



## Policy 714

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<b>MISSING PERSONS</b>	
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*By Order of the Police Commissioner*

### POLICY

This policy establishes uniform procedures for the reporting of Missing Persons incidents. This policy applies to both children and adults. Pursuant to this policy, members of the Baltimore Police Department (BPD) shall utilize the State of Maryland Missing Person Report Form when receiving missing person complaints. Time is of the essence when conducting investigations of missing children and adults.

### DEFINITIONS

**AMBER Alert** — America's Missing Broadcast Emergency Response (AMBER) Alert is a notification program to help locate missing children.

**Complainant/Reporting Person** — May be a close relative, a roommate, an employer, or a close friend who has frequent contacts with the missing person and who knows what is unusual or out of character for the subject.

**Missing Child** — A person who is under 18 years old, the subject of a Missing Person Report filed with a law enforcement agency in this state, and whose whereabouts are unknown. See Annotated Code of Maryland, Article - Family Law - §9-401 (C).

**Missing Person** — Any person last seen and/or whose last whereabouts were in Baltimore City, and:

1. Is missing from the person's normal residence under unusual circumstances and whose present whereabouts are unknown.
2. Is missing and is of diminished mental capacity or has a medical condition that is potentially life threatening, even if the person's absence is proven to be voluntary.
3. Is missing under any circumstance and is under 18 years old.
4. Is missing and has demonstrated a potential for suicide.
5. Is admitted to any mental or medical facility and leaves such facility without notifying any personnel employed by that facility.
6. Whose disappearance is related to a drowning or other disaster.

7. Leaves Baltimore City to travel to a foreign jurisdiction, and fails to arrive within a reasonable time.
8. The following are not considered missing persons:
  - 8.1. A person whose disappearance appears to be related to the issuance of a warrant.
  - 8.2. A person who has left notes (other than a suicide note) explaining the reason for the person's absence.
  - 8.3. A person who has left as the result of a domestic disagreement and is not a threat to the person or others.
  - 8.4. A person whose whereabouts are unknown, but who has contacted family, friends or acquaintances (unless the person suffers from mental or medical complications).
  - 8.5. A person being sought for business or social purposes such as debt collections or school reunions.

**Vulnerable Adult** — An adult who lacks the physical or mental capacity to provide for her/his own daily needs. See Annotated Code of Maryland, Article - Family Law - §14-101 (C).

#### **ACTIONS REQUIRED AFTER RECEIVING A MISSING PERSON COMPLAINT**

When receiving missing person complaints, members of the BPD shall utilize the State of Maryland Missing Person Report Form, which contains fields required by the Maryland Center for Missing Persons.

NOTE: There is no waiting period for reporting a missing person, and under no circumstances shall an individual be advised that they must wait a specific time period before a report can be made.

Upon receiving a report of a missing person, a member will:

1. Timely report and complete a Missing Person Report, if the facts of the case meet the criteria for a missing person.
2. Ensure the complainant/reporting person signs the following statement at the beginning of block 64: "I do solemnly declare and affirm, under penalty of perjury that the information I provided is true and correct to the best of my knowledge."
3. When appropriate seek written permission (Permission For Search) from the person controlling the area and carefully examine the area where the missing person was last seen for signs of any unusual physical condition which would cause the member to believe the area may be a crime scene.
  - 3.1. If such a concern does arise, a member must immediately cease any further examination, secure the scene, and seek guidance from the member's supervisor regarding the need for obtaining a Search and Seizure Warrant and/or the Crime Scene Unit to continue the investigation.

4. Determine if any of the missing person's personal items (clothing, suitcase, cash, bank books, cellular phone, computer, etc.) are missing.
5. District designee will initiate a tracking number for all missing persons in the Lotus Notes "District Missing Persons" database. The initial entry will automatically be entered from the Hot Desk Missing Person Card File database.
6. Adhere to response and reporting requirements outlined in this policy and in the Training Bulletin Guideline, "Missing Person Report." Observations by a member upon examining the scene must be noted in the narrative section of the report.
7. When criteria are met, contact the Maryland State Police for AMBER Alert activations through the Homicide Division.

### **MISSING ADULTS - INVESTIGATION AND REPORTING**

#### **Required Actions for Members**

When an adult is reported missing, in addition to the above actions required after receiving a Missing Person Report, a member will:

1. Conduct a thorough preliminary investigation.
2. Immediately notify the dispatcher and provide a complete and accurate description of the missing person, advising the dispatcher if the missing person:
  - 2.1. Has a serious medical or mental condition, such as senility, retardation or a heart condition;
  - 2.2. Is disabled; and/or
  - 2.3. Is potentially suicidal.
3. Notify the Missing Person Unit (Monday through Friday, 0700-1500 hours). At all other times, the member must advise the Communications Unit to notify the Missing Person Unit's duty detective.
4. Ascertain if domestic problems caused the missing person's absence.
5. Obtain a recent photograph of the missing person, noting on the back of the photograph the subject's name, position in the photograph, and the Central Complaint Number (CC#). Digital photographs are preferred.

