



POLICY & PROCEDURE

STURGEON BAY POLICE DEPARTMENT

SUBJECT: **MISSING PERSONS
INVESTIGATIONS**

SCOPE: All Department Personnel

DISTRIBUTION: Policy & Procedure Manual

REFERENCE: WI State Statutes: 165.785, 175.51,
The National Center for Missing & Exploited Children

NUMBER: 6.21

ISSUED: 11/17/2020

EFFECTIVE: 11/17/2020

RESCINDS

AMENDS

WILEAG 5TH EDITION

STANDARDS: 6.1.5, 6.6.5

NUMBER OF PAGES: 12

INDEX AS: A Child is Missing
Amber Alert
Investigation Procedures for Missing Persons
Missing Persons
Silver Alert
"Suzanne's Law"

PURPOSE: The purpose of this Policy & Procedure is to establish guidelines and responsibilities for members of the Sturgeon Bay Police Department regarding the Department's response to reports of missing persons.

This Policy & Procedure consists of the following numbered sections:

- I. POLICY
- II. DEFINITIONS
- III. PROCEDURES
- IV. RECOVERY OF MISSING PERSON AND CASE CLOSURE

I. POLICY

- A. It is the policy of the Sturgeon Bay Police Department to thoroughly investigate all reports of missing persons. Additionally, the Department holds that every person reported as missing will be considered at risk until significant information to the contrary is confirmed.
- 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, the Department 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 agency covering that jurisdiction chooses not to take a missing-person report, the Department will assume reporting and investigative responsibility.
- C. Questions concerning parental custody occasionally arise in relation to missing child reports. It is the policy of the 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 child(ren) is paramount, members of this agency will open a case when it can be shown that the child has been removed, without explanation, from his or her usual place of residence.

II. DEFINITIONS

- A. A CHILD IS MISSING (ACIM): A Child is Missing, Inc. is an Alert & Recovery Center, a non-profit organization that assists law enforcement in the early search and recovery of missing children, the elderly (often with Alzheimer's or Dementia, the disabled (often Autism or Down Syndrome), on-campus college students, and other vulnerable populations, in the first hours of the search. The service is free to law enforcement and available 24/7, 365. ACIM is a Citizen-Based, Public/Private Partnership with no jurisdictional restraints.
- B. AMBER ALERT SYSTEM: The Amber Alert is an emergency child abduction alert. Its purpose is to SAVE THE LIFE OF A CHILD.
 - 1. "SUZANNE'S LAW": 42U.S.C 5779(c) requires law enforcement to notify the National Crime Information Center (NCIC) when someone between 18 and 21 is reported missing, as part of the national AMBER ALERT SYSTEM. Any person under the age of 21 is considered a missing child.
- C. SILVER ALERT SYSTEM: The Silver Alert Program is a State-wide program to help locate missing persons who are over 60 years of age and believed to have Alzheimer's, dementia, or another permanent cognitive impairment that poses a threat to their health or safety.

- D. **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 K below.
- E. **MISSING CHILD:** A person who is younger than 21 years of age and whose whereabouts are unknown to his or her parent, guardian, or responsible party.
- F. **DISABILITY:** A person of any age who is missing and under proven physical/mental disability or is senile, thereby subjecting himself or others to personal and immediate danger.
- G. **ENDANGERED:** A person of any age who is missing under circumstances indicating that his/her physical safety is in danger.
- H. **INVOLUNTARY:** A person of any age who is missing under circumstances indicating that the disappearance was not voluntary.
- I. **DISASTER/CATASTROPHE VICTIM:** A person of any age who is missing after a natural disaster or catastrophe.
- J. **OTHER:** A person who is over the age of 18 not meeting the criteria for entry in any other category and for whom there is a reasonable concern for his/her safety.
- K. **UNUSUAL CIRCUMSTANCES:** refers to:
1. A missing child 13 years of age or younger. This age was established by the federal Missing Children Assistance Act because children of this age group have not established independence from parental control and do not have the survival skills necessary to protect themselves from exploitation on the streets. – **or**
 2. A child or an adult who is missing and believed to be one or more of the items noted below. The zone of safety will vary depending on the age of the missing person and his or her developmental stage. 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 the route taken between home and school.
 - a) Out of the zone of safety for his/her age and physical and mental condition.
 - b) Mentally diminished.

