

		DIRECTIVE 6.17			
SUBJECT Procedure for Handling Missing Persons		NO. PAGES 12			
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ISSUED BY: Chief Christine R. Dunning Chief of Police Reviewed: 1/15/2012					

Procedure for Handling Missing Persons

Directive: **6.17**

Purpose:

The purpose of this directive is to establish written procedures to follow in the investigation of missing persons which are also consistent with Delaware State Code, Title 11, Chapter 85, Subchapter II, "Missing Persons." It also provides the resources to use based upon certain factors such as age, physical and mental capacity, as well as the circumstances surrounding the disappearance of the person.

A. Reporting Guidelines:

1. Time

There is no waiting period or minimum time that a person must be unaccounted for to be reported missing; however, some discretion is required in this area. For example, the teenager who is habitually 30 to 60 minutes late in meeting the curfew established by his parents may be more suitably handled by counseling, referral, or other adjustment than by creating a report, general broadcast, teletype, etc. However, that same period of time may, under other circumstances, require the initiation of an investigation and a report. (41.2.6a)

2. Standing

Any competent, interested person may report another person missing. A 15-year-old babysitter, for example, would normally be considered sufficiently competent and interested to report the 9-year-old charge as missing. Officers must use great care in making this determination, realizing the possible grave consequences which could result in failing to thoroughly investigate a missing person complaint. (41.2.6)

3. Jurisdiction

Jurisdictional conflicts are to be avoided when a person is reported missing. It shall be the responsibility of the law enforcement agency with jurisdiction of the verified location where the missing person was last seen to immediately initiate the required reporting process. If for any reason the location last seen of the missing person cannot be verified, the missing person's place of residence will be used as the catchall. The law enforcement agency with jurisdiction over the residence will assume the investigation. (41.2.6e)

For the purpose of this directive, a verified last sighting of a missing person shall be that which is a confirmed sighting of the missing person from a credible witness or some other form of irrefutable evidence is developed indicating that the missing person was last seen within the jurisdictional boundaries of the City of Wilmington.

If a jurisdictional conflict arises between this agency and another law enforcement agency, a supervisor will mediate the conflict and resolve the issue to the satisfaction of both agencies.

Once this agency initiates a missing persons investigation, this agency will continue to be primary investigating agency until the missing person is located. If necessary, this agency may request the assistance of other law enforcement agencies that could provides resources that may aid in locating the missing person.

4. Preliminary Investigation

Whenever an officer of this agency has the occasion to investigate the initial complaint of a missing person, it will be that officers responsibility to conduct a preliminary investigation.

The same general procedures are applicable to the investigations of adult missing persons as well as juvenile missing persons/runaways which are those individuals under the age of (18). The disappearance of a juvenile can be classified as either a missing person or runaway depending on the facts and circumstance. The disappearances of adult can only be classified as a missing person regardless of the circumstances.

The investigating officer will gather the initial description and pertinent information from the reporting person or agency as required to complete the Missing Person Report in the Law Enforcement Investigative Support System (LEISS). (41.2.5a)

The investigating officer at there earliest opportunity will notify the Wilmington Communications Division, and request that a general broadcast be disseminated regarding the information which has been collected regarding the missing persons investigation. If appropriate, the general broadcast information should be forward to other law enforcement agencies. (41.2.5b)

The investigating officer shall take all reasonable steps to locate the missing person. These steps may include checking residence(s), school(s), employment location(s), medical and detention facilities, or any other potential location(s) developed during the course of the investigation where the missing person could possibly be located.

If appropriate, a canine officer and his K-9 will respond to the last known location of the missing person and will attempt to conduct a track.

