

ASHEVILLE POLICE DEPARTMENT POLICY MANUAL

Chapter: 8 - Patrol Operations

Policy: 801 - Missing Persons

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INTRODUCTION

This policy establishes guidelines to be followed for handling reports and investigations of missing persons.

POLICY STATEMENT

It is the policy of the Asheville Police Department (APD) that employees of this department give all reports of missing persons full consideration and attention, including careful recording and investigation of factual circumstances surrounding the disappearance in accordance with this policy, and that particular care is exercised in instances involving missing or unidentified children and those who may be mentally or physically impaired. [41.2.6 a]

RULES AND PROCEDURES

801.1 MISSING PERSON REPORTS AND CLASSIFICATIONS

- A. There is no waiting period for reporting a missing person. Missing person reports will be taken immediately upon receipt.
- B. Officers must respond to missing person calls where there are suspicious circumstances, the missing person is under the age of eighteen (18), or the individual may be deemed critically missing, as defined below.

- C. A person may be declared *missing* when his/her whereabouts are unknown and unexplainable for a period of time that knowledgeable parties regard as highly unusual or suspicious in consideration of the subject's behavior patterns, plans, or routines.
- D. An individual may be considered *critically missing* when meeting the above criteria and who, among other possible circumstances: [41.2.5 g]
 - 1. May be the subject of foul play.
 - 2. Because of age (young or old), they may be unable to safeguard or care for himself/herself properly.
 - 3. Suffers from diminished mental capacity or medical conditions that are potentially life-threatening if left untreated/unattended.
 - 4. Is considered potentially dangerous to themselves or others.
 - 5. May have been involved in an accident or natural disaster.
- E. If a department member receives a report indicating an individual is *critically missing*, they will immediately notify an on-duty supervisor to ensure appropriate actions are taken. [41.2.5 g] [41.2.6 b]

801.2 INITIAL REPORT TAKING

- A. The initial report taker must gather as much pertinent information as possible to properly classify a missing person report and initiate an appropriate response. Examples of this type of information include the following: [41.2.5 a]
 - 1. Name, age, and physical description of the subject and relationship of the reporting party to the missing person.
 - 2. Time and place of last known location and identity of anyone accompanying the subject.
 - 3. The extent of any search for the subject.
 - 4. Whether the subject has been missing on prior occasions and the degree to which the absence departs from established behavior, patterns, habits, or plans.
 - 5. The current physical or mental condition of the individual, including any medical conditions requiring time-sensitive treatment or medications. Individuals suffering from dementia or other disability that puts them at risk of abuse, physical harm, neglect, or exploitation may qualify for the release of an alert, see [801.4 Missing Persons Alerts](#)

6. If the missing person is a juvenile, the inquiry should also determine if the juvenile is critically missing or if an AMBER Alert is necessary, including if the juvenile : [41.2.6 c]
 - a. Is or may be with any adult who could cause him/her harm; or
 - b. May have been the subject of parental abduction and is in danger.
- B. In situations involving a lost child, elderly person, or missing person where an immediate search is required, Asheville Fire and Rescue will be requested to coordinate search efforts. [41.2.5 f] [41.2.6 c]
- C. The report taker must document the exact date and time the mandatory minimum information required for a National Crime Information Center (NCIC) entry is obtained in the incident report. The minimum information required for entry into NCIC is as follows:
 1. Name.
 2. Date of birth (if the reporting party does not have this information, another numeric identifier, such as a social security number, is acceptable for entry).
 3. Physical identifiers: race, height, weight, eye color, and hair color.
 4. Date of the last contact.
 5. Case number (OCA).
- D. Missing persons must be entered into NCIC immediately once the minimum mandatory data is obtained.** Missing persons under twenty-one (21) must be entered within two (2) hours of obtaining the mandatory data.

801.3 NCIC ENTRY AND DISSEMINATION

- A. Per [N.C. Gen. Stat. § 143B-1015](#), missing person reports made by a parent, spouse, guardian, legal custodian, or person responsible for the supervision of the missing individual must be immediately entered into the national missing persons file. [41.2.5 c]
 1. Upon collecting the information for NCIC entry, the investigating officer must contact the Communications Center, request entry into the missing persons file, and provide the Communications Center with all necessary information. [41.2.6 f]
 2. If medical or mental conditions are present that are relevant to facilitating the safe return of a missing person, the investigating officer must obtain an appropriate

signed waiver or other legal authorization before dissemination of such information in the NCIC entry.

