

WATERTOWN POLICE DEPARTMENT GENERAL ORDER



**JOANNA W. VITEK
CHIEF OF POLICE**

Effective Date: January 1, 2010	Rescinds: Amends: B-160 (January 2009)	Number: B-160
Subject: MISSING PERSON RESPONSE POLICY		Re-evaluation Date: January 2013
Distribution: ALL PERSONNEL	Related CALEA Standards:	

This order consists of the following numbered sections:

1. Purpose
2. Policy
3. Definitions
4. Initial Response
5. Witnessed Endangered Abduction Response to Amber Alert
6. Missing Adults & Emancipated Juveniles
7. An officer assigned to the recovery or return of a missing person shall
8. Collection of Missing Person DNA

1. PURPOSE

- a. The purpose of this policy is to establish guidelines and responsibilities for officers and supervisors when dealing with missing persons.

2. POLICY

- a. It is the policy of the Watertown Police Department that missing person reports are to be given a high priority. Every person reported missing will be considered at risk until significant information to the contrary is confirmed. Response to these calls will involve initial responding unit and may involve additional assistance from others within the department and many other agencies depending on the circumstances of the incident.
- b. Jurisdictional conflicts are to be avoided when a person is reported missing. If a missing person either resides in, or was last seen in this jurisdiction, this agency will immediately initiate the required reporting process. If a missing person legally resides in this jurisdiction and was last seen in another jurisdiction, but the law-enforcement department covering that jurisdiction chooses not to take a missing-person report, this department will assume reporting and investigative responsibility.
- c. Questions concerning parental custody occasionally arise in relation to missing-child reports. It shall be the policy of this department to accept the report of a missing child even if custody has not been formally established. Reporting parties shall be encouraged to obtain legal custody as soon as possible; however, since the safety of the missing children is paramount, members of this department will open a case when it can be shown that the child is missing, without explanation, from his or her usual place of residence.

3. DEFINITIONS

- a. **A CHILD IS MISSING NETWORK:** A free call in center that can call numerous phones in a given area to help in locating a missing person.
- b. **AMBER ALERT:** A response program designed to send an emergency alert to the public when an abduction occurs and it is believed the child's life is in grave danger.
- c. **AT RISK:** A missing adult or child will be considered "at-risk" when one or more of the unusual circumstances noted in Section 3 (1) are present.
- d. **CABLE SEIZURE:** Seizure of the cable TV system to broadcast a message to assist locating a missing person.

- e. CODIS – Combined DNA Index System (CODIS) database
- f. DIRECT REFERENCE DNA SAMPLE: An item or article of evidence that can be directly linked to the missing person. Examples are toothbrush, razor, tissue biopsy, newborn screening bloodstain, baby teeth, unlaundered clothing, etc.
- g. FAMILY REFERENCE SAMPLE: DNA swab taken freely and voluntarily with consent from family member of missing person; first order relatives are preferred: mother, father, siblings, children, and spouse.
- h. MISSING ADULT: A person who is 18 years of age or older and whose absence is contrary to his or her normal patterns of behavior and may be due to one or more of the unusual circumstances listed in Section 3(1).
- i. MISSING CHILD: A person who is younger than 18 years of age whose whereabouts are unknown to his or her parent, guardian, or responsible party.
- j. PROJECT LIFE SAVER: A lifesaving program that assists in locating missing Alzheimer patients that are wearing a location device.
- k. SAFE AREA: The area parents allow child to go on their own.
- l. UNUSUAL CIRCUMSTANCE
 - i. A missing child 13 years of age or younger
 - ii. A child or an adult who is missing and believed to be :
 - 1. Out of the zone of safety for his or her age and physical and mental condition. The zone of safety will vary depending on age. In the case of an infant, for example, the zone of safety will include the immediate presence of an adult custodian or the crib, stroller, or carriage in which the infant was placed. For a school-aged child the zone of safety might be the immediate neighborhood or route taken between home and school. In the case of an elderly person of diminished physical and/or mental health, the zone of safety might include the close proximity and availability of a caregiver familiar with that individual's condition and needs.
 - 2. Mentally diminished. If the person is developmentally disabled or emotionally disturbed, or the victim of disease, he or she may have difficulty communicating with others about needs, identity, or address. The disability places the person in danger of exploitation or other harm.
 - 3. Drug dependent. In the case of a child, the term “drug dependent” shall refer to dependence on either prescription or illicit substances, since any drug dependency puts a child at substantially increased risk. In the case of an adult, the term “drug dependent” shall refer to a dependence on legally prescribed medicines vital to the adult's continued physical well-being.
 - 4. A potential victim of foul play or sexual exploitation.
 - 5. In a life-threatening situation
 - 6. Absent from home for more than 24 hours before being reported to law enforcement as missing.
 - 7. Believed to be with persons who could endanger his or her welfare.
 - 8. Is absent under circumstances inconsistent with established patterns of behavior.
 - iii. Actions upon determination of unusual circumstances.
 - 1. If it is determined that unusual circumstances are involved in the report of a missing adult or child, the person will be considered at-risk, and an expanded investigation, including the use of all appropriate resources, will immediately commence.
 - 2. If appropriate, existing interagency response protocols — including the AMBER Alert system and/or other immediate community notification methods, if available should be activated.

