

 <b>Kinston Police Department</b>	<b><u>POLICY: Missing &amp; Unidentified Persons</u></b>						<b><u>POLICY #:</u></b>  <b>600-13</b>
	<b><u>NCLEA Standards: 6.21;</u></b>						
	<b><u>CALEA Standards: 41.2.5; 41.2.6</u></b>						
	<b><u>NCLM Standards:</u></b>						<b><u>Effective Date:</u></b>
<input type="checkbox"/> New <input checked="" type="checkbox"/> Revised	<b>Revision Dates:</b>	01/01/21	12/03/25				<b>07-01-2019</b>
<b>Approval: Chief of Police</b>							

## I. PURPOSE & SCOPE

The purpose of this policy is to establish procedures for the handling of missing persons & abandoned Infants reported to the department.

## II. DEFINITIONS

### A. Missing Person:

- Any individual who is 18 years of age or older, whose temporary or permanent residence is in North Carolina, or is believed to be in North Carolina, whose location has not been determined and who has been reported as missing as defined by North Carolina General Statute to a law enforcement agency.
- A juvenile as defined by North Carolina General Statute, whose location has not been determined, and who has been reported as missing to a law enforcement agency, and whose parents, spouse, guardian, or legal custodian's temporary or permanent residence is in North Carolina, or is believed to be in North Carolina.

B. 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.

C. Endangered: A person of any age who is missing under the circumstances indicating that his/her physical safety may be in danger.

D. Involuntary: A person of any age who is missing under the circumstances indicating that the disappearance may not have been voluntary.

E. Juvenile: A person who is missing and declared un-emancipated as defined by the laws of North Carolina and does not meet any of the entry criteria set forth in the above three categories.

F. Catastrophe Victim: A person of any age who is missing after a catastrophe.

### **III. POLICY (41.2.6 a)**

- A. It is the policy of the Department to investigate all reports of missing persons to the fullest extent possible, regardless of the length of time the person has been missing. **(NCLEA 6.21 a)**  
**(CALEA 41.2.5)** Members will immediately use all appropriate/available resources in the event of missing children, including runaway, abandonment, abducted, or other missing status.

### **IV. ACCEPTANCE OF REPORTS**

A missing person report will be completed for any person (adult or juvenile), whose last known location was in the City of Kinston, or whose temporary or permanent residence is in the City of Kinston, or when the person or child's last location is unknown, or whose parents, spouse, guardian, or legal custodian's temporary or permanent residence is in the City of Kinston. When in doubt, officers will take a report.

### **V. INITIAL INVESTIGATION (NCLEA 6.21 b)(CALEA 41.2.5 a) (CALEA 41.2.6 c) (CALEA 41.2.6 e)**

Missing person complaints will be investigated through application of the same basic procedures established for other incidents. Some additional requirements may be involved depending upon the circumstances of an individual case. Complaints of missing persons shall be initially investigated by the responding patrol officer, unless compelling circumstances indicate that the case should be handled initially by the Investigations Section, such cases being kidnaping, or suspected foul play.

1. Respond to the dispatched call as soon as practicable
2. Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk. The officer should obtain an initial description and other information sufficient for the missing person's broadcast. **(CALEA 41.2.5 a) (CALEA 41.2.6 c)**
3. Initial area search including the deployment of canine teams should be accomplished as appropriate. **(CALEA 41.2.5 f)**
4. Missing Persons under the age of 21 must be entered immediately into NCIC.
5. Notifying all units within the department of the person's name, physical description, clothing description, health/general condition, point last seen, and possible vehicles and accompanied persons, if any, and or other specific information that might assist in locating the person; this information shall be disseminated at the earliest possible moment.
6. Broadcast a "Be on the Look-Out" (BOLO) bulletin if the person is under 18 years of age or there is evidence that the person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 18 years of age or may be at risk. The BOLO should be broadcast to on-duty department members as well as to all other appropriate law enforcement agencies (N.C.G.S. 143B-1015). **(CALEA 41.2.6 c)**
7. Attempting to obtain a photograph of the missing person.
8. Informing the reporting person to call the department as soon as possible should the missing person return or additional information comes to their attention.
9. Contacting persons developed from interviews who may possibly know the whereabouts of the person.
10. Visiting possible locations or having other units visit specified areas identified by the complainant.