**NOTE:** The Missing Persons Unit (MPU) will only maintain photographs of children who are fourteen (14) years old and under. All other photographs should be affixed to the report maintained by District personnel. Under no circumstances should a photograph be arbitrarily forwarded to the MPU. Districts should maintain an electronic file for digital photos labeled by the complaint number or district missing person cases.

NOTE: If a digital photo is provided for a Missing Person Report, that photo along with the CC#, name, address, and date of birth shall be forwarded to the MPU and maintained by that unit.

6. Notify the Hot Desk, Central Records Unit.
7. Advise the reporting person to immediately re-contact police if the missing person returns.
8. If necessary, request a supervisor and sufficient units to conduct an area search/canvass.
9. If necessary, request a Crime Scene Unit.
10. If necessary, notify the Homicide Section.

### **Required Actions for Superiors**

1. A supervising officer will:
  - 1.1. Ensure that investigations are properly conducted and that reports are accurately completed by the end of the member's tour of duty.
  - 1.2. When necessary, assist in locating the missing person.
  - 1.3. Respond to the scene when the primary officer detects foul play.
  - 1.4. Respond to the scene when the scene must be secured.
2. An Administrative Supervisor will, upon completion of a missing person case, ensure that photographs are returned to the person who provided them.
  - 2.1. Digital photographs will be destroyed per the MPU's Standard Operating Procedure (SOP).
3. A Commanding Officer, Central Records Section, will ensure that all reports of missing persons with mental and/or physical disabilities are entered into the Maryland Interagency Law Enforcement System (MILES) and the National Crime Information Center (NCIC) computer networks.
4. The Missing Person Unit, Homicide Section, or Crimes Against Persons Division (CAPD), will conduct appropriate follow-up investigations and provide advice as necessary.

### **MISSING CHILDREN – INVESTIGATION AND REPORTING**

#### **Required Actions for Members**

When a child is reported missing, in addition to the above actions required after receiving a missing person report, a member will:

1. Notify the member's supervisor and institute appropriate search procedures to locate the missing child.
2. Determine if:

- 2.1. The missing child has ever been the subject of a prior missing person's report or has previously been the subject of a child abuse report by:
  - 2.1.1. Asking the child's parent, guardian, or the complainant/reporting person.
  - 2.1.2. Contacting the Hot Desk, Central Records Section.
  - 2.1.3. Conducting a query of Lotus Notes/Missing Person Unit.
- 2.2. The missing child suffers from a mental and/or physical handicap or illness.
- 2.3. The disappearance of the missing child is of a suspicious or dangerous nature.
- 2.4. The person filing the report of a missing child has reason to believe that the missing child may have been abducted.
- 2.5. The missing child is under 14 years old.
3. Immediately notify the Communications Unit and provide a complete and accurate description of the missing child, advising the Communications Unit if the missing child:
  - 3.1. Has a serious medical or mental condition such as senility, retardation or heart condition;
  - 3.2. Is disabled; and/or
  - 3.3. Is potentially suicidal.
  - 3.4. If any one of these conditions exist, the member must call the Division of Child Protective Services, Department of Social Services at (410) 361- 2235; and to the extent possible, get any information that may assist in locating the missing child.
4. When appropriate, enlist the aid of the Maryland State Police in locating the missing child.
  - 4.1. When requested by District personnel, the MPU will take responsibility of those investigations involving children under the age of 14 as well as of vulnerable adults that meet the criteria, as determined by the Missing Person Unit. During non-business hours, a duty detective from the MPU is available through the Communications Unit.
5. Include as many telephone numbers as possible of those person(s) contacted in the member's initial report.
6. Obtain a recent photograph of the missing child, noting on the back the juvenile's name, the child's position in the photograph, and the Central Complaint Number. All photographs of missing persons under the age of 14, as well as of those missing persons over which the MPU takes responsibility, should be sent to the MPU, as directed by the MPU Detective.
7. Notify the National Center for Missing and Exploited Children (NCMEC) on all missing/runaway children ages 14-17 years old. The contact number to NCMEC is 1-800-The-Lost (1-800-843-5678).
8. Advise the reporting person immediately to contact the police, if the missing child returns or has been located.

9. Promptly call the Hot Desk, Central Records Unit, for immediate NCIC entry of the missing child's information and note such contact in the Missing Person Report.
10. Complete a Supplement Report and notify the Hot Desk when a missing juvenile is found or returns.
11. When designated, act as liaison with the MPU, ensuring that follow-ups are conducted on missing persons 14 years of age or older and consulting with the MPU when exigent circumstances arise or when the investigation becomes complicated.