- c) Drug dependent. In the case of a child, the term “drug dependent” shall refer to the 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. This in no way limits an officer’s discretion in determining exigent circumstances regarding an adult’s use of illicit drugs.
 - d) A potential victim of foul play or sexual exploitation.
 - e) In a life-threatening situation.
 - f) Absent from home for more than 24 hours before being reported to law enforcement as missing.
 - g) Believed to be with persons who could endanger his or her welfare.
 - h) Is absent under circumstances inconsistent with established patterns of behavior.
- L. ADULT AT RISK: An adult who has a developmental disability, who suffers from Alzheimer’s disease or Dementia, or who suffers from who could, without access to medication, suffer from cognitive impairment if the impairment would likely render the adult incapable of getting to a familiar location without assistance.
- M. GREEN ALERT/VETERAN AT RISK: A Veteran or an active-duty member of the armed forces, the National Guard, or the military reserve forces of the United States who is known, based on the information provided by the person making the report, to have a physical or mental health condition that is related to his or her service.
- N. WISCONSIN CRIME ALERT NETWORK (WCAN): a Wisconsin Department of Justice (WIDJ) system utilized to send crime bulletins to other law enforcement agencies and specific public recipient groups.

III. PROCEDURES

- A. There is no waiting period for reporting a missing person. Missing person reports shall be taken in-person or by telephone in conformance with the criteria of this Policy & Procedure.
- B. 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**.

2. Assess whether an Amber Alert, Silver Alert, Green Alert and/or Wisconsin Crime Alert Network (WCAN) under Wisconsin State Statutes 165.785 and 175.51 is warranted and criteria are met (Refer to Amber Alert, Silver Alert, or Green Alert forms). Consider activation of the "A Child is Missing" program. Consider involvement of NCMEC (National Center for Missing and Exploited Children) personnel and resources and Digital billboard (LAMAR signs in Janesville 1-800-362-9442).

- C. Telecommunicators receiving the report of a missing person are be responsible for:

Comment: Door County Communications Center policy on Telecommunicators responsibility shall control.

1. Determining if circumstances of the report meet the definition of a missing child or adult as set forth in Section III. *By questioning the caller about the circumstances of the report, the call-taker can make a preliminary assessment about the level of risk to the missing child. This assessment shall also prepare the call-taker to promptly activate additional response protocols if needed.*
2. Dispatching, in an immediate manner, an officer to the scene of the report. *The officer who routinely patrols the vicinity of the report is best suited to handle the first response since he or she should be familiar with the area, and is likely to have knowledge of unusual activities, suspicious persons, known offenders, and other neighborhood dynamics.*

The handling of certain missing-child reports, such as suspected runaways, over the telephone is discouraged since accurate assessments of risk to the child cannot be made. Note: The National Child Search Assistance Act of 1990 mandates law enforcement's immediate response to reports of missing children and the prompt entry of descriptive information into the Federal Bureau of Investigation's (FBI) National Crime Information Center (NCIC) Missing Person File.

3. Notifying Chief or designee. *Because of the complexity of some missing-child cases, especially those that may require the immediate mobilization of investigative resources, call-takers should verify that the Chief or designee has been notified whenever officers respond to such an assignment.*
4. Transmitting the appropriate radio alerts and other notifications. *A critical responsibility of the call-taker is to obtain sufficient information from the reporting party to broadcast a radio message that alerts other officers, and other agencies if necessary, about the circumstances of the child's disappearance. Information should include the child's height, weight, hair and eye color, and clothing, as well as the location where the child was last seen. Most importantly, the radio alert should contain any information known about a possible abductor with special emphasis on the description of the suspect and vehicle used, as well as direction of travel. Consideration should also be given to the use of*

