



# CONCORD POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

## MISSING PERSONS

**GENERAL ORDER:** 08.07

**CREATED:** December 1, 2000

**ISSUE DATE:** October 1, 2022

**CALEA STANDARD:** 41.2.4, 41.2.5, 41.2.6

**EFFECTIVE DATE:** October 1, 2022

**ACTION:** Re-numbers general order dated February 14, 2022.

### **08.07.0**     **PURPOSE**

The purpose of this general order is to establish guidelines for the investigation and handling of reported missing persons.

### **08.07.1**     **POLICY**

It shall be the policy of the Concord Police Department to respond to and thoroughly investigate all reports of missing or unidentified children and adults.

### **08.07.2**     **DEFINITIONS**

#### A. ABDUCTED ADULT

An individual 18 years of age or older, who has been unwillingly confined, restrained or moved from one place to another.

#### B. ABDUCTED CHILD

An individual age 17 years or younger, who has been unwillingly confined, restrained or moved from one place to another or taken without consent from the individual's legal guardian or designated legal representative.

#### C. CRITICAL MISSING PERSON

To be classified as a critical missing person, an individual that has been reported missing must meet AMBER Alert or SILVER Alert criteria; or, at least one of the following criteria:

1. The individual has a physical, mental, or cognitive disability (Dementia or Alzheimer's), drug dependency or other at-risk issues, which subjects them or others to danger.
2. There is reasonable suspicion to believe the disappearance of the individual is not voluntary and/or the person is the victim of a crime.
3. The individual has a medical condition that requires life-saving medication or procedures, and it is believed the individual does not have access to those necessities.
4. The individual is missing after a disaster, but not confirmed to be dead (e.g., drowning, explosion).

5. The individual is 13 years or younger regardless of the circumstances.
6. The individual is under the age of 18 and has their own minor child in their custody.
7. An individual believed to be in the presence of someone who could endanger their welfare.

D. MISSING JUVENILE

A juvenile as defined by NCGS 7B-101(14) whose location has not been determined, who has been reported missing to a law enforcement agency by a parent, guardian or legal custodian.

E. MISSING PERSON

Any individual who is 18 years of age or older, whose location has not been determined, and who has been reported missing to a law enforcement agency, who does not meet the definition of an abducted child/adult or an endangered missing person.

F. NORTH CAROLINA AMBER ALERT SYSTEM

A voluntary cooperative effort among North Carolina radio and television broadcasters, local and state law enforcement, the Department of Transportation and the N.C. Center for Missing Persons. The goal is to use local radio and TV stations, electronic highway signs and lottery terminals to immediately notify citizens of a criminally abducted child in their area.

G. NORTH CAROLINA SILVER ALERT SYSTEM

A program designed to provide a statewide system for the rapid dissemination of information regarding a missing person or missing child who is believed to be suffering from dementia, Alzheimer's disease, or a disability that requires them to be protected from potential abuse or other physical harm, neglect, or exploitation (NCGS 143B-1022).

H. RUNAWAY JUVENILE

An individual, age 17 years or younger, who has voluntarily left the custody of their parent, guardian, or legal custodian without permission.

**08.07.3** **MISSING PERSON PROCEDURES**

- A. An incident report shall be taken as soon as an individual is confirmed missing by an officer.
- B. Once the individual has been confirmed missing, the officer shall gather as much pertinent information as possible to accurately classify the individual and initiate the appropriate response. This should include, but is not limited to, the following information:

