

Investigation of Missing and Endangered Persons

315.1 PURPOSE AND SCOPE

This Department recognizes that there is a critical need for immediate and consistent response to reports of missing and endangered persons. The decisions made and actions taken during the preliminary stages have a profound affect on the outcome of the case.

The purpose of this procedure is to establish policies and procedures that are in accordance with Minnesota Statutes, Chapter 299C.52, subd. 1, (c), and (e). ("Minnesota Missing Children Program") This procedure addresses only those investigations where the missing child has been determined to be both missing and endangered.

315.1.1 DEFINITIONS

Definitions related to this policy include:

Missing- According to Minnesota Statutes, Chapter 299C.52, subd, 1 (c), missing means "the status of a person after a law enforcement agency that has received a report of a missing person has conducted a preliminary investigation and determined that a person cannot be located".

Endangered - According to Minnesota Statutes, Chapter 299C.52, subd, 1 (e), endangered means that "a law enforcement official has received sufficient evidence that the missing person is with a person who presents a threat of immediate physical injury or death." The Department may consider the following additional factors when determining whether a child is endangered.

- (a) The person is missing because of a confirmed abduction or under circumstances that indicate the person's disappearance was not voluntary;
- (b) The person is missing under known dangerous circumstances;
- (c) The person is missing more than 30 days;
- (d) The person is under the age of 21 and at least one other factor in this paragraph is applicable;
- (e) There is evidence that the person is in need of medical attention or prescription medication such that it will have a serious adverse effect on the person's health if the person does not receive the needed care or medication;
- (f) The person does not have a pattern of running away or disappearing;
- (g) The person is mentally impaired;
- (h) There is evidence that the person may have been abducted by a non-custodial parent;
- (i) The person has been the subject of past threats or acts of violence;
- (j) There is evidence that the person is lost in the wilderness, backcountry, or outdoors where survival is precarious and immediate and effective investigation and search-and-rescue efforts are critical;

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- (k) Any other factors the Department deems to indicate the person may be at risk of physical injury or death, including a determination by another law enforcement agency that the person is missing and endangered; or disappearance involves circumstances that would cause a reasonable person to conclude that the person should be considered endangered.

Child- According to Minnesota Statutes, Chapter 299C.52, subd, 1, (a), child means "any person under the age of 18 years or any person certified or known to be mentally incompetent."

Sufficient Evidence- Means articulable facts and circumstance which would include a reasonably prudent police or peace officer to believe that a crime has been or is about to be committed.

DNA- Deoxyribonucleic acid from a human biological specimen (Minnesota Statutes, chapter 299C.S2. 1(F)).

Missing person networks - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC), the Minnesota Justice Information Services (MNJIS), the Criminal Justice Information System (CJIS), the Minnesota Missing and Unidentified Persons Clearinghouse, the Minnesota Crime Alert Network, and the National Center for Missing and Exploited Children (NCMEC).

315.2 POLICY

This Department has established the following responsibilities and guidelines for the investigation of missing and endangered persons. All officers employed by this department will be informed of, and comply with the required procedures.

After the Department has received a report of a missing person, obtained the basic facts of the case, descriptions of the missing person and abductor (if known), and determined that there is sufficient evidence to believe that the person is endangered, the department will respond according to the five types of general procedures: 1) Initial Response, 2) Initial Investigation, 3) Investigation, 4) Prolonged Investigation, and 5) Recovery/Case Closure. The facts surrounding each missing and endangered person report will dictate that procedures are warranted, and in what order within each of the five categories. However, each of the procedures must be carried out immediately as circumstances warrant and many of the steps will need to be done simultaneously.

315.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS

The Investigation Unit supervisor shall ensure the following forms and kits are developed and available:

- Missing person incident report
- Missing person investigation packet that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation
- School notification form
- Medical records release form

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- Biological sample collection kits.

315.4 ACCEPTANCE OF REPORTS

Any officer encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the initial report via telephone or in person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly notify a member who can take the report.

A report shall be accepted in all cases, regardless of where the person was last seen, where the person resides or any question of jurisdiction (Minn. Stat. § 299C.53, Subd.1(a)).

