


<b>ELIZABETH POLICE DEPARTMENT GENERAL ORDERS</b>			
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<b>SUBJECT: MISSING AND UNIDENTIFIED PERSON INVESTIGATIONS</b>			
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<b>BY THE ORDER OF:</b> Chief Giacomo Sacca			
<b>BY AUTHORITY OF:</b> Police Director Earl J. Graves			
<b>SUPERSEDES ORDER #: V3C22 (01/14/2021)</b>			

**PURPOSE** The purpose of this general order is to maintain the Elizabeth Police Department's policy and procedures concerning missing/unidentified person investigations.

**POLICY** It is the policy of the Elizabeth Police Department that all missing person incidents be given full consideration and attention. It is further the policy of the Elizabeth Police Department to investigate these instances in compliance with New Jersey State Statutes and guidelines established by the New Jersey Attorney General and the Union County Prosecutor.

Missing/unidentified person investigations pose particularly difficult problems for law enforcement agencies. Missing/unidentified children investigations pose even greater dangers to the child and require a swifter, more coordinated response by the law enforcement community, including media outlets. It is imperative that these investigations be given the appropriate degree of priority treatment. The investigation and all ancillary public safety activities must be timely and comprehensive.

All available support services shall be made available to the family of the victim. The victim's family will be kept informed of the progress of the investigation.

## PROCEDURES

### I. GENERAL

- A. This general order applies to all investigations of missing and unidentified adults and children, including abducted, abandoned, runaway, or other missing children.
  - 1. This general order cannot anticipate every potential scenario and establish special procedures for what may be a temporarily overdue person.
  - 2. Officers must be guided by common sense and an evaluation of the facts and circumstances of each instance when undertaking a missing person investigation and invoke those sections of this general order that are deemed necessary.
- B. To initiate a successful investigation, the first responding officer must focus on quickly gathering as much information as possible and safeguard potential evidence.
- C. The accurate and comprehensive collection of information and personal descriptors entered in a timely manner into the NCIC database generally facilitates a successful resolution to the missing and unidentified person investigation.
- D. Questions concerning parental custody occasionally arise in relation to missing children/adolescent incidents. Even under circumstances when custody issues have not been formally established or resolved, this department will accept and investigate all reports of missing children/adolescents, including cases when it can be shown that the child/children/adolescent(s) have (has) been removed, without explanation, from where they had last been seen. Reporting persons shall be encouraged to obtain clarification of legal custody as soon as possible to assist in the investigation.
- E. Whenever it is suspected that a person may have been abducted or kidnapped from the City of Elizabeth, officers will conduct an investigation accordingly and ensure that the duty shift commander is notified.
- F. Responsibility for missing or abducted minor children investigations will be under the unified command of the Union County Prosecutor's Office and the detective bureau. For at-risk runaways, this department shall maintain primary jurisdiction and the Union County Prosecutor's Office will assist in coordinating the response as requested on a case-by-case basis.
- G. The assigned detective shall promptly notify the Union County Prosecutor's Office when the initial report or follow-up investigation indicates an emergency situation and/or foul play. Emergency situations are as follows:
  - 1. Missing/unidentified children thirteen (13) years of age and under;
  - 2. The missing child is between fourteen (14) years of age to sixteen (16) years of age and based on the available information it is determined that the missing child has been abducted and/or is in a life-threatening situation and/or is missing under suspicious circumstances.

3. A missing/unidentified handicapped person (mental or physical);
  4. A missing person who is suicidal in nature;
  5. A missing person who is under a doctor's care and is dependent upon medication to survive (e.g., diabetic, heart attack patient, epileptic);
  6. Major search and rescue in operation involving a missing person.
- H. An assistant prosecutor (juvenile unit) must screen all interference with custody cases prior to signing a complaint.
- I. In accordance with N.J.S.A. 2C:12-1.3, a parent, guardian, or other person with legal custody of a child (13 years or younger) who knew or should have known of the disappearance of a child for which that parent, guardian, or other person is responsible who fails to report the missing child (13 years or younger) to the appropriate law enforcement agency within 24 hours shall be guilty of a crime of the 4<sup>th</sup> degree.

## II. DEFINITIONS AND RESOURCES

- A. AMBER Abducted Child Alert System is a cooperative effort between law enforcement and the broadcast media in the event of child abduction. Activation of the system provides immediate emergency broadcasts of descriptive information to the public through a multitude of media outlets.
- B. Alzheimer's Disease is a progressive, degenerative disease of the brain in which brain cells die and are not replaced. It results in impaired memory, thinking, and behavior.
- C. Autism/Autism Spectrum Disorder (ASD) is a biologically based disorder that affects the development and functioning of a person's verbal and non-verbal communication skills, social interactions, and patterns of behavior. Autism affects people of all races, ethnicities and socio-economic groups and is found throughout the world. Autism is four times more prevalent in boys than girls. Some signs and symptoms associated with ASD include, but are not limited to:
1. No babbling, pointing or meaningful gestures by 1 year of age.
  2. No single words by age 16 months.
  3. Loss of language or other skills at any age.
  4. Little or no eye contact.
  5. Lack of pretend, imitative, and functional play appropriate to developmental age.
  6. Stereotypical and repetitive behavior.
  7. Failure to develop peer relationships appropriate to developmental age.
  8. Unusual or inappropriate fears.

- D. Child Abduction Response Team (CART) is an investigative unit within the Union County Prosecutor's Office that assists with missing child investigations.
- E. Code Adam is a missing child safety program that private companies may implement in which its employees follow specific procedures when a person reports to any employee that a child is missing. Such actions may include calling 911, staffing all exits, monitoring cameras, alerting staff of the missing child, and locking down the business, store or other facility.
- F. Endangered Missing Advisory (EMA) includes systems to immediately notify law enforcement officers and the public about missing person cases not meeting the criteria for an AMBER Alert, SILVER Alert, or MVP Alert. Examples of such systems includes:
1. Facebook is an online social networking service that can be used by the agency to disseminate information concerning missing or unidentified persons.
  2. Instagram is a photo and video-sharing social networking service, owned by Facebook, that can also be used by the agency to disseminate information concerning missing or unidentified persons,
  3. X (formerly Twitter) is an online social networking and microblogging service that enables users to send and read text messages (tweets) to registered users.
- G. Family Reference Sample Collection Kit is a standardized collection kit that provides a safe and effective, noninvasive means for obtaining DNA reference samples from appropriate family members of a missing person. Family reference samples are entered into the FBI's Missing Persons DNA Database Program for comparative purposes. Kits are available from the NJSP Missing Persons and Child Exploitation Unit.
- H. High-Risk Missing Person is a person whose whereabouts are not currently known, and the circumstances of the person's disappearance suggest that the person may be at imminent or likely risk of injury or death. The circumstances that indicate a person is a high-risk missing person include, but are not limited to:
1. The person is missing because of a confirmed abduction or under circumstances that indicate the person's disappearance was not voluntary.
  2. The person is missing under known dangerous circumstances or is believed to be with others who could endanger his/her welfare.
  3. The person is a potential victim of foul play or sexual exploitation.
  4. Is absent under circumstances inconsistent with established patterns of behavior.
  5. Is absent from home for more than 24 hours before being reported to law enforcement as missing.

6. The person has already been designated as a high-risk missing person by another law enforcement agency.
7. The person (regardless of age) who has not been located within 48 hours.
8. There is evidence that the person is at risk because:
  - a. The person needs medical attention or prescription medication such that it will have a serious adverse effect on the person's health if he or she does not receive the needed care or medication (e.g., diabetic, heart patient, epileptic, etc.).
  - b. Is drug dependent, including prescription and/or illicit substances.
  - c. The person has a physical, mental, intellectual, or developmental disability, handicap, or Autism (ASD).
  - d. The person is suicidal.
  - e. The person does not have a pattern of running away or disappearing.
  - f. The person missing may have been abducted by a non-custodial parent.
  - g. The person missing is mentally impaired or has diminished mental capacity.
  - h. The person is age 13 years or younger.
  - i. The person missing is between 13 and 21 years of age, whose whereabouts are unknown to the parent/guardian or responsible person and whose absence is inconsistent with past patterns of behavior.
  - j. The person is out of their zone of safety for a person of his/her age, developmental stage, and/or physical condition.
  - k. The person missing has been the subject of past threats or violence.
9. Whose disappearance involves circumstances that would cause a reasonable person to conclude that the missing person is considered vulnerable.
10. Any other factor that may indicate, in the judgment of the department that the missing person may be at risk.
- I. JINS Shelter Runaway is a juvenile in need of supervision (JINS) who is absent without leave (AWOL) from the JINS shelter.
- J. Lead Law Enforcement Agency is the law enforcement agency with primary responsibility for investigating a missing or unidentified person case.

