# ARC 0780D

# PUBLIC SAFETY DEPARTMENT[661]

**Adopted and Filed**

**Rulemaking related to missing persons**

The Department of Public Safety hereby rescinds Chapter 89, "Missing Persons," Iowa Administrative Code, and adopts a new Chapter 89 with the same title.

*Legal Authority for Rulemaking*

This rulemaking is adopted under the authority provided in Iowa Code sections 80H.6 and 694.10.

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code chapters 80H and 694.

*Purpose and Summary*

Pursuant to Executive Order 10, the Department is rescinding Chapter 89 and adopting a new chapter in lieu thereof. The chapter outlines the duties of and program information for the Missing Person Information Clearinghouse (MPIC) within the Iowa Division of Criminal Investigation and provides criteria and activation/termination procedures for Iowa AMBER Alerts and Blue Alerts.

*Public Comment and Changes to Rulemaking*

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on September 2, 2026, as **ARC 0532D**. A public hearing was held on the following date(s):

- September 22, 2026
- September 23, 2026

No one attended the public hearings. No public comments were received.

The following changes from the Notice have been made as a result of the Department's recently updated MPIC website processes that were not originally contemplated in the Notice. The Department also identified additional outdated language and made updates to reflect current practices and terminology.

1. "Iowa state patrol communications" was replaced with "the department" in subrules 89.201(1), 89.202(1), and 89.202(6) and rule 661—89.302(80H).
2. In subrules 89.202(3) and 89.304(3), "emergency alert system (EAS) to Iowa broadcasters" was replaced with "Integrated Public Alert and Warning System" to reflect current technology.
3. References to facsimile transmission in subrules 89.202(2), 89.202(3), 89.304(2), and 89.304(5) were removed.
4. The State of Iowa AMBER Alert Notification Plan Facsimile Transmission Packet was replaced with Iowa AMBER Alert Activation Request Form in subrules 89.202(2) and 89.304(2).
5. In rule 661—89.203(694), "missing person alert or a missing child" was replaced with "an endangered persons advisory."

*Adoption of Rulemaking*

This rulemaking was adopted by the Department on November 4, 2026.

*Fiscal Impact*

This rulemaking has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rulemaking, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rulemaking will become effective on December 30, 2026.

The following rulemaking action is adopted:

ITEM 1. Rescind 661—Chapter 89 and adopt the following **new** chapter in lieu thereof:

CHAPTER 89
MISSING PERSONS

**661—89.1** to **89.99** Reserved.

DIVISION I
MISSING PERSON INFORMATION CLEARINGHOUSE

**661—89.100(694) Missing person information clearinghouse.** The missing person information clearinghouse is established in the division of criminal investigation to provide the services identified in Iowa Code section 694.10.

**661—89.101(694) Administration of missing person information clearinghouse.** The division of criminal investigation administers the missing person information clearinghouse, and all questions, comments, or requests for, or submission of, information should be directed to the clearinghouse at the division of criminal investigation. Inquiries by mail should be addressed to Missing Person Information Clearinghouse, Division of Criminal Investigation, Iowa Department of Public Safety, State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa 50319. Inquiries by email should be addressed to mpicinfo@dps.state.ia.us.

**661—89.102(694) Definitions.** The following definitions apply to rules 661—89.100(694) through 661—89.106(694).

*"Approved"* means having met the criteria set forth by the department.

*"Clearinghouse"* means the missing person information clearinghouse in the division of criminal investigation of the department.

*"Commissioner"* means the commissioner of the department or the commissioner's authorized designee.

*"Department"* means the Iowa department of public safety.

*"Missing person"* means the same as defined in Iowa Code section 694.1.

*"Missing person report"* means a report filed by a law enforcement agency or a private individual with the clearinghouse on a missing person report form.

*"Missing person report form"* means a form designated by the department for use by private citizens and law enforcement agencies to report missing person information to the clearinghouse. Law

enforcement agencies may use forms other than the form designated by the department to submit missing person information to the clearinghouse, provided that all of the information requested on the designated form is provided.

*"Prevention and education materials"* means those materials that are designed to aid in the prevention of child abduction and to address risks of the exploitation of missing children and that are used in conjunction with a prevention and education program.

*"Prevention and education programs"* means those programs that have as their primary purpose the prevention of child abduction and of the exploitation of missing children.

*"Programs and materials registry"* or *"registry"* means a list of prevention and education materials and programs approved by the department.

