest and whose primary function is that of apprehension and detection^a</i>	Full	All 21 NCIC files	✓	✓	✓
Non-LEA criminal justice agency (CJA) <i>A non-law enforcement agency, such as courts, as well as agencies such as nongovernmental campus or railroad police departments^b</i>	Full	All or select ^c	✓	✓	✓
Non-CJA <i>Governmental and nongovernmental agencies, including dispatch centers, information clearinghouses such as the National Insurance Crime Bureau, or state departments of motor vehicles</i>	Limited	All or select			✓

Source: GAO analysis of NCIC 2000 Operating Manual. | GAO-16-515

^aSee Privacy Act of 1974; Notice of Modified Systems of Records, 64 Fed. Reg. 52,343, 52,348 (Sept. 28, 1999).
^bSee 28 C.F.R. § 20.3.
^cCertain CJA Originating Agency Identifiers (ORI) may not access all 21 NCIC files.

¹⁷FBI, *Criminal Justice Information Services (CJIS) Security Policy*, Version 5.4 (Oct. 6, 2015) CJISD-ITS-DOC-08140-5.4
¹⁸42 U.S.C. § 16961; see also Privacy Act of 1974; Notice of Modified Systems of Records, 64 Fed. Reg. at 52,345.
¹⁹ORI numbers are assigned to agencies or their subunits, not individuals. For example, for a city-wide LEA such as the New York City Police Department, NCIC assigns ORI numbers to each office within that particular agency, as the ORI number is used to indicate the LEA office directly responsible for a given NCIC record entry. However, for the purposes of this report, we refer to each entity assigned an ORI as an agency.

Unlike NCIC, any member of the public may register to use NamUs and access published case information. When cases are entered, the RSA carries out a validation process by reviewing each case entered within his or her region to ensure the validity and accuracy of the information provided and determine whether the case may be published to the public website. Before any case may be publicly published to the NamUs site, the RSA must confirm the validity of that case with the LEA or other responsible official with jurisdiction by obtaining an LEA case number or an NCIC number.²⁰ The RSA also vets registration applications for non-public users—professionals affiliated with agencies responsible for missing or unidentified persons cases. In addition to the published case information, these non-public registered users may also access unpublished case information. Table 2 shows the types of individuals that may register as NamUs users for the missing persons and unidentified persons files, and their access levels.

²⁰Criminal justice agencies may choose to withhold the LEA or NCIC number, but according to NamUs officials, the case will not be published without the presence of one or both of these numbers.

Figure 2: Types of Registered Users for the National Missing and Unidentified Persons System (NamUs) Missing Persons and Unidentified Persons Databases and Associated Access Levels

User	Access type	Enter cases		Modify cases	View cases	
		Missing persons (MP)	Unidentified persons (UP)		Published	Unpublished
Public <i>John Doe, amateur missing persons investigator</i>	Limited	✓			✓ <i>Select portions of UP cases</i>	
Nonpublic criminal justice agency • Law enforcement • Medical examiner (ME)/coroner	Full	✓	✓ <i>ME/coroner only</i>	✓ <i>For cases which they are associated</i>	✓	✓
Forensic anthropologist/pathology	Limited ^a		✓ <i>For cases when they are the de facto ME/coroner</i>	✓ <i>For cases which they are associated</i>	✓	✓
Forensic subject matter expert • Forensic odontologist • DNA specialist	Limited ^a			✓ <i>For fields associated with their specialty</i>	✓	✓

Source: GAO Analysis of NamUs Policy Manual. | GAO-16-515

^aAccess is limited to cases in approved geographic area.

NCIC data include criminal justice agency information and access to such data is restricted by law to only authorized users. Because many users of NamUs are not authorized to access NCIC, there are no direct links or data transfers between the systems. In addition, NCIC and NamUs only contain information manually entered by their respective authorized users. As a result, while both NCIC and NamUs contain information on long-term missing and unidentified persons, they remain separate systems.

Opportunities Exist to More Efficiently Share Missing and Unidentified Persons Information in NCIC and NamUs

DOJ could facilitate more efficient sharing of information on missing and unidentified persons cases contained in NCIC and NamUs. The two systems have overlapping purposes specifically with regard to data associated with long-term missing and unidentified persons cases—both systems collect and manage data that officials can use to solve these cases. Further, three key characteristics of NCIC and NamUs—the systems’ records, registered users, and data validation efforts—are fragmented or overlapping, creating the risk of duplication.²¹ We found that, as CJIS and NIJ proceed with planned upgrades to both databases, opportunities may exist to more efficiently use data related to missing and unidentified persons cases, in part because no mechanism currently exists to share information between NCIC and NamUs.

Figure 3 below describes the purpose of each system and explains how certain characteristics contribute to fragmentation, overlap, or both. See appendix II for a non-interactive version of figure 3.

