



# GOODYEAR POLICE DEPARTMENT

Policy and Procedure Manual

## POLICY 3.14 MISSING PERSONS

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03/24/2023

Approved:

### 1. PURPOSE AND SCOPE

1. This policy describes the procedure for accepting, reporting, documenting, and investigating missing persons. Federal law under 42 USC 5779(a) specifies certain requirements relating to missing persons.

### 2. DEFINITIONS

1. **ABDUCTED CHILD:** The unauthorized seizure of a minor under the age of eighteen (18) from the custody of the child's natural parents or legally appointed guardians.
2. **MISSING CHILD:** A person under the age of twenty-one (21) years whose location has not been determined and who has been reported as missing, abducted, lost, or a runaway.
3. **MISSING PERSON:** A person twenty-one (21) years old or older whose disappearance is possibly not voluntary.
4. **OVERDUE PARTY:** Persons known to be traveling within or through Arizona and have not reached their destination at the predetermined time.
5. **VULNERABLE PERSON:** A person who is more susceptible to harm, exploitation, or neglect due to factors such as age, disability, illness, or other circumstances. This vulnerability can stem from an inability to protect oneself, manage daily tasks, or make responsible decisions.

### 3. REPORT ACCEPTANCE

1. All personnel shall accept any report of a missing person (as defined above), including runaways, without delay and shall give priority to the handling of these reports over the handling of reports relating to crimes involving property. These reports shall be made in person and not by telephone, when possible.
2. Jurisdiction should be determined by the location where the missing person was last seen. If it is determined that the missing person was last seen in a different jurisdiction, and that jurisdiction is refusing to take a report, officers will complete a courtesy report, which will be forwarded to that jurisdiction. Generally, officers should not enter a missing person into the National Crime Information Center (NCIC)/Arizona Crime Information Center (ACIC) if the missing person was not last seen in our jurisdiction.
3. Patrol personnel should handle the initial missing person report, and all such reports will be routed for Criminal Investigations Bureau review. In cases involving a person missing under suspicious circumstances or a child under fourteen (14) years of age, the Criminal Investigations Bureau will begin an investigation after an initial search by patrol personnel.
4. The record of a missing person over the age of twenty-one (21) shall be entered into the Arizona Criminal Justice Information System (ACJIS) Missing Person File provided that documentation (Missing Person Report Form) has been completed that supports the stated conditions under which the person was declared missing. A missing person record shall be entered if any of the following apply:
  - A. **Disability:** 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.
  - B. **Endangered:** A person of any age who is missing under circumstances indicating that his/her physical safety may be in danger.

- C. Involuntary: A person of any age who is missing under circumstances indicating that the disappearance may not have been voluntary, i.e., abduction or kidnapping.
  - D. Juvenile: A person who is missing and not declared emancipated as defined by the laws of his/her state of residence and does not meet any of the entry criteria set forth in the Disability, Endangered, Involuntary, or Catastrophe Victim categories.
  - E. Catastrophe Victim: A person of any age who is missing after a catastrophe.
  - F. Other: A person not meeting the criteria for entry in any other category who is missing, and:
    - 1. There is reasonable concern for his/her safety, or
    - 2. A person who is under the age of twenty-one (21) and declared emancipated by the laws of his/her state of residence.
- 5. Persons under the age of twenty-one (21) shall be entered into the NCIC Missing Persons File per federal guidelines if it is determined that they went missing within the jurisdiction of the City of Goodyear.
  - 6. In all cases involving a person missing under suspicious circumstances or a child under fourteen (14) years of age, the handling employee shall ensure that the Watch Commander and on-call Criminal Investigations Bureau supervisor are notified. This Department shall not delay any reporting, investigation, or action upon receipt of a report of a missing child under fourteen (14) years of age and shall evaluate all information and circumstances surrounding the disappearance of the child to determine whether immediate action is necessary.
  - 7. When the totality of the circumstances indicates that the reported person is voluntarily absent, a missing person information report may be completed without a missing person NCIC/ACIC entry. Consider completing an overdue party ACIC entry if it meets the definition listed above.

