



MISSING PERSONS		
✓ new: rescinds: amends: All previous	cross-reference: accreditation standards: NYSLEAP Standard(s): 40.2, 43.1, 44.3	
effective date: March, 2024	amend date:	

I. PURPOSE

The purpose of this policy is to establish procedures for investigating, searching, and recording all reported incidents of missing and unidentified persons.

II. POLICY

It is the policy of the Sheriff's Office to investigate all complaints of missing or unidentified persons; whether the missing person is a juvenile, elderly, mentally and/or physically impaired, suicidal, or an adult whose absent under circumstances indicating unaccountable or involuntary disappearance.

Note: There is no required waiting period for reporting a missing person. A person may be declared "missing" when his or her whereabouts are unknown and unexplainable for a period of time that is regarded by knowledgeable persons as highly unusual or suspicious in consideration of the subject's behavior, patterns, plans, or routines. (NYSLEAP 44.3A)

III. DEFINITIONS AND RESOURCES

A. A missing person is a resident of the County of Tompkins, including college students living on campus, residents of foster and group homes, residents of detention centers, residents from temporary housing (hotels, etc), anyone involuntarily housed at a hospital within the County of Tompkins, any person that cannot be identified immediately upon discovery, i.e unconscious and no identification, deceased without identification and any missing person identified outside as a County of Tompkins resident through a NCIC or eJusticeNY IJ Portal teletype message, who is:

1. Under eighteen (18) years of age and is missing under any circumstances.
2. A person who is eighteen (18) years of age or older and who is missing under any of the following circumstances:

- a. Mentally or physically impaired to the extent that hospitalization or medication may be required or they cannot fend for themselves;
- b. Senile, mentally impaired, or disabled and not capable of self-care and/or clear communication;
- c. Indicated an intention of committing suicide; or
- d. Absent under circumstances indicating unaccountable or involuntary disappearance.

Missing Persons Conditions via DCJS eJusticeNY Integrated Portal System	
Condition Type	Description
Disabled	A person of any age who is missing and under proven physical/mental disability subjecting himself/herself to personal and immediate danger.
Disaster Victim	A person of any age who is missing after a catastrophe.
Endangered	A person of any age who is missing under circumstances indicating that his/her physical safety may be in danger.
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.
Juvenile	A person under the age of 18 who is missing and not declared emancipated by the law and does not meet the entry criteria set forth in above listed condition types or a missing person between the ages of 18 and under 21 who meet the Missing Person Circumstances of Adult Federally Required Entry.
Other	A person age 21 and older not meeting the criteria for entry in any other category who is missing and for whom there is a reasonable concern for his/her safety.
Vulnerable Adult	A person 18 years or older who is missing and has a cognitive impairment, mental disability or brain disorder and it is believed the missing individual is at a credible risk of harm. (Because this Missing Person Condition exists only in the eJusticeNY IJ Portal, the record will default to Disabled when uploaded to NCIC.)
Disabled	A person of any age who is missing and under proven physical/mental disability subjecting himself/herself to personal and immediate danger.

Missing Persons Circumstance via the DCJS eJusticeNY Integrated Portal System

The Missing Person Circumstance (MPC) is a conditionally required field for all juvenile entries and provides additional information concerning the nature of the disappearance. MPC field categories include:

Circumstance Type	Description
Abducted by Non-custodial Parent	Child who is taken or abducted by a parent who does not have court ordered custody.
Acquaintance Abduction	Child who is taken or abducted against their will by a person known to the child or family.
Adult Federally Required Entry	Title 42, United States code (USC), Section 5779 (a), states that agencies are required to enter records into the NCIC Missing Person File for missing individuals under the age of 21. In order to comply with this federal law (Suzanne’s Law) the Missing Person Circumstance of Adult Federally Required Entry is used.
Circumstances Unknown	A child who is reported missing but there are insufficient facts to determine the circumstances.
Familial Abduction	A child who is taken, detained, concealed, enticed away, or retained by a parent/family member or other person at the request of the parent.
Lost/Wandered Away	A child who is reported to have strayed or wandered away and whose whereabouts is unknown.
Runaway	A child under 18 years of age who is reported missing but has left of their own free will or has been rejected or “thrown away” by their family.
Stranger Abduction	Child or adult who is taken or abducted against their will by an unknown person or a known person who is not a family member.