- K. LENS™ (Law Enforcement Notification and Sharing platform) is a secure inter-agency law enforcement notification system that allows all participating law enforcement agencies to share information quickly and effectively. LENS™ replaces APBnet, Critical Reach, MCAS, and TRAK.
- L. Long Term Missing Person is any person that has remained the subject of a missing person investigation for over 30 days.
- M. Long Term Unidentified Person is any person, living or deceased that has not been identified through investigation for over 30 days. All human remains that have been recovered and not identified are included in this definition.
- N. Missing Adult includes a person who is 18 years of age or older and whose absence is contrary to their normal patterns of behavior.
- O. Missing Child is any person 17 years of age or younger (except as otherwise noted in this general order) whose whereabouts are unknown to their parent, guardian, or responsible party. Under 34 USC 41307, any missing person under the age of 21 is considered a missing child for immediate NCIC entry purposes. Missing child includes the following subcategories:
1. Non-family abduction involves a child who has been wrongfully taken by a non-family perpetrator using physical force, persuasion, or threat of bodily harm.
  2. Family abduction occurs when, in violation of a court order, a decree, or other legitimate custodial rights, a member of the child's family, or someone acting on behalf of a family member, takes or fails to return a child. This is also referred to as parental kidnapping and custodial interference.
  3. Runaway child, often a teenager, leaves home voluntarily for a variety of reasons. This would include any child 17 years of age or younger.
  4. Throw away is a child whose caretaker makes no effort to recover the child after running away, who has been abandoned or deserted, or who has been asked to leave his or her home and not allowed to return. While not necessarily reported to authorities as missing, children in this category frequently come to the attention of law enforcement.
  5. Lost, injured, or otherwise missing child is defined as a child who has disappeared under unknown circumstances. The incident may range from the child wandering away and becoming lost to the child being abducted, wherein no one witnessed the act. These circumstances sometimes involve foul play, when those reporting the incident are attempting to cover-up a crime involving the child.
- P. Missing Vulnerable Person Emergency Alert System (MVP Alert) is a cooperative effort between law enforcement and the broadcast media in the event of a missing person with mental, intellectual, or developmental disabilities. Activation of the system provides immediate emergency broadcasts of descriptive information to the public through a multitude of media outlets. A missing vulnerable person means a person who is believed to have a mental, intellectual, or developmental disability or

defect who goes missing under circumstances that indicate that the person may be in danger of death or serious bodily injury.

- Q. National Center for Missing and Exploited Children – NCMEC is located in Alexandria, Virginia and provides technical assistance to investigators; provides a 24-hour hotline to receive reports and sightings of missing children; a worldwide CyberTipline for on-line reporting of the sexual exploitation of children; nationwide distribution of photographs and descriptions of missing children; preparation of age-enhanced photographs of long-term missing children; and analysis of case information and leads (1-800-THE-LOST). NCMEC also provides resources for international family abductions.
- R. National Missing and Unidentified Persons System (NamUs) is a national centralized repository and resource center for missing persons and unidentified decedent records. NamUs is a free online system that can be searched by medical examiners, coroners, law enforcement officials and the public from all over the country in hopes of resolving these cases. When a new missing persons or unidentified decedent case is entered into NamUs, the system automatically performs cross-matching comparisons between the databases, searching for matches or similarities between cases. NamUs provides free DNA testing and other forensic services, such as anthropology and odontology assistance.
- S. New Jersey State Police Resources:
1. Air Support – 800-332-4356;
  2. Building Collapse Team – 800-882-2000;
  3. Canine Unit – 609-882-2000 ext. 2224;
  4. Operational Dispatch Unit – 609-882-2000 ext. 6311;
  5. Missing Persons and Child Exploitation Unit provides analytical and investigative support related to missing persons and unidentified persons investigations.
    - a. Main telephone 609-882-2000, extension 2893.
    - b. During other than normal business hours, contact the Regional Operations and Intelligence Center (ROIC) at 609-963-6900 ext. 1.
  6. D.R.I.L.L. (Dental Records Initiative to Locate a Life) – The NJSP forensic anthropology laboratory will assist in the retrieval of dental records from a dental office; they will assist with the dental entry into NamUs and in NCIC; will assist with any scanning of dental records; photographs and radiographs; will assist in the review and verification of any existing dental data entered in NamUs or NCIC and assist with match comparisons.
  7. Homicide Evaluation and Assessment Tracking (HEAT) – New Jersey's central repository for information and analysis of a variety of violent crimes. HEAT provides New Jersey law enforcement agencies reporting similar patterns of violent crimes with information necessary to initiate and coordinate multi-agency investigations.

- T. Personal/Direct Reference Sample Evidence Registration Form is an evidence submission form to be utilized when sending personal samples from the missing person to the National Missing Persons Program for DNA profile analysis and subsequent upload into the FBI's Missing Persons DNA Database Program. The registration form is located within the Family Reference Sample Kit, which is supplied by the NJSP.
- U. Project Lifesaver International locates and rescues missing persons through proven radio technology and a specially trained search and rescue team. Administered by the Union County Sheriff, Project Lifesaver program clients wear a personalized wristband that emits a tracking signal. Eligible clients include individuals suffering from Alzheimer's Disease, Down Syndrome, Autism, or any other dementia-related disorders.
- V. Safe Return Program (800-883-1180) ([safereturn@medicalert.org](mailto:safereturn@medicalert.org)) is a nationwide identification, support, and enrollment program working at the community level, which assists in the safe return of individuals with Alzheimer's or a related dementia who wander and become lost.
- W. SILVER Alert is much like AMBER Alerts for missing children. SILVER Alerts are intended to enlist the assistance of the media to broadcast descriptive information to the public to help locate people believed to be suffering from dementia or other cognitive impairment.
- X. Unidentified Deceased Persons Remains are human remains that have been discovered while conducting a death investigation in which the identity of the human remains is currently unknown.
- Y. United States Department of State: The *Office of Children's Issues* within the United States Department of State is a resource to use in child abduction cases when a non-custodial parent removes a child from the United States.
- Z. ViCAP is the *Violent Criminal Apprehension Program* database established by the FBI as a nationwide data information center designed to collect, collate, and analyze a variety of violent crime information to facilitate cooperation, communication, and coordination between law enforcement agencies. ViCAP provides all law enforcement agencies reporting similar patterns of violent crimes with information necessary to investigate, identify, track, apprehend, and prosecute serial offenders.
- AA. Zone of Safety represents an area in which a missing person is known to frequent; feels a sense of comfort and is not believed exposed to any unusual risk.
1. Each person's zone of safety is specific to that individual, based upon his/her normal lifestyle and areas where the person feels a sense of belonging/comfort.
  2. While officers and investigators will ultimately determine the zone of safety and base their response on it, they shall seek and take into consideration input from the people who are familiar with the missing person's habits/lifestyle to assist in making a determination as to what an appropriate zone of safety is for the missing person in the particular case at hand.



- BB. To be classified as a missing person, an individual must meet one of the following criteria:
1. Disability (EMD): A person of any age who is missing and under proven physical/mental disability or is senile, thereby subjecting himself/herself or others to personal and immediate danger.
  2. Endangered (EME): A person of any age who is missing under circumstances indicating that his/her physical safety may be in danger. NOTE: Child Abduction (CA) or an AMBER Alert (AA) flag as appropriate.
  3. Involuntary (EMI): A person of any age who is missing under circumstances indicating that the disappearance may not have been voluntary, i.e., abduction or kidnapping. NOTE: Child Abduction (CA) or an AMBER Alert (AA) flag as appropriate.
  4. Juvenile (EMJ): A person under the age of 18 who is missing and does not meet any of the entry criteria set forth in subsections 1, 2, 3, or 5 of this section.
  5. Catastrophe Victim (EMV): A person of any age who is missing after a catastrophe.
  6. Other (EMO): A person aged 18 and older not meeting the criteria for entry into any other category who is missing and for whom there is a reasonable concern for his/her safety.
- CC. To be classified as an unidentified person, an individual must meet one of the following criteria:
1. Deceased (EUD): a person who is no longer living for whom the identity cannot be ascertained. This category also includes recovered body parts when a body has been dismembered.
  2. Living (EUL): a person who is living and unable to ascertain his/her identity, e.g., amnesia victim, infant, etc. The information on unidentified living persons should only be included if the person gives his/her consent or if they are physically or mentally unable to give consent.
  3. Catastrophe Victim (EUV): a person who is a victim of a catastrophe for whom the identity cannot be ascertained or body parts when a body has been dismembered as the result of a catastrophe.

### **III. GENERAL INVESTIGATIVE STANDARDS**

- A. Due to the potential complexity and diverse nature of missing and unidentified person investigations, swift and effective action by this department is required.
1. The key to success is the rapid development of information to disclose the circumstances under which the person is missing or unidentified to determine whether foul play or suspicions are in evidence. This facilitates an efficient, logical approach to the investigation.

2. The potential for tragedy demands that supervisors continually monitor the progress of these investigations and be ever vigilant to take command of the situation if the need arises.
- B. Immediately upon receiving a report of a missing person or unidentified person, a patrol unit shall be assigned to conduct a preliminary investigation.
1. There is no requirement that the reporting person wait for any period of time to report the missing/unidentified person.
  2. Missing persons can be reported in any municipality, regardless of where the missing person permanently resides or where the missing person was last confirmed to have been.
- C. No missing person report will be denied on the basis that:
1. The missing person is an adult.
  2. The circumstances do not indicate foul play.
  3. The circumstances suggest that the disappearance may be voluntary.
  4. The person reporting the missing person does not have personal knowledge of the facts.
  5. The missing person is a visitor to Elizabeth or to a contiguous community.
  6. The reporting person cannot provide all information requested.
  7. The reporting person lacks a familial or other relationship with the missing person.
  8. For any other reason, except when there is direct knowledge that the person is in fact not missing and the exact whereabouts and welfare of the missing person are known at the time the report is being made.
- D. Communications personnel (call takers) shall ensure that the following minimum steps are taken:
1. Obtain basic facts, details, and a brief description of the missing person/child and abductor, if applicable.
  2. Determine if the missing person is autistic or on the autism spectrum. If so, determine to the extent possible:
    - a. Is the person wearing or carrying any tracking technology device? If so, which one and how is location information accessed?
    - b. Is the person attracted to water? If so, can he/she swim?
    - c. Is the person attracted to active roadways/highways?