²¹[GAO-15-49SP](#). Fragmentation refers to those circumstances in which more than one federal agency (or more than one organization within an agency) is involved in the same broad area of national need and opportunities exist to improve service delivery. Overlap occurs when multiple agencies or programs have similar goals, engage in similar activities or strategies to achieve them, or target similar beneficiaries. Duplication occurs when two or more agencies or programs are engaged in the same activities or provide the same services to the same beneficiaries.

Figure 3: Comparison of Fragmentation and Overlap in Key Characteristics of the National Crime Information Center (NCIC) and National Missing and Unidentified Persons System (NamUs)

	Purpose	Records	Registered users	Data validation efforts ^a
NCIC ^b	Contains information to locate missing persons and identify unidentified persons, among other things, related to criminal investigations	83,334 Active missing persons 8,389 Active unidentified persons ^c	117,955 Federal, state, and local law enforcement, non-law enforcement criminal justice agencies, and medical examiner/coroner agencies have been granted access as of February 2016 ^d	Triennial CJIS audits of a sample of missing persons records and local law enforcement agencies
NamUs ^b	Contains information and forensic resources to help solve long-term missing and unidentified persons cases	13,810 Active Missing Persons 11,117 Active unidentified persons ^e	3,564 registered public users and 3,368 authorized law enforcement, non-law enforcement criminal justice agencies and medical examiner/coroner users may access missing persons information as of November 2015 2,194 registered public users and 2,002 authorized law enforcement, non-law enforcement criminal justice agencies and medical examiner/coroner users may access unidentified persons information as of November 2015	Regional system administrators validate every case and publish only cases with a verified NCIC or law enforcement case number

Overlap, with risk of duplication
Fragmentation

Source: GAO analysis of Department of Justice data. | GAO-16-515

^aData validation efforts are to ensure the completeness and reliability of missing and unidentified persons data.
^bInformation in this table is specific to NCIC's Missing and Unidentified Persons Files and NamUs's Missing and Unidentified Persons Databases.
^cTotals through February 29, 2016.
^dTo be authorized under federal law to obtain access to NCIC, an agency must meet the definition of "criminal justice agency" as defined in 28 C.F.R. § 20.3. Although there are some exceptions, medical examiners' and coroners' offices will generally not meet this definition because these offices do not perform the "administration of criminal justice" duties.
^eTotals through March 1, 2016.

-
- *Database Records:* NCIC and NamUs contain fragmented information associated with long-term missing and unidentified persons. Specifically, information about long-term missing or unidentified persons may be captured in one system, but not the other. As a result, if users do not have access to or consult the missing and unidentified persons files in both data systems, they may miss vital evidence that could help to solve a given case. For example, in fiscal year 2015, 3,170 missing persons cases were reported to NamUs. During the same time period, 84,401 of the missing persons records reported to NCIC remained open after 30 days and became long-term cases.²² Conversely, in fiscal year 2015, 1,205 unidentified persons cases were reported to NamUs, while 830 records were reported to NCIC.²³

NamUs also accepts and maintains records of missing and unidentified persons cases that are not published on its public website, in part because they may not meet criteria for entry into NCIC. According to NamUs officials, cases may remain unpublished for several reasons, including (1) they are undergoing the validation process, (2) they lack information required to complete the entry, (3) the responsible agency has requested the report go unpublished for investigative reasons, (4) a report has not been filed with law enforcement, or (5) law enforcement does not consider the person missing. For example, according to NamUs officials, a non-profit agency entered approximately 800 missing migrant cases that have remained unpublished on the NamUs public website because they do not have active law enforcement investigations associated with the cases. Because they do not have active law enforcement investigations on file and NCIC only accepts documented criminal justice information, it is highly unlikely that these approximately 800 cases are present in NCIC.²⁴ Since access to unpublished cases is

²²Each record contained in NCIC refers to one missing or unidentified person. In some cases, there may be more than one person associated with a given case, meaning that one law enforcement case may have more than one NCIC record. While NamUs also requires separate entries for each missing or unidentified person, each entry is referred to as a case.

²³Unless otherwise specified, the NamUs case numbers presented in this report reflect both published and unpublished cases.

²⁴Agencies must have supporting documentation, such as a police report, to make entries into NCIC.

limited to authorized LEA and medicolegal investigators that have registered as NamUs users, investigators using only NCIC cannot use information from these NamUs cases to assist in solving unidentified persons cases.

In addition, the number of NCIC cases that are also recorded in NamUs varies greatly among states, further contributing to fragmentation. For example, of the long-term missing persons cases officials in each state reported to NCIC in fiscal year 2015, the proportion of these NCIC cases that were also recorded in NamUs ranged from less than 1 to almost 40 percent. However, in our nongeneralizable review of laws in Arizona, California, and New York, the state laws specifically associated with reporting missing persons cases to NCIC or NamUs did not contribute to variation in reporting rates. Specifically, in fiscal year 2015, approximately 2 to 3.5 percent of the long-term cases reported by officials in each state to NCIC were ultimately reported to NamUs. These reporting rates are very similar despite the fact that, as discussed previously, we chose these three states because they had different reporting requirements associated with reporting missing and unidentified persons.

