


The Tarrant County College District Police Department

GENERAL ORDER

	SUBJECT	GENERAL ORDER NUMBER
	MISSING PERSONS	407.00
	CALEA STANDARDS	EFFECTIVE DATE
	41.2.5, 41.2.6	May 1, 2015
		REVISION DATE
APPROVAL	PAGES	
Shaun Williams, Chief of Police	6	

Policy Statement - This department will document reports of missing persons and enter them onto state and national computer systems in compliance with state and federal law. **A 41.2.5 c.**

Purpose - The purpose of this directive is to provide guidelines for documenting requests for police assistance in locating persons whose whereabouts are unknown and who at the time of taking the report are not believed to be the victims of a criminal offense.

407.01 - DEFINITIONS

For purposes of filing missing person(s) reports and NCIC entry:

Adult - A person 18 years of age or over.

Child - A person under the age of 18.

407.02 - TAKING THE REPORT

A. **Report Criteria.** The Tarrant County College Police Department Missing Persons Report form is to be used to document any report that a person of any age is missing unless it is suspected that the person is missing as the result of a criminal offense. Cases involving possible criminal conduct will be documented on an offense report.

1. Missing Persons reports are to be taken in person. A supervisor may approve telephone reports in exceptional circumstances.
2. There is no minimum time period that a person must be missing before a report can be taken.
3. The Missing Persons Report may be made by anyone with knowledge of the incident outside the investigating police agency.
4. This department will accept reports on persons who were last seen or known to be on property owned or controlled by Tarrant County College District.
5. *Code of Criminal Procedure Sec. 63.001* includes a child, who was taken or retained in violation of a court custody order and whose whereabouts are unknown to the custodial parent or legal guardian, in the category of persons who must be documented by police as missing persons. This requires a

preliminary investigation by the reporting officer to determine the appropriate report to file.

- a. A Missing Persons report is to be completed if the child is known to be with a specific person whose taking or retention of the child is a violation of a court possession order and the whereabouts of the child and the other person are unknown.
- b. An Offense Report will be completed if the child is known to be with a specific person whose taking or retention of the child is a violation of a court possession order and the person has indicated intent not to return the child or there is evidence of intent not to return the child.

B. **NCIC Entry.** State law requires that immediate NCIC entry is made and that the reporting person is informed that the entry will be made of the following: **A 41.2.5 c.**

1. All missing children; and
2. Any missing child or adult who is under proven physical or mental disability or is senile and because of one or more of these conditions is subject to immediate danger or is a danger to others or who is in the company of another person or is in a situation the circumstances of which indicate that the missing person's safety is in doubt.

C. **NCIC Removal.** Upon locating the missing person, the reporting Officer receiving the information shall notify Communications and instruct the Communications Officer to cancel the amber alert, if applicable, and all missing person entries from the criminal justice computer information system. **A 41.2.5 c. and 41.2.6 c.**

D. **Relevance of Age.** Taking a Missing Persons Report is not dependent on the age of the child or person reported missing. Age is only relevant to the legal requirement for the department to make immediate NCIC entry or to the possibility that a Juvenile Court referral may be made for a status offense.

- Children at least 10 years old but under 17 in Texas may be referred to the Juvenile Court as runaways.
- Children under 10 may not be referred to the Juvenile Court as runaways.

E. **Report Processing.** Missing Persons Reports are to be turned in at shift end to be sent to the Records component unless a supervisor directs expedited processing.