- d. Does the person have a fascination with vehicles such as trains, heavy equipment, airplanes, or fire trucks?
  - e. Has the person wandered away before? If so, where was he/she found?
  - f. Does the person have a sibling with special needs? If so, has that sibling wandered away before? If so, where was the sibling found?
  - g. Where does the person like to go? Does the person have a favorite place?
  - h. Is the person nonverbal? How will the person likely react to his/her name being called?
  - i. Will the person respond to a particular voice such as that of his or her mother, father, other relative, caregiver, or family friend?
  - j. Does the person have a favorite song, toy, or character? If so, what or who is it?
  - k. Does the verbal person know his/her parents' names, home address, and phone number?
  - l. Does the person have any specific dislikes, fears, or behavioral triggers?
  - m. How might the person react to sirens, helicopters, airplanes, search dogs, people in uniform, or those participating in a search team?
  - n. How does the person respond to pain or injury?
  - o. What is the person's response to being touched?
  - p. Does the person wear a medical ID tag?
  - q. Does the person have any sensory, medical, or dietary issues and requirements?
  - r. Does the person rely on any life-sustaining medication?
  - s. Does the person become upset easily? If so, what methods are used to calm him/her?
- 3. Dispatch a patrol unit to conduct a preliminary investigation.
  - 4. Query history logs for previous incidents related to activity in the area, paying special attention to reports of prowlers, lewdness, attempted abduction, etc. Make responding units aware of this information.
  - 5. Determine if the missing person is enrolled in Project Lifesaver. If so, make the necessary notification to the Union County Sheriff's Office and request that a search team be sent to the scene.

6. Broadcast all known details to patrol units. Expand the notification to surrounding communities, counties, or states as the need arises.
  7. Make necessary, timely notifications.
  8. Update computer and database entries as needed.
  9. Depending on the circumstances of the investigation and with permission of the shift commander or Chief of Police consider notification to the media.
  10. Be prepared to accept and relay information for the immediate activation of the AMBER / SILVER / MVP ALERT systems, if appropriate.
  11. Depending on the circumstances of the investigation, activate a LENS™ alert.
- E. The desk lieutenant shall be notified of a preliminary missing person investigation. The duty patrol supervisor shall respond to all missing person investigations when:
1. The missing person is a child 13 years of age or younger; or
  2. If the missing person is classified as a high-risk missing person; or
  3. When the initial officer determines that there is criminal involvement; or
  4. Unusual circumstances are present; or
  5. Supervisory or investigator presence is otherwise needed.
- F. Initial responding officer's responsibilities include:
1. Interview the reporting person.
    - a. If more than one reporting person is present, interviews should be conducted separately.
    - b. If investigating a missing child, interview parents, siblings and, most importantly, friends of the missing child.
    - c. Verify that the person is, in fact, missing.
      - 1) Is the location of the person known, but they will not return to the home?
      - 2) Was there an argument and the person left to go to a friend or relatives house and will not return?
      - 3) Does the person reporting the missing person have any physical or psychological ailments that affect their memory?
    - d. Determine if this may be a high-risk missing person and if there is a potential crime scene area and or potential witnesses.

- e. Determine if the person is enrolled in Project Lifesaver. Contact a Project Lifesaver tracking team for assistance.
2. Obtain the following information:
- a. Name, including aliases.
  - b. Date of birth.
  - c. Photograph, videotape, or electronic image of the missing person for inclusion in the NCIC entry.
  - d. Identifying marks, such as birthmarks, moles, tattoos, and scars (if photos of any of these are available, collect them as well for inclusion in the NCIC entry).
  - e. Height and weight.
  - f. Gender.
  - g. Race.
  - h. Current hair color and true or natural hair color.
  - i. Eye color.
  - j. Prosthetics, surgical implants, cosmetic implants, circumcision.
  - k. Physical anomalies.
  - l. Blood type, if known, and whether the missing person has ever donated blood.
  - m. Any medications the missing person is taking or needs to take.
  - n. Driver's license number, if known.
  - o. Social security number, if known.
  - p. Facebook®, Instagram®, and other social networking presence.
  - q. Bank, ATM and/or credit card account numbers, if known.
  - r. Fingerprint classification, if known and available.
  - s. A description of the clothing the missing person was believed to be wearing at the time of disappearance.
  - t. Information regarding the missing person's electronic communications devices, such as cellular telephone number or email addresses and carrier or Internet service provider.

- u. A description of notable items and jewelry that the missing person may be carrying or wearing.
- v. The reasons why the reporting person believes that the person is missing.
- w. The name and location of the missing person's school or employer, if known.
- x. The name and location of the missing person's dentist and primary care physician, if known.
- y. Any circumstances that may indicate that the disappearance was not voluntary.
- z. Any circumstances that indicate that the missing person may be at risk of injury or death.
- aa. A description of the possible means of transportation of the missing person, such as make, model, color, registration, and VIN number of a motor vehicle. If applicable, determine if the vehicle is equipped with On-Star® or EZ-Pass.
- bb. Any identifying information about a known or possible abductor, or the person last seen with the missing person, and provide it without delay to dispatch:
  - 1) Name.
  - 2) Physical description.
  - 3) Photograph of the possible abductor or person last seen for inclusion in the NCIC entry and any press / media releases.
  - 4) Date of birth.
  - 5) A description of the possible means of transportation such as make, model, color, registration, and VIN number of a motor vehicle. If applicable, determine if the vehicle is equipped with On-Star® or EZ-Pass.
  - 6) Identifying marks, such as birthmarks, moles, tattoos, and scars (if photos of any of these are available, collect them as well for inclusion in the NCIC entry and any press / media releases).
  - 7) Online screen names.
  - 8) Facebook® Instagram® and other social networking presence.
  - 9) Known associates.
  - 10) Megan's Law classification status, if applicable.

- 11) Any other information that can aid in locating the missing person.
  - 12) Date of last contact.
- cc. If the missing person is a juvenile the following information might prove useful:
- 1) Custody status; examine court orders regarding current custody matters, if applicable. If criteria are met for an AMBER Alert, immediately contact dispatch to request activation.
  - 2) Friends' names and addresses.
  - 3) Online screen names.
  - 4) Facebook® Instagram® and other social networking access.
  - 5) Access to credit card information.
  - 6) A description of the possible means of transportation such as make, model, color, registration, and VIN number of a motor vehicle. If applicable, determine if the vehicle is equipped with On-Star® or EZ-Pass.
  - 7) Wireless telephone number(s) and carrier.
  - 8) Access to bank book(s), bank account(s).
3. Ensure that everyone at the scene is identified and interviewed separately and accurately record the information. Note name, address, and phone numbers of each person. Determine relationship to the missing person and ask where they believe the missing person may be. Obtain information of potential associates to aid in future investigation.
- a. Confirm a child's/adolescent's custody status, if relevant.
  - b. Determine missing person's state of mind, mental capacity, or defect, if known.
  - c. Determine whether the missing person has been known to disappear in the past.
  - d. Determine where the missing person could possibly be headed, or where he/she has re-appeared in the past, if applicable.
4. Identify the circumstances of the disappearance. Determine when, where, and by whom the missing person was last seen. Interview the individual(s) who had last contact with the missing person. Develop a list of known family members, friends, classmates, co-workers, and associates for interviews.

5. If a child or a person with diminished mental capacity is involved, identify a zone of safety commensurate with their age and developmental stage. If the child/person was out of this safety zone, ascertain potential reasons. Missing autistic children and autistic adults pose unique challenges to law enforcement for several reasons. They:
  - a. Often seek bodies of water.
  - b. Tend to wander or elope.
  - c. Tend to seek small, enclosed spaces, which may be overlooked during initial searches.
  - d. Elude or hide from searches.
  - e. May have a diminished sense of fear.
  - f. May be unable to respond to search teams.
  - g. May be very resilient.
  - h. May exhibit unique behaviors (no children/adults are alike).
  - i. May have specific interests or fascinations (e.g., active roadways, road signs, trains, fire trucks).
6. Other factors to consider during the investigation of the missing child:
  - a. Time and place of last known location and the identity of anyone accompanying the child.
  - b. The extent of any search for the child.
  - c. Whether the child has been missing on prior occasions and the degree to which the absence departs from established behavior patterns, habits or plans.
  - d. Whether the child has been involved recently in domestic incidents; suffered emotional trauma or life crises; demonstrated unusual, uncharacteristic or bizarre behavior; is dependent on drugs or alcohol or has a history of mental illness.
  - e. The current physical condition of the child and whether or not the child is on prescription drugs.
  - f. Description of the child and the relationship of the reporting party to the missing child.
  - g. The custody status of the child and the possibility that a custody dispute may have played a role in the child's disappearance.
  - h. Attempt to locate a note.



