

POLICIES, PROCEDURES, AND RULES

Subject: 41.2.5 Missing Persons	Effective Date: October 30, 2020
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CALEA: 41.2.5, 41.2.6	No. Pages 8

I. PURPOSE

The purpose of this policy is to establish guidelines and responsibilities regarding this agency's response to reports of missing persons and missing children investigations.

II. POLICY

This policy will define protocols in response to missing persons and will also define protocol required in missing children investigations.

III. MISSING AND UNIDENTIFIED PERSONS

A. Officers responding to an investigation of missing and unidentified persons will apply the following protocol [CALEA 41.2.5] [CALEA 41.2.6 e.]:

1. If the missing person is determined to be a child, elderly [age 65 or older or an Alzheimer's/Dementia patient(s)] or disabled, the officer shall notify the supervisor and follow the guidelines set forth in Fayetteville Police Department General Order 24 and General Order 25 if applicable [CALEA 41.2.5 g.] [CALEA 41.2.6 b.].
2. In cases of missing persons where foul play is suspected, the officer shall report this information to his supervisor who shall make notification to a supervisor of the Criminal Investigation Division [CALEA 41.2.5 g].
3. For all types of missing and unidentified person reports, officers will investigate without delay. These include at risk persons, missing adults, and missing children. The responding officer shall gather investigative information and a detailed description of the missing person and initiate the notification process through NCIC/ACIC. The officer shall immediately report that information to Central Dispatch Center. Central Dispatch Center shall immediately enter the missing person into the Arkansas Crime Information Center/National Crime Information Center (ACIC/NCIC). Upon locating the missing person, officers are responsible for providing the details of location to Central Dispatch Center for deletion from ACIC/NCIC. Central Dispatch Center shall remove located persons from ACIC/NCIC [CALEA 41.2.5 a., b., c.].

4. Follow up investigation will be conducted by patrol and/or investigative personnel when necessary [CALEA 41.2.5 e., f.]. Follow-up contact with the reporting persons is recommended after the initial reports and searches are made and later during investigation. This will keep the reporting persons informed and will provide the police investigation with any necessary updates [CALEA 41.2.5 e.].
5. In each missing person report situation, officers and their supervisors will make a determination as to what type of field search effort will be undertaken. Requests for additional resources or coordination with other agencies may be necessary. Factors to be considered in this determination include:
 - a. Length of time that has passed since the disappearance;
 - b. Age and mobility of the missing person;
 - c. Infirmary and/or need for medication;
 - d. Suspicious circumstances to include foul play suspected.
6. Types of searches that may be used include, but are not limited to [CALEA 41.2.5 f.]:
 - a. At the time of report, officers should always begin with a search of the missing person's residence and surrounding area. Children in particular may be hiding or have gone unnoticed inside the residence;
 - b. Door-to-door (foot search making contacts with residents/passers-by);
 - c. Neighborhood canvas (larger scale foot and vehicle search);
 - d. Use of canine.
7. The supervisor will ensure the following information is collected, if known, and broadcasted [CALEA 41.2.5 a. b.]:
 - a. Name, race, sex, and date of birth;
 - b. Physical description;
 - c. Clothing description;
 - d. Physical/Mental disabilities;
 - e. Unusual circumstances;
 - f. Vehicle information.

IV. Missing Children

- A.** It shall be the policy of this agency to thoroughly investigate all reports of missing children, including runaway, abandonment, abducted, unidentified children, or missing for other reasons. Additionally, every child reported missing to this agency will be considered at risk until significant information to the contrary is confirmed [CALEA 41.2.6 a.].
- B.** Jurisdictional conflicts are to be avoided when a child is reported missing. If a missing child either resides in, or was last seen in this jurisdiction, this agency will immediately initiate the required reporting process. If a child resides in this jurisdiction and was last seen in another jurisdiction, but the law-enforcement agency covering that jurisdiction chooses not to take a missing-child report, this agency will assume reporting and investigative responsibilities. A supervisor will be notified of cases involving jurisdictional conflicts [CALEA 41.2.6 c.].