1. Reports must be completed even if the missing person is found before shift end.
2. A copy of all Missing Persons Reports will be sent to the Investigation Division.
3. Follow-up investigators will make Briefing Bulletins on runaways and missing persons in a timely manner so the information is accessible to other department personnel. Investigators will also cancel Bulletins in a timely manner. **A 41.2.5b, 41.2.5 e. and 41.2.6 f.**
4. Follow-up investigators will confirm that necessary NCIC entries have been made and that entries are cleared when the missing child or missing person is located. **A 41.2.5 e. and 41.2.6 f.**

5. Follow-up investigators will make contact with reporting persons to identify additional information pertinent to the investigation. **A 41.2.5 d.**
 6. Investigative personnel will handle any necessary requests for medical/dental records. **A 41.2.5 e. and 41.2.6 f.**
- F. **FBI Inquiry.** Federal law requires police to make an inquiry with the FBI regarding Missing Persons under 25 if requested to do so. Requests are to be referred to Investigation Division.
- G. **Cancellation.** Calls from persons wanting to cancel Missing Persons Reports should be directed to the Investigation Division. The cancellation report taker will document who called, their telephone number and their relationship to the missing person, the name of the missing person, and the circumstances of the report cancellation. This report is to be in addition to the original Missing Person Report.

407.03 - FIELD SEARCHES FOR MISSING CHILDREN, MENTALLY OR PHYSICALLY DISABLED ADULTS, OR REPORTED ABDUCTIONS

- A. Calls involving missing children or persons with mental disabilities or alleged abductions of any persons are priority calls requiring the presence of a supervisor. **A 41.2.6 b.**
- B. **Immediate and Continuing Investigation.** An immediate and continuing investigation will be conducted when the missing person is:
- A child under ten years of age
 - An adult more than seventy years of age who is not mentally or physically capable of managing their own affairs; or
 - Mentally incompetent to the extent that the subject has impaired ability to provide for their own safety, necessities, or medication, or to communicate.

Ordinarily, searches will continue until the missing person is located. The decision to not start an investigation or to discontinue an ongoing investigation will be made jointly by field supervision and Investigations Division based on information learned, the absence of workable information, and the absence of some indication of harm or a criminal act against the person. **A 41.2.6a and 41.2.5f**

- C. **Communications.** The Communications Officer who receives the report of a missing child, mentally or physically disabled adult or reported abduction shall: **A 41.2.6 e.**
1. Determine if circumstances of the report meet the definition of a missing person as defined above.
 2. Immediately dispatch an Officer to the scene.
 3. Notify the Shift Supervisor for all reports of missing persons, regardless of age. **A 41.2.6 b.**
 4. Transmit the appropriate radio alerts and other notifications.
 5. Search Department missing person records for related information.
 6. Safeguard all pertinent records.
 7. Contact the Public Information Officer for media releases and media relations, as directed by the Shift Supervisor.

D. **Primary Officer.** The primary officer will go immediately to the scene and: **A 41.2.6 e.**

1. Interview parent(s) or person who is making the initial report. Contact relatives and witnesses and obtain a complete physical description, including clothing, of the missing person and, if abduction is alleged, of any alleged abductor and vehicle. The primary officer should also: **A 41.2.5 a. and 41.2.6 c.**
 - a. Verify the subject is in fact missing; **A 41.2.6 d.**
 - b. If a missing child, confirm the child's custody status;
 - c. Identify the circumstances of the disappearance;
 - d. Determine when, where, and by whom the child was last seen;
 - e. Interview the individual(s) who last had contact with the child; and
 - f. Make an initial determination of the type of incident.
2. Witnesses should be kept at the scene, separated from each other, and asked to put pertinent information in writing. This will assist investigators and keep witnesses busy.
3. Broadcast information on the main channel and request Dispatch to enter the person immediately into NCIC as required by *Code of Criminal Procedure Chapter 63* (Missing Children and Missing Persons). **A 41.2.5 b. and c.**
4. In coordination with the supervisor, establish a command post and request available units to respond to the command post to begin the search, and turn over command of the scene to the supervisor.
5. Remain on the scene until relieved by other field personnel or until relieved by investigators.