- “road-block plans,” including those involving surrounding agencies, to apprehend a fleeing abductor.*
5. Searching available agency records for related information. *It is essential for responding officers to know if the child or family has been the subject of previous reports that might have a bearing on this incident. If possible, records should also be reviewed to learn if any incidents have been reported in the area that might have investigative value in this case. Complaints, such as attempted abductions, prowlers, public lewdness, and suspicious persons, will be of particular interest. Access should also be made to the Sex Offender Registration list to determine if individuals designated as sexual predators reside, work, or might otherwise be associated with the area.*
 6. Safeguarding all pertinent records. *The call-taker should also ensure that records of all communication related to this incident, such as telephone conversations with the reporting party, including written notes regarding the discussion, radio broadcasts, and all subsequent notifications, are safeguarded for future investigative reference.*
 7. Initiating media contact including activation of the **AMBER Alert** System, Silver Alert, Green Alert, **Locator** Program, and/or other immediate, community-notification methods (A Child is Missing reverse 911) when appropriate per the shift Chief or designee. *The call-taker, under direction of a law-enforcement supervisor, may provide information to the media that is designed to elicit public assistance in the search for a missing child. In preparation for such situations, call-takers should have available the telephone numbers of media contacts. Additionally, the call-taker should also be prepared to immediately activate the appropriate immediate, community notification method if so directed by appropriate law-enforcement personnel.*
- D. The initial officer or first responder assigned to the report of a missing person shall be responsible for:
1. Responding, in a prompt manner, to the scene of the report. *Even if the assigned officer has been provided with initial information, such as the missing child’s description and other facts about the incident, it would be inappropriate to delay response to conduct a random search by doing things such as circling through parks, checking playgrounds, or stopping suspicious individuals. Unless in immediate response to the missing child’s safety, these activities can be handled by other patrol units.*
 2. Interviewing the person(s) who made the initial report. *The purpose of this interview is to gain an insight into the circumstances surrounding the disappearance and other information needed to conduct an initial assessment of the case. Note: Using a specifically designed missing-person report form to gather information will enable the first responder to more promptly reach an accurate risk assessment. One such form can be found in NCIC’s Missing Person File Information Kit, available through your agency Terminal Control Operator.*

3. Obtaining a description of the missing person. *The collection of information about the missing person, including race, height, weight, hair and eye color, clothing, and other noteworthy features, should be done promptly and relayed to other officers who may be assisting in the investigation. Recent photographs and/or videotape should be secured if available.*
4. Verifying that the person is in fact missing. *In the case of children, first responders should never assume that searches conducted by distraught parents or others have been performed in a thorough manner. Another check of the house and grounds should be made that includes places where children could be trapped, asleep, or hiding. Special attention should be paid to enclosures like refrigerators, freezers, and the interior of parked vehicles where limited breathing air may place the child at even greater risk. In the case of older children, first responders should ask if parents have checked with the child's friends or perhaps overlooked or forgotten something the child may have said that would explain the absence. Note: A search of the home should be conducted even if the missing person was last seen elsewhere.*
5. Confirming custody status. *First responders should ascertain whether a dispute over the child's custody may 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 live with the other parent, may help an officer gain important insight into the case.*
6. Identifying 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 C of Section II, 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.*
7. Determining when, where, and by whom the missing person was last seen. *This information is needed to determine factors, such as abduction time frame, window of opportunity, and verification of previously received information.*
8. Interviewing the individual(s) who last had contact with the missing person. *Effective questioning of those individuals who last saw or spoke with a missing person is crucial in the case-assessment process. While seeking information about the person's appearance, demeanor, and actions, officers should also be alert to contradictions or evasiveness by the witness, especially if these statements cannot be readily substantiated.*
9. Identifying the missing person's zone of safety for his or her age and physical and mental state. *Responding officers should attempt to determine how far the missing person could travel from the location where last seen before he or she would most likely be at risk of injury or exploitation. This perimeter should, under many circumstances, define the first search zone.*

10. Making an initial determination of the type of incident. *By employing all available assessment tools (i.e., completion of standardized forms; interviews with parents, other family members, and friends; statements of witnesses; and search of scene), an officer should be able to reach a preliminary determination regarding the type of case and need for additional resources.*
Notes: Officers must be cautious in "labeling" or classifying a missing-person case, since the classification process shall affect the way in which initial information or evidence is gathered. Even if first indications suggest a "less urgent" incident, officers should consider all possibilities until the case category is clearly determined.
11. Obtaining a description of the suspected abductor(s) and other pertinent information. *Officers need to immediately record witness information, not only for general investigative use, but also before witnesses forget or speak to others who may confuse or make suggestions about what was actually observed. If the abduction scene involves a business or other public place, officers may be able to supplement witness information with video from security cameras that might provide crucial information about the suspect, vehicles, and circumstances. In the case of a suspected family abduction, the reporting party may have photographs of the abductor or other valuable information.*
12. Determining the correct NCIC Missing Person File category and ensure that a notification is promptly transmitted and waivers are signed to enter information into systems. *There are 6 categories within the Missing Person File. They are disability, endangered, involuntary, juvenile, catastrophe, and other. Quickly entering this information into NCIC will increase the possibility of identifying a missing person coincidentally stopped or observed by law enforcement personnel not yet aware of the incident at hand. In the case of a missing child, simply because the child is younger than 18 does not require that the juvenile category must be used. The circumstances of the disappearance should govern category selection. In addition, a TTY/BOLO should be disseminated.*
13. Providing detailed descriptive information to the communications unit for broadcast updates. *As information becomes available regarding the missing person's physical appearance, circumstances of the case, or description of the potential abductor, the initial officer should ensure that other officers and agencies are provided with up-to-date facts.*
14. Identifying and interviewing everyone at the scene. *The name, address, home and work telephone numbers of everyone present at the scene, along with his or her relationship to the missing person, should be recorded. If possible, include them in photographs and/or videotapes of the incident scene. By interviewing each person privately, officers may be able to uncover information that shall be instrumental in resolution of the case.*
15. Conduct a thorough search of the scene or any other area of relevance, such as high school locker. *With the assistance of additional personnel, a systematic, thorough search of the incident scene should be conducted. If appropriate, officers should obtain written permission to search houses, apartments,*

