

Truro Police Department

MISSING & ABDUCTED CHILDREN

Policy Number: OPS-6.03A

Effective

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Revision Date:

REFERENCE:

Accreditation Standards: 41.2.7

Mass. Gen. Law: Chap. 22A, Sec. 4 & 5 & 6 & 9, Chap. 119, Sec. 51A, Chap. 265, Sec. 26A, & Chap. 38, Sec. 6

Other:

1. BACKGROUND

Cases involving missing persons are serious and must be handled professionally, expeditiously, and with sensitivity. It is the policy of the Truro Police Department to ensure that reports of missing and abducted children are promptly recorded, assessed, and investigated in accordance with these procedures. This department recognizes that the initial police response to the report of a missing child is critical to the effective collection of evidence and tracing of leads; crucial evidence may be lost if it is subsequently discovered that the child was abducted.

2. POLICY

It shall be the policy of the Truro Police Department to expeditiously respond to and thoroughly investigate all reports of missing or abducted children. Additionally, every child reported as missing will be considered "at risk" until sufficient information to the contrary is confirmed.

3. CUSTODIAL ISSUES

Questions concerning the custody of a child occasionally arise in relation to missing child reports. Since the safety of the missing child is paramount, the Department shall accept a report of a missing child even if custody has not been formally established. Department members will investigate whenever it can be shown that the child has been removed, without explanation, from his or her usual place of residence.

4. DEFINITIONS

At-risk

A missing child whose situation falls into one of the defined **unusual circumstances**.

Missing child

A person who is younger than 18 years of age and whose whereabouts are unknown to his/her

parent, guardian, or responsible party under circumstances that are uncustomary for the child or that would cause reasonable concern.

Unusual circumstances

A child shall be considered missing under unusual circumstances if he/she meets one of the following conditions:

- He/she is 13 years of age or younger, or
- He/she is 14 years of age or older and is:
 - Out of the zone of safety for his/her age, developmental stage, and/or physical condition
 - Mentally diminished
 - Drug dependent, including both prescription and illicit substances
 - A potential victim of foul play or sexual exploitation
 - In a life-threatening situation
 - Absent from home for more than 24 hours before being reported to law enforcement as missing
 - Believed to be with others who could endanger his/her welfare, or
 - Absent under circumstances inconsistent with established patterns of behavior.

Zone of Safety

The distance a child could travel from the location last seen before he/she would most likely be at risk of injury or exploitation, based on the child’s age, developmental stage and related factors.

5. REPORTING REQUIREMENTS

Department personnel investigating or processing a missing or abducted child incident shall fulfill all of the reporting requirements outlined in *Policy and Procedure “Missing Persons,”* in addition to any requirements prescribed in this policy.

6. COMMUNICATIONS RESPONSIBILITIES

Step	Action
1	Determine if circumstances of the report meet the definition of a missing child.
2	Promptly dispatch an officer to the scene of the report.
3	Notify the Shift Commander.
4	Transmit appropriate information via radio alerts and other notifications (both intra- and inter-agency) to include: <ul style="list-style-type: none">• The child’s height, weight, hair and eye color• Clothing description• The location where the child was last seen, and• Any information known about a potential abductor, with special emphasis on the description of a suspect, any vehicle used, and direction of travel. <p>State law requires that whenever a parent, guardian or governmental unit responsible for a child reports the child missing, officers are required to immediately enter relevant information into the central register for missing persons (i.e. CJIS).</p>

5	Inform the parent/guardian that they should not disturb or tamper with the location where the child might have been or the child's belongings.
6	Search agency records for related information, such as: <ul style="list-style-type: none"> • Previous reports concerning the child or family that might have a bearing on the case, including abuse, domestic violence, or runaways • Any incidents that have been reported in the area that might have investigative value, and • The Sex Offender Registration list to determine if individuals designated as sexual predators reside, work or might otherwise be associated with the geographic area.

7. INITIAL OFFICER RESPONSIBILITIES

The initial officer assigned to a missing child complaint shall:

Step	Action
1	Respond promptly to the scene of the report.
2	Interview the parent(s) or person who made the initial report, and have them complete a <i>Missing Person Report</i> .
3	Verify that the child is in fact missing by conducting a consensual search of the house and grounds, especially places where children could be trapped, asleep, or hiding.
4	Obtain a detailed description of the missing child, including photograph(s) and videotapes.
5	Determine when, where, and by whom the missing child was last seen.
6	Confirm the child's custody status; questions regarding whether the reporting party has full legal custody, if the non-custodial 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.
7	Secure and safeguard the area as a potential crime scene. In addition to external crime scenes, the missing child's home, and particularly his/her bedroom, should be secured and protected until evidence and identification material are collected.
8	Interview the individual(s) who last had contact with the missing child, being alert to contradictions or evasiveness by the witness, especially if these statements cannot be readily substantiated.
9	Identify the child's zone of safety, attempting to determine how far the missing child could travel from the location where last seen before he/she would most likely be at risk of injury or exploitation.
10	Obtain a description of any suspected abductor(s) and other pertinent information.
11	If appropriate, activate existing interagency response protocols, including the AMBER Alert system. Officers who have confirmation via witnesses' observations that the child has been abducted shall immediately request through Dispatch the activation of the AMBER Alert system.