E. **Supervisor.** The supervisor serving as incident commander will: **A 41.2.6 e.**

1. Obtain a briefing from the reporting Officer(s) and other Department personnel, at the scene.
2. Determine if additional personnel and resources are needed to assist in the investigation.
3. Coordinate establishment of the command post with the primary officer, assume command of the scene, and obtain a separate staffed radio channel if necessary.
4. Formulate the search plan and insure that Dispatch is periodically notified of the situation to ensure officer safety and prevent search pattern duplication.
5. Organize and coordinate search efforts. **A 41.2.5 e.**
6. As applicable:
 - a. Organize citizen search teams;

- b. Notify the Public Information Officer, Division Commander, Investigations Division, and the Chief of Police;
 - c. Request assistance from other agencies;
 - d. Investigation Division activates the "Amber Plan".
- F. **Investigator.** The Investigator assigned to the report of a missing person shall: **A 41.2.6 e.**
 - 1. Obtain a briefing from Department personnel.
 - 2. Verify the accuracy of all descriptive information.
 - 3. Conduct a neighborhood/area canvass.
 - 4. Obtain a history of recent family dynamics.
 - 5. Explore the basis of conflicting information.
 - 6. Evaluate the need for additional resources and specialized services.
 - 7. Update descriptive information.

407.04 - AMBER PLAN ACTIVATION **A 41.2.6 d.**

- A. The Amber Plan is a cooperative effort between radio stations in the Fort Worth-Dallas area and North Texas law enforcement agencies. The plan calls for agencies to provide radio stations with an alert when:
 - A child 17 years of age or younger or an individual under proven mental or physical disability is abducted; and
 - There is reason to believe the victim is in imminent danger of serious bodily injury or death; and
 - There is information available to disseminate to the general public that could assist in the safe recovery of the victim and/or apprehension of the suspect. **A 41.2.5 b.**

Participating radio stations will break their programming to broadcast the alert and any later information provided by police.
- B. Notice to the media via the Amber Plan will not occur until the telephone hot-line for receiving tips from members of the public has been activated and other essential steps have been taken by Investigation Division.
- C. Field supervisor will notify: **A 41.2.6 c.**
 - Public Information Officer who will contact DFW Association of Radio Managers via fax. Only the PIO, Investigation Division, and Dispatch have a need to know the fax number. It is vital that this number remain confidential.
 - Dispatch to advise that the plan is activated, in order to prepare for called in tips.
- D. The Field Supervisor will provide updates to radio stations through the PIO.

407.05 - PROCEDURES WHEN A MISSING PERSON IS NOT LOCATED

- A. If a missing person is not located, follow-up investigation may be initiated. **A 41.2.5 e.**
 - 1. This follow-up may range from additional searches, to more extensive interviews with the reporting person and may include soliciting the assistance of the National Center for Missing and Exploited Children, in those cases involving juveniles. **A 41.2.6 f.**
 - 2. The follow-up may include: **A 41.2.6 f.**
 - a. Communications contacting outside agencies for assistance.
 - b. Reporting Officer(s) re-contacting the reporting party. **A 41.2.5 d.**
 - c. Criminal Investigations Personnel involvement.
 - d. Review by shift Supervisors and/or Division Commander.

407.06 - PROCEDURES WHEN A MISSING PERSON IS LOCATED

- A. **Texas Residents.**
 - 1. Persons considered to be adults (17 years and older in Texas) cannot be detained unless they have committed a criminal offense or have outstanding warrants. Notify the reporting agency of the location of any located missing person over 17.
 - 2. Handle juveniles (persons 10 or older but younger than 17 in Texas) according to non-secure juvenile detention procedures.
 - 3. Take children too young to be classified as juveniles (under 10 in Texas) into custody and transport to a non-secure detention area. Complete an Incident Report. If parents cannot be located for release, contact the Department of Protective and Regulatory Services to take custody.
- B. The law of the missing person's home state determines whether a located missing person will be handled as a juvenile or an adult or as a missing child. Verify the minimum and maximum age for handling as a juvenile in the missing person's home state through Dispatch when the computer "hit" is confirmed. Advise the reporting agency of the location of any non-juvenile. Follow same procedures for Texas resident based on age laws of home state.