- C. Questions concerning parental custody occasionally arise in relation to missing-child reports. It shall be the policy of this agency to accept the report of a missing child even if custody has not been formally established. Reporting parties shall be encouraged to obtain legal custody as soon as possible; however, since the safety of the missing child(ren) is paramount, members of this agency will open a case when it can be shown the child has been removed, without explanation, from his or her usual place of residence. If custody has not been established by the Court, then the law enforcement responsibility is to ensure the child is safe only.
- D. Officers who encounter unidentified children shall make every attempt to identify the child and locate his/her parent or guardian. Officers must be alert to any evidence suggesting the child is the victim of a crime and take steps necessary to protect and secure any area identified as a potential crime scene. Officers should notify Central Dispatch Center and provide a complete description of the child. Officers shall notify the supervisor on duty of the circumstances surrounding the unidentified child. It shall be the responsibility of the on-duty supervisor to determine if the Criminal Investigation Division is to be notified. When officers identify the child, officers shall determine if the child is entered as missing in ACIC/NCIC records, and if so, officers should ensure the entry is revised to reflect the recovery of the child. When the parent or guardian is identified and located, officers shall investigate to determine the facts and circumstances to determine if it is safe to release the child to the parent or guardian. Officers shall submit a report documenting any encounter with unidentified children. Children who remain unidentified, alive or deceased, shall be entered into the ACIC/NCIC Unidentified Persons File by Central Dispatch Center.

E. DEFINITIONS

1. The term **missing child** refers to a person who is:
 - a. Younger than 21 years of age; and
 - b. Whose whereabouts are unknown to his or her custodial parent, guardian, or responsible party
2. A missing child will be considered at risk when one or more of the risk factors are present.
3. Risk Factors refer to a missing child who is:
 - a. 13 years of age or younger; or
 - (1) This age was designated because children of this age group have not established independence from parental control and do not have the survival skills necessary to protect themselves from exploitation on the streets.
 - b. Believed or determined to be experiencing one or more of the circumstances noted below:
 - (1) Is out of the zone of safety for his or her age and developmental stage.
 - a) The zone of safety will vary depending on the age of the child and his or her developmental stage. In the case of an infant, for example, the zone of safety will include the immediate presence of an adult custodian or the crib, stroller, or carriage in which the infant was placed. For a school-aged child the zone of safety might

be the immediate neighborhood or route taken between home and school.

- (2) Has a mental or behavioral disability, or a medical condition. If the child is developmentally disabled or emotionally/behaviorally challenged, he or she may have difficulty communicating with others about needs, identity, or address. The disability places the child in danger of exploitation or other harm. Special considerations should be given to missing persons with autism spectrum disorders in that they are known to be drawn to bodies of water and areas of high vehicular traffic.
 - (3) Is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
 - a) Any drug dependency puts the missing child at risk. The diabetic or epileptic child requires regular medication or his or her condition may become critical. The abuser of illegal drugs, on the other hand, may resort to crime or become the victim of exploitations.
 - (4) Has been absent from the home for more than 24 hours before being reported to law enforcement as missing.
 - a) While some parents may incorrectly assume 24 hours must pass before law enforcement will accept a missing-person case, a delay in reporting might also indicate the existence of neglect, abuse, or exploitation within the family.
 - (5) Is in a life-threatening situation.
 - a) The environment in which the child is missing may be particularly hazardous. Examples of a dangerous environment could be a busy highway for a toddler, an all-night truck stop for a teenager, or an outdoor environment in inclement weather for a child of any age.
 - (6) Is in the company of others who could endanger his/her welfare.
 - a) A missing child in such circumstances is in danger not only of sexual exploitation, but also of involvement in criminal activity such as burglary, shoplifting, and robbery or other violent crimes.
 - (7) Is absent in a way inconsistent with established patterns of behavior and the deviation cannot be readily explained.
 - a) Most children have an established and reasonable predictable routine. Significant, unexplained deviations from that routine increase the probability of risk to the child.
 - (8) Is involved in a situation causing a reasonable person to conclude the child should be considered at risk.
 - a) Significant risk to the child can be assumed if investigation indicates a possible abduction, violence at the scene of abduction, or signs of sexual exploitation.
4. Actions upon determination of risk factors.
- a. If it is determined risk factors are involved in the report of a missing child, the child will be considered at risk, and an expanded investigation, including the use of all appropriate resources, will immediately commence.

