

GENERAL ORDER XXXVI

**SUBJECT:** MISSING CHILDREN'S POLICY

**EFFECTIVE DATE:** 07-23-08

**REVIEW DATE:** 01-13-12

**NOTE:** This rule or regulation is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department and then only in a non-judicial administrative setting.

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I. Policy Purpose

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

II. Policy Statement

- A. It shall be the policy of this agency to thoroughly investigate all reports of missing children. Additionally this agency holds that every child reported as missing will be considered **at risk** until significant information to the contrary is confirmed.
- 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 investigate responsibility
- 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 that the child has been removed, without explanation, from his or her usual place of residence.

III. Definitions

- A. The term **missing child** refers to a person who is

1. Younger than 18 years of age and
  2. Whose whereabouts are unknown to his or her parent, guardian, or responsible party.
- B. A missing child will be considered “**at risk**” when one or more of the **unusual circumstances** noted in paragraph C are present.
- C. The term **unusual circumstances** refers to a missing child who is:
1. 13 years of age or younger.
  2. Believed to be one or more of the items noted below:
    - a. Out of the zone of safety for his or her age, development stage, and/or physical condition.
    - b. Mentally diminished.
    - c. Drug dependent, including both prescription and illicit substances.
    - d. A potential victim of foul play.
    - e. In a life-threatening situation.
    - f. Absent from home for more than 6 hours before being reported to law enforcement as missing.
    - g. Believed to be with others who could endanger his or her welfare.
    - h. Is absent under circumstances inconsistent with established patterns of behavior. Or
  3. Whose disappearance involves circumstances that would cause a reasonable person to conclude that the child should be considered at risk.
- D. Actions upon determination of **unusual circumstances**
1. If it is determined that **unusual circumstances** 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.
  2. If appropriate, existing interagency response protocols – including the **AMBER Alert** system, if available – should be activated.

#### IV. Procedures

- A. Communication personnel receiving the report of a missing child shall
1. Determine if circumstances of the report meet the definition of a missing child as set forth in Section III.
  2. Promptly dispatch an officer to the scene of the report.
  3. Notify a supervisor.

4. Transmit the appropriate radio alerts and other notifications.
5. Search agency records for related information
6. Safeguard all pertinent records.
7. Initiate media contact – including activation of the **AMBER Alert** system and/or other immediate, community-notification methods when appropriate.

B. The **initial officer** or first responder assigned to the report of a missing child shall

1. Respond promptly to the scene of the report.
2. Interview the parent(s) or person who made the initial report.
3. Obtain a description of the missing child including photograph(s) and videotapes.
4. Verify that the child is in fact missing.
5. Confirm the child's custody status.
6. Identify the circumstances of the disappearance.
7. Determine when, where, and by whom the missing child was last seen.
8. Interview the individual(s) who last had contact with the missing child.
9. Identify the child's zone of safety for his or her age, development stage, and physical and mental state.
10. Make an initial determination of the type of incident.
11. Obtain a description of the suspected abductor(s) and other pertinent information.
12. Determine the correct NCIC Missing Person File category and ensure that a notification is promptly transmitted.
13. Provide detailed descriptive information to communications unit for broadcast updates.
14. Identify and interviewing everyone at the scene.
15. Conduct a thorough search of the scene.
16. Secure and safeguard the area as a potential crime scene.
17. Record if the child has access to an online computer, cellular telephone, and/or pager.
18. Prepare necessary reports and completing appropriate forms.

C. The **supervisor** assigned to the report of a missing child shall

1. Obtain a briefing from the first responder(s) and other agency personnel at the scene.
2. Determine if additional personnel and resources are needed to assist in the investigation.
3. Consider activation of the **AMBER Alert** system and/or other immediate community notification methods.
4. Establish a command post.
5. Organize and coordinate search efforts.
6. Ensure that all required notifications have been made.
7. Establish a liaison with the victim family.
8. Confirm that all agency policies and procedures are observed.
9. Manage media relations.

- D. The **investigator** assigned to the report of a missing child shall
1. Obtain a briefing from agency personnel at the scene
  2. Verify the accuracy of all descriptive information.
  3. Conduct a neighborhood investigation.
  4. Obtain a brief history of recent family dynamics.
  5. Explore the basis for conflicting information.
  6. Implement effective case management.
  7. Evaluate the need for additional resources and specialized services.
  8. Update descriptive information.
  9. Monitor media relations.
- E. An officer assigned to the report of an **unidentified person**, whether living or deceased who appears to be a child shall,
1. Obtain a complete description.
  2. Enter the unidentified child's description in the NCIC Unidentified Person File.
  3. Utilize all available resources to aid in identification of the child.
  4. Cancel all notifications after identification is confirmed.
- F. An officer assigned to the **recovery of return** of a missing child shall
1. Verify that the located child is, in fact, the reported missing child.
  2. Secure intervention services, if needed.
  3. Arrange, in the case of a runaway or missing child from within the department jurisdiction who has been located and who is not wanted on a warrant or other law violation, the return of the child to his or her legal guardian or an appropriate children's shelter.
  4. Place, 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, the child in custody and transporting him or her to the appropriate facility for processing.
  5. Complete the appropriate supplemental reports and cancel all outstanding notifications.
- A. This policy is issued by the authority of the Chief of Police. Any policy additions, deviations or revisions shall be made only at the direction of the Chief of Police.

By Authority of:

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Charles Brotherton, Jr., Chief of Police