11. Ensure that entries are made into the appropriate missing person networks:
  - a. Immediately, when the missing person is at risk.
  - b. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report (34 USC § 41308).
12. Promptly notifying their immediate supervisor when a reported missing person is a juvenile; an individual who is mentally or physically challenged; an elderly individual who is unable to care for themselves; a person who is believed to be despondent; when the time of day, temperature, and or length of time before notification of police mandates immediate action be taken; and or when the missing person is critically ill, or at-risk in any known way or may qualify for a public alert (see Public Alerts Policy).
13. Ensure that entries are made into the appropriate missing person networks:
  - a. Immediately, when the missing person is at risk.
  - b. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report (34 USC § 41308).

## **VI. REPORT PROCEDURES AND ROUTING (CALEA 41.2.6 b) (CALEA 41.2.6 e)**

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

As soon as possible, officers will submit a copy of all missing person reports to the Departments Records Section or Lenoir County Communications Center. Records personnel or Lenoir County Communications, in accordance with North Carolina General Statute 143B-499.1, will immediately:

1. Enter data about the missing person or missing child into the national missing persons file in accordance with criteria set forth by the FBI/NCIC.
2. Inform Lenoir County (911) communications center of missing person report and all pertinent information for re-broadcast of missing person information to all on-duty personnel via radio communication.
3. Initiate a state wide broadcast through DCI to all appropriate law enforcement agencies to be on the look-out for the individual.
4. Transmit a copy of the report to the North Carolina Center for Missing Persons.

## **VII. SUPERVISOR RESPONSIBILITIES**

The responsibilities of the supervisor shall include, but not be limited to:

1. Reviewing and approving missing person reports upon receipt. The reports should be promptly sent to the Records Division or 911 Communication Center.
2. Ensuring resources are deployed as appropriate.
3. Initiation a command post as needed.
4. The Squad Supervisor will notify the Administrative On-Call Supervisor when a reported missing person is a juvenile, an individual who is mentally and/or physically challenged, an elderly individual who is unable to care for themselves, a person who is believed to be despondent, or when the time of day, temperature, and/or length of time before notification of police mandates immediate action be taken or at-risk in any known way or may qualify for a public alert (see Public Alerts Policy). **(NCLEA 6.21 c-d) (CALEA 41.2.5 d) (CALEA 41.2.6 d)**
5. The Administrative On-Call will make an independent judgement as to manpower needs, special equipment, search patterns, notification of outside emergency agencies for search and rescue, an investigator to respond to the scene.

6. The Squad Supervisor, unless relieved by a higher authority, will be responsible for the search operation and the coordination of all personnel and agencies involved, and will determine when to terminate the operation.
7. When the initial responding officer's tour of duty has ended, and the missing person's whereabouts have not been ascertained, and all aforementioned procedures have been taken, all complaints of missing persons will be referred to the Investigations Division for follow-up and passed onto the oncoming patrol squad supervisors.