- *Registered Users:* Fragmentation between the records reported to NCIC and NamUs also exists because different user groups with different responsibilities enter data on missing and unidentified persons. The fact that different user bases report information to each system means that certain types of cases may be found in one system but not the other. This creates inefficiencies for officials seeking to solve long-term missing and unidentified persons cases who have to enter information and search both systems to get all the available information.

Further, the NCIC user base is significantly larger than the NamUs user base, which likely contributes to the discrepancies in the number of long-term missing persons cases reported to each system. As of February 2016, almost 118,000 agencies had at least limited access to NCIC, with approximately 113,000 granted full access to all 21 NCIC files, including the missing and unidentified persons files.²⁵ As

²⁵For the purposes of this calculation, we counted each entity assigned an ORI as an agency. ORI numbers are assigned to agencies or their subunits, not individuals. For example, for a city-wide LEA such as the New York City Police Department, NCIC assigns ORI numbers to each office within that particular agency, as the ORI number is used to indicate the LEA office directly responsible for a given NCIC record entry.

In 1996, a person was reported missing and the case was entered into National Crime Information Center (NCIC). Three days later, a decomposed body was found a few miles away; however, no police report was ever generated for the person's death nor was an entry made into NCIC. In 2013, the detective following up on the missing person case searched National Missing and Unidentified Persons System (NamUs) and found that a medical examiner had entered the unidentified remains case into NamUs. As a result, 16 years after the missing persons case was originally reported, DNA testing verified a match between the unidentified remains reported by a medical examiner to NamUs and the missing person case reported by law enforcement to NCIC in 1996.

Source: Law enforcement agency official. | GAO-16-515

of November 2015, just over 3,000 individuals were registered as non-public users of NamUs-MP and approximately 2,000 individuals were registered as non-public users of NamUs-UP.²⁶ These registered users represent at least 1,990 agencies, less than 2 percent of the number of agencies registered to use NCIC.²⁷

In addition to the difference in the number of agencies registered to use NCIC or NamUs, there is variation in the types of agencies that are registered with each system, possibly contributing to differences in the type of case information reported. For instance, NamUs has a larger number of registered users in the medicolegal field (either as medical examiners, coroners, forensic odontologists, or other forensic personnel), which may explain why a greater number of unidentified persons cases are reported to NamUs. Specifically, while medical examiners and coroners represent less than 0.1 percent of NCIC's total active ORIs, approximately 18 percent of agencies registered with NamUs have at least one user registered in the medicolegal field.²⁸ Similarly, virtually all LEAs use NCIC, with only a small fraction registered to use NamUs, likely contributing to the low proportion of long term missing persons cases reported to both NCIC and NamUs by LEAs. Additionally, members of the public who do not have access to NCIC and are not affiliated with any type of agency can report missing persons cases to NamUs. The variation in the types of users registered with NCIC or NamUs ultimately limits the usefulness of either system, as important case information may be missed by

²⁶Non-public registered users refer to individuals associated with agencies responsible for missing and unidentified persons cases, such as LEAs or medicolegal professionals. The number of individual registered users is specific to each NamUs file and cannot be added together for a total number of registered users, because a user registered in both the missing persons and unidentified persons file will be counted twice. In addition to these registered users, there are 3,564 registered public users of NamUs-MP and 2,194 registered public users of NamUs-UP.

²⁷The user categories we assigned for NamUs do not fully align with the ORI categories in NCIC. This limited our ability to make a direct match for 74 agencies in NamUs that had registered users in multiple NCIC categories. Additionally, not all NamUs users identified a specific subunit within their greater agency. As a result, the number of agencies represented by NamUs users may be undercounted as compared to ORIs assigned for NCIC.

²⁸Medical examiners and coroners closely affiliated with a law enforcement agency, such as a sheriff office, may access NCIC using a law enforcement ORI instead of a medical examiner or coroner ORI. In NamUs, 54 of the agencies with registered users belonging to the medicolegal field also had users registered as either LEA or non-LEA CJA.

individuals who do not access both systems. According to one LEA official we spoke with, his unit has had more than a dozen resolutions of cold cases as a result of information contained in NamUs since NamUs was established in 2009.

- *Data Validation Efforts:* NamUs uses a validation process to ensure that all missing and unidentified persons cases include either the local LEA case number or an NCIC number before they are published to the public website. NamUs also has some ad hoc processes in place, beyond routine RSA responsibilities, designed to help ensure that data in selected states on missing and unidentified persons contained in NCIC are captured by NamUs. However, while intended in part to minimize fragmentation, these processes introduce additional inefficiencies caused by overlapping and potentially duplicative activities. Specifically, as part of the NamUs validation process, at least once a year, the RSA requests records from NCIC and manually reviews the data in both systems to ensure consistency.²⁹ For example, from January 2015 through September 2015, RSAs requested and manually reviewed statewide NCIC records for at least 22,000 missing persons and 4,532 unidentified persons cases to ensure that if cases entered into NamUs were present in NCIC, the two systems contained comparable information.³⁰ According to NIJ officials, if RSAs identify errors or missing information in an NCIC record during the course of their work, they will alert the agency responsible for the case. It is then the responsibility of that agency to enter or update the NCIC record.