outbuildings, vehicles, and other property that might hold information about the person's disappearance. Officers are again reminded to conduct a thorough, immediate search of the child's home and property — even if the disappearance supposedly took place elsewhere. When possible, officers should also search a missing child's school locker, as well as any computer or electronic messaging systems to which a child has access.

16. *Securing and safeguarding the area as a potential crime scene. If unusual circumstances exist, first responders must take control of the immediate area where the incident occurred and establish an appropriate perimeter to avoid destruction of vital evidence. In addition to external crime scenes, the missing person's home, and particularly his or her bedroom, should be secured and protected until evidence and identification material, such as hair, fingerprints, and bite marks are collected.*
17. *Preparing necessary reports and completing appropriate forms. Information gathered by the first responding officer(s) may be instrumental in the eventual case resolution. To record this important information, officers should prepare a chronological account of their involvement and actions in the case from time of assignment to the point of dismissal. Reports should include everything, not just those events that seem to have a direct bearing on the case.*

E. The Chief or designee shall be responsible for:

1. *Obtaining a briefing from the first responder(s) and other agency personnel at the scene. This briefing allows the Chief or designee to determine the scope and complexity of the case and develop an appropriate response. The briefing should be conducted away from family, friends, or any other individuals who may be present. Doing so shall allow officers to speak freely about the events that have transpired and pass along initial impressions and opinions that might be misconstrued by others.*
2. *Determining if additional personnel and resources are needed to assist in the investigation. Sgt. Investigator shall be contacted for their input and/or involvement for situations with unusual circumstances. Depending upon the situation, the Chief or designee may determine that additional personnel, including specialized units, should be called to the scene or otherwise assist in the investigation. Certain cases may also require the activation of existing interagency response protocols (SMART or EG). It is the Chief of designee's responsibility to ensure that the appropriate investigative unit has been notified and is responding to the correct location.*
3. *Consider activation of the **AMBER Alert** System, **Locator** Program, and/or other immediate community notification methods (A Child is Missing reverse 911). If circumstances indicate the chances for the child's safe recovery would be increased by immediate public awareness, such efforts should be implemented.*

4. Establishing a command post, if needed. *A command post is a field headquarters for scene management. It is used as a center for organizing personnel and directing investigative efforts as well as a focal point for inquiries, intelligence gathering, and media contacts. As a general rule the command post should be close enough to the center of activity to facilitate control and coordination, but sufficiently apart to allow a free exchange of ideas among responders. Using the victim's home as a command post is not recommended.*
 5. Organizing and coordinating search efforts. *The Chief or designee should appoint a search operation coordinator who can oversee the search effort while the Chief or designee remains available to manage the entire investigation.*
 6. Ensuring that all required notifications have been made. *Because dissemination of information is an integral part of the search for a missing person, the Chief or designee should ensure that all officers, other departments and agencies, and all investigative networks are supplied with accurate details.*
 7. Establishing a liaison with the victim's family. Families of a missing person will experience extreme stress. Chief or designees should establish a liaison with the victim family who can explain what investigative actions are being employed and what they can do to assist in the search
 8. Confirming that all agency policies and procedures are observed. *In addition to providing the direction required during a missing-person investigation, the Chief or designee must also ensure that the rules and regulations of a professional law-enforcement organization are adhered to. Established policies and procedures, especially those related to missing children, should be regularly reviewed to ensure compliance.*
 9. Managing media relations, also refer to Policy & Procedure 8.01: Public relations. *Many missing-person investigations, especially those involving large-scale search efforts, are likely to draw media attention. The Chief or designee should manage media presence in a way that complements, rather than conflicts with the investigation.*
- F. The Officer assigned to the report of a missing person shall be responsible for:
1. Obtaining a briefing from agency personnel at the scene. *This briefing should be conducted prior to interviews with family members of the missing person or witnesses who may have been identified during the initial stage of the case. Its objective is to assist the investigator in formulating an effective interview strategy.*
 2. Verifying the accuracy of all descriptive information. *The verification process should include all details developed during the preliminary investigation. During the interview process, the investigator should be alert to facts or statements that conflict with those gathered by the first responder.*