#### 4. INITIAL RESPONSE AND INVESTIGATION

- 1. Patrol personnel should be assigned to handle the initial missing person report and to conduct a preliminary investigation involving additional resources as necessary.
- 2. The handling officer shall immediately contact such persons and, using interpretive services as reasonably necessary, make inquiries concerning the missing person and make an assessment of reasonable steps to be taken to locate the person.
- 3. Initial investigation should include (if possible):
  - A. Interviewing the person(s) who made the initial report. If the missing person is a child, the child's parent or guardian.
  - B. Determining when, where, and by whom the missing person was last seen.
  - C. Interviewing the individuals who last had contact with the person.
  - D. Obtaining a detailed description of the missing person, abductor, vehicles, and other pertinent information.
  - E. Complete the Missing Person Report Form and Release for Medical Records Form, on all Missing Person/Runaway reports, and forward to Records to be scanned into the original report.
- 4. Entry
  - A. A copy of the Missing Person Report Form will promptly be forwarded to Communications for ACJIS entry.
    - 3. The ACJIS entry will flag the missing person's name and any vehicles associated with that person.
  - B. When a missing person is under the age of twenty-one (21), Communications shall enter the subject into ACJIS/NCIC & the National Missing and Unidentified Persons System (NAMUS) within (2) two hours after the initial call for service (42 USC §5779(a) and 34 USC § 41308; ARS 8-901).

- C. The assigned detective will verify and update the above entries within thirty (30) days.
  - 1. This will be documented in either Activity Notes or through a supplemental report with further case information.
- D. No entry will be removed from any database until the child is found or the case is resolved.

## 5. INVESTIGATIVE DILIGENCE

1. If an initial investigation reveals that a person reasonably appears to be missing, further actions may be necessary. Determine from the information available whether a physical search is appropriate. In circumstances that appear to be an endangered missing person or missing children, each of the following actions should be performed:
  - A. Immediately notify such persons and make inquiries concerning the missing person as necessary.
  - B. Make an assessment of reasonable steps to be taken to locate the person.
  - C. If a search is warranted, conduct a search of the home, building, or other area/location where the incident took place and conduct a search including all surrounding areas. Obtain consent or a search warrant if necessary.
  - D. If a search is not warranted or does not recover the missing person, additional investigation may be warranted:
    1. A neighborhood/vehicle canvas.
    2. Identification of persons at the scene and conducting separate interviews.
    3. Documentation of actions, telephone communications, and other activities.
    4. Assign an investigator or officer whose duties will include the coordination of the investigation.
    5. Involvement of media coverage through the Department PIO.
    6. If the missing person is under fourteen (14) years of age or there is evidence the person is missing under suspicious circumstances, the following should be initiated:
      1. The Communications Bureau shall broadcast over the radio or send a mobile computer be on the lookout (BOLO) transmission without delay within this jurisdiction.
      2. The Criminal Investigations Bureau (CIB) shall create a BOLO sheet for dissemination to local agencies.
2. In any case where a missing child or missing person has been missing for thirty (30) days or more, the investigator handling the case may request the written consent of the next of kin or guardian to obtain certain identifying information about the missing person that the NCIC recommends be provided from the appropriate providers of medical care. After receiving the written consent, the investigator shall obtain the identifying information from the providers of medical care and forward that information and any other relevant information to the NCIC for comparison with the identifying information that is on file concerning unidentified deceased persons.
3. The agency having jurisdiction over the missing person's residence normally will handle the case after the initial report is taken. However, Department members may assist in the investigation of a person who was last seen in this jurisdiction.
  - A. INVESTIGATIVE RESOURCES AND SUPPORT
    1. Additional support, investigative, and supervisory assistance should be requested as reasonably necessary. Any support assistance should be properly briefed and updated on the investigation status.
    2. The handling investigator is responsible for seeing that all appropriate law enforcement agencies in the state are promptly notified. If deemed appropriate, law enforcement

agencies in adjacent states or jurisdictions should be provided with any information that may aid in the location and return of the missing or endangered person.