315.5 INITIAL RESPONSE PROCEDURES

- (a) When a call of a missing and endangered person is received, all available police units will respond. This may include supervisory and investigative personnel. An officer will be dispatched to the scene to conduct a preliminary investigation. The initial responding officer should respond directly to the scene and should not delay response to conduct searches of surrounding areas or stopping suspicious individuals. Unless in immediate response to the missing person's safety, these activities can be handled by other responding units.
- (b) Additional resources should be requested to the area as warranted. Officers should consider neighboring police agencies, fire personnel, and city employees as potential resources to aid in the search or setting up a perimeter. Consider the use of roadblocks if the situation and information warrants it. Road blocks may include the use of squad video to document people and vehicles leaving the area.
- (c) Interview the parents(s)/person who made the initial report and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be endangered (Minn. Stat. § 299C.53, Subd. 1(b)). Interviews should be conducted separately, if practicable.
- (d) Determine when, where and by whom the missing person was last seen.
- (e) Interview the person who last had contact with the missing person.
- (f) Obtain a detailed description of the missing person/abductor/vehicles, etc.
- (g) Rebroadcast information to all on-duty personnel as well as other local or surrounding law enforcement agencies as warranted.
- (h) Obtain recent photos and/or video of the missing person.
- (i) Identify the person's zone of safety for his or her age, developmental stage, and physical and mental state.
- (j) Obtain consent/permission and conduct a thorough search of the location where the person was reported missing from.
- (k) Obtain consent/permission and conduct a thorough search of the person's home even if different from where the person was missing from.

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- (l) After verifying that the person is in fact missing, load the NCIC Missing Person File (involuntary category) with complete descriptive information regarding the missing or abducted child.
- (m) If the missing person is a child, law enforcement should confirm the person's custody status. First responders should ascertain whether a dispute over the child's custody might have played a role in the disappearance. Questions regarding whether the reporting party has full legal custody, if the noncustodial parent has been contesting custody, or if the missing child expressed a wish to leave with the other parent, may gain important insight into the case.
- (n) If the missing person is an autistic child or suffers from autism related disorders, the officer(s) should recognize certain common behaviors associated with these children;
 - 1. Children with autism often seek out areas of water. Special emphasis should be placed on responding to bodies of water within the specified search area.
 - 2. Autistic children often seek out "hiding" places such as inside vehicles, vehicle trunks etc. The child may also use these or similar vessels to rest and unknowingly become trapped.
- (o) Confirm investigative and supervisory response.
- (p) The supervisor assigned to the report of a missing or endangered person shall:
 - 1. Respond immediately to the scene and obtain a briefing from first responders.
 - 2. Determine if additional resources are needed.
 - 3. Consider activation of Amber Alert System.
 - 4. Ensure a command post has been established (should not be located at the person's home or site of disappearance).
 - 5. Organize and coordinate search and rescue efforts.
 - 6. Obtain a list and map of predatory offenders who live or work in the area of the disappearance.
 - 7. Ensure a liaison with the victims family has been assigned.
 - 8. Ensure all required notifications have been made.
 - 9. Confirm that all policies and procedures are observed.
 - 10. Establish a media staging area and manage media relations.
 - 11. Ensure that each responder completes a written report documenting actions taken and observations made.
- (q) Contact the Bureau of Criminal Apprehension (BCA) (651-793-7000) to activate Amber Alert/Crime Alert Network when applicable. Request additional assistance from the BCA as necessary. (Required by Minn. Stat. § 299C.53, Subd. 1(b)).
- (r) Canvass the last known area where the missing person was seen, if known. A search of the location where the incident took place, if known, should also be conducted and a search warrant obtained if necessary.

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- (s) Broadcast known details on all police communication channels, to other patrol units, other local law enforcement agencies, and, if necessary, use the National Law Enforcement Telecommunications Systems (NLETS) and the Minnesota Crime Alert Network to alert state, regional, and federal law enforcement agencies.
- (t) Seal the crime scene. In addition to external crime scenes, the missing person's home should be secured and protected until evidence and identification material such as hair, fingerprints, and bite marks are collected. Do not allow individuals to leave the area until interviewed, and note anyone who may have left just prior to the arrival of law enforcement.
- (u) Ensure that entries are made into the appropriate missing person networks:
 - (a) Immediately, when the missing person is endangered (Minn. Stat. § 299C.53, Subd. 1(b)).
 - (b) In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.
- (v) If the victim is a child, contact the National Center for Missing and Exploited Children (NCMEC) for photo dissemination, Team Adam and other assistance (1-800-THE-LOST).
- (w) Notify the family of crime victim services available and give the family the crime victim services card.
- (x) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.