12	<p>Determine the correct NCIC Missing Person File category and ensure that a notification is promptly transmitted. There are 5 categories within the Missing Person File that apply to children:</p> <ul style="list-style-type: none"> • Disability • Endangered • Involuntary • Juvenile, and • Catastrophe. <p>The circumstances of the disappearance should govern category selection. Simply because the child is younger than 18 does not require that the juvenile category be used. NCIC suggests that family and non-family abductions be entered in the involuntary category; runaways are most commonly entered in the juvenile category unless unusual circumstances exist.</p>
13	Provide detailed descriptive information to Dispatch for broadcast updates.
14	Identify and interview everyone at the scene.
15	With the assistance of additional personnel, conduct a thorough search of the incident scene and appropriate outlying areas.
16	Record if the child has access to an online computer, cellular telephone, and/or pager.
17	Notify the last known elementary or secondary school where the child was enrolled in accordance with state law.
18	Prepare necessary reports and complete appropriate forms.

8. INVESTIGATOR RESPONSIBILITIES

In any missing child case that involves unusual circumstances, as defined in this policy, the investigator shall be assigned to investigate. This investigator shall ensure that the following measures are taken:

Step	Action
1	Obtain a briefing from Department personnel at the scene.
2	Verify the accuracy of all descriptive information concerning the child, being alert to facts or statements that conflict with those gathered by the initial officers at the scene.
3	Conduct a thorough canvass of the neighborhood as soon as possible to identify and interview all persons within the abduction zone who may be able to provide information related to the incident.
4	Obtain a general history of recent family dynamics from family members, neighbors, teachers, classmates, employers, co-workers and others who may have had close personal interaction with the family.
5	Conduct in-depth interviews with all witnesses, friends and relatives of the missing child, and other persons who routinely interacted with him/her.
6	Compare notes with the first responder, fellow investigators, and other agency personnel to identify and work through conflicting information.
7	If the juvenile Affairs Officer has not been assigned to the case, ensure he/she is notified.

8	If it appears that the case will not be promptly resolved, ensure that the descriptive record, including that entered into the NCIC Missing Person File, is updated to include dental characteristics, scars, marks, tattoos, and fingerprints along with additional articles of clothing, jewelry, or unique possessions.
9	Evaluate the need for additional resources and specialized services, such as the FBI and National Center for Missing & Exploited Children.
10	Coordinate with the PIO to ensure that investigative objectives are not unintentionally compromised in agency media releases.
11	Provide the family with whatever support is possible and appropriate.

9. AMBER ALERT

Massachusetts has in place an AMBER Alert system to help in the location of missing children. AMBER Alert activates the Emergency Broadcast System to quickly disseminate information on an abducted child and/or perpetrator to the public via radio announcements, signboards and television.

Local police may contact the State Police to request activation of the system if they are able to confirm three basic criteria:

- A child, under age 18, has been abducted
- The child is in danger of serious bodily harm, injury or death, and
- There is enough descriptive information to believe that an AMBER Alert may help locate the child.

AMBER Alerts are not intended for missing child incidents, runaways or child custody situations.

The AMBER Alert system is activated as follows:

Step	Action
1	The investigating officer contacts Communications with specific information and requests an immediate AMBER Alert activation.
2	Dispatch shall immediately notify the Shift Commander of an AMBER Alert activation request.
3	The Shift Commander must approve all requests for AMBER Alert activations.
4	Communications will submit activation requests orally by phone to the Massachusetts State Police Communications Section at 508-820-2121.
5	Communications will promptly complete and fax a completed AMBER Alert Activation Request form to MSP Communications Section at 508-820-2150, followed by a phone call to confirm they received the fax.
6	A recent photograph of the abducted child and the suspect, if available, should be obtained and forwarded to Communications Section, preferably in electronic format (especially if a scanner is available).

10. RUNAWAYS

A voluntarily missing (runaway) child case investigation should focus on the family, friends, school and lifestyle of the missing child.

Other units in the Department and nearby jurisdictions should be informed of the case and provided with pictures of the missing juvenile.

The officer should instruct the parent(s) to secure a Child in Need of Services (CHINS) warrant from the juvenile court as soon as possible to aid in the recovery of the child.