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#### B. INVESTIGATION DUTY OF A MISSING CHILD

1. Upon receiving and verifying a report of a missing child, other than a child who has run away, the Goodyear Police Department shall immediately enter the information into the ACJIS and the NCIC missing person databases (ARS § 8-810(B)). The Department shall ensure that the state registrar in the state of the child's birth is given notification to flag the child as missing on his/her birth certificate (ARS § 36-339).
2. If a child is reported missing by his/her parent or guardian, the Department shall notify as soon as appropriate the school the child was attending or the county school superintendent if the child was being instructed at home to flag the child's records pursuant to ARS §15-829(A).
3. In conducting an investigation of a missing child, this Department shall:
  1. Conduct a preliminary investigation and classify the cause of the disappearance of the child as "runaway", "abducted by parent", "abducted by a stranger", or "cause of disappearance unknown", and shall:
    - a. Relay applicable information to Communications for entry into the ACJIS Missing Persons File.
    - b. Immediately notify such persons and make such inquiries concerning the missing child as necessary.
    - c. Fully comply with the requirements of the National Child Search Assistance Act of 1990, Title XXXVII of Public Law 101647, 104 Stat. 4966.
    - d. Enter into the NCIC's Missing Person File and the ACIC database as miscellaneous information any person reasonably believed to have unlawfully abducted or detained the missing child, or aided or abetted the unlawful abduction or detention.
  2. When a missing child is less than sixteen (16) years of age or has not been located within thirty (30) days after a report is filed, the assigned investigator shall:
    - a. Review the case and send to the child's parent or guardian a request for certain identifying information regarding the child recommended by the NCIC.
    - b. Upon receipt of identifying information, transmit all information to the NCIC and the ACIC.
  3. Upon notice by a parent or guardian that a child reported as missing has been found or returned, this Department shall notify the NCIC and the ACIC.

#### C. PUBLIC AND AZ DEPARTMENT OF PUBLIC SAFETY (DPS) ALERT SYSTEMS

1. The Chief of Police shall designate a Public Information Officer (PIO) who is responsible for:
  1. Remaining familiar with the protocols for activating, maintaining, and cancelling all applicable public alerts.
  2. Activating, maintaining, and cancelling all public alerts.
  3. Being the point of contact with the Arizona AMBER Alert Oversight Committee.
  4. Ensuring the Department has AMBER Alert plan representatives who have completed appropriate training. Training may be provided by the DPS or suggested by the Arizona AMBER Alert Oversight Committee.
2. The Arizona DPS ALERT SYSTEM is a voluntary partnership between law enforcement agencies and local broadcasters to rapidly disseminate emergency alerts to the public. These alerts fall under the following categories:

- 1) AMBER Alert - The Arizona AMBER Alert Plan is a voluntary partnership between law enforcement agencies and broadcasters to send out an emergency alert to the public when a child is abducted.
- 2) Blue Alert - A Blue Alert is activated when a suspect is at large and is suspected of killing or injuring a law enforcement official and poses a threat to the public or law enforcement.
- 3) Silver Alert - A Silver Alert is activated when a person with specific cognitive or developmental disabilities, as defined by statute, or a person sixty-five (65) years or older goes missing.
- 4) Turquoise Alert - A Turquoise Alert is issued when a report of a missing endangered person, including tribal members, under the age of sixty-five (65), and specific criteria are met.