#### Required Actions for Superiors

1. A supervising officer will:
  - 1.1. Ensure that investigations are properly conducted and that reports are accurately completed by the end of the member's tour of duty.
  - 1.2. Determine if an immediate area canvass/search should be conducted and, if so, supervise the search.
  - 1.3. Make a copy of the entire report and send it to the MPU when the person is under 14 years old or is a vulnerable adult as determined by the MPU.

**NOTE:** Parental/Family/Friend Abductions are handled at the District level and Stranger Abductions are handled by the Homicide Unit, Crimes Against Persons Division.

2. An Administrative Supervisor will, upon completion of a missing person case, ensure that photographs are returned to the person who provided them.
3. A District Missing Person Liaison/Designee will:
  - 3.1. When designated, act as a liaison with the MPU. Ensure follow-ups are conducted on missing persons 14 years of age or older. Consult with the MPU when exigent circumstances arise or when the investigation becomes complicated.
  - 3.2. Receive additional information from the NCMEC on district missing person/runaway cases involving juveniles 14-17 years old.
  - 3.3. If NCMEC classifies the runaway as a suspected human trafficking victim, ensure the following:
    - 3.3.1. Flag the record in the District Missing Persons database and
    - 3.3.2. Contact the MPU, Crimes Against Persons Divisions to determine if the needed follow up is outside the scope of Patrol's capability. After consultation with the Commander of the Special Investigations Section, a determination will be made if CAPD will assume responsibility of the investigation.
4. Notify the NCMEC on all returned/recovered 14-17 year old missing persons/runaways.

5. Notify MPU of returned/recovered 14-17 year old juveniles that were flagged by NCMEC for suspected human trafficking.
6. Ensure the necessary information is entered into the Lotus Notes District Missing Persons database and write the missing person follow-up and supplemental reports utilizing the Lotus Notes District Missing Person supplement form.
7. A Shift Commander will:
  - 7.1. Notify the Maryland State Police if the missing child has not been located within 24 hours, and complete a supplement report noting this action.
  - 7.2. Ensure that investigative follow-ups are comprehensive and conducted in person with an emphasis on re-contacting the reporting person until the missing child is located. Telephonic contacts should only be supplemental. All follow-up attempts must be entered into the Lotus Notes District Missing Persons Database.
8. A Commanding Officer will:
  - 8.1. Designate a member to act as the Missing Persons Liaison and update and audit the Lotus Notes District Missing Person database with the following:
    - 8.1.1. The missing child's name, race, sex, date of birth, address and telephone number;
    - 8.1.2. Date reported missing;
    - 8.1.3. Central Complaint Number;
    - 8.1.4. Follow-up attempts; and
    - 8.1.5. Disposition/Date returned and location found/recovered.
    - 8.1.6. Ensure the Lotus Notes District Missing Person database is utilized to track the missing person/runaway follow ups.
  - 8.2. Ensure Missing Person Reports are forwarded to the Central Records Unit.
  - 8.3. Ensure that a member is designated to conduct investigative follow-ups until the missing person, 14 years of age or older, is located. Follow-ups for missing persons under the age of 14 or vulnerable adults with Dementia and Alzheimer's diseases are handled by the MPU. The member shall act as a liaison with the MPU. There is no five-day rule as it pertains to missing person investigative follow-ups.
  - 8.4. Ensure that the aforementioned procedures are followed by investigating officers, sector supervisors and shift commanders when investigating reports of missing children.
9. A Commanding Officer, Central Records Unit will:

- 9.1. Ensure that all necessary and available missing children information is immediately entered into the Maryland Interagency Law Enforcement System (MILES) and the National Crime Information Center (NCIC) computer networks.
  - 9.2. Ensure a copy of the Missing Person Reports involving missing children are sent to the Maryland Center for Missing Persons.
  - 9.3. When requested, provide records of prior reported missing children and vulnerable adults.
10. The Missing Person Unit, Crimes Against Persons Division, will:
- 10.1. Upon receipt of a Missing Person Report that meets the criteria for the MPU, ensure that a comprehensive follow-up is conducted and advise the District of the occurrence when the member assumes responsibility.
  - 10.2. Assume responsibility for investigations and/or follow-ups for children under the age of 14 and for vulnerable adults with Dementia and Alzheimer's diseases.
11. The Homicide Section, Crimes Against Persons Division, will conduct appropriate follow-up investigations and provide advice, as necessary.

### **RESCISSION**

Remove and destroy/recycle General Order G-14, Missing Persons, dated 1 October 2008.

### **COMMUNICATION OF POLICY**

This policy is effective on the date listed herein. Each employee is responsible for complying with the contents of this policy.