Definitions and Resources Related to Missing Persons

TERM	DEFINITION
Child Is Missing (ACIM)	<p>A service devoted to assisting law enforcement in the search and early safe recovery efforts of children, the elderly (often with Alzheimer's), disabled persons, and college students via a rapid-response neighborhood alert program utilizing high-tech telephone systems. ACIM will make alert calls (when requested by law enforcement) to the last seen areas, to help find these individuals who can't make rational decisions for themselves. Factors for determining the use of ACIM:</p> <p>Juveniles:</p> <ul style="list-style-type: none"> ➤ The juvenile should be seventeen (17) years old or younger; ➤ The reporting person must be an adult family member, teacher, or another adult who is responsible for the individual; ➤ If the juvenile is a habitual runaway, ACIM will be used if foul play is suspected. <p>Senior Citizens:</p> <ul style="list-style-type: none"> ➤ The person must be sixty-five (65) years of age or older; ➤ ACIM can be used even if an elderly person is a frequent walk-away from a nursing facility; ➤ ACIM can be used for known Alzheimer's patients. <p>Disabled Person</p> <ul style="list-style-type: none"> ➤ There is no age stipulation for a disabled person; ➤ Caution must be used when determining whether a person is truly disabled because there are many definitions of a disabled person. For purposes of ACIM, a disabled person will fall into one of the following categories: <ul style="list-style-type: none"> • The person has a physical or mental impairment that severely limits self-care; • The person is disoriented or unable to respond to simple questions; • The person is dependent upon life sustaining medication or unconscious.
AMBER Alert System	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.
Alzheimer's Disease	A progressive, degenerative disease of the brain in which brain cells die and are not replaced. It results in impaired memory, thinking, and behavior.
Cognitive Disorder	A mental disability or brain disorder which may include, but are not limited to: dementia, Alzheimer's , Autism , Down-Syndrome, or a person with Schizophrenia who is suicidal or has another life threatening
Dementia	A loss of mental ability severe enough to interfere with normal activities of daily living, lasting more than six months, not present since birth, and not associated with a loss or alteration of consciousness.

TERM	DEFINITION
Family Reference Sample Collection Kit	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. To obtain kit send request via email: forensics@dcjs.ny.gov
FIND THEM	<p>The New York State Missing Person Clearinghouse created this mobile device-friendly web application to assist law enforcement officers with the investigation and search for a missing person.</p> <p>Designed to be used by first responders and investigators, the web app generates a list of suggested tips and resources, based on conditions and circumstances selected by officers that are applicable to the case they are handling.</p> <p>http://www.criminaljustice.ny.gov/missing/findthem/</p>
High Risk Missing Person	<p>Refers to a missing child who is:</p> <ul style="list-style-type: none"> • 12 years of age or younger or – • Believed to be one or more of the items noted below; <ul style="list-style-type: none"> ○ Out of the zone of safety for his or her age, developmental stage, and/or physical condition; ○ Mentally diminished; ○ Drug dependent, including both prescription and illicit substances; ○ A potential victim of foul play or sexual exploitation; ○ In a life-threatening situation; ○ Believed to be with others who could endanger his or her welfare; ○ Is absent under circumstances inconsistent with established patterns of behavior or - • Whose disappearance involves circumstances that would cause a reasonable person to conclude that the missing person is considered endangered.
Lead Law Enforcement Agency	The law enforcement agency with primary responsibility for investigating a missing or unidentified person case.
LOCATER - Lost Child Alert Technology Resource	A web-based poster-creation program that provides law enforcement agencies with access to create and distribute their own posters to include Missing Children, Missing Adults, AMBER Alert, Wanted, Crime Alert, and other additional titles. The program allows agencies to distribute posters electronically and transmit the information to other agencies, media outlets, and the general public via Email distribution. Law enforcement agencies are also provided access to LOCATER WebMail to use to communicate with all LOCATER users nationwide. Phone: 1-877-446-2632 ext. 6389 or email: locaterhelpdesk@ncmec.org
Long Term Missing Person	Any person that has remained the subject of a missing person investigation for over thirty (30) days.
Long Term Unidentified Person	Any person, living or deceased that has not been identified through investigation for over thirty (30) days. All human remains that have been recovered and not identified are included in this definition.

TERM	DEFINITION
Missing Adult	A person who is 18 years of age or older and whose absence is contrary to their normal patterns of behavior.
Missing Child	A missing child shall mean any person under the age of eighteen years, or any youth, under the age of twenty-one years, that the office of children and family services or a local department of social services has responsibility for placement, care, or supervision, or who is the subject child of a child protective investigation, or is receiving preventive services or services under section 477 of the Social Security Act, or has run away from foster care, where such office or department has reasonable cause to believe that such youth is, or is at risk of being, a sex trafficking victim, who is missing from his or her normal and ordinary place of residence and whose whereabouts cannot be determined by a person responsible for the child's care and any child known to have been taken, enticed or concealed from the custody of his or her lawful guardian by a person who has no legal right to do so.
Missing Child with Developmental Disabilities	Any person under the age of eighteen years who has intellectual disabilities including but not limited to; cerebral palsy, Down syndrome, autism spectrum disorders, and other neurological impairments.
Missing College Student	Any person under 21 or a college student of any age who is a “student of an institution (college or university) who resides in a facility owned or operated by such institution and who is reported as missing from his or her residence.”
Missing Child Alert	Activated when a child younger than 21 is missing and believed to be in danger due to special circumstances, such as a cognitive impairment or medical condition, that place them at serious risk of harm or death.
Missing College Student Alert	Activated when a college student of any age is missing and is deemed to be at credible risk of harm or death.
Missing Vulnerable Adult	A person 18 years or older who has a cognitive impairment, mental disability, or brain disorder and whose disappearance has been determined by law enforcement to pose a credible threat of harm to such a missing individual.
Missing Vulnerable Adult Alert	Activated when an individual who is 18 or older; has a cognitive disorder, brain injury or mental disability; is reported missing; and is at credible risk of harm. This includes individuals with autism, dementia or Alzheimer’s disease.