1. Physical Description:
  - a. Name, date of birth, race, sex, ethnicity, height, weight, build, hair and eye color;
  - b. Facial hair, glasses, teeth, scars, marks, tattoos, piercings, amputation or other physical characteristics;
  - c. Clothing such as head cover, shirt, pants, outerwear, footwear, jewelry.
2. Reporting Factors:
  - a. Location last seen, last seen with, date and time last seen;
  - b. Name of the reporting person and their relationship to the missing individual;
  - c. If the individual has previously been reported missing and where they were previously located;
  - d. If the individual has been missing in the past but was not reported;
  - e. Possible reasons for disappearance such as an argument, fight or unknown;
  - f. The extent that the reporting party, or others, have searched for the individual.
3. The extent to which the individual has departed from established behavior patterns, habits, plans, any recent traumatic events or domestic violence incidents.
4. Associates:
  - a. Natural parents, foster parents, other family members;
  - b. Friends and associates;
  - c. Spouse, significant other, ex-spouse or other relationships.
5. Related History:
  - a. School attending or location of workplace;
  - b. Criminal warrant check and known criminal history;
  - c. Probation/Parole status and name of probation officer, if applicable;
  - d. Driver's license and vehicle information;
  - e. Medical or mental health history or diagnosis, the current need for prescription drugs or medical care, and any drug or alcohol use.
6. Background Information:
  - a. Mobile phone number;

- b. Location of individual's home computer/laptop;
- c. Credit/debit card banking information;
- d. Is it typical for the individual to carry cash;
- e. Social media accounts: Facebook, Twitter, etc.;
- f. Mode of transportation.

#### **08.07.4 NCIC ENTRY/REMOVAL**

- A. Individuals reported missing, regardless of age and missing under any circumstances, shall be entered into NCIC within two (2) hours of the basic information necessary for entry being obtained. The two (2) hour period begins when the basic information is received, not when the report is submitted for approval.
- B. When the missing person is located then the individual shall be cleared out of NCIC (if entered) **without delay**. If a statewide "Attempt to Locate" message was previously transmitted, a locate message shall be routed statewide using the same routing list.

#### **08.07.5 DISSEMINATION OF INFORMATION**

- A. Upon completion of the NCIC entry, Customer Service personnel shall broadcast the entry via a DCI 50-mile radius message.
- B. At the request of the watch commander, the Communications Center supervisor can authorize a broadcast to all police units (B.O.L.O.) regarding information on the missing individual at any time during the investigation.
- C. The watch commander shall authorize a media release should exigent circumstances exist.

#### **08.07.6 INVESTIGATIVE PROCEDURES**

- A. An officer shall be assigned to conduct the initial and follow up investigation to include:
  - 1. Conduct a consent search of the home and grounds from which the individual went missing.
  - 2. Conduct a search of the last location the missing person was seen and conduct an interview of those that last saw the individual.
  - 3. Fully identify and separately interview anyone at the scene of the disappearance and treat the location as a possible crime scene if applicable.
  - 4. Identify any areas at the incident scene that have been disrupted or may have the potential for the presence of evidence and safeguard those areas.
  - 5. Broadcast a description of the missing person and vehicle if applicable.

6. Conduct a canvas of the neighborhood.
7. Obtain a recent photo of the missing person if possible.
8. Conduct follow up interviews with any additional family, friends, neighbors, work associates, and/or counselors.
9. Maintain routine on-going communication with the reporting party or closest relative concerning the investigation.
10. Continuance of investigation until the person is located, incident has been passed to another officer for follow up, or until all reasonable investigative measures have been exhausted.

#### B. MISSING CHILD

The first responding officer to a missing child report shall conduct an investigation per general order 08.07.6(A) to include the following:

1. Search any place where a child could be trapped, sleeping or hiding. This shall be done even if the child is missing from a location that is not the primary residence.
2. Conduct in depth interviews with parents, caregivers, or those who last had contact with the missing child to create a timeline and gain insight into the circumstances surrounding the disappearance. This should include confirmation of who has legal custody of the child. Separate the witnesses, interview them, and compare details to known information.
3. Determine what has already been done to locate the missing child. Document the nature of these efforts and the complainant's disposition (e.g. frantic, concerned and level of emotion).
4. Reports of juveniles who have "voluntarily" left home (e.g., "runaways") shall only be classified as such after a thorough investigation leading to this conclusion.
5. Officers shall report all findings of the investigation to the watch commander.
6. Based upon the information the watch commander shall make an initial assessment of the type of incident (e.g. abduction, parental kidnapping, runaway or a false report to conceal another type of incident).
7. At the request of the watch commander, the Communications Center supervisor should be contacted to a broadcast to all Concord Police Department on duty personnel (B.O.L.O.) pertinent information on the missing individual at any time during the investigation.
8. If the NCIC entry has not been made, the Communication Center may be requested to send pertinent information regarding the individual to other agencies via DCI message.