- i. Check wastebaskets, schoolbooks, etc. for clues.
  - j. Compile a list of close friends and associates.
  - k. Obtain a recent photograph.
  - l. Compile a list of possible destinations and locations frequented.
  - m. Check for recent bank account activity and record the information.
  - n. Instruct the reporting party to contact this department immediately upon receipt of new information or the child's safe return.
7. In cases of missing children, officers shall be particularly cognizant of information that may suggest the potential for parental abduction or the possibility of stranger abduction, as well as:
- a. The presence of behavioral problems.
  - b. Past instances of running away.
  - c. Signs of an abusive home environment or dysfunctional family situation.
  - d. Whether the child is believed to be with adults who may pose a danger; and
  - e. The name and location of the school attended by the child and any persons who may be responsible for private transportation to and from the location.
8. If known acquaintances, potential abductors, vehicles, or persons of interest are involved, obtain detailed descriptions as necessary.
9. Relay detailed descriptive information necessary for the investigation to dispatch for broadcast to all patrols and applicable law enforcement entities.
10. Ensure available photo(s) are relayed to detectives for the inclusion in a LENS™ alert, AMBER alert, SILVER alert, MVP Alert, or Union County first alert, as appropriate.
11. Request additional personnel and resources if circumstances require.
12. Consideration should be given to immediately requesting detectives and additional personnel to the scene.
13. Treat the area as a potential crime scene.
14. Utilize a crime scene entry/exit log, when necessary.
15. Request voluntary assistance from the family or reporting party in obtaining items of investigatory value belonging to the missing person.

- a. Obtain consent to search, when applicable.
  - b. Consider obtaining personal items that contain the missing person's scent for utilization of search dogs. Place scent articles in a clean, paper bag.
  - c. Attempt to obtain personal electronic devices (cell phones or cell phone numbers for tracking purposes, computers for online resources such as screen names or email sources, digital cameras, electronic storage devices, etc.).
  - d. Gather as many documents as possible to assist with follow-up investigation. Banking records, mail, cell phone records, etc. should be collected, when possible. Utilize consent forms or court orders, as necessary.
- 16. When applicable, obtain items that would likely contain the missing person's DNA, such as a toothbrush, hairbrush, or clothing. Seal and protect the scene, when necessary, for potential subsequent search efforts by qualified crime scene technicians.
  - 17. Determine if any of the missing person's personal items are known to be missing from the area/scene.
  - 18. Maintain scene integrity until relieved by investigative or supervisory personnel. Thoroughly brief relieving personnel, advising of all investigative steps taken to point and noted documentation.
  - 19. Complete all reports and forms prior to reporting off duty.
- G. Assigned detective's responsibilities include:
- 1. When applicable, obtain briefing from first responding officer and other on-scene personnel.
  - 2. Verify the accuracy of all descriptive information and other details developed during the preliminary investigation. Ensure that the missing person had been entered into all appropriate databases (NCIC, NJLETS, LENS™, UC First Alert, etc.).
  - 3. Obtain a brief, recent history of family dynamics or relationship dynamics, which apply to the missing person.
  - 4. Correct and investigate the reasons for conflicting information offered by witnesses and other involved individuals.
  - 5. Notify the Union County Prosecutor's Office in priority cases such as:
    - a. All persons missing under suspicious circumstances or circumstances out of the ordinary for the person.
    - b. When foul play or suicide is suspected.

- c. Unidentified bodies or body parts.
    - d. Missing child 13 years of age or younger.
  - 6. Review and evaluate all available information and evidence requested.
  - 7. Cause a criminal history query on any principal suspects and participants in the investigation, when applicable.
  - 8. If the missing person is a visitor, contact the law enforcement agency where he/she resides for additional information and intelligence.
  - 9. Determine what additional resources and specialized services are required.
  - 10. Contact the Union County Prosecutor's Office, or applicable prosecutor's office (visitors) for required court ordered information to aid in investigation, when necessary.
  - 11. Contact the NJSP Missing Persons and Child Exploitation Unit for assistance and resources, when necessary.
- H. Responding supervisor's responsibilities include:
- 1. Conduct a debriefing of the first responding officer, investigators, and other agency personnel at the scene. Obtain and review pertinent written reports.
  - 2. Determine if additional personnel or services are needed to assist in the investigation including, but not limited to:
    - a. Contiguous law enforcement agencies.
    - b. Canine resources.
    - c. Lighting (fire department).
    - d. UCPD or fire department if water rescue or recover is indicated.
    - e. Ambulance.
    - f. NJSP Missing Persons and Child Exploitation Unit, if necessary.
    - g. NJSP Aviation Unit, if necessary.
    - h. UCPO Child Abduction Response Team.
  - 3. Ensure that all required resources, equipment, and assistance necessary to conduct an efficient investigation have been requested and expedite their availability.
  - 4. Determine whether the person reported missing is to be designated a high-risk missing person.

- a. If the initial determination of a person reported missing does not warrant designation of that person as high-risk, it shall not preclude a later determination, based on further investigation or the discovery of additional information, that the missing person is high-risk.
  - b. Upon a determination that a missing person investigation involves a high-risk missing person or a missing child, a detective should contact the NJSP Missing Persons and Child Exploitation Unit to determine whether the circumstances warrant a cooperative effort.
  - c. If it is determined that a cooperative effort is warranted, the NJSP Missing Persons and Child Exploitation Unit shall coordinate the deployment of additional State Police resources in support of the investigation.
  - d. The supervisor or assigned detective shall ensure that during an investigation involving a high-risk missing person all law enforcement agencies in the state, and if necessary, law enforcement agencies in adjacent states that may aid in the prompt location and safe return of the high-risk missing person are promptly notified and provided with as much descriptive information as possible.
5. Establish a command post, when necessary.
  6. Ensure coordination and cooperation among all involved law enforcement agencies in the investigation and search effort.
  7. Ensure that all required notifications are made.
  8. Ensure that all policies and procedures are in compliance.
  9. Be available to make any decisions or determinations as they develop.
  10. Utilize media outlets to assist in search efforts, when necessary, throughout the duration of the case.
  11. Contact the NJSP Missing Persons and Child Exploitation Unit for assistance and resources, when necessary.
- I. Developmentally disabled or emotionally disturbed persons may have difficulty communicating with others about their needs, their identity, or their address. The disability may place such persons in danger of harm.
    1. Mentally impaired may also include adults suffering from Alzheimer's.
    2. When a child is developmentally disabled or emotionally disturbed, he/she may also have difficulty communicating with others about their needs, their identity, or their address. A mentally impaired child may be in danger of exploitation or other harm.
    3. If the missing person is not located during the current shift all available information shall be given to the relieving shift until the person is found.

4. Attorney General *Law Enforcement Directive 2005-3* establishes a statewide policy on the *Safe Return Program* to recover lost individuals with Alzheimer's disease and related disorders.
  - a. It is particularly important to find a person with Alzheimer's disease within the first 24 hours to ensure safety and survival.
  - b. The *Safe Return Program* has been designed to assist both the caregiver of persons with Alzheimer's disease or a related dementia disorder, and law enforcement officials with the safe return of these persons.
  - c. The program includes a nationwide participant registry that contains the full name of the registrant, a photograph, identifying characteristics, medical information, and emergency contact information, which enables personnel to easily identify a person with Alzheimer's disease.
  - d. *Safe Return Program* identification provides the first name of a person bearing this ID, indicates that they have memory impairment, and gives the 24-hour toll-free number for the Alzheimer's *Safe Return Program*.
  - e. The *Safe Return Program* can also be used to send an alert to area agencies such as shelters or hospitals that a person with Alzheimer's disease is missing. This may help recover a person with Alzheimer's disease faster.
  - f. Personnel receiving a report of a missing person who is believed to have Alzheimer's disease or a related disorder, shall immediately contact the *Safe Return Hotline* at **800-883-1180** and a photograph and/or description, if available, should be disseminated to all officers working the current shift.
  - g. When approaching a person believed to have Alzheimer's disease, ask for identifying information. Persons registered with the *Safe Return Program* shall have a bracelet, necklace, lapel pin, key chain, or label inside their clothing collar.
- J. If a missing person is reported to this department and the person being reported missing does not permanently reside in this jurisdiction, then the assigned detective shall notify:
  1. The law enforcement agency that has jurisdiction over the missing person's resident address; and
  2. All law enforcement agencies having jurisdiction of the missing person's intended destination(s), if applicable.

#### IV. REPORTING PROCEDURES

- A. Without delay, the investigating officer shall prepare the necessary reports and complete appropriate forms made necessary by the investigation. These reports and forms include, but are not limited to:
1. A standard Elizabeth Police Department incident report and a supplemental narrative, if necessary;
  2. Missing Persons Report Form for NCIC Record Entry;
    - a. Complete this form, including determination of the applicable NCIC Missing Person File category (i.e., endangered, involuntary, disability, juvenile, non-specific). The desk lieutenant shall ensure that entry into the NCIC database is promptly completed.
    - b. A missing adult must meet appropriate criteria for entry into NCIC and written authorization is required from a person with appropriate authority in order to authorize the entry into NCIC.
    - c. A missing child (person under the age of 21; see definitions) does not require written authorization.
  3. The *Missing Person File, Data Collection Entry Guide* may be used to collect additional information from other appropriate sources during the investigation.
- B. The following checklists and logs may be useful in missing or lost person incidents:
1. Investigative Checklist for First Responder to a Missing or Lost Person Incident (Appendix A). The officer initially assigned to a missing or lost person incident can use the checklist as a guide during the search.
  2. Search Checklist for Missing Person Searches (Appendix B) – The officer or assigned field supervisor can utilize this form to assist with the coordination of a search for a missing or lost person.
  3. Investigative Checklist for the Supervisor at a Missing or Lost Person Incident (Appendix C) - the field supervisor assigned to a missing or lost person incident can use this checklist as a guide during the search.
  4. Investigative Checklist for the Detective Assigned to a Missing or Lost Person Case (Appendix D) - the detective assigned to a lost or missing person case can use the checklist as a guide in the investigation.
  5. Missing Children with Special Needs Checklist (Appendix E) – should be utilized when a child with special needs is reported missing.
  6. Search Urgency Chart (Appendix F) – can be used to determine the urgency of any potential search, if applicable.
- C. The desk lieutenant shall review and forward all reports to communications and/or detectives for data entry.

