

Grace Smolinski

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Sent: Thursday, April 05, 2007 8:02 PM
Subject: Emailing: The Orange Bulletin - New legislation could help with finding missing adults.htm

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During that visit, Nardello heard the troubling story

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New legislation could help with finding missing adults

By: Marilyn Moss, Special to the Bulletin
 04/05/2007

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The unacknowledged epidemic of missing adults and unidentified remains is "the nation's silent disaster," according to the National Institute of Justice. Although the country has arduously worked to develop protections for missing children, the same cannot be said about efforts expended for missing adults. Yet statistics suggest that the number of missing adults is alarming. Figures available from the National Center for Missing Adults reveal that by the end of 2005, 109,531 people were missing in this country; nearly 47percent of those were 18 years or older.

In general, methods used by law enforcement to investigate the circumstances surrounding missing adults are left to the discretion of the agency, or even the agent. In addition, education about new technologies and new resources is insufficient. The lack of any standardized protocol and the inadequate training of law enforcement agents leaves distraught families of missing people without much recourse.

Connecticut is poised to initiate changes that will aid in the efforts to find missing adults. Vickie Nardello, the state representative from Bethany, has introduced a measure to standardize the methods that law enforcement agencies use when an adult is reported missing. Nardello said, "We do everything for kids, but we really have very little in the state for adults."

Stephen Dargan, the state representative from West Haven, co-sponsored the bill with Nardello. He said, "We really haven't dealt with adults that have gone missing."

Nardello began working to pass legislation after meeting with Janice Smolinski, a Cheshire mother whose 31-year-old son disappeared in 2004. Nardello, herself the mother of a 29-year-old daughter, visited Smolinski at her Cheshire home. Nardello said, "This legislation came about over a cup of tea with Janice Smolinski - mother to mother."

During that visit, Nardello heard the troubling story about Smolinski's missing son, Billy Smolinski. Smolinski's son disappeared from his home in Waterbury 2 1/2 years ago, . Despite the family's concern, the Waterbury Police Department did not take the incident seriously. Smolinski said, "The police figured he was out and about."

By the time the police began any serious investigating, more than 10 days had passed. And the investigation that was conducted was flawed the mother said. At Smolinski's insistence, the police took DNA samples from the family. Smolinski said, "The police took our DNA, but they lost or misplaced our DNA three times. And no one knows what happened to the razor shavings they took from Billy's house."

Smolinski continued to urge the police to thoroughly investigate the case, but she became disenfranchised when she learned that none of the collected DNA was ever entered into CODIS or combined DNA index system. CODIS is a national database that compiles DNA evidence for missing persons and unidentified remains. DNA downloaded by law enforcement agencies can be matched against DNA entered elsewhere. This can potentially lead to the whereabouts of the missing person.

Smolinski was appalled that the police were not familiar with or chose not to use CODIS, or, for that matter, other systems used to help locate missing persons. Some of those resources, which are linked nationally, include: NCIC or National Crime Information Center, which compiles details about missing person cases; and IAFIS or the automated fingerprint identification system. In frustration and despair, Smolinski struck out on her own, attending conferences, making phone calls, talking to other affected families, and trying to raise awareness of the issues surrounding missing adults.

Smolinski is now involved in a national grass roots initiative, Campaign for the Missing, which strives for changes in the way missing adult cases are handled. Campaign for the Missing is presently focusing on implementing legislation in a number of states to codify methods for handling missing adults. During Smolinski's Connecticut efforts, she connected with Nardello.

Nardello, after talking with Smolinski, became concerned about the deficiencies in the system. She, along with Dargon, put forth House Bill 5273 to deal with missing adults. The proposal, modeled on New Jersey legislation, outlines specific protocols for handling missing adult cases.

Highlights of the bill include:

- * Law enforcement agencies accept reports of missing adults without delay Classify "high risk" cases
- * those with health issues or other impairments
- * those missing under suspicious conditions
- * those missing under unknown conditions
- * those missing for more than 30 days
- * LEA enter information, including DNA, into appropriate federal databases
- * LEA keep families informed
- * LEA educate families about national resources for missing adults
- * Commissioner of Public Safety distributes education/training for LEA
- * Unidentified remains cannot be cremated
- * Charge of criminal mischief in the second degree for interference with efforts

This last item seems odd, but an odd thing happened to the Smolinskis. The family, anxious for news about Billy Smolinski and getting little

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help from the Waterbury police, hung missing person posters in local towns, like Woodbridge.

Woodbridge was included because Billy Smolinski had been involved with a town resident, Madeline Gleason. According to the family, Gleason and Smolinski had broken up just days prior to his disappearance because of Gleason's ongoing involvement with another man, also a Woodbridge resident.

When the Smolinskis returned to Woodbridge, they found the posters missing or defaced. Subsequent investigation revealed that Gleason was responsible. Gleason admitted in a police incident report that she had torn down the posters and, according to the report, stated that "she will continue to tear them down if she sees them posted."

The friction between Gleason and the Smolinskis escalated and spun out of control. Eventually, Smolinski found herself under arrest by the Woodbridge police for criminal trespass in the first degree. Those charges were subsequently dismissed, but Smolinski now faces a harassment lawsuit filed by Gleason.

To this day, the Smolinskis continue to hang Billy Smolinski's posters, and those posters continue to be torn down. Janice Smolinski has pleaded for help, saying, "This shameful act cannot go on. I'm just trying to find my son." Nardello praised Smolinski's efforts, even in the face of such obstacles. Nardello said it was a privilege to work with someone like Smolinski, who pushed for actions to help other families of missing adults. Nardello said, "This won't help Billy, but at least Janice Smolinski worked on an effort so that no other parent would have to go through what she did."

Dargon said, "I know this is important legislation. I'm going to do everything I can to get this passed."

Nardello is optimistic about the bill's passage. She said, "While the Smolinski family has been through a terrible ordeal, their experience can serve as a catalyst for change that will benefit all of Connecticut's families."

The law is presently being reviewed by the Judiciary Committee of the state legislature. A public hearing was scheduled for April 4.

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