

36. MISSING PERSONS

(May 2007)

I. POLICY

Patrol officers are responsible for conducting preliminary investigations when individuals are reported missing. Reports of missing persons shall be taken immediately.

II. CHECKLIST (N/A) III. DEFINITIONS

Critical Missing Person: An individual missing under circumstances that indicate that he or she may be in danger

Lawful Custodian: An individual who is authorized to have custody of and exercise control over a child who is under 16 years of age; this includes an individual who is authorized by a court order (Maryland Family Law)

Missing Adult: *Per 42 USC 5779*, an individual who is 21 years of age or older
FOR MISSING PERSONS CASES ONLY

Missing Child: *Per 42 USC 5779*, an individual under the age of 21, including runaways, who is the subject of a missing person report filed with a law enforcement agency and whose whereabouts are unknown

FOR MISSING PERSONS CASES ONLY

Unidentified Child: *Family Law 9-401*, an individual under the age of 18, generally a smaller child, whose identity is unknown or cannot be determined with certainty; often located or found by someone before they are

officially reported missing to police

IV. FORMS

- Commander's Information Report (PGC Form #1545) Special Report (PGC Form #3530)

V. PROCEDURES

An employee receiving a missing person complaint shall interview the complainant to determine whether an officer should be dispatched to take a report. An officer shall be immediately dispatched to allegations of a critical missing person and juvenile abductions. When any doubt exists regarding police response, the employee shall contact a supervisor.

Officers shall take missing person reports in person. There is no specific age limit or time period that an individual must have been missing before initiating a report.

1. Officer's Responsibilities – All Missing Persons

A missing person report shall be taken for any:

- Individual missing from or last seen in the County
- Resident of another jurisdiction that is missing from a location in this County

The reporting officer shall:

- Personally contact the complainant and conduct a preliminary investigation

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- ❑ Upon confirmation, notify the sector supervisor to obtain a critical or noncritical classification
- ❑ Transmit an initial lookout for the individual and provide the dispatcher with additional information as it becomes available
- ❑ Obtain a photograph of all missing persons; place the CCN, name, and date of birth of the missing person on the back of the photograph and attach it to the Special Report; if a photograph is not available, note “NOT AVAILABLE” on the front of the Special Report where appropriate
- ❑ Contact the **Teletype Unit** via telephone within one hour to have the missing person entered into NCIC
- ❑ Complete a Special Report prior to the end of the watch; ensure that all notifications are recorded to include the notification to the **Teletype Unit**

If the missing person is classified as critical, the officer shall:

- ❑ Place “HOMICIDE” in the COPY TO block of the Special Report
- ❑ Fax a copy of the report to the Homicide Section prior to the end of his or her tour of duty
- ❑ Complete a Commander’s Information Report prior to the end of the watch

Additional Duties – Missing Child Cases

(Maryland Family Law, Section 9-402)

In all missing child cases, officers shall determine if the child:

- ❑ Participated in the Child Fingerprint Program. If so, obtain the fingerprint

- ❑ card from the legal guardian and submit it, along with a copy of the Special Report, to RAFIS via Departmental mail
- ❑ Has been the subject of a prior missing person report or a child abuse report
- ❑ Suffers from a mental or physical disability or illness
- ❑ Disappeared under suspicious circumstances
- ❑ May have been abducted
- ❑ Is less than 14 years of age

If any of the above conditions exist, the officer shall notify his or her supervisor. If none of the conditions exist, the officer shall transmit a copy of the Special Report to the District Investigative Section prior to the end of the watch.

Teletype Unit Responsibilities – Missing Child Cases

(42 USC 5779)

(Public Law 108-21 Sec.204 – Suzanne’s Law)

The **Teletype Unit** shall immediately enter information regarding each reported missing child under the age of 21 into NCIC.

Additional Duties – Missing Adult Cases

The officer shall have the reporting person sign the bottom of the narrative section of the Special Report for all adult missing person cases.

Supervisor’s Responsibilities

A supervisor shall classify all cases as critical or non-critical by evaluating the following factors:

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- ❑ Age of the missing person
- ❑ Physical and mental health of the missing person
- ❑ Repeated prior instances or absences by the missing person
- ❑ Unusual circumstances surrounding the absence of the missing person

Supervisors shall notify the shift commander, or in their absence another commissioned officer, when a missing person case is classified as critical.

Shift Commander's Responsibilities

Once the shift commander or other commissioned officer is notified of a critical missing person case, he or she shall assess the situation to determine the scope of the investigation and search.

Reporting Procedures

A supervisor shall review and approve the Special Report and, if applicable, the CIR. If the missing person is classified as critical, the supervisor shall ensure that the Special Report is faxed to the Homicide Section prior to the end of watch. A photocopy of the missing person's photograph shall be faxed along with the Special Report.

When fax equipment is not operational, the supervisor shall ensure that the Homicide Section is notified via telephone. The supervisor shall ensure that a copy of the Special Report is forwarded to the Homicide Section via Departmental mail prior to the end of watch.