## **V. ADDITIONAL PROCEDURES – MISSING PERSONS**

- A. All obtained information shall be forwarded to the desk lieutenant, who shall ensure its entry into all appropriate databases. Under no circumstances shall the entry of this information be delayed. These databases include:
1. NJLETS/NCIC - The NJLETS entry (File 08) will automatically generate a report to the state missing persons clearinghouse located within the Missing Persons and Child Exploitation Unit via CJIS. This record is automatically sent to NCIC and entered into the NCIC Missing Person File, creating a NIC Number for the case.
  2. LENS™ – Whenever possible, generate a LENS™ alert with a photo of the missing person and particulars of the case. If the LENS™ system is inoperative or disabled, contact the NJSP Missing Persons and Child Exploitation Unit for assistance.
  3. NJSP Website – Depending on the circumstances, the assigned detective may at any time contact the NJSP Missing Persons and Child Exploitation Unit and request that the case be listed on the New Jersey State Police Missing Persons website/webpage.
  4. NCMEC/NAMUS – Depending on the circumstances, the assigned detective should give consideration in contacting and listing their case with the National Center for Missing and Exploited Children and/or National Missing and Unidentified Persons database, when deemed appropriate.
  5. Endangered missing advisory (see definitions) – The desk lieutenant and/or Detective Bureau personnel may consider conducting a mass notification through these technologies.
  6. Consider the use of an MVP Alert if the missing person is considered a vulnerable missing person (see definitions, subsection II.P) and subsection VI.N of this general order).
- B. The person making the report, a family member, or any other person in a position to assist in the investigation shall be provided with the following:
1. General information about the handling of the investigation or about intended efforts to the extent determined that disclosure would not adversely affect the ability to locate or protect the missing person or to apprehend or prosecute any person criminally involved in the disappearance;
  2. Information advising the person that if the person remains missing they should contact the assigned detective with additional information and materials that will aid in locating the missing person, such as credit or debit card and banking transactions and cell phone use;
  3. In those cases when DNA samples are requested, they are to be submitted on a voluntary basis and shall be used solely to help locate or identify the missing person and shall not be used for any other purpose; and

4. If the person reported missing is age 20 or under, the assigned detective shall provide the reporting person with contact information for the National Center for Missing and Exploited Children (NCMEC). If the reporting person wishes to have the missing person listed on the NCMEC website:
  - a. Ensure that an NCIC entry is completed and an NIC number is generated.
  - b. Obtain a JPEG image of the missing person (if unavailable, convert any photo to a JPEG format).
  - c. Have the reporting person complete an NCMEC Photo Waiver Form.
  - d. Email the JPEG image and the completed NCMEC Photo Waiver Form to NCMEC at [pawillingham@NCMEC.org](mailto:pawillingham@NCMEC.org).
  - e. Retain the image and the waiver form in the case file.
- C. In the case of a long-term missing person, detectives shall make periodic contact with the reporting person to verify that no new leads have developed.
- D. If the missing person remains missing for 30 days, and the additional information and material mentioned below has not been received, the detective shall attempt to obtain:
  1. DNA samples from biological family members and, if possible, from the missing person along with any needed documentation, including any consent forms, required for the use of state or federal DNA databases. Mechanics for submission of DNA samples:
    - a. Once the article(s) has been documented, detectives shall utilize the Personal / Direct Reference Sample Evidence Registration Form.
    - b. Contact appropriate biological family member(s) to ascertain if they are willing to provide a reference DNA sample for comparison purposes in the National Missing Persons Program federal database (CODIS MP) maintained by the Federal Bureau of Investigation. Such DNA samples are provided on a voluntary basis and shall be used solely to help locate or identify the missing person and shall not be used for any other purpose.
    - c. Detectives shall utilize the Family Reference Sample Collection Kit (supplied by the NJSP) to obtain DNA samples. Detectives shall strictly adhere to the instructions as put forth in the collection kit. Kits may be obtained by contacting the NJSP Missing Persons and Child Exploitation Unit.
    - d. Upon obtaining the DNA sample(s), detectives shall forward the kit to the National Missing Persons Program, University of North Texas Health Science Center, as directed in the kit instruction form. Strict attention shall be adhered to in the transmittal of the *Fax Back Sample Tracking Form* prior to the mailing of the kit.



- e. In addition to faxing the form to the National Missing Persons Program, detectives shall fax the form to the NJSA Missing Persons and Child Exploitation Unit (609-882-2719) for case tracking purposes.
- f. Upon completion of the DNA sample submission process, the assigned detective shall modify the existing NCIC missing person/ unidentified person entry to include that a DNA sample pertaining to the investigation is available for comparison. Location of the sample and corresponding CODIS MP identification number should be included in this modified entry.
- g. Reference Sample Priority Sequence:
  - 1) Personal Item(s) from missing person – (Direct Reference Sample Evidence Registration Form)
    - (a) Toothbrush.
    - (b) Clothing.
    - (c) Hairbrush.
    - (d) Any item capable of furnishing a DNA profile.
  - 2) Nuclear family members of missing person - (Family Reference Sample Collection Kit)
    - (a) Biological brother or sister of missing person.
    - (b) Biological parents of missing person.
    - (c) Biological children of missing person.
  - 3) **Maternal** biological relatives of missing person - (Family Reference Sample Collection Kit)
    - (a) Aunts / uncles of missing person (maternal side only).
    - (b) Cousins (maternal side only).
    - (c) Half-sisters / half-brothers (maternal side only).
2. Dental information and x-rays, and an authorization to release dental or skeletal x-rays of the missing person. The resulting profile shall be coded and entered into NCIC by modification of the existing record.
3. Any additional photographs of the missing person that may aid the investigation or identification. It is not required to obtain written authorization before releasing publicly any photograph that would aid in the investigation or identification of the missing person; and
4. Fingerprints – The resulting profile shall be coded and entered into NCIC by modification of the existing record.
5. Nothing in this section shall be construed to preclude detectives from obtaining any of the materials identified in this section before the 30<sup>th</sup> day following the filing of the missing person report.

- E. Information relevant to the FBI violent criminal apprehension program (ViCAP) shall be entered as soon as possible.
1. Three offenses/incidents, listed in the *Case Management Section* of a ViCAP report, may, in some instances, be closely associated with missing persons investigations: kidnapping (fatal, with injury, or for ransom), missing persons with evidence of foul play, and unidentified bodies when the manner of death is classified as homicide.
  2. In those specific instances when investigation reveals that a missing person has been a victim of a violent act, the use of ViCAP should be explored. Detectives will utilize ViCAP as may be appropriate.
  3. In cases when investigation reveals that a missing person or unidentified person has been a victim of a violent act, use of ViCAP will be explored.
- F. When interstate flight is suspected, the Federal Bureau of Investigation shall be notified and be kept informed of all developments.
- G. When a crime or other unlawful act is suspected, the assigned detective should notify the Union County Prosecutor's Office and keep it informed of all developments.
- H. The New Jersey State Police implements the AMBER Alert Plan. AMBER Alerts are intended for serious cases of child abduction when the child's life is in imminent danger of serious bodily harm or death. AMBER Alerts are not intended for all missing child incidents, runaways, or child custody situations. Prior approval from a Union County C.A.R.T. Coordinator is not required for AMBER Alert requests. The following criteria are necessary to activate an AMBER Alert:
1. The child must be under the age of 18.
  2. There must be some indication that the child is in imminent danger of serious bodily harm or death.
  3. There must be a short enough delay between the time the child was last seen and the time the child is reported missing to believe that an AMBER Alert will help locate the child.
  4. There must be enough descriptive information to believe that an AMBER Alert will help locate the child.
  5. Upon belief that an abducted child may fit the criteria for activating an AMBER Alert, the assigned detective shall notify the NJSP Missing Persons and Child Exploitation Unit to authenticate and broadcast the alert.
    - a. Main number 609-882-2000, extension 2893
    - b. During other than normal business hours, contact the Regional Operations and Intelligence Center (ROIC) at 609-963-6900.
  6. NJSP Missing Persons and Child Exploitation Unit personnel may respond to assist with the investigation until deactivation of the AMBER Alert.

