

Missing Persons

314.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

314.1.1 DEFINITIONS

Definitions related to this policy include:

At risk - Includes persons who have dementia or related disability (as defined in CRS § 25-1-502), who have a verified developmental disability, or who are 60 years of age or older and have a verified impaired mental condition, whose whereabouts are unknown, and whose disappearance poses a credible threat to the safety and health of the person (CRS § 24-33.5-415.8). This term also includes persons who:

- (a) Are 13 years of age or younger.
- (b) Regardless of age, are believed or determined to be experiencing one or more of the following circumstances:
 1. Out of the zone of safety for his/her chronological age and developmental stage.
 2. Mentally or behaviorally disabled.
 3. Drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
 4. Absent from home for more than 24 hours before being reported to law enforcement as missing.
 5. In a life-threatening situation.
 6. In the company of others who could endanger his/her welfare.
 7. Absent in a way that is inconsistent with established patterns of behavior and cannot be readily explained. Most children have an established and reasonably predictable routine.
 8. Involved in a situation that would cause a reasonable person to conclude the person should be considered at risk.
- (c) Are children under the legal custody of the Colorado Department of Human Services or a county department of human or social services (CRS § 19-1-115.3).

Missing person - Any person who is reported missing to law enforcement when that person's location is unknown. This includes persons whose safety or welfare is the subject of concern (CRS § 16-2.7-101(2)).

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 Colorado Crime Information Center (CCIC), and the Colorado Bureau of Investigation (CBI).

Missing Persons

314.2 POLICY

The Colorado State University Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Colorado State University Police Department gives missing person cases priority over property-related cases and does not require a specific amount of time to have passed before beginning a missing person investigation.

314.3 ACCEPTANCE OF REPORTS

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the 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 dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction.

314.3.1 REPORTS OF MISSING CHILDREN

It shall be the Policy of this Agency to thoroughly investigate all reports of missing children.

Records and CSUPD Dispatch personnel receiving the report of a missing child shall:

1. Determine if circumstances of the report meet the definition of a missing child as set forth in this Policy. The person taking the initial call will also determine if the child is considered at-risk according to the risk factors defined in this Policy.

(a) If the child is missing and at-risk, Dispatch will:

1. Send an officer to the scene of the report for investigation.
2. Transmit the appropriate radio alerts and other notifications.
3. Activate established protocols for working with the media - including activation of the AMBER Alert system and/or other immediate community-notification methods when appropriate.

Questions concerning parental custody occasionally arise in relation to missing-child reports. It shall be the Policy of this Agency 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, employees will open a case when it can be shown the child has been removed, without explanation, from his or her usual place of residence. If custody has not been established by the Court, then the law enforcement responsibility is to ensure the child is safe only.

Missing Persons

314.3.2 AT-RISK MISSING CHILDREN

The term missing child refers to a person who is younger than 18 years of age and whose whereabouts are unknown to his or her custodial parent, guardian, or responsible party

A missing child will be considered at-risk when the child is:

(a) 13 years of age or younger. This age was designated 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; or

(b) Believed or determined to be experiencing one or more of the circumstances noted below:

1. Is out of the zone of safety for his or her age and developmental stage.
2. Has mental or behavioral disabilities.
3. Is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
4. Has been absent from home for more than 24 hours before being reported to law enforcement as missing.
5. Is in a life-threatening situation.
6. Is in the company of others who could endanger his or her welfare.
7. Is absent in a way inconsistent with established patterns of behavior and the deviation cannot be readily explained.
8. Is involved in a situation causing a reasonable person to conclude the child should be considered at risk. Significant risk to the child can be assumed if investigation indicates a possible abduction or violence at the scene of an abduction.

314.3.3 ACTIONS UPON DETERMINATION OF RISK FACTORS

(a) If it is determined risk factors are involved in the report of a missing child, and the child is considered at-risk, then an expanded investigation, including the use of all appropriate resources, will immediately commence. If an initial investigation reveals that any person appears is missing under suspicious circumstances, the Watch Commander should refer to the ChildAbduction Response Plan published by the Federal Bureau of Investigations for general investigative information and case management until relieved by Criminal Investigations Division (CID) personnel, who shall take responsibility for investigating the incident.