The potential for duplication also exists when agencies want to utilize both NCIC and NamUs. For example, if agencies with access wanted their case data to exist in both systems, the system limitations would require them to enter the information in one system and then enter the same data in the second system, resulting in duplicative data entry. Officials from one state agency we interviewed noted that they have a full time employee who is solely responsible for entering case data

²⁹UNTCHI is classified as a criminal justice agency under Tex. Code Crim. Proc. Ann. art. 63.0515, and has been granted an ORI number. NamUs officials are employed by UNTCHI.

³⁰Officials responsible for missing or unidentified persons cases have discretion regarding whether they choose to allow case information to be published to NamUs. In addition, officials may choose to withhold certain types of information, such as law enforcement sensitive information, from public view.

into NamUs after it has been entered into NCIC. Further, when attempting to use information from either NCIC or NamUs, users are required to access and search each system separately, and then manually compare results.

Fragmentation and overlap between NCIC and NamUs result in inefficiencies primarily because there is no systematic mechanism for sharing information between the systems. According to CJIS officials, in lieu of a systematic sharing of information mechanism, they created a standard search that state and local agencies can use to request an extract of all of their missing and unidentified persons data contained in NCIC. Upon receipt of the resulting data extract, the requesting agency would then be responsible for entering the provided data into NamUs. However, this solution to share information does not address the inefficiencies created by the lack of an automated mechanism, as it requires additional work on the part of responsible officials and results in the potential for duplication.

We have previously reported that when fragmentation or overlap exists, there may be opportunities to increase efficiency.³¹ In particular, our prior work identified management approaches that may improve efficiency, including implementing process improvement methods and technology improvements while documenting such efforts to help ensure operations are carried out as intended.³² Additionally, we have reported that federal agencies have hundreds of incompatible information-technology networks and systems that hinder governmentwide sharing of information and, as a result, information technology solutions can be identified to help increase the efficiency and effectiveness of these systems.³³

³¹In 2010, Congress directed us to identify programs, agencies, offices, and initiatives with duplicative goals and activities within departments and government-wide and report to Congress annually. For more information on GAO's work on fragmentation, overlap, and duplication in the federal government, see the most recent annual report, GAO, *2016 Annual Report: Additional Opportunities to Reduce Fragmentation, Overlap, and Duplication and Achieve Other Financial Benefits*, [GAO-16-375SP](#) (Washington, D.C.: Apr. 13, 2016).

³²GAO, *Streamlining Government: Opportunities Exist to Strengthen OMB's Approach to Improving Efficiency*, [GAO-10-394](#) (Washington, D.C.: May 7, 2010), and [GAO-14-704G](#).

³³GAO, *Streamlining Government: Questions to Consider When Evaluating Proposals to Consolidate Physical Infrastructure and Management Functions*, [GAO-12-542](#) (Washington, D.C.: May 23, 2012).

According to CJIS officials, the most significant limiting factors to a systematic sharing of information mechanism between NCIC and NamUs are that (1) access to NCIC is restricted to authorized users, (2) NamUs has not been granted specific access to NCIC by law, and (3) NamUs has a public interface.³⁴ Because NamUs lacks specific statutory authority to access NCIC and the public is prohibited from accessing NCIC data, CJIS officials stated that fully exchanging data with NamUs would constitute an unauthorized dissemination of NCIC information.³⁵ As a result, these officials stated that the CJIS Advisory Policy Board determined that NCIC could not be fully connected to NamUs. While there are statutory limitations regarding direct access to NCIC, there may be options to better share information that are technically and legally feasible. Thus, opportunities may exist within the current statutory framework to address fragmentation and overlap between the two systems.

Our review of the data elements required by each system indicates a high degree of commonality between the data that can be collected by NCIC and NamUs, which could help facilitate the sharing of information. Specifically, 12 of the 15 data fields required by NamUs for a missing persons case and 12 of the 14 data fields required by NamUs for an unidentified persons case are also present in NCIC. Further, stakeholders we interviewed from three states offered a variety of solutions to address the fragmentation and overlap between NCIC and NamUs. For example,

- A law enforcement official in one state noted that a notification alert could be added to NCIC to inform users when related case data was also present in NamUs.
- Another official stated that a query process that allowed authorized users to search information from both systems simultaneously would be helpful in minimizing the need to regularly check both systems. According to CJIS officials, a joint search function would likely require the systems to be fully integrated; however, CJIS officials noted that they had not formally evaluated the option because they believe it is currently precluded by federal law. While full integration of the two

³⁴NIJ officials noted other factors, including the technical challenges associated with sharing data across platforms that had been developed many years apart.