2. Critical Missing Person – Field Procedures

On the scene of a critical missing person, the supervisor shall:

- ❑ Notify the shift commander
- ❑ Establish a command post and advise the dispatcher of its location
- ❑ Request additional personnel and equipment if needed
- ❑ Ensure that a thorough search is conducted, including the missing person's home
- ❑ Ensure that friends and relatives of the missing person are contacted to establish when the missing person was last seen or heard from
- ❑ Request a District Investigator
- For juvenile abductions or custody disputes, ensure that the Child and Vulnerable Adult Abuse Unit is notified
- ❑ For cases involving ransom demands, ensure that the Robbery Unit is notified
- ❑ For possible homicide cases, ensure that the Homicide Unit is contacted

The decision to end the search for a critical missing person will be made by a commissioned officer.

3. Follow-Up & Additional Information – All Missing Persons

If additional information regarding the missing person is obtained after the initial report is submitted, the reporting officer shall:

- ❑ Complete a Continuation Report prior to the end of watch
- ❑ Contact the Teletype Unit via phone

within one hour of receiving the information

This notification shall be documented on the Continuation Report with the date, time, and name and ID# of the Telecommunications operator notified.

District Investigator's Responsibilities

Since each missing person case is unique, follow-up contacts with reporting persons or others who might have information about the missing person will be made as dictated by the nature and complexity of the missing person case.

The National Child Search Assistance Act of 1990 requires that all juvenile missing person reports be updated. This update, regardless of whether or not new information is obtained, must take place within 60 days of the original date of entry. It will include any additional information and medical and dental records when available.

This update shall be documented on a Continuation Report and forwarded to the Records Section. Contact will also be made to the Teletype Unit, regardless of whether or not new information is obtained.

See: VOLUME II, CHAPTER 17. CRIMINAL INVESTIGATIONS

Follow-up Investigations

Any follow-up investigation conducted by a patrol officer will be coordinated with the investigator assigned to the case.

Searches for missing persons beyond the checking of neighborhoods, congregating areas, etc., will be conducted as the circumstances warrant and based on available information. If it is believed that air support or canine would aid in the search for a missing person (regardless of age), it should be requested via Public Safety Communications upon supervisor approval.

When a search is conducted, a command post should be established and all persons participating in the search should be briefed and provided with a photograph (if available). Searches shall be methodical and all participants shall be equipped with an appropriate means of communications. Maps of the area to be searched should be present at the command post.

Return of Missing Persons

Upon the return of a missing person, the reporting officer shall:

- Complete a Continuation Report, documenting the missing person's return and the circumstances surrounding it, prior to the end of watch
- Contact the Teletype Unit within one hour of receiving this information to have any computer entries cancelled

This notification shall be documented on the Continuation Report with the date, time, and name and ID# of the Teletype operator notified.

4. Unidentified Children

The most frequent type of found juvenile call that officers will respond to involve children that have become separated from

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their parents. Most of the time, these children are very young. Officers shall be especially sensitive and compassionate when dealing with these children.

Unless removal of the child from the area is necessary for his or her protection, every effort should be made by officers to resolve the situation and reunite the child with his or her parents, guardian, or custodian at the location where the child was found.

An officer may take an unidentified juvenile into custody if the juvenile is in danger due to his or her surroundings, *See: VOLUME II, CHAPTER 33. JUVENILE PROCEDURES.*

In addition, the juvenile may be taken into custody for the purpose of an emergency evaluation, *See: VOLUME II, CHAPTER 23. EMERGENCY PETITIONS & RESPONSES TO INDIVIDUALS WITH MENTAL DISORDERS.*

When attempting to determine the juvenile's identity, NCIC should be checked using the "MPN" function (a non-unique inquiry since the person's name is unknown). This function requires physical descriptors only and is generally useful when attempting to identify recovered bodies, a person unable to communicate, or an uncooperative person.

The types of data included in this file are non-unique or uncommon, and include blood type, estimated year of birth, approximate height and weight, jewelry (if worn), medical conditions, and dental characteristics.

□ There are three different categories for records entered into NCIC's Unidentified Person File:

- Unidentified deceased persons, including victims of a catastrophe
- Unidentified living persons who are unaware of their identities, such as amnesia victims, small children, persons with Alzheimer's disease, etc. □ Body parts

The web site for the *National Center for Missing and Exploited Children* www.missingkids.com can also be checked.

If the officer is unsuccessful in establishing the juvenile's identity, the officer should contact the County's Department of Social Services for assistance.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 41.2.6 and 41.2.7

Governing Legislation:

Maryland Code, Health Article, Section 10-622 □ Maryland Family Law, Section 9-301 □ Maryland Family Law, Section 9-401 □ Maryland Family Law, Section 9-402 □ 42 USC 5779 – National Child Search Assistance Act of 1990 □ Public Law 108-21 Sec.204 – Suzanne's

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