4. INITIAL RESPONSE

- a. Reporting Officer Responsibilities shall include but not be limited to: Identify the circumstances of the disappearance. First responders need to ascertain whether the circumstances surrounding a person's disappearance are such that a heightened level of response is warranted. If "unusual circumstances" exist, as defined in Paragraph (1) of Section 3, then the decision to employ additional response methods is clear. In other situations where the circumstances are not clear, officers should keep the missing person's safety in mind and act accordingly.
- b. Missing person case reports shall be taken by an officer and the officer will interview the complainant. Information to be gathered will include but not be limited to:
 - i. Complete physical description (height, weight, hair color, eye color, clothing, etc.)
 - ii. Most current picture.
 - 1. Age of missing person.
 - 2. Medical information, including doctor, dentist.
 - 3. Names and addresses of friends, relatives and other associates.
 - 4. Location of places person frequents.
 - 5. Other background information.
 - 6. Confirm custody status.
- c. Interviews- Done by initial officer
 - i. Interview the following if possible:
 - 1. Family members (outside the area the person is missing from).
 - 2. Friends.
 - 3. Neighbors.
 - 4. Relatives outside immediate family.
- d. Check for Possible Internet Online Enticement- Done by initial Officer
 - i. Ask the following:
 - 1. Are there any chat rooms used?
 - 2. What are the password(s) used?
 - 3. What are user and log on names?
 - 4. Where are computers being used; at home, friends, family, or library?
 - 5. Are there any known chat line friends; where do they live, address, city, state (if known)?
- e. Notify Shift Supervisor-Done by initial officer
 - i. Shift supervisor will be given vital information of incident to establish course of action.
- f. Supervisor's Responsibilities
 - i. Review circumstances of incident including the specific but not limited to:
 - 1. Possibility of abduction.
 - 2. Age of missing person.
 - 3. Previous history of missing person.
 - 4. Custody order, are parents together.
 - 5. Missing persons last seen time.
 - 6. Weather conditions.
 - 7. Mental capacities of missing person; determine if enrolled in Project Lifesaver
 - 8. Demeanor of missing person
- g. Searching for Children- Done by initial officer with assistance from other officers and/or agencies.
 - i. Search of immediate area for children will begin immediately with direction from supervisor at scene.
 - ii. Search area will vary as to time element, age, etc. The search will begin with the following steps:
 - 1. Search residence and child's safe area with two officers, even if parents advise they have done so.
 - 2. After initial search, have two (2) other officers search area again.
 - 3. Search neighborhood door to door initially approximately a three-block area.
 - 4. Search wooded areas, vehicles, trunks, etc.
 - 5. Any items found relating to missing person should be handled as evidence and area secured.
- h. Missing and Abducted Children Guideline
 - i. Follow guidelines and checklist in Missing and Abducted Children Guide.

- ii. This guideline should be reviewed periodically by officers in a training setting.
 - i. Determining Additional Course of Action As Needed
 - i. If authorized by a supervisor additional course of action may be:
 1. Cable seizure.
 2. Additional manpower (Sheriff's Department, South Dakota Highway Patrol, DCI, and Codington County Search and Dive Rescue).
 3. If enrolled in Project Lifesaver, immediately page CCSAR, contact Jenkins Living Center for information on battery, confirm client number, etc.
 4. Call in Investigative Team (Crime Scene, Detectives).
 5. Prepare media release if needed.
 6. Activate "A Child is Missing" calling network.
 - j. Relaying Information- Done by initial officer
 - i. Give pertinent information to communications officer for:
 1. Relaying to officers involved in search.
 2. Relaying the necessary information for filing NCIC Missing Persons Report.
 3. Communications will notify all local law enforcement agencies via radio, phone, or teletype with pertinent information.
 - k. Verifying Notification- Done by Supervisor
 - i. Verify the notification of the following:
 1. NCIC
 2. State Clearing House at Pierre (applies to children)
 3. National Center for Missing and Exploited Children (applies to children)
 - l. The Search for Un-emancipated Minors (inclusive of those able to take care of their personal needs.)
 - i. Searches will be conducted if evidence and/or circumstances dictate.
 - m. Brief Incoming Supervisor at Shift Change If Needed.
 - n. Follow-ups to be conducted by the initial Officer until case is turned over to the detective division.
- 5. WITNESSED ENDANGERED ABDUCTION RESPONSE TO AMBER ALERT.**
- a. Procedure for activation of local system.
 - i. Police initial report indicates a serious life threatening abduction has occurred. Supervisor will be notified immediately.
 - ii. The abduction has been witnessed and information has been obtained that may be helpful in locating either child or suspect. This information may include:
 1. Description of vehicle.
 2. Direction of travel.
 3. Description of suspect.
 4. Description of victim.
 5. Location and time of incident.
 6. Any additional witnesses.
 - iii. Information will be given to primary Emergency Alert System (EAS) Station by the Communications Center immediately upon receiving, with supervisor's approval.
 1. Information will be given to station by phone for immediate release.
 2. A fax will be sent to the primary EAS provider as soon as possible with all information.
 3. EAS station will provide an emergency on call listing of employees for weekends and/or after hours. Police will attempt to make contact at radio station office as it may be minimally staffed. Staff may not be able to get to phone.
 - b. Activation of AMBER Alert State System.
 - i. Communications will call Pierre State Radio and request a statewide AMBER Alert.
 1. State Radio will activate the process by contacting Director of Department of Criminal Investigation (DCI) and other state agencies.
 2. Director will contact Watertown Police Department (WPD) and verify the situation meets criteria for statewide AMBER Alert activation.
 3. If information is sufficient and activation occurs, an analyst at DCI will contact the WPD for needed information to make a poster for statewide distribution. State will notify EAS to reach media, DOT for highway signs, and tele-type agencies throughout the state.