³⁵As mentioned previously, NamUs officials are employees of UNTCHI, which is classified as a criminal justice agency under Tex. Code Crim. Proc. Ann. art. 63.0515 and has been granted an ORI number.

systems may be precluded, a joint search function may not equate to full integration. Authorized users with access to both systems could benefit from the efficiencies of such a search function. However, DOJ will not know whether this type of function could be technically or legally feasible until it evaluates the option. Implementing mechanisms to share information without fully integrating the systems could help improve the efficiency of efforts to solve long-term missing and unidentified persons cases using NCIC and NamUs.

- Officials in another state suggested that a single data entry point could be used to populate both NCIC and NamUs to minimize duplicate data entry. This solution to share information has also been put forward as a requirement in several bills that have been introduced in Congress since 2009.³⁶ In 2010, DOJ undertook an effort in response to the requirement in proposed legislation to determine whether it would be technically possible for a check box to be added to NCIC that would allow users to indicate that they would like the case information to be automatically entered into NamUs as well. According to CJIS officials, this type of check box is already in use for other NCIC files, which means it could be technically feasible for the missing and unidentified persons files. However, according to CJIS officials, this system change was not pursued for the missing and unidentified persons files because the proposed legislation did not pass, and consequently there was no legal requirement that CJIS implement this mechanism to share information. Nevertheless, without evaluating this mechanism, DOJ will not know whether it is technically and legally feasible. As a result, DOJ may be missing an opportunity to share information between NCIC and NamUs that would better help users close their missing or unidentified persons cases.

Both NCIC and NamUs are in the early stages of upgrading their systems; however, neither effort includes plans to improve sharing information between these systems. These ongoing upgrade processes provide DOJ with an opportunity to evaluate and document the technical and legal feasibility of options to improve sharing NCIC and NamUs missing and unidentified persons information, and to integrate appropriate changes, if any, into the next versions of the systems.

³⁶The earliest version of the bill, H.R. 3695, passed the House in 2010, and had no further action. Identical bills in the House and Senate are currently being considered and were referred to committee in September 2015.

According to NIJ officials, the discovery phase of the NamUs upgrade to NamUs 2.0 has been completed, and officials have developed a prioritized list of 793 items that they would like to include in the upgrade. The feasibility of each item and timelines for implementation will be determined in an iterative process based on time and funding considerations. According to the officials, the highest priority items are related to enhancing the existing capabilities of NamUs to make them more efficient and user-friendly. Our review of the prioritization document does not indicate that efforts to improve sharing of information with NCIC are included in the ongoing upgrade. NIJ officials stated that their goal for the upgrade is to share data more easily with a variety of state and local systems.

According to CJIS officials, the upgrade process for NCIC began in 2014, with a canvas of 500 state, local, tribal, and federal NCIC users to identify the type of functionality users would like to see included in an updated system. The officials said that this process yielded more than 5,500 recommendations related to all 21 files contained in NCIC.³⁷ CJIS officials did not specify how many recommendations were related to the missing and unidentified persons files, but did note that they received some feedback related to improving the ability to share data with NamUs. Based on the user canvas, CJIS developed a high-level concept paper that will be discussed at the Advisory Policy Board's June 2016 meeting. Following Advisory Policy Board approval, CJIS will begin the development process, including identifying specific tasks. CJIS officials explained that because of the uncertainty regarding approval, and the way in which the upgrade development process will be structured, there are no specific timeframes available related to the update. The officials stated it will likely be several years before there are any deliverables associated with the effort.

While we understand there are statutory restrictions regarding access to NCIC that must be adhered to, and we recognize that stakeholders may use NCIC and NamUs in distinct ways, DOJ has opportunities to explore available options that could potentially allow for more efficient use of information on missing and unidentified persons by reducing fragmentation and overlap. Without evaluating the technical and legal

³⁷Fourteen of these files are persons files, including the National Sex Offender Registry; Foreign Fugitives; Gangs; and Known or Suspected Terrorists, to name a few. Seven of the files are property files containing records on items like stolen boats, guns, and vehicles.

feasibility of options for sharing information, documenting the results of the evaluation, and, as appropriate, implementing one or more of these options, potential inefficiencies will persist. As a result, users who do not have access to information from both systems may continue to miss vital case information.

Conclusions

Every year, more than 600,000 people are reported missing, and hundreds of sets of human remains go unidentified. Solving thousands of long-term missing and unidentified persons cases requires the coordinated use of case data contained in national databases, such as NCIC and NamUs. However, because no mechanism exists to share information between these systems, the fragmented and overlapping nature of the systems leads to inefficiencies in solving cases. Although there are statutory differences between the systems, there are potential options for sharing information—such as a notification to inform NCIC users if related case data were present in NamUs—that could reduce inefficiencies between NCIC and NamUs within the existing legal framework. The ongoing upgrade processes for both systems provide DOJ with the opportunity to evaluate the technical and legal feasibility of various options, document the results, and incorporate feasible options, as appropriate. Without doing so, and without subsequently implementing options determined to be appropriate during the next cycle of system upgrades, potential inefficiencies will persist and users who do not have access to information from both systems may be missing vital information that could be used to solve cases.