3. As required by [N.C. Gen. Stat. § 143B-1015](#), once entered into NCIC, the Communications Center must immediately inform all on-duty officers of the missing person report via a BOLO and initiate a statewide broadcast (via a DCI message addressed to the routing list “MISSPER”) to all appropriate law enforcement agencies and the NC Center for Missing Persons. [41.2.5 b] [41.2.6 c]
4. All NCIC transactions concerning the missing person must be appropriately documented in the department’s Records Management System.

801.4 MISSING PERSON ALERTS [41.2.5 d]

A. Officers will notify the North Carolina Center for Missing Persons (NCCMP) as soon as practicable to activate the state’s **AMBER alert system** when the report of a missing juvenile meets the following criteria ([N.C. Gen. Stat. § 143B-1021](#)): [41.2.6 d]

1. The child is seventeen (17) years of age or younger.
2. The abduction is not known or suspected to be by a parent of the child unless the child's life is suspected to be in danger of injury or death.
3. The child is believed to have been abducted or be in danger of injury or death.
4. The child is not a runaway or voluntarily missing.

B. Officers will notify the NCCMP as soon as practicable to activate the state’s **missing endangered alert system** when a [report of a missing person of any age](#) meets the following criteria ([N.C. Gen. Stat. § 143B-1022](#)):

1. The person has been reported missing to law enforcement within seventy-two (72) hours.
2. The person is believed to [be suffering from dementia, Alzheimer’s disease, or a cognitive impairment \(not medical\) that requires the person or child to be protected from potential abuse, physical harm, neglect, or exploitation](#).

C. Officers will notify the NCCMP as soon as practicable to activate the state’s **Ashanti Alert system** when a missing person meets the following criteria:

1. When an adult between eighteen (18) and sixty-four (64) has been identified as a missing individual; and

2. The adult is missing under circumstances that indicate the physical safety of the missing adult may be endangered; or
 3. The disappearance of the missing adult may not have been voluntary, including abduction or kidnapping.
- D. The investigating officer must notify and obtain approval from the on-duty Watch Commander before submitting a request to activate a missing person alert through the NCCMP.
- E. To request a state missing person alert, the NCCMP must be contacted and provided with all requested information and documentation. The NCCMP will make the final decision to activate the alert system based on the established criteria or other considerations.

801.5 MISSING PERSON INVESTIGATIONS

- A. Ongoing investigations of missing persons may include, but are not limited to, the following actions: [41.2.5 f] [41.2.6 e]
1. Contacting local hospitals and medical examiner's offices for injured or deceased persons fitting the description of the missing person.
 2. A thorough check of the location where the missing person was last seen and interviews, as appropriate, with persons who were with the individual or who may frequent the area.
 3. Conduct interviews with any additional family, friends, work associates, schoolmates, and teachers, as appropriate.
 4. When appropriate, completion of the NCIC missing person data packet for persons missing over ninety (90) days.
- B. Decisions to use local media to help locate missing persons will be made via the department's Public Information Officer with the approval of the Section or Division Commander and the missing person's family. [41.2.5 b] [41.2.6 d]

801.6 LOCATED MISSING PERSONS

- A. Whenever possible, reports of located missing persons will be verified by contact with the missing person or via a received DCI "Locate" notification from another agency. These contacts should be documented within the Records Management System.
- B. Competent adults, having left home for personal reasons, cannot be forced to return home. Officers locating such individuals will: [41.2.6 e]

1. Advise them that they are the subject of a missing person investigation.
 2. Ask if they desire the reporting party or next-of-kin to be notified of their whereabouts.
 3. Provide this information to the reporting party or next-of-kin if the missing person permits. [41.2.5 e]
- C. In all cases, reporting parties will be informed of the well-being of located missing persons. Unless criminal matters necessitate other action, the desire of missing persons not to reveal their whereabouts should be honored.
- D. In cases involving juveniles or mentally or physically disabled persons, officers must ensure that the individual receives any necessary medical attention and that parents, guardians and/or the reporting party are notified as soon as possible. [41.2.6 f]
- E. Upon location of a missing person, appropriate actions will be taken to remove the associated missing person file entry or deactivate NCCMP alerts. [41.2.5 c]

BY ORDER OF:

A handwritten signature in black ink, appearing to read 'ML LH', is positioned above the printed name of the Interim Chief of Police.

Michael Lamb
Interim Chief of Police