3. Conducting a neighborhood investigation, if appropriate. *A thorough canvass of the neighborhood should be conducted without delay. The objective is to identify and interview all persons within the abduction zone who may provide information related to the incident. Investigators should use a standardized set of questions to ensure completeness and uniformity of information and facilitate establishment of a database to track leads. A record should also be made of all vehicles parked within the neighborhood and any other conditions that may have future investigative value. Access should also be made to the Sex Offender Registration list to determine if individuals designated as sexual predators reside, work, or might otherwise be associated with the area.*
4. Obtaining a brief history of recent family dynamics. *Information about family dynamics, obtained from family members, neighbors, teachers, classmates, employers, coworkers, friends, and witnesses, can offer valuable insights into what may have happened to the missing person and where he or she may be found. Records of family contact maintained by law-enforcement agencies, social-service departments, schools, and other organizations should also be obtained and evaluated.*
5. Exploring the basis for conflicting information. *When preliminary investigative steps have been taken, investigators should “compare notes” with the first responder, fellow investigators, and other agency personnel to identify and work through conflicting information. This collaborative evaluation will provide the investigative staff with a solid foundation upon which to structure future case directions.*
6. Implementing effective case management. *Depending on the resources available, information may either be computerized or incorporated in a simple card system. Both methods are used to record, index, cross-reference, and retrieve the facts amassed during an investigation.*
7. Evaluating need for additional resources and specialized services. *The complexity of many missing-person incidents may necessitate the use of resources and services both from within the agency and from other organizations as well. Investigators should be aware of the input that can be obtained from resources such as the FBI; NCIC; and the National Center for Missing & Exploited Children — in particular **Team Adam**, which is a rapidresponse team of experienced law-enforcement investigators.*
8. Updating descriptive information within thirty days if person is still missing.

9. Monitoring media relations. *While information gained through effective media relations is often of significant value in a missing-person case, investigators should review all notices prior to release to ensure that investigative objectives are not unintentionally compromised.*

G. An officer assigned to the report of an unidentified person, whether living or deceased, shall be responsible for:

1. Obtaining a complete description. *Officers who are assigned to this task should utilize standardized information-gathering forms, such as the NCIC Unidentified Person File Worksheet.*

2. Entering the unidentified person's description into the NCIC Unidentified Person File. *This file is compared daily with the contents of the NCIC Missing Person File. Entries with common characteristics are flagged and both agencies are informed.*

3. Utilizing all available resources to aid in identification of the person. *The National Center for Missing & Exploited Children and state medical examiners may be of assistance in the identification.*

4. Canceling all notifications after identification is confirmed.

IV. RECOVERY OF MISSING PERSON AND CASE CLOSURE

A. Competent adults, having left home for personal reasons, cannot be forced to return home. Officers locating such individuals shall:

1. Advise them that they are the subject of a missing person investigation;

2. Ask if they desire the reporting party or next-of-kin to be notified of their whereabouts; and

3. Make provisions to transmit this information to the reporting party or next-of-kin, if permitted by the missing person.

B. In all cases, reporting parties shall be informed of the well-being of the located missing person. Unless criminal matters necessitate other action, desires of missing persons not to reveal their whereabouts shall be honored.

C. Missing persons shall be questioned to establish the circumstances surrounding their disappearance and whether criminal activity was involved.

D. In cases involving juveniles, officers shall ensure that:

1. The return of the juvenile is verified by meeting with the child in person when possible.

2. The juvenile receives medical attention, if necessary, in a timely manner;
 3. Initial questioning of the youth identifies the circumstances surrounding the child's disappearance, any individuals who may be criminally responsible, and/or whether an abusive or negligent home environment was a contributing factor; and
 4. That parents, guardians, and/or the person reporting the missing youth are notified in a timely manner.
- E. Upon location of a missing person, all agencies and information systems previously contacted for assistance shall be notified and/or updated, cancelled, etc.
 - F. Where indicated, follow-up action shall include filing of an abuse and neglect report with Door County Human Services immediately or as soon as practicable within 12 hours.
 - G. The case report shall include a complete report on the whereabouts, actions, and activities of children while missing.
 - H. Where indicated, criminal charges shall be considered.

Clinton Henry
Chief of Police

This Policy & Procedure cancels and supersedes any and all written directives relative to the subject matter contained herein.

Initial 11/17/2020