315.5.1 INITIAL INVESTIGATION

- (a) Pursuant to Minnesota Statute Chapter 387.03, conduct a neighborhood/vehicle canvass (Pay attention to out of the way areas). If feasible, assign an officer to video all vehicles in the area.
- (b) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.
- (c) Secure electronic communication information such as the missing person's cell phone number, email address(s), and social networking site information.
- (d) Collect and/or review any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (e) Obtain a current list of registered predatory offenders who live or work in the area. Assign officers to check these locations and interview the individuals. Obtain consent to search, a search warrant or evaluate exigent circumstances. Consider assistance from probation if applicable.
- (f) Ensure that everyone at the scene is identified and interviewed separately.
- (g) Search the home, building, and surrounding areas where the incident took place, including all surrounding areas. Obtain signed consent or a search warrant, whichever is appropriate.

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- (h) Collect and/or review a photograph and fingerprint card of the missing person, if available (Minn.Stat. § 299C.54)
- (i) Assign a trained and/or experienced investigator whose duties will include coordination of the investigation.
- (j) Maintain records of telephone communication/messages.
- (k) Arrange for use of helpful media coverage.

315.6 INVESTIGATION

- (a) Set up a Command Post away from the person's residence: know the specific responsibilities of the Command Post Supervisor, Public Information Officer, Search Coordinator, Investigative coordinator, Communication Officer, Support Unit Coordinator, and two liaison officers (one at the command post and one at the victim's residence). The role of the liaison at the home will include facilitating support and advocacy for the family.
- (b) Establishing the ability to "trap and trace" all incoming calls. Consider setting up a separate telephone line or cellular telephone for department use and follow-up on all leads.
- (c) Compile a list of known sex offenders in the region.
- (d) In cases of infant abduction, investigating claims of home births made in the area.
- (e) In cases involving children, obtaining child protective agency records for reports of child abuse if applicable.
- (f) Review records for previous incidents related to the missing person, and prior law enforcement activity in the area, including prowlers, indecent exposure, attempted abductions, etc.
- (g) Obtain a medical release to obtain the missing person's medical and dental records and collect them.
- (h) Update the NCIC missing person file with any additional information regarding the person or suspect as necessary.
- (i) Interview delivery personnel, employees of gas, water, electric and cable companies, taxi drivers, post office personnel, sanitation workers, etc.
- (j) Capture as much information as possible on who was around at the time of the abduction.
- (k) Use secure electronic communication information, such as the missing person's cellular telephone number, e-mail address and information from social networking sites.
- (l) Appointing an officer to communicate with the family/reporting party or their designee. The officer will be the primary point of contact for the family/reporting party or their designee, and should provide contact information and the family information packet (if available) to the family/reporting party or their designee.

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- (m) Providing general information to the family/reporting party or their designee about the handling of the missing person case or about any intended efforts, only to the extent that disclosure would not adversely affect the department's ability to locate or protect the missing person or to apprehend or criminally prosecute any person in connection to the case.
- (n) Creating a missing person profile with detailed information obtained from records and interviews with family and friends, describing the missing person's health, relationships, personality, problems, life experiences, plans, equipment, etc. an officer officer
- (o) Collect videotapes from all area businesses on customers during period before and after abduction.
- (p) Collect information from all area businesses on customers during period before and after abduction (credit cards, checks, and people known to clerks).
- (q) Identify all area ATM's; plan to get a court order for all videotapes for all transaction records.
- (r) Determine if outside help is necessary and utilize local and state resources related to specialized investigative needs, including;
 - 1. Crime Victim Advocates
 - 2. Minnesota Bureau of Criminal Apprehension
 - 3. Federal Bureau of Investigation
 - 4. Hennepin County Attorney
 - 5. Immigration and Customs Enforcement
 - 6. Minnesota State Patrol
 - 7. Minnesota Crime Alert Network
 - 8. Investigative experts in the areas of sexual assault, child maltreatment, and/or homicide
 - 9. Searches
 - (a) Ground searches - personnel, vehicles, and/or mounted patrols and bike patrol
 - (b) Canine assisted- tracking, tailing, air scent, disaster and human remains detection K-9's
 - (c) Water and underwater searches - boats, cameras, sonar and dive teams.
 - (d) Air searches - UAV, civil air patrol, National Guard helicopters, State Patrol, DNR and fixed wing.
 - 10. Investigative Resources:
 - (a) Child Interviewing,
 - (b) Polygraph,