TERM	DEFINITION
NamUs - National Missing and Unidentified Persons System	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 general public from all over the country in hopes of resolving these cases. Phone: 1-855-626-7000 or email: questions@findthemissing.org
National Center for Missing and Exploited Children – NCMEC	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.(1-800-843-5678)
New York State Division of Criminal Justice Service (DCJS) – Missing Persons Clearinghouse	Responsible for providing assistance to law enforcement agencies and left behind family members handling cases involving children, college students and vulnerable adults who have gone missing. The Clearinghouse administers Missing Child/College Student Alerts and Vulnerable Adults Alerts in addition to providing case management assistance including publicizing photos and information of non-urgent missing child/college student and vulnerable adult cases. The MPC has a 24-hour toll free hotline. (1-800-346-3543)
New York State Federation of Search and Rescue	A nationally recognized, not-for-profit organization consisting of independent search and rescue teams that make themselves available to any official agency to assist in searches for lost or missing persons in New York State or the northeast. To contact the Federation of Search and Rescue Teams call our toll-free emergency activation phone number: 866-6NY-WSAR (1-866-669-9727).
New York State Police - Special Victims Unit (SVU)	Serves as the lead agency in the NYS AMBER Alert Program, 24 hour contact can be made through COMSEC 518-457-6811 .
TEAM Adam	<p>Team Adam provides rapid, on-site assistance to law enforcement agencies and families in cases of missing, abducted, and exploited children. Its members are retired law-enforcement professionals with years of investigative experience at the federal, state, and local level. Team Adam Consultants rapidly deploy to sites where cases are unfolding, providing on-the-ground technical assistance and connecting local law enforcement with a national network of resources.</p> <p>Team Adam’s unique access to the National Center for Missing & Exploited Children resources, coupled with their years of command post and multi-jurisdictional law enforcement experience, very often provides small or medium-sized departments with the tools they need to handle complex, media-intensive cases. Phone: 1-800-843-5678</p>

TERM	DEFINITION
Runaway	Definition: <ul style="list-style-type: none"> • Under age 18; • Absent from legal residence without consent of parents or legal guardian; • NYS Exec Law sec.532-a(1).
Project Lifesaver International	Locates and rescues missing persons through proven radio technology and a specially trained search and rescue team. Clients that are enrolled in the Project Lifesaver program wear a personalized wristband that emits a tracking signal. Phone: 772-446-1271
Safe Return Program	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.
Unidentified Deceased Persons Remains	Human remains that have been discovered while conducting a death investigation in which the identity of the human remains are currently unknown.
VICAP	<p>The New York State Violent Crime Analysis Program (NYS VICAP) is administered by the New York State Police, Bureau of Criminal Investigation, and Forensic Investigation Support Services Section.</p> <p>NYS VICAP is a computer-assisted program that operates in conjunction with the Federal Violent Criminal Apprehension Program (VICAP) administered by the Federal Bureau of Investigation.</p> <p>NYS VICAP and VICAP have been developed as investigative aids for all law enforcement agencies. They link similar patterns of crime from among all reported cases in the government's database. This is accomplished by analyzing all relevant details of crime including: victimology, modus operandi, offender information or suspect description, physical or forensic evidence and suspect behavior exhibited before, during or after the crime. When apparent similarities or patterns are determined to exist between cases, the submitting agencies can be notified and the case investigators put in contact with each other.</p> <p>The Executive Law (Section 221-b) requires all NYS law enforcement agencies investigating a missing person case, where circumstances indicate a strong possibility of foul play, to submit a written report of the same to the NYS ViCAP within 30 days of the beginning of such investigation.</p> <p>NYS VICAP also provides assistance with homicide, unidentified remains and sexual assault cases. nysvicap@troopers.ny.gov</p> <p>NYS VICAP 800-445-2500 (law enforcement only) or 518-464-7144 nysvicap@troopers.ny.gov.</p>