(b) Appropriate, existing interagency response protocols - including the AMBER Alert system and/or other immediate community notification methods, if available - should be considered. If the child is not considered at-risk, then a phone report may be taken according to current report procedures.

314.4 INVESTIGATION OF AT RISK MISSING CHILDREN

Missing Persons

314.4.1 PATROL OFFICER RESPONSIBILITIES

The initial officer or first responder assigned to the report of a missing child shall respond promptly to the scene of the report and conduct a thorough investigation, which may include the following steps:

- (a) Interview the parent(s) or person who made the initial report.
- (b) Obtain a detailed description of the missing child including photo(s) and videos.
- (c) Confirm the child is in fact missing.
- (d) Verify the child's custody status.
- (e) Identify the circumstances of the missing episode.
- (f) Determine when, where, and by whom the missing child was last seen.
- (g) Interview the individual(s) who last had contact with the missing child.
- (h) Identify the missing child's zone of safety for his or her age and developmental stage.
- (i) Obtain a description of the suspected abductor(s) and other pertinent information.
- (j) Determine the correct NCIC Missing Person File category and ensure notification is promptly transmitted.
- (k) Provide detailed descriptive information to communications unit for broadcast updates.
- (l) Canvass the area for possible witnesses.
- (m) Conduct an immediate, thorough search of the scene.
- (n) If appropriate, seal/protect scene, area of child's home, and areas of interest as potential crime scenes.
- (o) Inquire if the child has access to the Internet, cell phone, and/or other communications device.

314.4.2 SUPERVISOR RESPONSIBILITIES

The supervisor assigned to the report of a missing child shall:

- (a) Ensure a thorough search of the residence or location of the incident has been completed.
- (b) Obtain a briefing from the first responder(s) and other department personnel at the scene.
- (c) Determine if additional personnel and resources are needed to assist in the investigation.
- (d) Consider activation of the AMBER Alert system and/or other immediate community notification methods.
- (e) Organize and coordinate search efforts.
- (f) Ensure all required notifications have been made.
- (g) Establish a liaison with the victim family.

314.4.3 INVESTIGATOR RESPONSIBILITIES

The investigator assigned to the report of a missing child shall:

- (a) Obtain a briefing from personnel at the scene.
- (b) Verify the accuracy of all descriptive information.
- (c) Initiate a neighborhood investigation.
- (d) Obtain a brief history of recent family dynamics.
- (e) Explore the basis for any conflicting information.

Missing Persons

- (f) Complete all remaining key investigative and coordination steps.
- (g) Evaluate the need for additional resources and specialized services.
- (h) Update descriptive information.

314.5 REPORTS OF MISSING ADULTS

This Agency investigates reports of adults missing under unusual circumstances or when senior citizens or developmentally disabled adults are missing

(a) If an initial investigation reveals that an adult appears to be missing under suspicious circumstances, the Watch Commander should refer to the Child Abduction Response Plan published by the Federal Bureau of Investigations for general investigative information and case management until relieved by Investigations personnel, who shall take responsibility for investigating the incident.

314.5.1 INVESTIGATIVE RESOURCES AND SUPPORT

Additional support, investigative and supervisory assistance should be requested as reasonably necessary. Personnel providing assistance should be properly briefed and updated on the investigation status.

The primary investigator is responsible for seeing that all appropriate law enforcement agencies in the state are promptly notified. If deemed appropriate, law enforcement agencies in adjacent states or jurisdictions should be provided with any information that may aid in the location and return of the missing person or a person whose safety appears endangered. If necessary, use the International Justice & Public Safety Network (NLETS), the AMBER™ Alert network and the Silver Alert network to alert state, regional and federal law enforcement agencies.

314.5.2 INVESTIGATION OF MISSING SENIOR CITIZENS AND MISSING PERSONS WITH DEVELOPMENTAL DISABILITIES

If it is determined that the missing person is a senior citizen or a person who is developmentally disabled, the investigating officer shall immediately:

- (a) Obtain documentation regarding the person's mental condition (CRS § 24-33.5-415.8).
- (b) Consult with Dispatch regarding the issuance of appropriate broadcasts as described in Policy 315 - Public Alerts.
- (c) Ensure that identifying and descriptive information about the person and involved suspects and vehicles is immediately entered into the National Crime Information Center (NCIC) system, as appropriate (42 USC 5779(a)).