**661—89.103(694) Program information.**

**89.103(1)** A toll-free telephone line (1.800.346.5507) is available 24 hours a day, seven days a week, to collect and disseminate information concerning missing persons in Iowa.

**89.103(2)** Current information on Iowa missing persons, including photographs when available, is available on the website of the clearinghouse at missingpersons.iowa.gov.

**89.103(3)** After filing a complaint of a missing person with a law enforcement agency, the person filing the complaint may submit information to the clearinghouse on a missing person report form, which may be obtained from the clearinghouse or any law enforcement agency.

**89.103(4)** After a missing person complaint has been filed with a law enforcement agency, any person may submit information on a missing person report form to the clearinghouse.

**661—89.104(694) Prevention and education programs and materials.**

**89.104(1)** The clearinghouse shall maintain a registry of approved prevention and education programs and materials regarding missing and runaway children.

**89.104(2)** Any person or group wishing to submit prevention and education programs and materials for approval and inclusion in the registry may contact the clearinghouse in order to request information on submitting prevention and education programs and materials for approval.

**89.104(3)** The clearinghouse shall consider prevention and education programs and materials submitted for approval only upon receipt by the clearinghouse of all specified materials. Any modification to approved programs or materials require approval. No prevention and education programs or materials may be represented as having been approved by the clearinghouse or the department unless they have been approved and placed on the registry. Prevention and education programs and materials that have been approved by the National Center for Missing and Exploited Children are deemed to be approved by the department.

**89.104(4)** Prevention or education programs or materials may be rejected if it is determined that materials utilized or content of the program is other than that which was submitted to the clearinghouse for approval, or if it is determined that information provided in previously approved prevention and education programs and materials is outdated or misleading. Prevention or education programs or materials for which approval has been withdrawn by the clearinghouse will be removed from the registry.

**89.104(5)** If prevention or education programs or materials submitted to the clearinghouse are rejected or removed from the registry, the person or group that submitted the programs or materials may appeal the rejection or removal to the commissioner within 30 days of the date on which the clearinghouse notified the person or group of the rejection or removal. A proceeding arising from this rule shall be a contested case and shall be subject to 7—Chapter 2506.

**89.104(6)** Any individual may file a complaint with the clearinghouse regarding prevention and education programs and materials on the registry. Complaints shall be directed to the clearinghouse in writing.

**661—89.105(694) Release of information.** Prevention and education materials and program information filed with the clearinghouse for review are open records. Information received by the

department that pertains to a missing person, other than criminal investigative data, shall be open records unless deemed confidential pursuant to Iowa Code chapter 22, 692 or 694 or other provision of law.

**661—89.106(694) Dissemination.**

**89.106(1)** The clearinghouse shall distribute missing person information that contains the names, photographs, descriptions, and information related to the events surrounding the disappearance of missing persons through publication on the clearinghouse website. The law enforcement agency or person to contact if a missing person is located and the names of all located missing persons will be included in the information shown on the website.

**89.106(2)** Each week the clearinghouse shall produce, update, and publish public service announcements on the clearinghouse website. A media outlet may request to receive the weekly public service announcement by email by subscribing to the email notification service available through the department website.

**661—89.107** to **89.199** Reserved.

DIVISION II
AMBER ALERT PROGRAM

**661—89.200(694) AMBER alert program.** The AMBER alert program is a cooperative effort of the department, the department of transportation, the lottery authority, the Iowa association of broadcasters, the Iowa state association of sheriffs and deputies, local law enforcement agencies, and the national weather service.

**661—89.201(694) Criteria.**

**89.201(1)** An AMBER alert shall be issued by the department upon receipt of a request from a law enforcement agency, provided that the following criteria for issuance of an AMBER alert are met:

*a.* Law enforcement has confirmed that a person has been abducted, and an entry has been made into the Iowa On-line Warrants and Articles (IOWA) System identifying the person as missing.

*b.* The person who has been abducted is under the age of 18.

*c.* Law enforcement believes the circumstances surrounding the abduction indicate that the child is in danger of serious bodily injury or death.

*d.* There is enough descriptive information about the child, abductor, or suspect's vehicle to believe that an immediate broadcast alert will help.

**89.201(2)** The criteria should be interpreted broadly so as to protect the safety of the abducted child and to maintain the integrity of the AMBER alert program and criteria.