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- (c) Profiling/Behavioral Analysis,
 - (d) MN Sex and Violent Crime Analysis Programs,
 - (e) Crime Analysis/Computer Assistance,
 - (f) Forensic Artistry/Crime Scene and Evidence Processing,
 - (g) Memory Retrieval,
 - (h) Crime Analyst.
- 11. Interpretive Services.
 - 12. The Department of Natural Resources.
 - 13. Telephone Services (traps, traces, etc.)
 - 14. Media Assistance (Local and National).
 - 15. Team Adam (National Center for Missing and Exploited Children 1-800-THE-LOST).
 - 16. State and Federal Probation.
- (s) Secure electronic communication information such as the missing person's cell phone number, email address(s), and social networking site information.
 - (t) Appoint an officer who shall be responsible to communicate with the family/reporting party or their designee and who will be the primary point of contact for the family/reporting party or designee and who will be the primary point of contact for the family/reporting party or designee. Provide contact information and the family information packet (if available) to the family/reporting party or designee.
 - (u) Provide general information to the family/reporting party or designee about the handling of the missing person case or about intended efforts in the case to the extent that the law enforcement agency determine that disclosure would not adversely affect the ability to locate or protect the missing person or to apprehend or prosecute and person(s) criminally in the disappearance.
 - (v) Establish an information-management system to track all leads in the case.
 - (w) All members of the Plymouth Police Department are expressly prohibited from conducting independent investigations or activities related to the abduction. All information gathered must be submitted in a timely manner to be entered into the information management system.

315.6.1 MISSING FOR 30 DAYS

If the person remains missing for over 30 days from entry into NCIC, the local law enforcement agency will be contacted by the BCA missing and Unidentified Persons Clearinghouse to request the following information (if not already received):

- (a) DNA samples from family members and, if possible from the missing person;
- (b) Dental information and x-rays
- (c) Additional photographs and video that may aid the investigation or identification;

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- (d) Fingerprints
- (e) And other specific identifying information;
- (f) This information will be entered into the appropriate databases by BCA Clearinghouse personnel;
- (g) If the person is still missing after 30 days, change the NCIC classification to endangered.

315.6.2 INVESTIGATIVE SUPERVISOR RESPONSIBILITIES

The responsibilities of the Services Division Commander shall include, but are not limited to:

- (a) Reviewing and approving missing person reports upon receipt.
- (b) Ensuring resources are deployed as appropriate.
- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.
- (e) Ensuring that records have been entered into the appropriate missing persons networks.
- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
 - 1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

315.6.3 PROFESSIONAL STANDARDS RESPONSIBILITIES

The responsibilities of the Professional Standards receiving member shall include, but are not limited to:

- (a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's residence in cases where the missing person is a resident of another jurisdiction.
- (b) Notifying and forwarding a copy of the report to the agency of jurisdiction where the missing person was last seen.
- (c) Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known.
- (d) Forwarding a copy of the report to the Investigation Unit.
- (e) Coordinating with the NCIC Terminal Contractor for Minnesota to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

315.6.4 UNIDENTIFIED FOUND PERSONS

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

- (a) Obtain a complete description of the person.

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- (b) Enter the unidentified person's description into the NCIC Unidentified Person File.
- (c) Use available resources, such as those related to missing persons, to identify the person.

315.7 INVESTIGATION UNIT PROLONGED INVESTIGATION

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

- (a) Should ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.
 - 1. The notice shall be in writing and should also include a photograph.
 - 2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information if the school receives a call requesting the transfer of the missing child's files to another school.
- (b) Should recontact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available.
- (c) Shall review the case file to determine whether any additional information received on the missing person indicates that the person is endangered, and shall update applicable state or federal databases accordingly (Minn. Stat. § 299C.535(b); Minn. Stat. § 299C.535(c)).
- (d) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (e) Shall verify and update the Minnesota Justice Information Services (MNJIS), the Minnesota Missing and Unidentified Persons Clearinghouse, 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).
- (f) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (g) Should consider taking certain actions if a person is missing after a prolonged period, generally exceeding 45 days. Those actions include:
 - 1. Developing a profile of the possible abductor.
 - 2. Consider the use of a polygraph for parents, spouse and other key individuals.
 - 3. Reviewing all reports and transcripts of interviews, revisiting the crime scene, reviewing all photographs and videotapes, re-interviewing key individuals and reexamining all physical evidence collected.
 - 4. Reviewing all potential witness/suspect information obtained in the initial investigation and considering background checks on anyone of interest identified in the investigation.

