



Colorado Springs Police Department General Order

301 Missing Persons

Section 300 – Special Populations

Effective Date: 9/21/2023

Supersedes Date: 5/11/2022

.01 Purpose

The purpose of this directive is to outline the requirements for reports of missing persons.

.02 Cross-Reference

[GO 302 CBI Persons Alerts](#)

[GO 305 Immigration and Foreign Nationals](#)

[GO 1100 Investigations](#)

[DL-301-01 Missing Person Reports](#)

[COM-138 Missing/Found Persons & Runaway](#)

.03 Discussion

This space intentionally left blank.

.04 Policy

CSPD will take all missing person reports without delay for anyone who resides in Colorado, was last known to reside in Colorado, or when there is credible information indicating the missing person was last known to be in Colorado, unless it is a circumstance that does not require a report pursuant to this policy. CSPD will take these reports regardless of the length of time the person has been missing. CSPD will allow such reports to be made by telephone, in person, or via electronic media. CSPD's investigative response to missing persons varies based upon the individual facts of the case.

.05 Definitions

Juvenile: means a person under the age of 18

Missing Person: means a person whose whereabouts are unknown and whose safety or welfare is the subject of concern.

.10 Missing Persons Reports: Acceptance & Response

A department member receiving and/or investigating a report of a missing person will ensure an on-duty lieutenant, or in their absence the designated Duty Lieutenant, is notified without delay if information indicates a reasonable possibility of foul play.

Upon receiving a report of a missing person that meets the requirements of this directive, department members must ensure all required information is entered into CCIC/NCIC by specific timeframes:

- Within 2 hours of a call for service reporting a missing juvenile
- Within 8 hours of a call for service reporting a missing adult

If a department member receives a report of a missing juvenile who is 13 years of age or younger, information must be immediately routed through the Communications Center to ensure proper protocol for dispatch of officers. Missing person reports with suspicious circumstances or indications of criminal activity must also immediately be routed through the Communications Center, regardless of the missing person's age. Communications Center personnel will use established protocol as specified in their directives to process the call.

If there are no suspicious circumstances or indications of criminal activity in a report of a missing person over the age of 13, it will be assigned to a Community Service Representative or the Police Operations Center Duty Desk Officer.

The procedures related to these reports are found in [DL-301-01 Missing Person Reports](#). Department members who are documenting or investigating missing persons will follow the guidance in [GO 302 CBI Persons Alerts](#) regarding the Colorado Bureau of Investigation's public notifications of missing persons.

.20 Missing Person Report Exceptions

Under Colorado law, missing person reports are not required to be accepted if the situation involves a statutory exception. This does not mean reports cannot or should not be taken under certain circumstances fitting in these exceptions, only that the law does not mandate CSPD to take a report. Department members will not interpret these exceptions as criteria for taking a report. Department members should err on the side of caution and take the report in situations where the exceptions require subjective assessments (i.e., determining whether a person's rationale for concern is "legitimate" or whether certain facts would qualify as "extenuating circumstances"). A supervisor

must approve not taking a report based on a belief there is no legitimate rationale for concern or a belief there is an articulable extenuating circumstance. The statutory exceptions are the following:

- The person is the subject of a missing person report under investigation by another law enforcement agency within Colorado or another law enforcement agency has indicated that it intends to accept a missing person report for the person;
- CSPD knows the location of the person reported missing or can confirm the safe status of the person;
- The reporting party is unable to articulate a legitimate relationship with the person or a legitimate rationale for concern;
- CSPD has an articulable reason to believe the person reported as missing is being sought for reasons of harassment, stalking, retaliation, court testimony, debt collection, or any action in defiance of a protection order; or
- Any articulable extenuating circumstance not inconsistent with the above exceptions that make accepting the report impractical or unreasonable.

If it is determined a report is not needed due to one or more of these exceptions under Colorado law, the department member will relay the determining factors and circumstances to the reporting party and document the information in an official CSPD record. The record may be a call screen or an offense report, depending on what is required in the situation. If a supervisor makes the decision, their information must also be included in the record.

[GO 305 Immigration and Foreign Nationals](#) states that department members will not attempt to enforce civil immigration laws, and C.R.S. § 24-76.6-102 also states officers cannot hold or detain an individual for a civil immigration violation. To avoid participation in a federal civil immigration enforcement action, department members will not take a missing person's report when the purpose of the report is to locate the missing person solely for federal civil immigration enforcement purposes.

.25 Adult Missing Persons' Right to Privacy

Adults go missing for a variety of reasons; generally, if a competent adult is voluntarily absent, they are entitled to their privacy and to be absent without explanation. If a competent, missing adult is found after having been absent voluntarily, the formerly missing adult must give their permission for a department member to share any private information about them with the reporting party or others.