**661—89.202(694) Activation procedures.**

**89.202(1)** An Iowa AMBER alert shall be issued by the department upon receipt of a request from a participating law enforcement agency, provided that the criteria established in rule 661—89.201(694) are met.

**89.202(2)** In order to initiate an Iowa AMBER alert, a law enforcement agency shall submit a completed copy of the Iowa AMBER Alert Activation Request Form to the Des Moines station of Iowa state patrol communications. If transmission to the Des Moines station is not feasible, transmission may be made to the Cedar Rapids station of Iowa state patrol communications.

**89.202(3)** Upon receipt by Iowa state patrol communications of a completed activation packet and if the AMBER alert criteria established in rule 661—89.201(694) are met, an AMBER alert shall be transmitted via the Integrated Public Alert and Warning System.

**89.202(4)** After initiation of an AMBER alert, additional information may be submitted by the participating law enforcement agency by facsimile transmission, email, or telephone.

**89.202(5)** After initiation of an AMBER alert, available information shall be posted on the Iowa AMBER alert website at www.iowaamberalert.org.

**89.202(6)** The department may direct the issuance of an Iowa AMBER alert, upon receiving a request to do so from another state in which an AMBER alert has been issued, provided that there is evidence that the abductor may be traveling with the abducted child to or through Iowa.

**89.202(7)** An Iowa AMBER alert shall terminate if the child who was abducted is located or if five hours have elapsed since the initiation of the alert. An alert may be renewed.

**89.202(8)** If an Iowa AMBER alert is requested and if the circumstances indicate that a person is missing, the information shall be transmitted promptly to the Iowa missing person information clearinghouse.

**661—89.203(694) Alternative alert if criteria are not satisfied.** If an AMBER alert has been requested and the criteria established in rule 661—89.201(694) are not satisfied, the department may issue an endangered persons advisory.

These rules are intended to implement Iowa Code chapter 694.

**661—89.204** to **89.299** Reserved.

DIVISION III
BLUE ALERT PROGRAM

**661—89.300(80H) Blue alert program.** This chapter implements the Iowa blue alert program.

**661—89.301(80H) Definitions.** The definitions in Iowa Code section 80H.1 are adopted and incorporated herein. In addition:

*"In the line of duty"* or *"on duty"* means the peace officer is working within the scope of a peace officer, or there is evidence the death or serious injury of the peace officer or the fact the peace officer is missing is related to the peace officer's actions within the scope of a law enforcement officer.

*"Serious injury"* means the same as defined in Iowa Code section 702.18.

**661—89.302(80H) Criteria for alert for officer injury or death or for missing officer.** A blue alert shall be issued by the department upon receipt of a request from a law enforcement agency, provided the criteria in Iowa Code section 80H.3 are met.

**661—89.303(80H) Alternative alert if criteria are not satisfied.** If a blue alert has been requested and the criteria established in Iowa Code chapter 80H are not satisfied, the department may broadcast identifying information of the suspect, issue a missing person alert, or both.

**661—89.304(80H) Activation procedures.**

**89.304(1)** An Iowa blue alert shall be issued by department communications upon receipt of a request from a participating law enforcement agency, provided the criteria established in Iowa Code chapter 80H are met.

**89.304(2)** In order to initiate an Iowa blue alert, a law enforcement agency shall submit a completed copy of the Iowa Blue Alert Activation Request Form to the Des Moines station of department communications. If transmission to the Des Moines station is not feasible, transmission may be made to the Cedar Rapids station of department communications.

**89.304(3)** Upon establishment of the blue alert criteria established in Iowa Code section 80H.3, the department shall transmit a blue alert through the Integrated Public Alert and Warning System.

**89.304(4)** Upon the transmission of a blue alert, the department shall post the alert on its website, which is accessible by the public at dps.iowa.gov.

**89.304(5)** After an initial blue alert transmission, additional information may be submitted by the participating law enforcement agency.

**89.304(6)** The department may direct the transmission of an Iowa blue alert upon request from another state, provided that there is evidence the suspect may be present in Iowa.

**89.304(7)** The blue alert transmission may be directed to a specific geographic location within the state if the department communications bureau determines that the nature of the event makes it probable that the suspect or peace officer did not leave a certain geographic location of the state.

These rules are intended to implement Iowa Code chapter 80H.

[Filed 11/4/26, effective 12/30/26]
[Published 11/25/26]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 11/25/26.