The officer should attempt to determine if there is a photograph of the missing person by referencing the Law Enforcement Investigative Support System (LEISS). If there is no photograph of the missing person, whether an adult or juvenile the officer should attempt to acquire of photograph from the reporting person, particularly those incidents that involve juveniles. If a photograph is acquired, the photograph should be attached to a copy of the Missing Person Report and turned over to the Youth Aid/Missing Persons investigator. (41.2.5a)

If during the course of any missing persons investigation it becomes apparent to the investigating officer that there are special circumstances which are listed below, it will be that officers responsibility to immediately notify there supervisor. The supervisor upon there arrival will access the situation and determine what additional resources are necessary to locate the missing person as well as notify a Criminal Investigations Division supervisor. (41.2.5f)

When an officer has an occasion to investigate an initial complaint of a missing person, the Missing Persons Report will be completed and a copy will be submitted to Data Center for the purpose of entering the missing person's information into the Delaware Justice Information System (Deljis) and the National Crime Information Center (NCIC) prior to the end of that officers shift. (41.2.5c) The Missing Person Report will also be submitted to the officer's supervisor for approval prior to the end of the officers shift.

5. Responsibility for Youth Aid/Missing Persons Investigators

It will be the responsibility of the Youth Aid/Missing Persons investigators assigned to the Criminal Investigations Division to review all missing person reports and supplement reports for the purpose of conducting follow-up investigations of all missing person incidents. (41.2.5e, 41.2.6f)

All missing person reports will be entered into the "Missing Persons Data Base" by the Youth Aid/Missing Persons investigators for the purpose of monitoring the status of each investigation. The status of each missing person incident will be continually monitored and updated when appropriate.

The Youth Aid/Missing Persons investigators will use all available resources to develop investigative leads as to the possible whereabouts of any missing persons and have a follow up contact with the reporting person. (41.2.5d)

They will also conduct interviews of family members, friends, co-workers for additional information. They will also canvass/search locations in which the missing person may frequent, etc. (41.2.5e)

When appropriate, the Youth Aid/Missing Persons investigators will ensure that missing person flyers are created and distributed to the appropriate law enforcement agencies as well as local news agencies. The Youth Aid/Missing Persons investigators will also ensure that any investigative leads developed regarding the whereabouts of any missing persons outside the jurisdiction of the City of Wilmington are forwarded to the appropriate law enforcement agency.

The Youth Aid/Missing Persons investigators will act as a liaison between this agency and other law enforcement and social service agencies that are requesting assistance in locating missing persons in our jurisdiction.

If necessary, the Youth Aid/Missing Persons investigators will contact the National Center for Missing & Exploited Children requesting their assistance regarding instances involving juveniles.

All investigative actions conducted by the Youth Aid/Missing Persons investigators in attempting to locate any missing persons will be documented in the form of a written report under the appropriate complaint number.

[REDACTED]

6. Recovery of Missing Persons

When a missing person that is wanted by this agency has been located, whether an adult or juvenile the officer will ensure that the reporting person or agency is notified that the missing person has been located. The officer shall take all reasonable steps to ensure that the missing person and reporting person or agency are reunited.

If the missing person is an adult and there are special circumstances, a determination regarding their physical and/or mental status may be necessary.

As such, the missing person may have to be transported to a facility to have their physical and/or mental status evaluated. If there are no special circumstances and the missing person is unwilling to be reunited with the reporting person, their decision must be honored.

Whenever an officer locates a missing person wanted by this agency, the officer will determine if the missing person is the subject of a Gold Alert. If the missing person is the subject of a Gold Alert, the Delaware State Police Public Information Officer will be contacted at DSP_PIOMail@state.de.us and will be advised that the Gold Alert can be cancelled.

If the missing person is a juvenile and all reasonable attempts have been made to notify the reporting person or agency and they have been unsuccessful. Then, the Division of Family Services will be notified at 1-800-292-9582. The juvenile missing person will then be turned over to the custody of Division of Family Services along with the necessary reporting person contact information.

The officer will complete a supplement report regarding locating the missing person which will detail the facts of the recovery as well as who the missing person was eventually turned over to if applicable. A copy of the supplement report will be submitted to Data Center for the purpose of removing the missing person information from the Delaware Justice Information System (Deljis) and the National Crime Information Center (NCIC). The supplement report will be submitted prior to the end of that officers shift. (41.2.5c)

7. Recovery of Missing Persons for Other Agency

If an officer from this agency has an occasion to locate a missing person that is being sought by another law enforcement or social service agency, it will be that officers responsibility to ensure that the reporting person or agency is notified. The officer will create an original report in the Law Enforcement Investigative Support System (LEISS) detailing their actions, and the report will be classified as an Assist Other Agency. The report will detail the facts of the recovery as well as who the missing person was eventually turned over too.