7. Under the provisions of *Attorney General Directive 2010-3*, when deciding whether to activate or request activation of an AMBER Alert in cases involving family abductions, detectives should consider whether the reported abduction was done by a family member or someone acting on behalf of a family member. An AMBER Alert should not be activated unless the AMBER Alert criteria have been met.
8. In the case of a family abduction, detectives must consider the complexity of the circumstances of the reported abduction (e.g., the way it was committed and whether violence, threat of violence, a deadly weapon, or other dangerous behavior or circumstance was involved), as well as any available background information about the abductor and his/her relationship to the child and any history of prior abductions, custody disputes, domestic violence, or child abuse. Furthermore, when assessing the totality of the known circumstances, detectives responding to a report of a family abduction may need to consider the possibility that the person reporting the abduction has a motive to overstate the risk of physical harm posed to the child in order, for example, to gain an advantage in ongoing or contemplated matrimonial or custody rights litigation.
9. In family abduction cases, detectives should consider the following specific circumstances, when information about these circumstances is available:
  - a. Whether any threats of harm to the child were made by the abductor at any time before the abduction, or during the abduction (including implied threats such as "*...if I can't have custody, then no one will*").
  - b. Any history of violence by the abductor directed against the child, or abuse or neglect of the child, or any other child.
  - c. Whether violence or threat of violence was used in committing the abduction, and whether force was used or directed against the child (e.g., the child resisted or tried to escape), or put the child at immediate risk of harm, even if the force was directed against another (e.g., the use or threatened use of a firearm or other weapon; assault by auto, motor vehicle eluding or reckless driving, etc.).
  - d. Whether there is a family history of domestic violence or child abuse, or a history of custody disputes or past abductions.
  - e. Whether the abductor has a history of violence or weapons offenses.
  - f. Whether the abductor is believed to be armed.
  - g. Whether the abductor is believed to be under the influence of alcohol or drugs.
  - h. Whether the abductor has a history of alcohol or other substance abuse.
  - i. Whether the abductor has a history of mental illness.

- j. Whether the abductor was acting irrationally (e.g., uncontrolled rage, desperation, or panic).
  - k. Whether the child and/or abductor have pre-existing medical and/or health conditions, which, if unmonitored and/or untreated, could impact on the welfare of the child.
  - l. Any other facts or circumstances that suggest that the abductor might intentionally or unintentionally harm the child or expose the child to a dangerous situation.
- 10. Use an *AMBER Abducted Child Alert Reporting Form* to help identify and document the facts used to determine whether it is appropriate to activate an AMBER Alert.
- I. The New Jersey State Police also implement the SILVER Alert Plan. Specific health information about the missing person shall not be made public through the alert or otherwise.
  - 1. Each of the following criterion shall be met before a SILVER Alert may be issued:
    - a. The person believed to be missing is believed to be suffering from dementia or other cognitive impairment regardless of age.
    - b. A missing person investigation has been initiated.
    - c. The person believed to be missing may be in danger of death or serious bodily injury.
    - d. There is sufficient information available to indicate that a SILVER Alert would assist in locating the missing person.
    - e. Sufficient information is available to disseminate to the public that could assist in locating the person.
  - 2. Operating a motor vehicle with any form of dementia, Alzheimer's Disease, and/or other cognitive impairment does not automatically qualify for a SILVER Alert.
  - 3. Upon belief that a person may fit the criteria for activating a SILVER Alert, the desk lieutenant or assigned detective shall notify the New Jersey State Police ROIC to authenticate and broadcast the alert.
    - a. Main number 609-963-6900.
    - b. Relay missing person information to the NJSP.
    - c. The NJSP will complete a checklist based upon the information provided.
    - d. ROIC personnel will fax the checklist to the NJSP Missing Persons and Child Exploitation Unit.

- e. The NJSP Missing Persons and Child Exploitation Unit will determine whether a SILVER Alert will be broadcast.
  - 4. Upon request, the NJSP Missing Persons and Child Exploitation Unit will assist this department in any SILVER Alert investigation.
- J. The New Jersey State Police also implement the MVP Emergency Alert System:
- 1. Suicidal persons will not be considered for an MVP Emergency Alert. (The person is already experiencing an emotional/stressful situation resulting in his/her suicidal thoughts and the alert could add significant additional stress to his/her situation.)
  - 2. Operating a motor vehicle with any form of mental, intellectual, developmental disability or defect is not automatically an MVP Emergency Alert.
  - 3. Each of the following criteria shall be met before an MVP Emergency Alert can be issued:
    - a. The missing person is believed to have a mental, intellectual, or developmental disability or defect, regardless of age.
    - b. The missing person is operating or is a passenger in a known vehicle.
    - c. Officers are investigating the missing person complaint along with the necessary data entry into NCIC.
    - d. The person missing person may be in danger of death or serious bodily injury. Officers must be able to substantiate or specify what causes this belief.
    - e. There is sufficient information available to indicate that an MVP Emergency Alert would assist in locating the missing vulnerable.
    - f. Sufficient information is available to disseminate to the public that could assist in locating the person, including but not limited to accurate information concerning any motor vehicle the person may have been operating or in which the person may have been a passenger or otherwise conveyed.
  - 4. In situations that meet the criteria for activation of a SILVER Alert also meet the criteria for activation of an MVP Emergency Alert, the desk lieutenant or assigned Detective Bureau personnel, in consultation with the Missing Persons and Child Exploitation Unit in the Division of State Police, shall determine, based on the totality of the circumstances, which system would more effectively assist in locating the missing vulnerable person, and the guidelines and applicable procedures for that system shall be followed.
  - 5. Upon belief that a person may fit the criteria for activating an MVP Emergency Alert, officers or detectives shall notify the New Jersey State Police ROIC to authenticate and broadcast the alert.

- a. Main number 609-963-6900 extension 1.
  - b. Relay missing person information to the NJSP.
  - c. The NJSP will complete a checklist based upon the information provided.
  - d. ROIC personnel will fax the checklist to the NJSP Missing Persons and Child Exploitation Unit.
  - e. The NJSP Missing Persons and Child Exploitation Unit will determine whether an MVP Emergency Alert will be broadcast.
  - f. The Missing Persons and Child Exploitation Unit in the Division of State Police, upon request, shall assist the lead law enforcement agency in the investigation of any MVP Emergency Alert investigation.
- K. When receiving a telephone call regarding the sighting of any subject in an AMBER Alert, SILVER Alert, or MVP Alert activation, the person receiving the call shall:
- 1. Keep the caller on the line.
  - 2. If the call needs to be transferred, the person receiving the call shall not release the call until it is completed.
  - 3. Immediately notify the desk lieutenant of the call.
  - 4. Do not hang-up on the caller until the situation has reached its logical end.
  - 5. Notify the appropriate law enforcement jurisdiction of the sighting via SPEN or broadcast the location and information to Elizabeth Police Department units if within the city.

## VI. CHILD ABDUCTION RESPONSE TEAM

- A. Upon receipt of a report of a missing child meeting the below listed criteria the desk lieutenant or assigned detective or their designees shall cause notification to the Union County Prosecutor's Office, Child Abduction Response Team (CART) Leader.
- 1. Abduction or Suspected Abduction Minor Children 17 years of age and under. CART does not respond to interference of custody matters, unless there is **reason to believe the child may be in danger of death or serious bodily injury**. General interference of custody matters may be referred to the Union County Prosecutor's Office, Domestic Violence Unit for guidance.
  - 2. Abducted or Missing Minor Children 17 years of age and under articulated endangerment or risk of injury circumstances. The child's disappearance is perceived to be a risk due to specific pre-existing health conditions or the abductor has the potential for violence.

- a. The minor child (17 years of age and under) has a life threatening health issue, due to medication needed in order to survive or is classified special needs, including but not limited to autistic, developmentally disabled or mentally challenged.
  - b. The abductor threatened and/or utilized violence against the minor child or during the suspected abduction.
  - c. The abductor has a history of violence (as per police records, criminal history, or NJ Division of Child Protection and Permanency records).
  - d. The abductor has a pre-existing medical and/or health condition (e.g. mental illness, substance abuse, etc.), which could impact the welfare of the child
- 3. Luring of minor children (17 years of age and under) through Internet or cellular communication, see NJSA 2C: 13-6.
- 4. Attempted Luring or Enticement of minor children (17 years of age and under) into a motor vehicle, structure or isolated area with the purpose to harm the child, see NJSA 2C: 13-6.
- B. The officer or assigned detective should determine when, where and by whom the child was last seen.
- C. Field personnel shall search the location where the child was reported missing.
- D. The assigned detective should review the initial investigation and determine level of risk.
- E. The desk lieutenant or his/her designee shall enter missing child into NCIC as quickly as practicable.
- F. The assigned detective should contact the NJSP and request AMBER Alert, when necessary; see section V.H.5 of this general order for contact information.
- G. The assigned detective should determine if there are any surveillance cameras near the point of abduction or last known location of child.
- H. When possible, the assigned detective should obtain an attendance roster of known classmates of the missing or abducted child from the Board of Education
- I. The assigned detective should determine if the child had or presently has access to a cellular phone, telephone landline telephone or social media.
- J. In consultation with UCPO, the assigned detective should consider contacting the National Center for Missing and Exploited Children, 800 843 5678.
- K. This department will remain the lead-investigating agency until the Union County Prosecutor determines otherwise. CART leaders shall oversee all missing child investigations.

- L. When investigating a missing child, the Union County Prosecutor or the CART leader(s) may request law enforcement resources from this department to assist in the missing child investigation from any other law enforcement agency.
  - 1. Any reasonable request for such assistance shall not be denied. Reasonable assistance includes, but is not limited to:
    - a. Search teams.
    - b. Use of Elizabeth Police Department facilities for staging, command post, etc.
    - c. Mutual aid.
    - d. Investigative resources.