Recommendation for Executive Action

To allow for more efficient use of data on missing and unidentified persons contained in the NCIC's Missing Persons and Unidentified Persons files and NamUs, the Directors of the FBI and NIJ should evaluate the feasibility of sharing certain information among authorized users, document the results of this evaluation, and incorporate, as appropriate, legally and technically feasible options for sharing the information.

Agency Comments and Our Evaluation

We provided a draft of this product to DOJ for review and comment. On May 13, 2016, an official with DOJ's Justice Management Division sent us an email stating that DOJ disagreed with our recommendation, because DOJ believes it does not have the legal authority to fulfill the corrective action as described in the proposed recommendation. Specifically, DOJ stated that NamUs does not qualify, under federal law, for access to NCIC and is not an authorized user to receive NCIC data. Therefore, DOJ

does not believe there is value in evaluating the technical feasibility of integrating NamUs and NCIC.

As stated throughout this report, we understand the legal framework placed on NCIC and that it may be restricted from fully integrating with a public database. However, this statutory restriction does not preclude DOJ from exploring options to more efficiently share information within the confines of the current legal framework. Moreover, our recommendation is not about the technical feasibility of integrating NCIC and NamUs but about studying whether there are both technically and legally feasible options for better sharing long-term missing and unidentified persons information. We continue to believe that there may be mechanisms for better sharing this information—such as a notification alert in NCIC to inform users when related case data is also present in NamUs—that would comply with the legal restrictions. However, until DOJ studies whether such feasible mechanisms exist, it will be unable to make this determination. Without evaluating the technical and legal feasibility of options for sharing information, DOJ risks continued inefficiencies through fragmentation and overlap. Moreover, authorized users who do not have automated or timesaving access to information from both systems may continue to miss critical information that would help solve these cases.

DOJ also provided technical comments, which we incorporated as appropriate.

We are sending copies of this report to the appropriate congressional committees, the Attorney General of the United States, and other interested parties. In addition, the report is available at no charge on the GAO website at <http://www.gao.gov>.

If you or your staff have any questions about this report, please contact me at (202) 512-9627 or maurerd@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix III.

A handwritten signature in black ink that reads "Diana Maurer". The signature is written in a cursive, flowing style.

Diana C. Maurer
Director
Homeland Security and Justice

Appendix I: Objectives, Scope, and Methodology

In response to Senate Report 113-181 (accompanying the Consolidated and Further Continuing Appropriations Act of 2015) this report addresses the following objectives:¹

1. Describe access to and use of missing and unidentified persons information contained in the National Crime Information Center (NCIC) and the National Missing and Unidentified Persons System (NamUs).
2. To what extent do opportunities exist to improve the use of missing and unidentified persons information contained in NCIC and NamUs?

To describe the access to and use of missing and unidentified persons information contained in NCIC and NamUs, we reviewed and compared NCIC and NamUs operating and policy manuals and data entry guides. In addition, we observed access to and use of missing and unidentified persons information in NamUs. To corroborate information above, we conducted interviews with officials who access and use NCIC and NamUs, including state criminal justice agencies, state and local law enforcement agencies (LEA), medical examiners, and coroners.

To determine the extent to which opportunities exist to improve the use of missing and unidentified persons information using NCIC and NamUs, we analyzed summary level case data by state for each system for fiscal year 2015. Because of statutory limitations on access to criminal justice information contained in NCIC we did not assess record level case data from either NCIC or NamUs.² However, we compared NCIC summary level data to NamUs summary level data, and found it sufficient for demonstrating the extent to which information contained in the two systems is similar or different. We assessed the reliability of the data

¹Pub. L. No. 113-235, 128 Stat. 2130 (2014).

²To gain access to NCIC, an agency must have authorization under federal law and obtain an Originating Agency Identifier (ORI). Under 28 U.S.C. § 534(a)(4), the Attorney General is authorized to exchange the records in NCIC “with, and for the official use of, authorized officials of the Federal Government, including the United States Sentencing Commission, the States, including State sentencing commissions, Indian tribes, cities, and penal and other institutions.” In general, to be authorized under federal law for full access to NCIC, an agency must be a governmental agency that meets the definition of a criminal justice agency (CJA). A CJA is defined as a court, a governmental agency, or any subunit of a governmental agency which performs the administration of criminal justice. The administration of criminal justice is defined as the performance of activities such as detection, apprehension, or prosecution of accused persons or criminal offenders or the management of criminal history record information. 28 C.F.R. § 20.3.

contained in NCIC and NamUs by, among other things, reviewing database operating manuals and quality assurance protocols, and by interviewing officials responsible for managing the systems. We found the data to be reliable for our purposes.