If the missing person is a juvenile, the missing person will be turned over to a representative of the reporting agency. If for some reason, the reporting agency is unable to take custody of the juvenile missing person within a reasonable time, the officer will contact the Division of Family Services at 1-800-292-9582. The juvenile missing person will then be turned over to the custody of Division of Family Services along with the necessary contact information for the reporting agency. The reporting agency will also be notified regarding the transfer of custody of the juvenile missing person.

8. Tele-Serve Operator Responsibilities

The Wilmington Department Police in an effort to facilitate the investigations of missing persons, added information to missing persons, and the recovery of missing persons in a timely fashion, will allow Tele-Serve Operators of the Communications and Technology Division to take these reports via the telephone as long as certain “Special Circumstances” don’t exist.

All missing person reports and supplements reports will be completed in the Law Enforcement Investigative Support System (LEISS). These reports will be submitted to the Tele-Serve Operator’s supervisor for approval prior to the end of their shift.

Completed missing person reports and supplement reports will be submitted to Data Center for the purpose of entering or removing the missing person’s information from the Delaware Justice Information System (DELJIS) and the National Crime Information Center (NCIC).

Copies of all missing person reports and supplement reports will be forwarded to the Youth Aid/Missing Persons investigators assigned to the Criminal Investigations Division for the purpose of review, and conducting follow-up investigations of all missing person incidents.

If during the course of interviewing the reporting person/agency, the Tele-Serve Operator discovers that any of the below listed “Special Circumstances” exists, they will notify a Communications Division supervisor who will ensure that the complaint is entered into the Computer Aided Dispatch (CAD), and that a police officer is dispatched to conduct the investigation.

“Special Circumstances”

- A. Mentally challenged, mentally ill, or severely physically challenged missing persons.
- B. Missing persons less than 12 years of age or over the age of 60.
- C. If there are circumstances indicating abduction or possible abduction of any individual.
- D. Circumstances indicating that the missing person is in the company of another person posing a threat to the missing person's physical safety.
- E. If while interviewing the reporting person/agency, certain facts that can be articulated are ascertained that would lead the Tele-Serve Operator to believe that the incident should be investigated by a police officer.
If while taking a supplement report regarding the recovery of a missing

person, the Tele-Serve Operator determines that the missing person is the subject of either a Gold or Amber Alert, the Tele-Serve Operator will notify a Communications Division supervisor who will ensure that a police officer is dispatched and investigates the recovery of the missing person.

9. Report Forms

Report forms will be prepared and distributed in accordance with Directive 2.4. (41.2.6e)

10. Definitions

The following words, terms and phrases when used in this directive have meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- A. “ACIM Alert Program” means “A Child is Missing Alert Program.” The ACIM Alert Program is a national rapid-response communication network that offers free assistance to law-enforcement agencies to aid in the recovery, identity, or apprehension of missing persons through the use of immediate public notification and dissemination of information via telephone in a targeted community.
- B. “Gold Alert Program” is the procedures used to aid in the identification and location of a missing person as defined under paragraphs c, d, and e of this section. Gold Alerts may be local, regional, or statewide. The initial decision to issue a local Gold Alert is at the discretion of the investigation law-enforcement agency.
- C. “Missing person with a mental illness and/or disability” is defined as a person:
 - 1. An individual whose whereabouts are unknown.
 - 2. Who has a mental, physically disability or illness.
 - 3. Whose disappearance poses a credible threat to the health or safety of the person, as determined by the investigation law-enforcement agency.
- D. “Missing Senior Citizen” is defined as a person:
 - 1. An individual whose whereabouts are unknown.
 - 2. Whose age at the time that the person is first reported missing is 60 years of age or older.
 - 3. Whose disappearance is voluntary.
 - 4. Whose statements, actions, or conduct indicate that the missing person may voluntarily cause or inflict harm on himself or

herself, and whose disappearance poses a credible threat to the health or safety of the person, a determined by the investigating law-enforcement agency.