### **VIII. CRIMINAL INVESTIGATION SECTION & FOLLOW-UP (CALEA 41.2.5 f) (CALEA 41.2.6)**

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

1. Should ensure that the missing person's school is notified within 10 days if the missing person is a child (N.C.G.S. § 115C-403).
  - a. The notice shall be in writing and should also include a photograph.
2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information if the school receives a call requesting the transfer of the missing child's files to another school.
3. Should the officer assigned as the School Resource Officer locate the missing person at school, they should notify the Criminal Investigation Division and complete necessary supplemental reports for the investigation and NCIC removal.
4. Should re-contact the reporting party and/or other witnesses within 30 days of the initial report and within 30 days thereafter to keep them informed, as appropriate, and to determine if any additional information has become available. **(CALEA 41.2.5 e)**
5. Should consider contacting other agencies involved in the case to determine if any additional information is available.
6. Shall verify and update the North Carolina Center for Missing Persons, NCIC, and any other applicable missing person networks within 30 days of the original entry into the networks and whenever new information becomes available until the missing person is located (34 USC § 41308).
7. Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
8. Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
9. Should make appropriate inquiry with the Local Medical Examiner.
10. Should obtain and forward medical and dental records, photos, X-rays, and biological samples, as applicable.
11. Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to the North Carolina Center for Missing Persons and enter the photograph into applicable missing person networks (34 USC § 41308).
12. Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).
13. NamUs entries are required for persons missing for more than 30 days, as set forth in N.C.G.S. § 143B-1015.

14. In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

## **IX. CRIMINAL INVESTIGATIONS SUPERVISOR RESPONSIBILITIES**

The responsibilities of the Criminal Investigations Supervisor shall include, but not be limited to:

1. As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's residence in cases where the missing person is a resident of another jurisdiction.
2. Notifying and forwarding a copy of the report to the agency of jurisdiction where the missing person was last seen.
3. Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known
4. Coordinating with the NCIC Terminal Contractor for North Carolina to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308). **(CALEA 41.2.6 d) (CALEA 41.2.5 b)**

## **X. WHEN A MISSING PERSON IS FOUND**

When any person reported missing is found, the assigned member shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies, and refer the case for additional investigation if warranted.

A supplement of the original report should be sent to the Records Division or 911 Center and they should ensure that, upon receipt of information that a missing person has been located, the following occurs:

1. Removal of Missing Person from NCIC
2. Notification is made to the North Carolina Center for Missing Persons.
3. Entries are made in the applicable missing person networks, as well as NamUs if entries were made in that system (N.C.G.S. § 143B-1015). **(CALEA 41.2.5 c)**
4. When a person is at risk, the fact that the person has been found should be reported within 24 hours to the North Carolina Center for Missing Persons.
5. Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

## **XI. UNIDENTIFIED PERSONS**

Members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

1. Obtain a complete description of the person.
2. Attempt to locate and contact the reporting person or a responsible person (i.e., relative) to whom the person may be released.
3. Enter the unidentified person's description into the NCIC Unidentified Person File.
4. Use available resources, such as those related to missing persons, to identify the person.

NamUs entries are required for unidentified persons who have not been identified for more than 30 days, as set forth in N.C.G.S. § 143B-1015, provided that if an identification is subsequently made, the system should be updated with that information.

### **XIII. ABANDONED INFANTS (41.2.6)**

North Carolina State Law mandates that our agency accepts custody of any abandoned infants by providing a “legal” drop off point for abandoned infants less than seven (7) days old.

Public Safety agencies are authorized to take possession and deliver care to infants less than seven (7) days old without penalty to the parents.

Parents who leave infants with health care agencies will not be prosecuted for child abandonment and are not required to provide any information regarding the infant or themselves.

1. The firefighter, police officer, or public safety officer receiving the infant will record all information voluntarily provided by the parent or adult, such as the names of the infant and parents and any pertinent medical information.
2. All information received will be recorded on the Abandoned Infant Information Report. However, the individual leaving the infant is under no obligation to provide any information.
3. The appropriate Squad Captain will be notified immediately.
4. The infant is to be immediately transported to UNC-Lenoir or similar type medical facility for medical evaluation. Custody is transferred to UNC-Lenoir staff, which is then responsible for making the required notification to the Department of Social Services

### **XII. CASE CLOSURE**

The Criminal Investigation Division supervisor may authorize the closure of a missing person case after considering the following:

1. Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
2. If the missing person is a resident of the City of Kinston or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
3. If this office is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.
4. A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.