We also reviewed and compared NCIC and NamUs operating manuals and data entry guides to determine the comparability of minimum data requirements for record entry, individual data elements in each system, and their definitions. Our review of these documents allowed us to identify details about the purpose and design of each system that may support or preclude data sharing. In addition, we reviewed past and current CJIS and NIJ plans related to sharing information between NCIC and NamUs. We reviewed laws, policies, and information associated with reporting and sharing information on missing and unidentified persons, to include information about the types of users that can access or enter information into each system within three categories: (1) LEA, (2) non-LEA criminal justice agency (CJA)—such as a court; and (3) medicolegal investigator—such as a coroner. We assessed this information against *Standards for Internal Control in the Federal Government* and GAO’s evaluation and management guide for fragmentation, overlap, and duplication.³

NCIC and NamUs assign user access differently, with NCIC assigning access at the agency level, while NamUs provides access directly to individuals. Because of this, for the purposes of comparing NCIC and NamUs users, we consolidated information from NamUs for non-public users into their relevant agencies so as not to overstate the number of NamUs users as compared to NCIC. However, there are some limitations associated with this effort. For example, for a city-wide LEA such as the New York City Police Department, NCIC assigns Originating Agency Identifiers (ORI) numbers to each office within that particular agency, as the ORI number is used to indicate the LEA office directly responsible for a given NCIC record entry. When individuals register for NamUs, they may or may not provide the same level of detail regarding their specific office within a greater LEA, which means we may count an agency once for NamUs, even though that agency likely has multiple ORIs associated with it for NCIC. Further, because of the way user permissions are determined in NamUs, some LEAs with DNA or forensic specialists may also be included in the medicolegal investigator category, whereas they

³GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#), (Washington, D.C.: Sept. 10, 2014), and *Fragmentation, Overlap, and Duplication: An Evaluation and Management Guide*, [GAO-15-49SP](#) (Washington, D.C.: Apr. 14, 2015).

are likely to use only a single LEA ORI in NCIC. To address these limitations, this report presents information about both the number and type of individual users registered with NamUs, as well as the number and type of agencies that these users represent.

To corroborate information above, and to obtain more in-depth perspectives about the extent to which opportunities exist to improve the collection and use of missing and unidentified persons information, we conducted interviews. Specifically, we interviewed Department of Justice (DOJ) officials, relevant stakeholders from selected states, and officials from nongovernmental agencies, in part to learn about past and current efforts to share information between NCIC and NamUs. In addition, we selected Arizona, California, and New York to include in this review, based in part on their respective state laws and policies associated with missing and unidentified persons, as well as the number of cases reported to each database for fiscal year 2015. Specifically, after identifying the 10 states that reported the highest number of cases to both NCIC and NamUs, we then compared four characteristics of state laws and policies related to reporting missing and unidentified persons. These included whether the state law specified (1) required reporting to NCIC, NamUs, or other federal databases; (2) reporting requirements for specific populations; (3) a timeframe for reporting missing persons cases; and (4) a timeframe for reporting unidentified remains. We chose Arizona, California, and New York to provide illustrative examples of different types of state laws. Table 1 provides a high-level comparison of the reporting laws for each state we reviewed.

Table 1: Comparison of State Laws Relating to Reporting Missing and Unidentified Persons to National Crime Information Center (NCIC) and the National Missing and Unidentified Persons System (NamUs)

State	Citation of State Law(s) Associated with Missing and Unidentified Persons	Does state law specifically mention reporting requirements to NCIC, NamUs, or other federal database(s)?	Does state law specify who is affected by reporting requirements?	Does state law specify a timeframe for reporting missing persons?	Does state law specify a timeframe for reporting unidentified remains?
AZ	Ariz. Rev. Stat. Ann. §§ 8-810; 15-829.	State law requires reporting to NCIC only.	Only missing children under 21 are required to be reported to state databases and NCIC ^a	Missing children under 21 should be reported “immediately” ^b	No
CA	Cal. Penal Code §§ 14204-14216; Cal. Gov. Code § 27521.	State law requires reporting to NCIC and that missing and unidentified persons information be shared with NamUs.	All “at-risk” missing persons and all unidentified remains are required to be reported to state databases and NCIC ^c	All “at-risk” missing persons should be reported within 2 hours	Yes, unidentified remains reports must be sent to the state Department of Justice within 6 months
NY	N.Y. Exec. Law §§ 837-e to 838; N.Y. Comp. Codes R. & Regs. tit. 9, §§ 6055.1-6055.7.	State law requires reporting to NCIC only.	All “vulnerable” missing adults, and children under 21, and all unidentified remains ^d	Missing children under 21 should be reported “without delay” ^b	No

Source: GAO analysis of state laws. | GAO-16-515

^aA “missing child” is defined as a person under 18 years of age by state statute. Ariz. Rev. Stat. Ann. § 15-829. However, state NCIC policy requires reporting of all missing children under the age of 21, rather than age 18.

^bAlthough the state statute does not specify the 2 hour timeframe required under federal law for reporting to NCIC, state policy requires reporting within 2 hours in compliance with this federal requirement.