TERM	DEFINITION
Zone of Safety	<p>Represents an area in which a missing person is known to frequent; feels a sense of comfort and is not believed to be exposed to any unusual risk.</p> <ol style="list-style-type: none"> 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 department personnel (first responders 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.
\$M- Message	<p>A non-unique Missing Person Notification. A \$.M. administrative message is sent to the ORI initiating a missing person non-unique identifier inquiry. After NCIC has processed the inquiry, negative and positive notifications will be transmitted by DCJS/NCIC to the ORI.</p>

IV. GENERAL PROVISIONS

- A. This policy cannot anticipate every potential scenario and establish special procedures for what may be a temporarily overdue person.
- B. Officers must be guided by common sense and an evaluation of the facts and circumstances of each instance when undertaking a missing person investigation.
- C. To initiate a successful investigation, the first responding personnel must focus on quickly gathering as much factual information as possible and safeguard potential evidence.
- D. The accurate and comprehensive collection of information and personal descriptors entered in a timely manner into the eJusticeNY Integrated Justice Portal/Division of Criminal Justice Services (DCJS)-National Crime Information Center (NCIC) database generally facilitates a successful resolution to the missing and unidentified person investigation.
- E. Questions concerning parental custody occasionally arise in relation to missing children/adolescent incidents. Even under circumstances where custody issues have not been formally established or resolved, this office will accept and investigate all reports of missing children/adolescents, including cases where it can be shown that the child/children/adolescent(s) have (has) been removed, without explanation, from his/her/their usual place of residence.

1. Reporting persons shall be encouraged to obtain clarification of legal custody as

soon as possible to assist in the investigation.

V. MISSING PERSON PRELIMINARY INVESTIGATIONS

- A. Immediately upon receiving a report of a missing person or unidentified person, a patrol unit shall be assigned, and a preliminary investigation shall be conducted.
1. There is no requirement that the reporting person wait for any period of time to report the missing/unidentified person. New York State Law: The NYS Executive Law (838-9) requires that “no law enforcement agency within the State shall establish or maintain any policy that requires the observance of a waiting period before the acceptance of a missing person report.
 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. Members of this office will coordinate with the law enforcement agency with primary jurisdiction in which the missing person was last confirmed to have been and assist the reporting person with making contact with such agency as necessary.
- B. Due to the potential complexity and diverse nature of missing and unidentified person investigations, this type of incident demands swift and effective action by this office. 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.
- C. The initial responding officer’s responsibilities include:
1. Respond to the scene without delay;
 2. Verify that the person is missing;
 3. Ensure that everyone at the scene is identified and interviewed separately and properly record the information. Note name, address, email address(es) 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;
 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. Based on the available information, make an initial determination of the type of incident (i.e., runaway, missing without cause, lost, non-family or family abduction, injured, etc.);

Note: If the circumstances indicate that there may be a crime involved, the officer will immediately secure any location or area that may be a “crime scene,” or that may yield

evidence.

6. If a missing person is determined to be a child under the age of twelve (12), elderly (age 65 or older or an Alzheimer's/Dementia patient), or disabled (physically or mentally) the reporting officer will immediately notify a supervisor regarding the incident. The Sergeant shall notify, or cause notification to an Investigator and the Road Patrol Lieutenant whenever an individual is not located after the preliminary investigation and/or there is potential criminal element.
 7. Complete the *Missing Person Report* and obtain a detailed description of the missing person (i.e., name, date of birth, clothing worn, physical appearance, nickname, abductor, vehicles, etc.);
 8. Broadcast known details on all police communication systems, including an entry into the eJusticeNY system and Spillman CAD system. The sergeant shall make verification that the missing person's information has been entered into eJusticeNY;
 9. Personnel shall advise the 911 Center of the pertinent facts about the incident and request that an All Points Bulletin (APB) be broadcast. If a cell phone ping is deemed appropriate, assistance should be requested from the 911 Center at this time.
 10. When applicable, make notifications and request additional personnel if circumstances require;
 11. Attempt to obtain permission from the appropriate person to search the subject's home, bedroom, or other areas within the location for leads and signs of violence or foul play. If there is an identifiable location that could possibly be classified as a crime scene or at least a site where the contents should not be disturbed, secure the location to preserve possible items of evidentiary value;
 12. Obtain a recent photograph that is an accurate depiction of the subject whenever possible.
- D. When conducting interviews of the person making the report (i.e., parents, friends, family, neighbors, or other witnesses), officers should attempt to determine:
1. Who last saw the subject;
 2. Where the subject was last seen;
 3. When the subject was noticed to be missing;
 4. The names of the subject's friends and their addresses and telephone numbers;
 5. If any unusual circumstances are surrounding the disappearance;
 6. If the subject talked about running away, self-harm, or committing suicide;