### C. CRITICAL MISSING PERSON

The first responding officer to a critical missing person report shall conduct an investigation per general order 08.07.6(A) to include the following:

1. A supervisor shall coordinate the re-search of the home and property as well as a canvas of the surrounding area.
2. At the request of the watch commander, the Communications Center supervisor should be contacted to a broadcast to all Concord Police Department on duty personnel (B.O.L.O.) pertinent information on the missing individual at any time during the investigation.
3. If the NCIC entry has not been made, the Communication Center may be requested to send pertinent information regarding the individual to other agencies via DCI message.
4. The on-call investigations supervisor shall be notified by the watch commander of all critical missing persons.
5. Evaluate whether circumstances of the missing person's disappearance meet SILVER Alert, AMBER Alert and/or other immediate community notification protocol.
6. Any investigation of a critical missing person shall continue until the person is located, incident has been passed to another officer for follow up, and all reasonable investigative measures have been completed to the satisfaction of the Criminal Investigations Division captain or higher authority.

### D. RUNAWAY JUVENILES

1. Local Runaway Juveniles
  - a. Local runaways 15 years old or younger may be taken into temporary custody when reasonable grounds exist to believe the juvenile has run away from home.
  - b. Officers taking a runaway juvenile into temporary custody shall return the juvenile's home.
  - c. If no one is home, the juvenile shall be released to the Department of Social Services after a reasonable waiting period at the Concord Police Department not to exceed twelve (12) hours (NCGS 7B-1901 (b)).
2. In-State Runaway Juveniles
  - a. In-state runaways 17 years old or younger may be taken into custody if reasonable grounds exist to believe the person is a runaway. The officer shall contact the parents for the child to be picked up. This shall be done in a timely manner and the waiting period shall not have a negative impact on available manpower.

- b. The Concord Police Department may hold the juvenile at the department for up to 12 hours, or for more than 24 hours if any of the 12 hours falls on a Saturday, Sunday or legal holiday, unless a petition or motion for review has been filed, and an order for a secure or non-secure custody has been entered in accordance with (NCGS 7B-1901(b)).

### 3. Out of State Runaway Juveniles

- a. Out-of-state runaways who are classified as juveniles in their resident state by DCI message or telephone call from a police department may be taken into temporary custody.
- b. The juvenile may be detained if information exists indicating they are likely to be a runaway.
- c. When taking an out-of-state runaway juvenile into temporary custody, the originating agency shall be contacted and advised that the juvenile has been located and a hit confirmation shall be processed by the communications center.
- d. Juvenile Services shall be contacted, and procedures for a petition and a secure custody order shall be started.
- e. The originating agency shall be advised to contact Juvenile Services for details on the release of the juvenile.
- f. Detention shall occur ONLY after a district court judge has signed the required court order.

### 4. Return/Locating of Runaway

Once a runaway juvenile has been located, or returns home, the investigating co-worker shall complete the Missing Juvenile Report (Form MPJ-1). Upon completion of the Missing Juvenile Report, it shall be retained in the investigative case file. If the juvenile is located prior to the beginning of an investigation by the Criminal Investigation Division, the Missing Juvenile Report shall be scanned in and attached to the original incident report in RMS.

### 5. Chronic Juvenile Runaway

If a juvenile meets the criteria of a chronic juvenile runaway, the investigating coworker should seek an undisciplined juvenile petition through the Division of Juvenile Justice. The criteria for a juvenile to be deemed a chronic juvenile runaway shall be:

- a. Meet the criteria as an undisciplined juvenile as set forth in NCGS 7B-1501(27);
- b. Two or more incident reports listing the juvenile as a run-away within six months and was missing for 24 hours or more;
- c. Has a history of undisciplined behavior (i.e. truancy, drug/alcohol abuse, gang activity).

