

February 12, 2025

Greetings.

I submit this testimony on HB 2668 as a private citizen who is interested in good governance and precision in the legislative process.

I oppose HB 2668 as currently drafted because its scope is too broad.

Section 2(2) of the draft bill defines “private search party” to include any person who “participates *** in an effort to locate a missing person,” if that person is not acting as a qualified search and rescue (SAR) volunteer and is not an agent of a public body with SAR responsibilities. That is, a “private search party” is *any* private individual (not SAR qualified) who engages in an effort to locate a missing person.

Section 3 of the draft bill would prohibit such a person from “engaging in efforts to locate a missing person” unless the person has given advance notice to the missing person’s family and to the local sheriff that the person will be engaging in such efforts. Section 3(1), Section 4(1).

As drafted, those provisions are so broad that they would prohibit people from helping public-safety agencies find missing people – even when those agencies have sought the public’s help.

For example, the Washington County Sheriff’s Office issued a notice this morning about a missing person, seeking the public’s help in locating him:

“Deputies are seeking help locating [name], 82, of Tigard. [Name] was last seen on SW Pacific Highway (Hwy 99) near SW 68th Parkway at around 12:45 a.m. on February 12, 2025, heading towards Portland.

“[Name] is 5' 4" tall and about 145 pounds with hazel-colored eyes and bald. [Name] was last seen wearing a plaid-colored button-up shirt, blue jeans, and black and white shoes.

“[Name] has a cognitive condition that will disorient him, and he is severely underdressed for the freezing conditions.

“If you have seen [name] or have information on his whereabouts, please contact dispatch by calling 911.”

As currently drafted, HB 2668 would prohibit any non-SAR individual from “engaging in efforts” to locate that missing, cognitively impaired person.

That is, under the draft bill, a non-SAR individual would be prohibited from taking a few minutes (or hours) to drive through the area where the missing person was last seen, hoping to find him (unless the person gave the required advance notice – including 72 hours notice to the sheriff). The draft bill could be read even to prohibit non-SAR commuters from making an “effort[] to locate [the] missing person” by carefully looking at all pedestrians they see near Highway 99 as they drive to work, to see if any meet the description of the missing man.

I doubt the bill’s drafters intend for the law to sweep so broadly. And the breadth of the bill – particularly the requirement that a non-SAR individual give the sheriff 72 hours notice before engaging in any “efforts to locate a missing person” – raises additional questions.

- Suppose a parent’s child goes missing. The parent asks neighbors to help find the child. Must those neighbors decline to help until they have given the required notice?
- Suppose people hiking in a group decide to split up and take different routes to their common destination. One person does not arrive when expected. May the companions of the missing hiker ask other people who they encounter on the trail to keep their eyes open for the missing person? Must those people decline until they have given the required notice?

I urge the supporters of HB 2668 to consider these questions and to narrow the bill so it does not prevent people from helping each other in these kinds of common situations.

Respectfully,

Erika Hadlock