7. Places the subject frequented;
 8. If the subject uses or was currently using, drugs or alcohol;
 9. If the subject recently experienced problems at work, school, home, or in their personal life;
 10. When and where each person interviewed last saw the subject
 11. The name and address or description of anyone last seen with the subject;
 12. Who has custody of the subject if the subject is a child;
 13. If the subject has a history of mental illness, serious medical conditions, or other conditions that require medication or treatment;
 14. If the subject has recently demonstrated any abnormal behavior.
 15. If the missing person is a juvenile or college student, the following information may prove useful:
 - a. Parental custody status; examine court orders regarding current custody matters, if applicable. I
 - b. Friends names and addresses;
 - c. On-line screen names;
 - d. Facebook® and other social networking access;
 - e. Access to credit card information;
 - f. Access to vehicles;
 - g. Wireless telephone number(s) and carrier;
 - h. Access to bankbooks, bank account(s).
- E. Depending on the circumstances involved, if the missing subject is a child, a disabled person, or a vulnerable adult, officers shall search the home and immediate vicinity, looking in any place where the subject might have fallen or is hidden from view. With the permission of an on-duty supervisor, officers may require assistance from the fire department or other search and rescue agencies in conducting search operations.
- F. If a child or 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.
- G. Officers should instruct the family to notify all relatives, particularly those living out of

state, of the subject's disappearance, providing them with the name of the officer assigned to the investigation and the phone numbers to contact the office and 911 Center.

- H. Officers shall assist in connecting the family members with victim support services when desired and appropriate.
- I. The sergeant, unless relieved by a higher authority, is responsible for ensuring that proper procedures are followed, required notifications are made, required messages are sent, and required reports are properly completed for all missing person cases.
- J. Refer to the DCJS [FIND THEM](#) web application for suggested tips and resources.

VI. MISSING PERSON REPORTING PROCEDURES

- A. If the subject reported missing has not been located after the completion of the preliminary investigation, the following procedures will be completed:
 - 1. The investigating officer will complete the *Missing Person Report* and a Spillman report detailing the facts and circumstances involved. All officers assisting in the preliminary investigation will complete supplemental narratives in the original Spillman report;
 - 2. The investigating officer will verify that the missing person's information has been correctly entered into eJusticeNY;
- B. File 6 missing person entries are authorized by the e-Justice Integrated Portal whenever:
 - 1. A person of any age is missing and has proven physical or mental disability or is senile, thereby subjecting himself or others to personal and immediate danger.
 - 2. A person of any age is missing and in the company of another person under circumstances indicating that his physical safety is in danger.
 - 3. A person of any age is missing under circumstances indicating that the disappearance was not voluntary.
 - 4. A person is less than eighteen (<18) years of age.
 - 5. A person is considered a missing vulnerable adult.
- C. A File 11A e-Justice Integrated Portal message (abduction message shall be generated if an abduction has been confirmed to ensure that other law enforcement agencies are aware of the abduction and related details. Statewide distribution (and if deemed to be appropriate, dissemination to adjoining states) is required. This will assist in coordinating the involvement of other police agencies and will ensure that they are prepared to effectively handle telephone calls received in response to any broadcast abduction alert (Tompkins County or New York State). A File 25 "attempt to locate" message shall be entered into the e-Justice Integrated Portal in all other cases.

- D. With authorization from a Lieutenant or higher authority, a Sergeant or Investigator may activate the relevant Alert system.
1. The [New York State AMBER Alert Plan](#) can be activated when an investigating law enforcement agency has reasonable cause to believe that:
 - a. An abduction of a child (under the age of 18) has occurred, and
 - b. The child is believed to be in danger of serious bodily harm or death, either due to the actions of another or due to a proven mental or physical condition.
 - c. Even if formal activation criteria have been met, activation may be impractical if available information is not specific enough and/or an extended period of time passed since the disappearance:
 - i. For example, an AMBER Alert specifying involvement of a white van (without a license plate number) could actually hinder an investigation by causing the public to inundate police agencies with possible sightings;
 - ii. Note that "Reasonable Cause to Believe" means that from eyewitness accounts, OR by eliminating other possibilities, your investigation leads you to believe that a child has been abducted;
 - iii. Familial abductions qualify only if a child is endangered by the actions of the abducting family member;
 - iv. Contact the NYSP Communications Section (COMSEC) 518-457-6811 to determine if a case may qualify for an AMBER Alert;
 - v. Whenever an AMBER Alert request does not meet activation criteria, requesting agencies are referred to other NYSP investigative resources and to the [NYS DCJS Missing Persons Clearinghouse](#) (MPC) for possible issuance of a Missing Child Alert or Missing College Student Alert.
 2. The New York State Division of Criminal Justice Services – Missing Persons Clearinghouse (MPC) administers the Missing Child, Missing College Student Vulnerable Adult Alert programs. NYS Missing Child, Missing College Student Alert Program. When a case does not meet the AMBER Alert activation criteria, but missing child, college student or young adult (under 21) is deemed to be endangered, an alternative Alert is available.
 - a. Each of the following criteria shall be met before a Missing Child or