^cUnder California law, a missing adult is “at risk” if there is evidence that, or indications that the person missing: (1) is the victim of a crime of foul play; (2) is in need of medical attention; (3) has no pattern of running away or disappearing; (4) may be the victim of parental abduction; (5) is mentally impaired. Cal. Penal Code. § 14215(b).

^dNew York law defines a “vulnerable adult” as “an individual eighteen years of age or older who has a cognitive impairment, mental disability, or brain disorder and whose disappearance has been determined by law enforcement to pose a creditable threat of harm to such missing individual.” N.Y. Exec. Law § 837-f-1(1)(a).

We then selected a nongeneralizeable sample of relevant stakeholders from each state to interview. Specifically, we interviewed relevant stakeholders in 3 state criminal justice agencies, 4 state and local LEAs, 2 medical examiner offices, and 1 coroner office. Although the views expressed from these interviews cannot be generalized to each state, they provide valuable insights about the types of experiences different stakeholder groups experience in states with varied reporting requirements. We also reviewed state documents associated with the data systems used by each state to report missing and unidentified persons information to NCIC.

We conducted this performance audit from September 2015 to April 2016 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Appendix II: Comparison of Fragmentation and Overlap in Key Characteristics of the National Crime Information Center (NCIC) and National Missing and Unidentified Persons System (NamUs)

	Purpose	Records	Registered Users	Data Validation Efforts ^a
NCIC ^b	Contains information to locate missing persons and identify unidentified persons, among other things, for related to criminal investigations	83,334 Active Missing Persons 8,389 Active Unidentified Persons ^c	117,955 federal, state, and local law enforcement, non-law enforcement criminal justice agencies, and medical examiner/coroner agencies have been granted access as of February 2016 ^d	Triennial Criminal Justice Information Services (CJIS) audits of a sample of missing persons records and local law enforcement agencies
NamUs ^b	Contains information and forensic resources to help solve long-term missing and unidentified persons cases	13,810 Active Missing Persons 11,117 Active Unidentified Persons ^e	3,564 registered public users and 3,368 authorized law enforcement, non-law enforcement criminal justice agencies, and medical examiner/coroner users may access missing persons information as of November 2015 2,194 registered public users and 2,002 authorized law enforcement, non-law enforcement criminal justice agencies, and medical examiner/coroner users may access unidentified persons information as of November 2015	Regional system administrators validate every case and publish only cases with a verified NCIC or law enforcement case number

Source: GAO analysis of Department of Justice data. | GAO-16-515

^aData validation efforts are to ensure the completeness and reliability of missing and unidentified persons data.

^bInformation in this table is specific to NCIC's Missing and Unidentified Persons Files and NamUs's Missing and Unidentified Persons Databases.

^cTotals through February 29, 2016.

^dTo be authorized under federal law to obtain access to NCIC, an agency must meet the definition of "criminal justice agency" as defined in 28 C.F.R. § 20.3. Although there are some exceptions, medical examiners' and coroners' offices will generally not meet this definition because these offices do not perform the "administration of criminal justice" duties.

^eTotals through March 1, 2016.

INFORMATION TO BE INCLUDED AS AN INTERACTIVE PART OF ABOVE

Appendix II: Comparison of Fragmentation and Overlap in Key Characteristics of the National Crime Information Center (NCIC) and National Missing and Unidentified Persons System (NamUs)

	Purpose	Records	Registered Users	Data Validation Efforts^a
Overlap, with Risk of Duplication	Both systems contain data designed to be used to solve long-term missing and unidentified persons cases.		Registered users of both systems must populate one system with missing and unidentified persons cases and then go through the process again to enter the same data in the second system. To utilize information from either system, registered users must go through an inefficient process of accessing and searching each system separately, and then manually comparing results.	NamUs Regional System Administrators (RSA) check NCIC as part of the NamUs validation process. In fiscal year 2015, RSAs requested and manually reviewed NCIC records for at least 22,000 missing persons and 4,532 unidentified persons cases.
Fragmentation	N/A	NCIC contains significantly more missing persons cases than NamUs, while NamUs contains more unidentified persons cases, limiting the usefulness of either system. Specifically, in fiscal year 2015, 3,170 missing persons cases were reported to NamUs, while 84,401 long-term cases were reported to NCIC during the same time period. In contrast, 1,205 unidentified persons cases were reported to NamUs in fiscal year 2015, while 830 cases were reported to NCIC.	Less than 0.1 percent of registered NCIC users are medical examiner or coroner offices, while approximately 18 percent of the agencies with at least one registered NamUs user are considered part of the medicolegal field. Additionally, many missing persons cases are initially reported in NamUs by members of the public who do not have access to NCIC. Consequently, potentially valuable information on missing persons cases may not be getting to all those who need it.	N/A

Source: GAO analysis of Department of Justice data. | GAO-16-515

Appendix III: GAO Contact and Staff Acknowledgments

GAO Contact

Diana C. Maurer, (202) 512-9627 or maurerd@gao.gov.

Staff Acknowledgments

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