4. Communications will give DCI analyst our designated phone numbers for incoming leads and tips.
 - c. Operation Center for AMBER Alert
 - i. Command Center will be established to receive incoming calls. This will be initially set up in the area of the phone system in the Emergency Management EOC Room.
 - ii. Communications will call in two (2) off duty dispatchers to assist with the initial calls.
 - iii. A detective will be assigned to assist with incoming calls. Detective will prioritize calls as to response and follow up needed.
 - iv. A questionnaire (Citizens Observations and Intelligence/Information Reporting Worksheet) will be used to provide uniformity of the information received and assist in the investigation. Information will be entered into a computer database file.
- 6. MISSING ADULTS AND EMANCIPATED JUVENILES.**
- a. Searches for adults and emancipated juveniles will be conducted if evidence and or circumstances warrant.
 - b. Reporting Officer Responsibilities (Shall include but not be limited to):
 - i. Missing person case report shall be taken by officer and officer will interview complainant. Information to be gathered will include but not be limited to:
 1. Complete physical description (height, weight, hair color, eye color, clothing, etc.)
 2. Most current picture.
 3. Age of missing person.
 4. Medical information, including doctor, dentist.
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 - i. If authorized by a supervisor additional course of action may be:
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 3. If enrolled in Project Lifesaver, immediately page CCSAR, contact Jenkins Living Center for information on battery, confirm client number, etc.
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 - g. Relaying Information- Done by initial officer
 - i. Give pertinent information to communications officer for:
 1. Relaying to officers involved in search.
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- h. Verifying Notification- Done by Supervisor
 - i. Verify the notification of the following:
 - 1. NCIC
 - i. Brief Incoming Supervisor at Shift Change If Needed.
 - j. Follow-ups to be conducted by the initial Officer until case is turned over to the Detective Division.
- 7. AN OFFICER ASSIGNED TO THE RECOVERY OR RETURN OF A MISSING PERSON SHALL:**
- a. Verify that the located person is, in fact, the reported missing person.
 - b. Inform, in the case of a missing adult who has been located, the located person that he or she is the subject of a missing-person investigation. If the located person is a competent adult, the officer shall determine the person's willingness for law enforcement to reveal his or her whereabouts. To the extent possible, a person's desire to remain hidden shall be honored.
 - c. Notify the initial reporting person(s) of the well-being and, if permissible, the whereabouts and contact information of the person who has been located.
 - d. Secure, in the case of a missing or abducted person who has been located, intervention services, if indicated.
 - e. Arrange, in the case of a runaway or missing child from within department jurisdiction who has been located and who is not wanted on a warrant or other law violation, the return of the child to his or her legal guardian or to an appropriate children's shelter.
 - f. Place, in the case of a runaway from another jurisdiction or from out-of-state who has been located and for whom a warrant exists or for whom an NCIC missing person "hit" is verified, the child in custody and transport him or her to the appropriate facility for admission.
 - g. Complete the appropriate supplemental reports and cancel all outstanding notifications. Along with cancellation of the NCIC Missing Person File entry and other notifications regarding the case, a supplemental report should be completed that describes the person's activities while missing and circumstances of the recovery/return.
- 8. COLLECTION OF MISSING PERSON DNA:**
- a. After taking initial report of missing person, the officer in charge of the investigation shall insure that all appropriate information is integrated into the NCIC Missing Person File in one of the appropriate categories.
 - b. Collection of direct reference DNA samples shall be obtained as soon as practical and entered into evidence.
 - c. If direct reference DNA samples are not available, family reference DNA sample shall be collected from the appropriate family members within the first 30 days of the missing person report.
 - d. If the missing person file is still open on the 60th day, the direct reference DNA sample or family reference DNA samples will be forwarded to the SD Forensic Laboratory for coordination of testing and inclusion into CODIS.

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