Missing College Student Alert may be issued:

- i. The missing person must be under 21 or a college student of any age who is a “student of an institution (college or university) who resides in a facility owned or operated by such institution and who is reported as missing from his or her residence”;
 - ii. Law enforcement has determined that there is a credible risk of harm to such missing individual.
- b. Each of the following criteria shall be met before a Missing Vulnerable Adult Alert may be issued:
- i. The missing person must be 18 years of age or older who has a cognitive disorder, mental disability or brain disorder;
 - ii. Cognitive disorder, mental disability or brain disorder may include dementia, Alzheimer’s, Autism, Down-Syndrome, or a person with Schizophrenia who is suicidal or has another life-threatening illness. Suicide risk without the existence of a cognitive disorder, mental disability or brain disorder does not qualify. Depression does not qualify unless the person is suicidal or has another life-threatening illness;
 - iii. Law enforcement has determined that there is a credible risk of harm to such missing individual;
 - iv. The Missing Vulnerable Adult must be entered into DCJS/NCIC as a Vulnerable Adult.
3. Upon belief that a person may fit the criteria for activating a Missing Child, Missing College Student or Missing Vulnerable Adult Alert request an alert or regular case assistance via the eJustice Portal at the time of entry or when modifying an entry. Once assistance has been requested call the DCJS Missing Persons Clearinghouse at 1-800-346-3543 option #1 and a determination will be made as to whether an Alert will be broadcast.
4. The DCJS Missing Persons Clearinghouse, upon request, shall provide assistance to the lead law enforcement agency in the investigation of any Missing Child, Missing College Student or Missing Vulnerable Alert investigation.
5. The investigating officer shall have the appropriate authoritative source complete the *Missing Person Report Certification Form* before entering missing person information into an Alert system.

VII. MISSING PERSON INVESTIGATIONS

- A. 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. The Sheriff's Office will remain the lead law enforcement agency in charge of the investigation unless another law enforcement agency assumes primary responsibility over the investigation. Included in this investigation is the responsibility for completing all report forms, populating and updating all appropriate databases, and coordinating any initial search.
- C. Missing person cases will be assigned to the Criminal Investigation Division in accordance with *G.O. 1000 Criminal Investigations: Response, Scene Processing & Case Management*.
- D. The Criminal Investigations Division will:
 - 1. 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 the missing person has been entered into all appropriate databases (DCJS/NCIC via the e-JusticeNY IJ Portal). Additionally, include a photo of the missing person, suspect information and photo as well as vehicle information and photo if applicable;
 - 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. Update descriptive information and maintain communications with personnel, as warranted;
 - 6. Review and evaluate all available information and evidence requested;
 - 7. Develop an investigational/search plan; implement effective case management and initiate appropriate supplemental investigative actions;
 - 8. Determine what additional resources and specialized services are required;
 - 9. Contact the NYSP Special Victims Unit or the NYS Missing person Clearinghouse for assistance and resources, when necessary;
 - 10. 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;
 - 11. Check the [NY State DCJS Public Registry of Sex Offenders](#) to determine if any registered offenders live in close proximity to the missing person's last known

location, residence, school, etc.:

- a. If there is a positive response, investigate including an in person check/interview;
12. When warranted, notify and request that the Undersheriff or Sheriff to establish a command post;
13. Establish and maintain liaison with the missing person's family and other involved public safety agencies; and
14. Maintain communications with appropriate personnel and be available to make any decision or determinations as they develop.
15. Ensure available photo(s) are relayed to communications for inclusion in the DCJS/NCIC missing person's entry, the creation of a LOCATER bulletin, or AMBER Alert, Missing Child Alert, Missing College Student Alert, or Missing Vulnerable Adult Alert as appropriate.
16. Consideration should be given to immediately requesting investigative personnel to the scene and implementing the Incident Command System. The NYSP Special Victims Unit may be contacted to provide investigative guidance and resources.
17. Utilize a crime scene entry/exit log, when necessary.
18. Request voluntary assistance from the family or reporting party in obtaining items of investigatory value belonging to the missing person.
19. Obtain consent to search, when applicable, including consent for electronic databases/devices, where applicable:
 - a. Consider obtaining personal items that contain the missing person's scent for utilization of search dogs. Place scent articles in a clean, paper bag;
 - b. 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.);
 - c. 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;
 - d. Determine if any of the missing person's personal items are known to be missing from the area/scene.
20. 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.