Any indication of neglect or abuse in the family should be considered, and upon recovery of the missing juvenile, appropriate follow-up action shall be taken by the investigating officer, including filing a neglect and abuse report with the Department of Social Services.

11. PARENTAL KIDNAPPING

A non-custodial parental kidnapping case requires a thorough investigation as the abducting parent is in violation of the law, and the juvenile abducted by a parent may be in serious danger. The investigation should focus on the abductor parent, his/her friends and relatives, and on the needs of the juvenile.

When sufficient supporting data is provided, criminal charges should be filed against the abductor parent and an arrest warrant obtained. The District Attorney's office should be notified in non-custodial parental kidnapping cases to expedite court procedures. In certain cases, the District Attorney's office may seek a Federal Unlawful Flight to Avoid Prosecution Warrant through the United States Attorney's office.

12. ABANDONED CHILDREN

Officers assigned to reports of children who have been, or appear to have been abandoned shall:

- Take the child into custody
- If the child appears to have any health concerns, ensure that appropriate medical attention is provided to him/her
- Interview the child to attempt to determine the circumstances of the abandonment and the identity of custodians
- Notify the Department of Social Services to arrange custody transfer, and

Conduct an appropriate investigation to determine possible criminal charges against the parent/guardian.

13. UNIDENTIFIED CHILDREN

Officers assigned to reports of an unidentified child, whether living or deceased, shall:

- Obtain a complete description of the individual

- Enter the unidentified child's description into the NCIC Unidentified Person File
- Utilize all available resources to aid in identification of the child, including the National Center for Missing & Exploited Children and state missing children's clearinghouses, and Cancel all notifications after identification of the child is confirmed.

14. RECOVERY OF CHILDREN

Officers assigned to the recovery or return of a missing child shall:

- Verify that the located child is, in fact, the reported missing child
- Assess the child's safety and ensure that appropriate medical attention is provided to him/her
- Secure intervention services (DSS, EMS, etc.), if required
- Notify the parent or legal guardian of the child's location so that the parent/guardian may retrieve the child; if the parent/guardian is unable to do so, the Department of Social Services shall be notified to provide temporary custody for the child
- In the case of a runaway from another jurisdiction or from out-of-state who has been located and for whom a warrant exists or for whom an NCIC missing-person "hit" is verified, place the child in custody and transport him/her to an appropriate facility for admission
- Cancel all outstanding missing child notifications, and
- Notify any Investigative Services Division personnel assigned to the case of the recovery; such personnel will conduct any appropriate follow up investigations.

Officers shall file a report detailing the circumstances surrounding the finding of the child. Any difficulties encountered (for example, reluctance or refusal to return home) should be noted, as this may signal neglect or abuse in the family. If there is any indication of neglect or abuse of a child, a report should be filed with the Department of Social Services. Any other appropriate follow-up action, including the filing of criminal charges, should be taken.

15. SPECIAL CONSIDERATIONS

If a younger child is reported missing (children 12 years and below), an immediate, thorough search of the area should be conducted, with any assistance from the Truro Fire Department, National Seashore, or other agencies, immediately after obtaining enough information concerning the child. Many missing children are found close to where they are reported missing.

MISSING PERSON REPORT

COMPLAINT NUMBER _____

Name - Missing person _____

AGE _____ DATE OF BIRTH _____

Address - street _____ town _____ state _____

HGT _____ WEIGHT _____ COLOR _____ SEX _____

EYES _____ COMP _____ BUILD _____ IDENT. MARKS _____

CLOTHING _____

HAD IN POSSESSION; _____
money - articles - etc.

OPERATING VEHICLE REG ~~77~~ _____ YR _____ MAKE _____ COLOR _____

MISSING SINCE _____ LOCATION LAST SEEN _____

WAS IN COMPANY OF _____
names and addresses

CLOSE FRIENDS _____
names and addresses

CLOSE FRIENDS _____

POSSIBLE DESTINATION OF PERSON _____ TO SEE _____

REASON FOR LEAVING _____

REPORTED MISSING BY: _____
name address tel number

RELATIONSHIP _____ WILL GO AFTER YES _____ NO _____

OTHER INFO: _____

NETWORK NOTIFIED _____
date time officer

TEL TYPE MESSAGE NUMBER _____ DATE _____ OFFICER _____

OFFICER RECEIVING REPORT _____ DATE _____

PERSON LOCATED DATE _____ LOCATION _____ BY _____

PARENT GUARDIAN NOTIFIED BY _____ DATE _____ TIME _____

TEL TYPE CANCELLED BY _____ MESSAGE NO. _____ DATE _____

NETWORK BROADCAST CANCELLED BY _____ DATE _____ TIME _____

SIGNATURE COMMANDING OFFICER _____ DATE _____