## **VII. SEARCH PROCEDURES**

- A. Depending on the age of the missing person and other factors that are learned during the preliminary investigation, a course of action could include a more extensive targeted area search, if warranted.
  - 1. An adult who is missing, under circumstances that are not criminal or potentially life threatening may not necessarily require a more extensive area search.
  - 2. An adult who has been diagnosed with Alzheimer's disease, dementia, or who is missing from an assisted care facility may require an area search.
- B. Supervisors shall evaluate the investigation and undertake any other reasonable actions to increase or narrow the scope of any search that may be undertaken.
- C. All persons who may possess information concerning the person's whereabouts shall be promptly interviewed including:
  - 1. Immediate family members.
  - 2. Neighbors.
  - 3. Relatives.
  - 4. Friends.
  - 5. Playmates are a great source of information.
  - 6. Coworkers.
- D. As a first step, a complete search of the subject's residence (or last known location) should be performed. All storage areas, cellars, attics and outbuildings should be thoroughly searched, as well as any attractive hiding places (e.g., under beds) and any potentially hazardous locations (e.g., swimming pools, ponds, storm drains, culverts, etc.) in the immediate area. All motor vehicles in the area should be searched, including the passenger compartment and trunk. Seek consent or the



warrantless search could be justified under the emergency/community caretaking exception to the warrant requirement. At a home or place of abode, include at a minimum:

1. Rooms (clothes, etc.).
2. Closets.
3. Boxes.
4. Under beds.
5. Crawl spaces.
6. Any place a person could secrete themselves.
7. Search in the presence of a responsible member of the household. DO NOT accept someone's word that they have checked the area. Personally, search again. Keep in mind the age of the person missing and motive, if any, for absence.

E. When searching outdoor areas, consider

1. To and from school.
2. School and grounds.
3. Area around house or playgrounds.
4. Attractive nuisances (culverts, storm drains, etc.).
5. Stores, commercial areas, strip malls, etc.
6. Direction to and from work, or place last seen.

F. In the event that the preliminary search fails to locate the missing person, the desk lieutenant or field supervisor shall consider the totality of the circumstances in regard to initiating an extensive search. The Detective Bureau shall respond to the scene.

G. A designated incident commander (IC) (e.g., desk lieutenant or field supervisor) shall organize and coordinate search efforts. (This task can be delegated to a search coordinator while the IC can remain available to manage the overall operation.). Refer to this agency's general order on *All Hazards Plan* for guidance.

1. If an extensive search is to be conducted, the IC will establish a command post. All operations will be directed through the command post. The incident command system (ICS) will be utilized to operate the command post. **(NOTE:** The command post should be close enough to the center of activity to facilitate control and coordination, but sufficiently apart to allow a free exchange of ideas among responders and as to not interfere with the use of any canine team.

2. If ICS is implemented, the IC may contact the New Jersey State Police Missing Persons Child Exploitation Unit to provide investigative guidance and resources.
3. Request additional staffing for the search.
  - a. On-duty patrol officers.
  - b. On-duty bureau officers (e.g., detectives, traffic officers, records officers, etc.).
  - c. Recall off-duty officers.
  - d. Mutual aid (e.g., surrounding PDs, UCERT, etc.).
  - e. Fire Department, EMS, DPW.
  - f. Civilian volunteers.
  - g. Other service groups.
4. Notify the UCPO.
5. Contact Union County OEM for assistance in any prolonged searches.
6. All responding personnel who will assist with the search, or report for any other reason in this matter, will meet at the staging area. They will receive their direction from the staging manager.
7. If any evidence is found during the search, the officer directing the search shall contact the command post.
8. Assign a liaison between the family of the missing person (or other reporting party) and the department's search operation.
9. The place last seen should be treated as a crime scene with access controlled to prevent contamination. This is especially important if search dogs are to be used. Should the disappearance be determined to be the result of abduction, it is equally important to prevent the destruction of evidence.
10. Even with a large number of searchers, one cannot search everywhere. Therefore, develop areas of probability (where the lost person is most likely to be). These areas of probability are developed by considering such things as an estimation of how far the subject may have traveled from the place last seen, information about the lost person and the circumstances under which he/she became lost. The manner in which a person is traveling (on foot, bike, wheelchair, etc.) must be considered. The ability of the missing person to get to an area and the ability of the searchers to check an area (wells, swamps, sewer lines, etc.) will help in the supervisor's decision on where to concentrate efforts and what type of support units (dive team, boat, dogs, helicopter) will be needed to aid in the search.

11. Make arrangements to feed, house, and properly relieve personnel, when applicable.
12. Keep the command post clear of all unnecessary personnel.
13. If necessary, contact the New Jersey State Police for the use of the helicopter and/or the Union County Sheriff's Office for canine teams.
14. Give due consideration to the activation of the AMBER Alert/SILVER Alert/MVP Emergency Alert systems, the local cable access channel, and other immediate community notification methods.
15. Provide the social media manager with information to disseminate to the media. He/she shall broadcast the alerts to:
  - a. Postal services.
  - b. Local radio stations.
  - c. Schools (when open).
  - d. County alert system.
  - e. Social media networks (e.g., Facebook, Instagram, etc.).
16. Carefully document all leads, investigative efforts, areas searched and other pertinent information.
17. Note: The IC has the discretion to initiate certain tasks listed above prior to, or without, establishing a command post (e.g., requesting additional personnel, broadcast to social media outlets, use of canine, helicopters, thermal imaging cameras, NJSP alerts, etc.)

H. Once a decision has been made to utilize canine search teams:

1. While the canine search team is responding:
  - a. Keep the number of people authorized in the area to the minimum necessary to conduct the initial investigation.
  - b. If it is necessary to keep a vehicle engine running, park the vehicle a distance away. Exhaust fumes destroy human scent and affect the dog's sense of smell.
  - c. Obtain and isolate available articles for scent tracking. This is clothing that the person has recently worn. It is preferable to use clothing that would have been worn close to the body (e.g., hats, underwear, etc.). If clothing is not available, then determine where the person sleeps. Sheets and pillowcases can be used. Do not handle or permit anyone else to handle the scented article. The canine handler will make a decision regarding the use of items for scent purposes. If the scented article has to be obtained from a

distant location, the handler will give instruction on the proper handling of the item to prevent contamination.

- d. If the only scented article available is a vehicle, advise all on-scene personnel to stay out of the vehicle. Dogs will take the last freshest scent. If anyone sits in the vehicle, it will greatly impede the dog's capabilities.

2. Upon arrival of the canine search team:

- a. Have an officer available to assist the handler and the canine;
- b. Officers shall broadcast the canine's direction of travel, location, and relevant information (if available) continually via portable radio while tracking.
- c. Upon arrival, have all known information ready for the handler (e.g., footwear, photographs, clothing, starting point, etc.);
- d. Have the officer or person who last saw the subject at the scene for possible questioning;
- e. Advise the handler of the areas you have searched.

I. Termination of search activities:

- 1. If the missing person is located, the IC shall ensure that all search resources in use or en route are notified and/or accounted for. The IC is also responsible for making certain that any necessary follow-up investigation is completed.
- 2. If the missing person is not located, the IC shall consult with the next level of command, along with the Chief of Police, before any decision is made to suspend the search. A decision to suspend the search shall be based upon the following criteria:
  - a. The probability of the subject's arrival.
  - b. The probability that the subject was within the search area.
  - c. The quality (thoroughness) of the search effort.
  - d. The element of risk to searchers.
  - e. The environmental conditions.
  - f. The continued viability of search resources or depletion of search resources.
- 3. The designated liaison to the family shall make the notification to any relatives of the subject that the search has been suspended.

## VIII. PROCEDURES – RETURNED/LOCATED MISSING PERSON

- A. Communications personnel must be continually aware of incoming NLETS/NJLETS messages, including but not limited to all \$Messages, M-Match, N-No Match, Locate, Hit Confirmations, LENS™, etc. Communications personnel shall ensure that every Teletype message is scanned for these messages and that action is taken on all pertinent messages.
- B. In all cases involving a returned missing person:
  - 1. Communications personnel or officers/detectives shall ensure that the NCIC database entry is cleared or canceled with the appropriate code, depending upon the circumstances.
  - 2. An NLETS Cancel Missing Persons Message (File 09) noting the returned missing person must be broadcast immediately following the NCIC transaction.
- C. Reported Missing by Elizabeth PD -Returned/Located Elizabeth PD:
  - 1. Upon the return of a person reported missing by this department, a patrol unit shall be assigned, unless impracticable, to verify the return and to obtain any supplemental information that may be helpful.
    - a. If practicable, verify the identity of the person.
    - b. Medical assistance shall be offered if necessary.
    - c. The supplemental information includes, but is not limited to: physical appearance, reported physical condition, where they were, why they were missing, etc.
    - d. The return, with supplemental information, must be documented on an incident report.
  - 3. All teletypes and supplemental files/documents must be maintained with the case file.
- D. Reported Missing by Outside Agency-Located by Elizabeth PD:
  - 1. Upon locating a missing person reported missing from another jurisdiction, a patrol unit must be assigned or may likely be already involved in the investigation. The locate incident, along with any other supplemental information must be documented on an incident report.
  - 2. The desk lieutenant shall ensure that the appropriate *Hit Confirmation Request* and *Locate Message* are sent to the originating agency. (The originating agency is responsible for clearing the NCIC database record and sending the File 9 Message.) A supplemental telephone call to the originating agency may speed the process.
  - 3. All teletypes and supplemental files/documents must be maintained with the case file.

4. The originating agency is responsible for advising this agency as to the ultimate disposition of the located missing person. The desk lieutenant or assigned detective shall make the determination whether to provide additional assistance to that agency which could include detaining the person, transporting the person to their residence, hospital, or to the originating agency.
5. Depending upon the circumstances, it may be necessary to take the returned missing person into protective custody. This is essentially the case involving runaway juveniles.
  - a. Personnel should be assigned to stay with a located runaway juvenile while in custody, when practicable. A detective may need to be notified or recalled.
  - b. It may be necessary to notify the NJ Department of Children and Families in the event that the juvenile's return to their home or normal place of abode is delayed or impractical. Examples include:
    - 1) Runaways from out-of-state.
    - 2) Inability to contact family.
    - 3) Juvenile claims to have been sexually assaulted by a family member.
    - 4) Juvenile claims to have run away from abusive parent/family, etc.