21. Complete all reports and forms prior to reporting off duty.

VIII. MISSING PERSON INVESTIGATION FOLLOW-UP

- A. 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, when practical, if the missing person is a juvenile.
 - a. 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 (Education Law § 3222).
 - b. The investigator should coordinate with the school officials to flag the child's school records and search the child's locker for leads, as appropriate.
 2. Should recontact 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.
 3. Should consider contacting other agencies involved in the case to determine if any additional information is available.
 4. Shall verify and update DCJS, NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).
 5. Should continue to make reasonable efforts to locate the missing person and document these efforts.
 6. 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 missing for a protracted period of time and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
 7. Contact local jails, hospitals, and the regional Medical Examiners Officers and inquire about the subject or unidentified persons matching the subject's description;
 8. Shall obtain and forward medical records, dental records, photos, X-rays and biological samples, as applicable (Executive Law § 838).
 9. 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 any other

agency that is a stakeholder or requires them, including DCJS, and enter the photograph into the applicable missing person networks (34 USC § 41308).

10. Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).
 11. 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).
 12. Shall prepare a written report, in the form prescribed by VICAP, where circumstances indicate a strong possibility of foul play, within 30 days of beginning the missing person investigation (Executive Law § 221-b).
 13. Check eJusticeNY messages for unidentified persons matching the subject's description;
 14. Contact airlines, railroads, and bus lines and request that they check records for the subject as a passenger;
 15. Check local shelters and service agencies to determine if the subject is a resident or client; and
 16. When appropriate, contact credit card companies to determine if the subject's credit cards have been used since their disappearance.
- B. Unresolved Missing Person Cases – Missing person cases that have been active longer than thirty (30) days. Personnel assigned to the investigation of an unresolved missing person case shall continue to:
1. Update new information, as it surfaces, with DCJS via the eJusticeNY system, and in Spillman, maintain contact with the person's family, keeping them informed of new developments during the ongoing investigation, unless doing so could compromise the investigation.
- C. Technical assistance regarding runaway and missing person cases is available through the National Center for Missing and Exploited Children at 1-800-THE-LOST and the National Runaway Switchboard at 1-800-621-4000.
- D. Frequently, when dealing with the eJusticeNY entry of a missing person who is a juvenile PINS case, warrants are issued in addition to the department taking a missing person report of a runaway. In cases such as this, it shall be the department's policy to keep in effect any eJusticeNY missing person entries upon receiving a Family Court warrant. The eJusticeNY missing person entry shall not be canceled until notification is received of an arrest on such warrant.

IX. PARENTAL KIDNAPPING/CUSTODIAL INTERFERENCE INVESTIGATIONS

- A. Incidents of parental abduction and custodial interference often originate as a civil matter

which may escalate into a crime. In addition to the following normal missing person procedures, officers investigating a report of such an incident shall:

1. Verify the non-abducting parent's custody decree and any visitation provisions for the other parent and obtain a copy of the court document.
 2. Obtain information about the abducting parent (e.g. name, address, description, employment, social security number, vehicle information, and criminal history, if any).
- B. The Missing Persons investigator shall be responsible for follow-up investigations of parental abductions or custodial interference cases, and in addition to standard follow-up procedures, shall:
1. Request the non-abducting parent secure a certified copy of the custodial decree containing the raised seal of the issuing court which will be necessary should the child be taken to another state or country.
 2. Utilize, when necessary, the services of the Federal Bureau of Investigation and/or the Federal Parent Locator Service of the United States Department of Health and Human Services @ 315-422-0141.
 3. Notify the State Department in Washington D.C. if the investigation reveals that the child may be taken out of the country.
 4. Obtain a subpoena for the abducting parent's records (e.g. telephone bills, credit card charges, etc.).
 5. Obtain a search warrant for the abducting parent's residence and, when appropriate, an arrest warrant for the abducting parent.
 6. Refer the non-abducting parent to referral services or a support group when necessary.
 7. Interview the abducted child to determine the circumstances of the abduction, checking for abuse and neglect.
 8. When the investigation determines that an incident is a custodial interference and there are no exigent circumstances, which pose a threat or potential threat to the child involved, the incident will be classified as a "custodial interference" and indicated as such in the incident report.

X. **RUNAWAYS**

- A. The N.Y.S. Family Court Act defines a runaway as a person less than eighteen (<18) years of age who has run away from home without just cause; or who, in the reasonable opinion of the officer, appears to have run away from home without just cause. A police officer may reasonably conclude that the child has run away from home when the:

1. Child refuses to give his/her name or the name and address of his/her parent or other person legally responsible for his/her care; or
 2. Officer has reason to doubt the name and address given are correct.
- B. Officers are authorized and shall return a runaway who is less than sixteen (<16) years of age to his/her parent or other person legally responsible for his/her care. If the parent refuses custody of the runaway, or there is risk of fight or flight, the runaway may be brought to an approved facility for such purposes.
- C. If a runaway is a person at least sixteen (16) years of age but less than eighteen (<18) years of age the officer shall make every reasonable effort, short of using physical force, to return the runaway to his/her parent or other person legally responsible for his/her care or to an approved facility for such purpose. If the sixteen (16) or seventeen (17) year old runaway refuses to cooperate in returning, the officer shall notify his/her parent or other person legally responsible for his/her care of the status and location of the runaway and document his/her actions in a police report.
- D. Technical assistance regarding runaway cases is available through the National Center for Missing and Exploited Children @ 1-800-THE-LOST and the National Runaway Safeline (NRS) @ 1-800- RUNAWAY.
- E. Officers shall follow-up the return of runaways to determine if the child has been victimized or exploited and may want to recommend a comprehensive physical examination for the child. The officer should also make the child/family aware of the community services to deal with any unresolved issues.
- F. Complaints regarding runaways or persons missing from locations outside the County of Tompkins shall be referred to the appropriate law enforcement agency of jurisdiction.

XI. MISSING PERSONS – NON-RESIDENTS OF THE COUNTY OF TOMPKINS

- A. Upon receiving a complaint of a missing person who is not a resident of the County of Tompkins, as defined in the Definitions section above, officers should obtain:
1. All pertinent information regarding the person (i.e. name, address, date of birth, etc.).
 2. A detailed physical and clothing description.
 3. The location where the person was last seen.
 4. Name(s) and pertinent information of the person(s) who last saw the individual.
- B. The investigating officer will assist the complainant in attempting to locate the person. If the officer is unable to locate the person, he/she will advise the complainant to contact the police Department where the missing individual resides, if they have not already done so, and file a “missing persons” report with that agency.
- C. Contact the Emergency 9-1-1 dispatcher, as soon as possible and broadcast a “point of

information” on the individual.

- D. File an incident report, and attach the individual name file, which should include the following:
 - 1. The “incident type” category, which is to be listed as ASSIST OTHER AGENCY.
 - 2. A detailed physical and clothing description.
 - 3. The location where the person was last seen.
 - 4. Name(s) and pertinent information of anyone who last saw the person.
 - 5. Any locations where the person may be found.
 - 6. All locations that have been checked.
- E. Notify the Criminal Investigations Division for informational purposes.
- F. Office members shall assist outside agencies as deemed appropriate.

XII. UNIDENTIFIED CHILDREN AND INCOMPETENT PERSONS

- A. Whenever unidentified children or adult persons are taken into custody by the office, officers shall:
 - 1. Notify the on-duty supervisor;
 - 2. Canvas the area where the subject was found in an attempt to locate the subject's parents, guardian, care-taker, or witnesses who may have information regarding the subject;
 - 3. If attempts to locate the subject's parents or guardian fail, and the subject remains unidentified, the responsibility for follow-up investigation shall be assigned to an investigator;
 - 4. The investigator conducting follow-up investigations of unidentified children or adult persons shall:
 - a. Complete the "Unidentified Person Data Collection Guide" (DCJS-1507);
 - b. Fingerprint and photograph the subject;
 - c. Have the investigating officer send a message via the eJusticeNY system; and
 - d. Forward the Unidentified Person Data, Collection Guide (DCJS-1507), fingerprints, and photographs to the DCJS.

- B. Whenever an unidentified child is not reunited with their parents or guardian, the assigned investigator shall contact Tompkins County Child Protective Services and arrange for temporary placement of the child.
- C. Whenever an unidentified vulnerable adult person is not returned to their home or guardian, officers shall transport the subject to Cayuga Medical Center for examination and evaluation.

XIII. MISSING PERSON CANCELLATION PROCEDURES

- A. Personnel receiving notification of the return or location of a missing person shall, if possible, make personal contact with the subject to confirm their location and well-being. The reporting officer will complete a supplemental narrative in the original Spillman report detailing the facts obtained concerning the incident. The reporting officer will then personally notify the investigating officer of the necessary cancellation(s).
 - 1. Personnel investigating or following up on a missing person case may complete the eJusticeNY cancellation using the procedures outlined in this section.
- B. The following procedures will be followed by the investigating officer or other designated personnel for closing out missing person cases:
 - 1. Pull the original eJusticeNY entry;
 - 2. Send the eJusticeNY cancellation and verify the cancellation with a “Canceled from Both Files” response message canceling the original attempt to locate the message. The eJusticeNY cancellation number will then be documented in a supplemental narrative in the original Spillman report.
 - 3. Attach the eJusticeNY printout to the case file;
 - 4. The updated case file will be submitted to the on-duty supervisor for review; and
 - 5. The on-duty supervisor shall verify the cancellation by checking for the “Canceled from Both Files” response. The on-duty supervisor shall forward the case file to the investigator. The investigator assigned shall file the case file within the appropriate location.

Attachments:

- A. *Missing Person Report*
- B. *Missing Person Report Certification*

By Order Of



Derek Osborne
Sheriff