

Missing Persons Procedure

101.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines and responsibilities for the consistent response to, and investigation of, all reports of missing and endangered persons as defined in Minnesota Statutes, Chapter 299C.52, Subd. 1 (c) and (e). While the State of Minnesota has recommended most of this policy, the procedures which are highlighted in bold print are considered mandatory.

This policy is intended to be used only in those cases in which the missing person has been determined to be both missing and endangered.

101.2 POLICY

Hutchinson Police Services 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 effect on the outcome of the case. Therefore, Hutchinson Police Services has established the following responsibilities and guidelines for the investigation of missing and endangered persons. All peace officers employed by Hutchinson Police Services shall be informed of, and comply with, the following mandated procedures.

After Hutchinson Police Services 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 agency will respond and investigate the case using all appropriate resources.

101.3 DEFINITIONS

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 the 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 person is at risk of physical injury or death."The following circumstances indicate that a missing person is at risk of physical injury or death:

1. The person is missing as a result of a confirmed abducted or under circumstances that indicate that the person's disappearance was not voluntary.
2. The person is missing under known dangerous circumstances.
3. The person is missing more than 30 days.
4. The person is under the age of 21 and at least one other factor in this paragraph is applicable.

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5. 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.
6. The person does not have a pattern of running away or disappearing.
7. The person is mentally impaired.
8. There is evidence that the person may have been abducted by a noncustodial parent.
9. The person has been the subject of past threats or acts of violence.
10. There is evidence the person is lost in the wilderness, backcountry, or outdoors where survival is precarious and immediate and effective investigation and search/rescue efforts are critical; or
11. Any other factor that the law enforcement agency deems to indicate that 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.

Sufficient Evidence – means articulable facts and circumstances which would induce a reasonably prudent police or peace officer to believe that a crime has been or is about to be committed.

101.4 PROCEDURES

Initial Response

- A. An officer shall be dispatched to conduct a preliminary investigation.
- B. The officer should interview the individual who made the initial report.
- C. The responding officer should determine when, where and by whom the missing person was last seen.
- D. The officer should interview the individuals who last had contact with the missing person.
- E. The initial officer should also obtain a detailed description of the missing person, abductor (if known), vehicles, etc.
- F. The officer shall notify MCCC so the missing person may be immediately entered into the National Crime Information Center (NCIC) Missing Person File with complete descriptive and critical information regarding the missing and endangered person.
- G.
- H. After gathering the initial details, the officer shall immediately notify a supervisor (however the initial officer shall be considered the officer in charge of the investigation until relieved of that duty by a supervisor or an investigator at the scene).
- I. The initial responding officer shall keep in mind the importance of periodically updating additional responding personnel.
- J. All known details shall be broadcast on all police communication channels to other patrol units, surrounding 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 agencies.
- K. Upon supervisor's approval, activate "A Child Is Missing" program. This program shall be utilized for a missing child, elderly, disabled person or college student.

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- L. The family of the missing person shall be notified of the crime victim services available and shall be given the Crime Victim Services card.
- M. The protocol for working with the media shall be established by assigning one officer (preferably a supervisor) to act as a liaison and all press releases shall be directed by this officer.
- N. As required by Minnesota Statute, Chapter 299C.53, subd. 1, contact the Bureau of Criminal Apprehension.
- O. Coordinate efforts with other law enforcement jurisdictions.

Initial Investigation

- A. A neighborhood/vehicle canvass shall be conducted.
- B. Coordinate efforts with the media
- C. All telephone communications/messages shall be documented and the records shall be maintained.
- D. The OIC shall coordinate a search of the home or building and the surrounding area where the incident took place. Obtain consent or a search warrant if necessary.
- E. A trained or experienced investigator shall be assigned to coordinate the investigation.

Investigation

- A. A Command Post/Operation Base shall be established away from the missing person's residence. Establish the following positions: Command Post Supervisor, Media Specialist, Search Coordinator, Investigative Coordinator, 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 shall include facilitating support and advocacy for the family.
- B. Contact the telephone company to establish the ability to "trap and trace" all incoming calls (including setting up equipment to record all calls from and to the residence). Set up a separate telephone line or cellular telephone for agency use.
- C. Review records for previous incidents related to the missing person and prior police activity in the area.
- D. Obtain the missing person's medical and dental records.
- E. Ensure that the NCIC Missing Person File is updated with any additional information regarding the missing person and/or the suspect(s).
- F. Interview delivery personnel: employees of gas, water, electric, and cable companies; taxi drivers, post office personnel, sanitation workers, etc.
- G. 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. County Attorney
 - 5. Customs Investigative Services

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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 – Foot, vehicles, and/or mounted patrols
 - b. Canine assistance
 - c. Water and underwater searches
 - d. Air searches
10. Investigative Resources:
 - a. Child Interviewing
 - b. Polygraph
 - 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
11. Interpretive Services
12. The Department of Natural Resources
13. Telephone Services (traps, traces, recordings, etc.)
14. Media Assistance (Local and National)

Prolonged Investigation

- A. Develop a profile on the possible abductor.
- B. Consider the use of polygraph for the key individuals.
- C. Re-read all reports and transcripts of interviews, revisit the scene, review all photographs and videos, re-interview key individuals, and re-examine all physical evidence collected.
- D. Review all potential witness/suspect information obtained in the initial investigation and consider background checks on anyone identified in the investigation.
- E. Develop a time-line and other visual exhibits.
- F. Critique results of the ongoing investigation with appropriate investigative resources.
- G. Arrange for periodic media coverage.
- H. Utilize rewards and crime stoppers programs.
- I. Update NCIC Missing Person File Information as necessary.

Recovery/Case Closure

- A. Arrange for a comprehensive physical examination of the victim.
- B. Conduct an interview of the person, document the results of the interview, and involve all appropriate agencies.
- C. Refer family to McLeod County Social Services for effective reunification assistance.
- D. Upon closure of the abduction case, immediately notify the BCA with the pertinent information.

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- E. Cancel alarms and remove case from NCIC and other information systems, and remove posters and other publications from circulation.
- F. Perform a constructive post-case critique. Re-assess the procedures used and update the department's policy and procedures as appropriate.