If the person is missing under suspicious circumstances, the Shift Supervisor shall follow the provisions of this Policy, and may also:

Missing Persons

- (a) Secure the crime scene and/or the last known position of the missing person and, if not already completed, attempt to identify and interview persons in the area at the time of the incident.
- (b) Obtain and protect uncontaminated missing person scent articles for possible use by search canines.
- (c) Request additional resources as appropriate.

314.6 INITIAL INVESTIGATION

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

- (a) Respond to a dispatched call as soon as practicable.
- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.
- (c) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).
- (d) Broadcast a "Be on the Look-Out" (BOLO) bulletin if the person is under 18 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 18 years of age or may be at risk.
- (e) Ensure that entries are made into the appropriate missing person networks, as follows:
 - 1. Immediately, when the missing person is at risk.
 - 2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.
- (f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
- (g) Collect and/or review:
 - 1. A photograph and fingerprint card of the missing person, if available.
 - 2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
 - 3. Any documents that may assist in the investigation, such as court orders regarding custody.
 - 4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (h) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier (CRS § 18-9-312).
 - 1. If the officer has probable cause to believe the missing person is at risk of death or serious bodily injury, a supervisor should be notified and should determine whether to order the telecommunication provider to disclose the missing person's location information without a court order.

Missing Persons

2. The supervisor shall ensure that a court order is obtained within 48 hours of the initial request for the location information.
 - (i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

314.7 REPORT PROCEDURES AND ROUTING

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

314.7.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include, but are not limited to:

- (a) Reviewing and approving missing person reports upon receipt.
 1. The reports should be promptly sent to the Records Division.
- (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.
 - (a) If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

314.7.2 RECORDS DIVISION RESPONSIBILITIES

The responsibilities of the Records Division 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 Investigations.
- (e) Coordinating with the NCIC Terminal Contractor for Colorado to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

Missing Persons

314.8 INVESTIGATIONS FOLLOW-UP

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 re-contact 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) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (d) Shall verify and update CCIC, 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).
- (e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (f) 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).
- (g) Should make appropriate inquiry with the Coroner.
- (h) Should obtain and forward medical and dental records, photos, X-rays, and biological samples, as applicable.
- (i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to the Colorado Bureau of Investigation and enter the photograph into applicable missing person networks (34 USC § 41308).
- (j) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).
- (k) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

314.9 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 relatives and/or reporting

Missing Persons

party, as appropriate, and other involved agencies and refer the case for additional investigation if warranted.

The Records Manager should ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) Notification is made to CBI.
- (b) A missing child's school is notified.
- (c) Entries are made in the applicable missing person networks.
- (d) When a person is at risk, the fact that the person has been found should be reported within 24 hours to CBI.
- (e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

314.9.1 UNIDENTIFIED PERSONS

Department members investigating a case of an 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.
- (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.

314.10 CASE CLOSURE

The Investigations 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 Colorado State University 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.

Missing Persons

314.11 TRAINING

Subject to available resources, the appropriate Division Commander should ensure that members of this department whose duties include missing person investigations and reports receive training that includes:

- (a) The initial investigation:
 - 1. Assessments and interviews
 - 2. Use of current resources, such as Mobile Audio Video (MAV)
 - 3. Confirming missing status and custody status of minors
 - 4. Evaluating the need for a heightened response
 - 5. Identifying the zone of safety based on chronological age and developmental stage
- (b) Briefing of department members at the scene.
- (c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).
- (d) Verifying the accuracy of all descriptive information.
- (e) Initiating a neighborhood investigation.
- (f) Investigating any relevant recent family dynamics.
- (g) Addressing conflicting information.
- (h) Key investigative and coordination steps.
- (i) Managing a missing person case.
- (j) Additional resources and specialized services.
- (k) Update procedures for case information and descriptions.
- (l) Preserving scenes.
- (m) Internet and technology issues (e.g., Internet use, cell phone use).
- (n) Media relations.