- E. “Missing Suicidal Person” is defined as a person
 - 1. An individual whose whereabouts are unknown.
 - 2. Whose disappearance is voluntary.
 - 3. Whose statements, actions, or conduct indicate that the missing person may voluntarily cause or inflict harm on himself or herself, and whose disappearance poses a credible threat to the health or safety of the person, as determined by the investigation law-enforcement agency.

- F. “Runaway” is defined as.
 - 1. A minor under the age of 18 years of age whose whereabouts are unknown
 - 2. A minor who has voluntarily left the care and control of their parent or legal guardian without their consent, and with the intent not to return.

11. Special Circumstances

The following special circumstances require immediate notification of a supervisor and the persons indicated, and the activation of the “A Child is Missing Program and/or the Gold Alert Program:

- A. Mentally challenged, mentally ill, or severely physically challenged missing persons.
- B. Missing persons less than 12 years of age or over the age of 60.
- C. If there are circumstances indicating abduction or possible abduction of any individual the local office of the Federal Bureau of Investigation should be notified, even if there is no evidence of a ransom demand or interstate transportation. This does not apply to parental kidnapping.
- D. Circumstances indicating that the missing person is in the company of another person posing a threat to the missing person's physical safety.
(41.2.5f, 41.2.6b, 41.2.6c)

If a juvenile is missing, “**A Child is Missing Alert Program**” can be utilized as a resource to assist in locating and/or developing investigating leads as to the possible whereabouts of the missing juvenile. It does not replace or preclude a thorough investigation and/or

search by law enforcement officers in the field. It is not a replacement for an actual Amber Alert.

B. Using A Child Is Missing Alert Program:

- Any officer holding the rank of sergeant, or above, must authorize the use of A Child is Missing Alert Program
- Once authorization is granted, the investigating officer will immediately call A Child Is Missing Alert Program.
- Suggested calling times are from 7:00am to 10:30pm. Calls can be placed after 10:30 PM (in all time zones) only with a supervisor's approval.
- While the officer is completing the search, the approving supervisor will determine what telephone number will be supplied to A Child Is Missing Alert Program for the public to contact this agency with information about the missing juvenile. The Communications Center telephone number is generally given out. Contact the Communications Center to make them aware that A Child Is Missing Alert Program will be working on the case with the officer.
- The investigating officer will call A Child Is Missing Alert Program at [REDACTED].
Investigating Information Received From A Child Is Missing Alert:
- Information received from a citizen concerning the missing person or a possible sighting of the missing person will be relayed to the investigator/officer in charge of the case. After evaluation, the supervisor, detective or officer will take the appropriate action.
- If a sighting of the missing person is confirmed, a supervisor may want to consider using A Child Is Missing Alert Program again using the most recent known location in the notification of residents. This is particularly important if the sighting location is in a different Zip Code than the original report.
- If A Child Is Missing Alert Program is used more than once in the same case, there is no need to make out additional paper work. A notation of each instance will be written on the existing report. The notation will include each subsequent use by date, time, and location the missing person was last seen.
- When the missing person is found, the supervisor/officer on the scene will call A Child is Missing Program to report the recovery. A "Case Follow-Up Report" will be faxed to this agency. The officer/supervisor in charge of the case will fill out the report and fax it back to A Child Is

Missing Program ([REDACTED]). This report will be sent through channels to be included with the original LEISS report. (41.2.6 d&f)

C. Activation of the Gold Alert Program:

When the Wilmington Department of Police receives notice that a senior citizen, a suicidal person, or a person with a physical and/or mental disability is missing, all reasonable steps will be taken to locate the missing person. If the missing person can't be located, the investigating officer shall solicit specific information from the missing person's family or legal guardian regarding the missing person's physical or mental condition, or both. The investigating officer will notify their immediate supervisor who will issue a press release to all local media outlets in the area regarding the disappearance of the missing person. The press release shall include all appropriate information that may assist in the safe return of the missing person. All information related to the missing person shall be directed to the Wilmington Department of Police.