- (1) While all missing-child incidents should be thoroughly investigated, those involving risk factors indicate a heightened likelihood of danger to the child and, therefore, require an intensive response.
- b. Existing interagency response protocols and community notification methods, if available and appropriate, will be activated [CALEA 41.2.5 d. and 41.2.6 d.].

F. PROCEDURES

1. Central Dispatch Center personnel receiving the report of a missing child shall [CALEA 41.2.6 e.]:
 - a. Immediately dispatch an officer to the scene of the report.
 - b. Notify a supervisor [CALEA 41.2.6 b.].
 - c. Determine the correct NCIC Missing Person File category.
 - d. Transmit the appropriate radio alerts and other notifications [CALEA 41.2.6 c.].
 - e. Search agency records for related information, specifically any records such as those pertaining to the family, the place where the child was last seen, and the child's residence.
 - (1) It is essential for responding officers to know if the child or family has been the subject of previous reports that might have a bearing on this incident. Records should also be reviewed to learn if any incidents have been reported in the area.
 - f. Safeguard all pertinent records.
 - (1) Central Dispatch Center personnel should also ensure records of all communication related to this incident, such as phone conversations with the reporting party and witnesses, including written notes regarding the discussion, radio broadcasts, and all subsequent notifications, are safeguarded for future investigative reference.
2. The initial officer assigned to the report of a missing person shall [CALEA 41.2.6 e.]:
 - a. Respond promptly to the scene of the report activating all available video equipment.
 - b. Interview the parent(s) or person who made the initial report.
 - c. Confirm the child is in fact missing, and determine if circumstances of the report meet the definition of a missing child as set forth in Section E.
 - (1) First responders should never assume searches conducted by distraught parents or others have been performed in a thorough manner. Another check of the scene should be made and include places where children could be trapped, asleep, or hiding. Note: A search of the home should be conducted even if the missing child was last seen elsewhere.
 - d. Obtain a detailed description of the missing child including photo(s) and videos.
 - e. Verify the child's custody status.
 - f. Identify the circumstances of the missing episode.
 - g. Determine when, where, and by whom the missing child was last seen.
 - h. Interview the individual(s) who last had contact with the missing child.