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5. Periodically checking pertinent sources of information about the missing person for any activity, such as telephone, bank, Internet or credit card activity.
 6. Develop a time line and other visual exhibits.
 7. Critique the results of the ongoing investigation with appropriate investigative resources.
 8. Arrange for periodic media coverage. Investigators should review all notices prior to release to ensure that investigative objectives are not unintentionally compromised.
 9. Utilize the Plymouth Crime/Fire Prevention Fund, Crime Stoppers and National Center for Missing and Exploited Children for reward programs.
 10. Update NCIC Missing Person File information as necessary.
 11. Re-contact the National Center for Missing and Exploited Children for age progression assistance if the victim is a child.
 12. Consider outside agency review.
 13. Maintain contact with the family and/or the reporting party or designee, as appropriate.
- (h) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
- (i) Should make appropriate inquiry with the Medical Examiner.
- (j) Should obtain and forward medical and dental records, photos, X-rays and biological samples, as applicable.
- (k) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously, forward the photograph to BCA (Minn. Stat. § 299C.54) and enter the photograph into applicable missing person networks (34 USC § 41308).
- (l) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).
- (m) In the case of an endangered missing person or a person who has been missing for an extended time, consider seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

315.8 WHEN A MISSING PERSON IS FOUND

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

The Investigative Supervisor shall ensure that, upon receipt of information that a missing person has been located, the following occurs:

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- (a) Notification is made to BCA.
- (b) A missing child's school is notified.
- (c) Entries are made in the applicable missing person networks (Minn. Stat. § 299C.53, Subd. 2).
- (d) When a child is endangered, the fact that the child has been found shall be reported within 24 hours to the BCA.
- (e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

315.8.1 RECOVERY/CASE CLOSURE WITH PERSONS FOUND ALIVE

Additional responsibilities related to missing persons who are found alive include:

- (a) Verify that the located person is, in fact, the reported missing person. An officer shall verify all returns. This allows the officer to personally assess the person's safety, gain intelligence about possible predators, protecting any physical evidence and help to prevent future incidents.
- (b)
- (c) The person's body and clothing should be considered a crime scene. Arrange for a comprehensive physical examination of the victim to include forensic and medical examination.
- (d) Conduct a careful interview of the person, document the results of the interview and involving all appropriate agencies. Consider using Corner House for this interview if the victim is a child.
- (e) Notifying the family/reporting party that the missing person has been located. In adult cases, if the located adult permits the disclosure of his/her whereabouts and contact information, the family/reporting party may be given this information.
- (f) Depending on the circumstances of the disappearance, considering the need for reunification assistance, intervention, counseling or other services for either the missing person or family/reporting party. Contact the National Center for Missing and Exploited Children to utilize their standing resources for effective family reunification assistance if the victim is a child.
- (g) Remove the case from NCIC and other information systems, remove posters and other publications from circulation.
- (h) Perform a constructive post-case critique. Reassessing the procedures used and updating the Department policy and procedures as appropriate.

315.8.2 RECOVERY/CASE CLOSURE WITH PERSONS FOUND DECEASED

If a deceased person has been identified as a missing person, the Investigation Unit shall attempt to locate family members and inform them of the death and the location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports and properly retained (Minn. Stat. § 390.25, Subd. 2).

Additional investigation responsibilities include the following:

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- (a) Secure the crime scene.
- (b) Contact the medical examiner, Hennepin County CSI, or designated crime scene unit to arrange for body recovery and examination.
- (c) Collect and preserve any evidence at the scene.
- (d) Depending on the circumstances, consider the need for intervention, counseling or other services for the family/reporting party.
- (e) Cancel alerts and remove the case from NCIC and other information systems; remove posters and other publications from circulation.
- (f) Perform a constructive post-case critique. Re-assess the procedures used and update the department policy and procedures as appropriate.

315.9 CASE CLOSURE

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

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