E. Reported Missing by Elizabeth PD -Located by Outside Agency:

1. An outside agency that locates a person reported missing by this department would normally send a *Hit Confirmation Request* and a *Locate Message* to this agency.
2. Upon receiving a *Hit Confirmation Request* and/or the *Locate Message*, the desk lieutenant shall ensure that the missing person record is verified, and a *Hit Confirmation Response File 14* is generated within the stipulated time mandated by NJLETS.
3. A telephone call to the locating agency is permitted to supplement the *Hit Confirmation Response*, but shall not be placed instead of the required NJLETS response. The telephone call can be used to obtain or provide supplemental information to assist in the investigation.
4. This agency is responsible for determining the ultimate disposition of the former missing person. In almost all cases, the family member who had originally reported the person missing will make the decision.
  - a. The desk lieutenant or assigned detective shall ensure that a family member is immediately notified of the returned person and given all pertinent information necessary for them to decide regarding the future status of the former missing person.

- b. This agency will offer all reasonable assistance to the family in reclaiming the person. This general order could not possibly provide detailed guidance to address every possible scenario. Common sense and good judgment will guide this department's action.
- 5. Depending on the circumstances of the original disappearance and subsequent finding of the missing person, it may be necessary to recall a detective to assist in the investigation.
- 6. Ensure that an incident report detailing the located missing person including any supplemental information is completed. All supplemental files and teletypes shall be filed with the incident report.
- F. If an AMBER Alert, SILVER Alert, or MVP Alert has been initiated, the desk lieutenant shall cause immediate notification to the NJSP advising them to cancel the AMBER Alert, SILVER Alert, or MVP Alert. NLETS messages, generated because of the located missing child/person, must also contain a request to cancel the AMBER Alert, SILVER Alert, or MVP, as applicable.
- G. Cancel any search efforts.
- H. Notify and/or update all other investigative resources and have them modify their databases, i.e., LENS™, NCMEC/NCMA, endangered missing advisories, [UC First Alert](#), etc.

## IX. PARENTAL ABDUCTION OUT OF THE UNITED STATES

- A. The potential for a parent to take a child out of the United States poses unusual and perplexing problems for law enforcement that may invoke international treaties.
  - 1. Reporting persons shall be encouraged to obtain clarification of legal custody as soon as possible to assist in the investigation.
  - 2. The *International Hague Abduction Convention* only deals with abducted children who are age 15 or younger.
  - 3. Contact the U.S. Department of State's Office of Children's Issues, who work closely with law enforcement and parents to prevent a kidnapping or to stop a kidnapping in progress. To contact the Office of Children's Issues, visit [www.travel.state.gov](http://www.travel.state.gov), click on the 'International Parental Child Abduction' tab and then the 'Abductions' tab. Select 'Contact Us' in the right menu bar.
- B. If the parent removing the child/children from the United States is recognized as a bona fide custodial parent, there will ordinarily be no underlying criminal act and the reporting person will need to seek civil and/or diplomatic remedies through the appropriate court and/or foreign embassy or consulate.
  - 1. Reporting persons should be referred to the appropriate family court with jurisdiction and the United States Department of State, Office of Children's Issues.
  - 2. Police officers lack the statutory authority to serve and execute civil process in these custodial matters and have no jurisdiction except when ordered by

the Union County Prosecutor (N.J.S.A. 2A: 34-53 through N.J.S.A. 2A: 34-90).

- C. Non-custodial parent(s) who remove their children from the United States may be charged with a criminal act if the facts result in probable cause, specifically N.J.S.A. 2C: 13-4 *Interference with Custody in NJ*. There are several federal laws that can be applied, see NCMEC international family abductions.
- D. If a non-custodial parent abducts a child (children) and there is evidence to suggest that the abductor intends to leave the country, detectives should consider:
  - 1. Contacting area airports, train stations, bus depots, and other potential areas of departure to determine if the non-custodial parent is on any passenger manifests.
  - 2. Contacting the NJSP to see if an AMBER Alert can be broadcast. (Parental abduction normally does not qualify for an AMBER Alert broadcast.)
  - 3. Causing notification to the appropriate law enforcement agencies such as Port Authority of NY/NJ Police Department, New Jersey Transit Police Department, Amtrak Police Department, NJSP Missing Persons and Child Exploitation Unit, Federal Bureau of Investigation, etc.
  - 4. Contacting the National Center for Missing and Exploited Children for assistance.
- E. If a non-custodial parent abducts a child (children) and it is determined that they have left the United States, detectives should consider:
  - 1. Causing notification to the appropriate governmental agencies such as the NJSP Missing Persons and Child Exploitation Unit, Federal Bureau of Investigation, United States Department of State, etc.
  - 2. Contacting the National Center for Missing and Exploited Children for international assistance.
- F. Because of treaty obligations, US Department of State actions or remedies may supersede any local criminal investigation. Because of federal and international laws, the FBI may supersede any local criminal investigation.

#### **X. PROCEDURES-UNIDENTIFIED PERSONS**

- A. These procedures are not intended to replace prudent investigative techniques employed to identify an unidentified living person. Instead, these procedures will supplement existing investigative processes. Subsection VII can be used as a guide when handling unidentified living persons.
- B. Unidentified persons may be living or dead, adult or juvenile. The investigating officer should obtain as much individual identifying characteristics as possible concerning the unidentified person.



- C. The assigned detective should ensure that the individual identifying characteristics are entered into the NCIC Unidentified Persons File as soon as they become available. Communications and detective bureau personnel must be continually aware of any \$Messages.
- D. The assigned detective should ensure that an *NJLETS Unidentified Persons Message* is broadcast immediately following the NCIC database entry. This message will be broadcast on a statewide basis and expanded or narrowed, as the need exists.
- E. Unidentified deceased body investigative guidelines
  - 1. After performing any death scene investigation, the assigned detective shall ensure that the human remains are delivered to the appropriate state or county medical examiner.
  - 2. The assigned detective shall enter the information related to the unidentified human remains as soon as possible into the NCIC databases as an Unidentified Deceased / NJLETS Unidentified Deceased (File 11) entries. The state or county medical examiner will aid the detective in obtaining the appropriate identifiers for the NCIC entry.
  - 3. Any state or county medical examiner with custody of human remains that are not identified within 24 hours of discovery shall promptly notify the NJSP Missing Persons Unit of the location of those remains.
  - 4. The appropriate state or county medical examiner shall attempt to promptly identify human remains. These actions may include, but are not limited to, obtaining:
    - a. Photographs of the human remains.
    - b. Dental or skeletal X-rays.
    - c. Photographs of items found with the human remains.
    - d. Fingerprints from the remains, when possible.
    - e. Samples of tissue suitable for DNA typing, if possible.
    - f. Samples of whole bone or hair suitable for DNA typing.
    - g. Any other information that may support identification effort
  - 5. Medical examiners, or any other person, shall not dispose of or engage in actions that will materially affect the unidentified human remains before the appropriate medical examiner obtains:
    - a. Samples suitable for DNA identification archiving.
    - b. Photographs of the unidentified human remains.

- c. All other appropriate steps for identification have been exhausted.
- 6. Unidentified human remains shall not be cremated.
- 7. The appropriate state or county medical examiner shall make reasonable efforts to obtain prompt DNA analysis of biological samples if the human remains have not been identified by other means within 30 days.
- 8. The appropriate medical examiner shall seek support from appropriate state and federal agencies to assist in the identification of unidentified human remains. Such assistance may include, but not limited to, available mitochondrial or nuclear DNA testing, federal grants for DNA testing, or federal grants for crime laboratory or medical examiner officer improvement.
- 9. The appropriate medical examiner with custody of the human remains shall seek support from appropriate federal and state agency representatives to have information promptly entered in federal and state databases by those representatives that can aid in the identification of the human remains. Information shall be entered into federal databases as follows:
  - a. Data relevant for NCIC Unidentified Deceaseds/NJLETS. Unidentified Deceased (File 11) entries will be entered by the lead law enforcement agency.
  - b. DNA profiles and information shall be entered into the National DNA Index System (NDIS/CODIS/CODIS MP) within five business days after the completion of the DNA analysis.
  - c. Information sought by the Violent Criminal Apprehension Program (VICAP) database as soon as practicable.

F. Unidentified living persons investigative guidelines

- 1. The officer or detective investigating cases involving unidentified living persons because of cognitive impairment or injury shall:
  - a. Obtain approximate identifying information sufficient with the entry requirements of an NCIC Unidentified Living Person Entry.
  - b. Information related to the unidentified living person shall be entered as soon as possible by the lead investigator into NCIC databases as an Unidentified Living Person / NJLETS Unidentified Living Person (File 11) entries.
  - c. Photograph the person's face, and tattoos (as applicable).
  - d. Obtain fingerprints.
  - e. Create and send a statewide LENS™ Alert, including the subjects photograph and possible identifiers, and make a BOLO broadcast.
- 2. Contact the NJSP Missing Persons Unit for assistance with the identification.

- G. Once a previously unidentified person is identified, the NCIC database must be cleared using the appropriate code. A NLETS Cancel Unidentified Persons Message must be broadcast immediately following the NCIC database transaction noting the identification.