If a Gold Alert is going to be issued, the officer's immediate supervisor or a Criminal Investigations Division supervisor will initiate the process. To issue the Gold Alert, the Delaware State Police Public Information Officer will be contacted at DSP_PIOMail@state.de.us and will be provided with all the necessary information, photograph of the missing person, and particularly a contact telephone number for clarification and additional information.

Anytime a Gold Alert is issued, that fact will be documented in either the initial missing person report, or the supervisor issuing the Gold Alert will create a supplement report documenting that a Gold Alert has been issued.

Follow-up/Cancellation of a Gold Alert:

When the missing person has been located, a press release shall be created and distributed to the local news agencies indicating that the missing person has been located. Also, The Delaware State Police Public Information Officer will also be contacted at DSP_PIOMail@state.de.us and advised that the Gold Alert can be cancelled. (41.2.6f)

Anytime a Gold Alert is cancelled, this fact will be documented in the form of a supplement report by the officer that contacted the Delaware State Police Public Information Officer.

D. Special Considerations

1. The Federal Bureau of Investigation is able to offer assistance in interstate parental kidnapping cases under the Unlawful to Avoid Prosecution (U.F.A.P.) statute. After a State of Delaware Family Court interference with custody warrant has been signed by the aggrieved parent (or other person to whom custody has

been awarded), the F.B.I. should be contacted to initiate U.F.A.P. proceedings. No evidence of physical danger, abuse, or neglect need be present to request F.B.I. assistance in these cases. Immediate notification of the F.B.I. is not required, as it is in 8c, above.

E. American Missing Broadcasting Emergency Response

Amber Alert Plan

1. Initial reporting officer responds to call and takes detailed information.
2. Initial reporting officer notifies Criminal Investigations Division with the details and determines the details of the abduction.
3. Detectives will conduct the follow-up, confirm the details, and determine if the abduction meets the criteria for initiating the Amber Alert Plan.
4. Detectives will notify the Delaware State Police Public Information Officer who will make the decision whether initiating the Amber Alert Plan is appropriate.
5. Delaware State Police Public Information Officer notifies Delaware State Police Headquarters (DEMA Building) by fax, radio and telephone with all relevant information.
6. Delaware State Police Headquarters will immediately notify media outlets.
7. Media outlets will broadcast alert through the Emergency Alert System to all participating radio and television stations within fifteen minutes of its receipt.
8. The alert should be broadcasted [REDACTED] for the first [REDACTED] and [REDACTED] [REDACTED] for the [REDACTED]. This alert should include a contact telephone number and conclude with the statement that person(s) who may locate the abductor should take no action other than to call the police as soon as possible and provide them with the location.
9. Media outlets should be updated as more information becomes available, including the child's photograph.
10. The investigating agency should be prepared to staff a twenty-four (24) hour telephone number during the alert message and be able to handle numerous calls simultaneously.
11. DSP will notify the National Center for the Missing and Exploited Children and Delaware's Missing Children Information Clearinghouse so that information can be made available through their website (www.state.de.us/missing).

12. If the child is recovered or the alert becomes unnecessary, the reporting agency must immediately notify the Delaware State Police Public Information Officer who will in turn make the necessary notifications to cancel the alert.

AMBER PLAN LAW ENFORCEMENT CHECKLIST

Does the abduction involve a child 17 years of age or younger?

- If yes – Activate Amber Plan
- If no – Do not activate Amber Plan

Do you believe the child to be in imminent danger of serious physical harm or death?

- If yes – Activate Amber Plan
- If no – Do not active Amber Plan

Do you believe the child is still in the broadcast area?

- If yes – Activate Amber Plan
- If no – Carefully consider activation of Amber Plan

Do you have information to provide, including any of the following?

- Child's description
- Vehicle description
- Direction of travel
- Details of abduction
- Name of investigation agency
- Telephone contact number

- If yes – Activate Amber Plan
- If no – Carefully consider activation of Amber Plan

DEFINITION OF ABDUCTION: The child is reported to be involuntarily missing. This does not include parental / custodial kidnappings, runaways, or lost children, unless there is information to support a reasonable belief on the part of the police that the child is in imminent danger of serious bodily harm or death. (41.2.6 d)