- i. Identify the missing child's zone of safety for his or her age and developmental stage and any special need considerations, i.e. autism, medical needs, etc.
 - j. Obtain a description of the suspected abductor(s) and other pertinent information.
 - k. Provide detailed descriptive information to Central Dispatch Center personnel for broadcast updates [CALEA 41.2.6 c.].
 - l. Identify and separately interview everyone at the scene.
 - m. Conduct an immediate, thorough search of the scene, including all nearby bodies of water.
 - n. Seal/protect scene, area of child's home, and areas of interest as potential crime scenes. Extend search to surrounding areas and vehicles including those that are abandoned and other places of concealment such as abandoned appliances, pools, wells, other bodies of water, sheds, or other areas considered "attractive nuisances."
 - o. Inquire if the child has access to the Internet, cell phone, and/or other communications device.
 - p. Prepare and complete all necessary reports and forms.
3. The supervisor assigned to the report of a missing child shall [CALEA 41.2.6 e.]:
 - a. Conduct a briefing and obtain any documentation collected from the first responder(s) and other agency personnel at the scene.
 - b. Determine if additional personnel and resources are needed to assist in the investigation.
 - c. Activate existing interagency response protocols and community notification methods, if available and appropriate. See General Order 24 and General Order 25.
 - d. Establish a command post.
 - e. Organize and coordinate search efforts.
 - f. Ensure all required notifications have been made [CALEA 41.2.6 c.].
 - (1) Because dissemination of information is an integral part of the search for a missing child, the supervisor should ensure all officers, other departments and agencies, and all investigative networks are supplied with accurate details. Prepare a flier/bulletin with the child/abductor's photo and description. Distribute in appropriate geographic regions.
Note: NCMEC is able to assist with this step.
 - g. Establish a liaison with the victim's family.
 - h. Confirm all agency policy and procedures are observed.
 - i. Manage media (television, print, social, etc.) relations utilizing the Public Information Officer when necessary.
 4. The investigator assigned to the report of a missing child shall [CALEA 41.2.6 e., f.]:
 - a. Obtain a briefing from agency personnel at the scene.
 - b. Verify the accuracy of all descriptive information.
 - c. Initiate a neighborhood investigation.
 - (1) Ensure responding officers have initiated or completed a thorough canvass of the neighborhood.
 - d. Obtain a brief history of recent family dynamics.

- e. Explore the basis for any conflicting information.
 - f. Complete all remaining key investigative and coordination steps.
 - g. Activate existing interagency response protocols and community notification methods, if available and appropriate. See (General Order 24) (General Order 25).
 - h. Implement effective case management.
 - i. Evaluate the need for additional resources and specialized services.
 - (1) Investigators should be aware of the input obtainable from resources such as the FBI; NCIC; missing-children clearinghouses; and NCMEC, in particular Team Adam, which is a rapid-response team of experienced, retired law-enforcement investigators.
 - j. Update descriptive information.
 - k. Monitor media relations.
 - l. Manage media (television, print, social, etc.) relations utilizing the Public Information Officer when necessary.
 - 5. An officer assigned to the report of an unidentified person, whether living or deceased, who appears to be a child, shall:
 - a. Obtain a complete description.
 - b. Enter the unidentified child's description into the NCIC Unidentified Person File.
 - c. Use all available resources to aid in identification of the child.
 - (1) NCMEC'S Forensic Services Unit; NamUs (National Missing and Unidentified Persons System); missing-children clearinghouses; and other professionals, such as medical examiners, may be of assistance in this identification.
 - d. Cancel all notifications after identification is confirmed.
- G.** An officer assigned to the recovery or return of a missing child shall [CALEA 41.2.6 f.]:
- 1. Verify the located child is, in fact, the reported missing child.
 - 2. Conduct an interview with the child to determine the health and welfare of the child or any victimization which may have occurred.
 - 3. Secure intervention services, if appropriate.
 - 4. Contact, or arrange for the parent or legal guardian to be notified of the child's recovery.
 - 5. Make an attempt to arrange the return of the child to his or her legal guardian. If unable to make immediate arrangements for return of the child, the Arkansas Department of Human Services should be contacted for assistance; or,
 - 6. If appropriate, place the child in custody and transport him or her to the appropriate facility for admission in the case of a runaway from another jurisdiction or from out-of-state who has been located and for whom a warrant exists or for whom an NCIC missing-person "hit" is verified.
 - 7. Complete the appropriate supplemental reports and cancel all outstanding notifications.

H. QUALITY ASSURANCE REVIEW

1. Notification of all incidents in which it is determined that a child is actually missing or abducted will be made by the on-duty supervisor to a Criminal Investigation Division supervisor for review.
2. A Criminal Investigation Division supervisor shall conduct a review to ensure all the appropriate steps and procedures were followed and, if necessary, provide feedback to those involved in the process.
3. The Criminal Investigation Division supervisor will assign a detective to further investigate if necessary.