#### E. ABANDONED/UNIDENTIFIED CHILDREN

Occasionally officers respond to calls of children being left unattended or abandoned. Officers should coordinate a response with the Department of Social Services for assistance in these situations. DSS is the appropriate agency for assisting with the identification and placement of children for temporary custody.

### **08.07.7 NORTH CAROLINA AMBER ALERT – ABDUCTED CHILD RELATED MISSINGS**

#### A. AMBER ALERT CRITERIA

Upon determining that a child has been abducted, all of the following criteria must apply for the "Amber Alert" to be activated:

1. The child is 17 years of age or younger;
2. The abduction is not known or suspected to involve a parent of the child unless the child's life is suspected to be in danger.
3. The child is believed to have been abducted or to be in danger of injury or death;
4. The child is **NOT** voluntarily missing or a runaway as determined by the investigation (the previous history of runaway is **NOT** a factor for exclusion);
5. The abduction has been reported to and is being investigated by a law enforcement agency;
6. There must be sufficient descriptive information on the suspect and/or vehicle available for release to the media;
7. If the abduction of the child is known or suspected to be by a parent of the child, the North Carolina Center for Missing Persons (CMP), in its discretion, may disseminate information through the Amber Alert if the child is in danger.

#### B. AMBER ALERT PROCEDURE

1. If all criteria are met, the investigating officer shall verify the abduction details with the watch commander. The investigation shall include, but is not limited to, the following information:
  - a. Name, age, and physical description of the child;
  - b. Description of the child's clothing;
  - c. Location and time the child was last seen;
  - d. Description of the vehicle(s) involved in the abduction;
  - e. Last known direction of travel and possible destination;
  - f. Description of suspect;
  - g. A recent photograph of the abducted child;
  - h. Name of school the child attends (if old enough), or the last school attended.



2. Upon completion of a child abduction incident report, a supervisor shall be contacted immediately to review and approve the report. The reporting officer shall provide a copy of the report to the Records Division DCI operator for entry into DCI as soon as possible.
3. The communications center shall be requested to send a 50-mile radius message via DCI to neighboring agencies.

C. SUPERVISOR RESPONSIBILITIES

1. Ensure the Amber Alert criteria have been met.
2. Ensure the gathered information is broadcast to the Communications Center.
3. Ensure that the on-call investigations supervisor has been notified.
4. The supervisor shall notify the chain of command, to include the Chief of Police, and draft a media release.
5. Complete the "Amber Alert" form and fax to the NC Center for Missing Persons. "Amber Alert" instructions are located on the intranet.
6. Fax form to NC Center for Missing Persons.
7. Furnish photo of child and abductor if known and if available.
8. Request crime scene to respond to the scene if necessary.
9. Should the missing person be located, promptly contact NC Center for Missing Persons to deactivate the alert.

**08.07.8**     **SILVER ALERT**

A. SILVER ALERT CRITERIA

**ALL** of the following statutory criteria must be met before the North Carolina Center for Missing Persons shall activate a Silver Alert:

1. The person is believed to be missing;
2. The person is believed to be suffering from dementia or Alzheimer's disease, or a disability that requires them to be protected from potential abuse or other physical harm, neglect, or exploitation.
3. A legal custodian of the missing person has submitted a missing person's report to the local law enforcement agency where the person went missing.
4. Law enforcement reports the incident to the NC Center for Missing Persons.

## B. SILVER ALERT PROCEDURE

1. If the reporting officer has reason to believe an individual meeting the criteria has been reported missing, they shall immediately broadcast a description and request a supervisor to respond to the scene. The supervisor shall coordinate the search and canvass of the home and surrounding area.
2. If the supervisor believes that the Silver Alert criteria have been satisfied, they shall ensure that the Silver Alert procedures are implemented, and the necessary reports are completed.
3. The supervisor shall notify the chain of command, to include the Chief of Police, and draft a media release.



GARY J. GACEK  
CHIEF OF POLICE