## 6. CHILD ABDUCTION RESPONSE TEAM (CART)

1. CART members are authorized to investigate the abduction or endangerment of children in the State of Arizona upon the request of a sheriff, police chief, administrator of a law enforcement agency, or the State Attorney or designee. The CART members will be comprised of various law enforcement and civilian employees and volunteers as part of a Mutual Aid Agreement between the participating agencies.
2. The occurrence of any of the following predicate incidents may initiate investigative and forensic involvement, assistance, or coordination by the CART members:
  - A. The non-family abduction of a minor child (under the age of eighteen (18)); or
  - B. The abduction of a minor child (under the age of eighteen (18)) with endangerment circumstances. These circumstances must clearly be articulated to the CART Coordinator in order to activate the team members. The child's disappearance or abduction shall meet the endangerment criteria if the child's life or well-being is perceived to be at risk (due to violence or health conditions), or if the identified parental abductor has a potential for violence or could endanger the child, or;
  - C. Any other abduction or missing child investigation that requires immediate response in order to protect the well-being of the child. All incidents at this level shall require the approval of the CART Coordinator or their designee.
3. To initiate a request for assistance, the responding law enforcement agency Incident Commander will contact Communications and request a CART callout. Communications will immediately notify the CART Coordinator (note in some instances, this role may be conducted by the same person). The On-Scene CART Coordinator will contact the Incident Commander and they will jointly determine if the abduction circumstances warrant a CART response and the CART resources that need to be deployed.
  - A. The CART Coordinator will make the notification to CART members.
  - B. The On-Scene CART Coordinator will meet with the CART members and review the response plan and deploy accordingly.
  - C. The Incident Commander and the On-Scene CART Coordinator will jointly determine initial response needs, changes in response needs, and the duration of the CART response. The On-Scene CART Coordinator will oversee CART.
  - D. The On-Scene CART Coordinator will reserve the right to modify or terminate the CART response if the evolving situation is deemed to no longer warrant a CART response.
  - E. When Communications receives a request from the Incident Commander for a CART callout, Communications will relay all necessary details to the CART Coordinator.
  - F. Additionally, Communications will coordinate the AMBER Alert request in accordance with this policy and procedures as it relates to the activation of an AMBER Alert. All coordination

will include the immediate contact of the appropriate level for the National Center for Missing and Exploited Children (NCMEC).

## **7. REPORT HANDLING**

1. Missing person reports require special handling and timely notifications. At any time a missing person report is made, the officer, if applicable, shall complete a medical records release form that will be provided to the reporting party. If the form is properly endorsed, the completed form shall be attached to the missing person report.
2. Any time dental or medical records are obtained, a copy of the records shall be sent to the Investigation Division of DPS and to the ACIC by the handling officer or detective.
3. Information that is not immediately available, is obtained later, or updated shall be documented in a supplemental report to the original, as required. The ACIC and NCIC databases shall be conducted as soon as reasonably possible.
4. TRANSMITTING REPORTS TO OTHER JURISDICTIONS
  - A. When the Goodyear Police Department takes a missing person report on a person who lives outside of this jurisdiction, the assigned detective shall promptly notify and forward a copy of the report to the agency having jurisdiction over the missing person's residence and the agency where the person was last seen. If the missing person is under twenty-one (21) years of age or there is evidence that the person may be at-risk, the reports must also be forwarded within no more than twenty-four (24) hours to the jurisdiction of the agency where the missing person was last seen.

## **8. MISSING PERSON LOCATED**

1. The investigation may be concluded when the missing person is located or when another agency accepts the case and formally assumes the investigative responsibilities.
  - A. Located missing persons shall be verified in person prior to being removed from the NCIC/ACIC.
  - B. If the missing person is located in another jurisdiction, an agency assist will be requested to verify the recovery.
2. When this Department discovers a missing person has been found, Communications shall update the record in the NCIC.
3. If a missing child under the age of eighteen (18) is located, the detective or officer must ensure that both the state registrar and county school superintendent are notified to remove the flag that the child is missing from the child's records (ARS § 36-339(B) and ARS § 15-829(C)).
4. If a missing person under the age of twenty-one (21) is located, the detective or officer must ensure that the missing person is cleared as soon as recovery is confirmed.