

	<b>MARICOPA COUNTY SHERIFF'S OFFICE</b> <b>POLICY AND PROCEDURES</b>	
	<b>Subject</b>  <b>MISSING PERSONS</b>	<b>Policy Number</b> <b>EA-20</b>
		<b>Effective Date</b> <b>05-24-17</b>
<b>Related Information</b>		<b>Supersedes</b> EA-20 (11-02-12)

## PURPOSE

The purpose of this Policy is to establish guidelines and responsibilities for the collection of information and the investigative procedures applicable to missing adults, missing children, and runaway juveniles.

## POLICY

It is the policy of the Office to thoroughly investigate all circumstances surrounding the disappearance of missing adults, missing children, and runaway juveniles. Additionally, this agency holds that every child reported as missing will be considered at risk until significant information to the contrary is confirmed.

## DEFINITIONS

**Exigent Circumstances:** The totality of circumstances surrounding the disappearance of missing adults, missing children, or runaway juveniles which indicate a need for immediate action.

**Missing Adult:** Persons over the age of 18 who, by the judgment of a reasonable person, are absent from their normal routines, residences, or places of employment without known explanation, or whose whereabouts are unknown to family, friends, loved ones, or others having an involvement in their lives or routines.

**Missing Child:** Any person under the age of 18 years whose whereabouts are unknown to his or her parent, guardian, or responsible party. Additionally, a child shall be considered at risk if any unusual circumstances are present.

**Missing Person NCIC Initial Entry Report:** The NCIC Initial Entry Report is utilized by NCIC to obtain pertinent information regarding missing persons, so that their entry into NCIC can be expedited. Although not as comprehensive as the rest of the forms contained in the Data Collection Entry Guide, this form requires information necessary for an initial entry into the system. The rest of the forms contained in the Data Collection Entry Guide are to be used as a supplement to the Initial Entry Report.

**National Crime Information Center (NCIC) Missing Person File Data Collection Entry Guide:** A packet of forms provided by NCIC used to collect detailed personal descriptions and background information regarding missing persons. Once obtained, the information is entered into a national computer network. The information on file is then cross-referenced with unidentified persons or dead bodies entered in the system. A list of potential matches is produced which provides investigators who are working both unidentified bodies and missing persons cases with investigative leads. Fact sheets contained in the packet pertain to the following:

1. Initial Entry Report;
2. Personal descriptors;
3. Jewelry descriptors; and

4. Medical and dental information.

***Runaway Juveniles:*** Persons under the age of 18 years who are not, by law, emancipated, and who voluntarily absent themselves from the care, custody, and control of parents, legal guardians, individuals, or public or private entities to whom their care, custody, and control is entrusted.

***Unusual Circumstances:*** Refers to any of the following criteria:

1. 13 years of age or younger; and
2. Believed to be one or more of the items noted below:
  - A. Out of the zone of safety for his or her age, developmental stage, and/or physical condition;
  - B. Mentally diminished;
  - C. Drug dependent, including both prescription and illicit substances;
  - 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 others who could endanger his or her welfare; or
  - H. Is absent under circumstances inconsistent with established patterns of behavior.

## **PROCEDURES**

1. **Potential Crimes Against Persons:** All cases involving missing adults, missing children, or runaway juveniles should be viewed as potential crimes against persons; therefore, preliminary and follow-up investigations are required. The responding deputy shall be responsible for initiating a preliminary investigation and determining whether foul play or unusual circumstances may exist. Duties of the responding deputy include, but are not limited to, the following:
  - A. In the case of a missing child, a search of the location where the child was last seen shall be conducted to ensure the child is in fact missing as opposed to hiding.
  - B. If it is determined that unusual circumstances are involved in the report of a missing child, the child will be considered at risk, and an expanded investigation, to include the use of all appropriate resources will immediately commence.
    1. This may include an activation of the Arizona Child Abduction Response Team (AZCART). Prior to activation of the AZCART, the on duty supervisor shall notify the Major Crimes Child Abduction Response Team Supervisor.
    2. If appropriate, existing interagency response protocols, including the America's Missing: Broadcast Emergency Response (AMBER) Alert system, if available, should be activated.
  - C. Completing an *Incident Report (IR)* on the missing adult, missing child, or runaway juvenile in situations that cannot be resolved within a reasonably short period of time, or in incidents which require the use of other Office resources. The report shall be turned in, prior to the completion of the

shift, to the on- duty supervisor. There shall be no waiting period before a report is taken, and the reporting party shall not be informed to the contrary. Jurisdictional conflicts should be avoided when a child or adult is reported missing. If the missing adult, missing child, or runaway juvenile resides in, or was last seen in the Office's jurisdiction, then a missing person's report shall be taken by the deputy. If the person resides in the Office's jurisdiction but was last seen in another jurisdiction, the deputy may reach out to that jurisdiction, to request that they take the report. However, should the jurisdiction refuse to take the report, the Office will assume reporting and investigative responsibilities. When a missing adult, missing child, or runaway juvenile is located, as a result of the immediate search, and no foul play or criminal act was involved, an informational IR shall be completed.

- D. Telephoning the Operations Information Center (OIC) within **one hour**, barring extraordinary circumstances, of obtaining the missing adult, missing child, or runaway juvenile information and request that it be entered into NCIC. It will be necessary to provide the clerk with the same information that is requested on the Missing Person Report for the NCIC entry. Completion of the report, however, is not a prerequisite to notifying OIC; the timely entry into NCIC is essential. The deputy requesting the entry shall document a completed entry by obtaining the clerk's name and serial number and the NCIC number assigned to the entry. This information will be included in the IR.
1. The OIC clerk will forward a copy of the Office *Missing Persons Card* to the Missing Persons Coordinator while maintaining the original at OIC.
  2. Upon determining that the missing adult, missing child, or runaway juvenile has returned, the OIC clerk shall forward the original card to the Missing Persons Coordinator and a copy to the effected district detective sergeant.
- E. Completing the Missing Person Report for NCIC entry. If possible, a copy of the report will be faxed directly to OIC. When available, the following information will be obtained and included either on or with the report:
1. Type of NCIC entry being requested, such as victim, caution, endangered, disability, or catastrophe;
  2. Nicknames of the missing adult, missing child, or runaway juvenile;
  3. Physical descriptors or identifiers, such as height, weight, date of birth, hair and eye color, social security number, place of birth, description of clothing, or scars, marks, or tattoos;
  4. Home address and telephone number, and responsible party;
  5. Business address and telephone number;
  6. Vehicle information, such as make, model, year, color, license number, and state of origin of the missing person;
  7. Date and time of last contact of the missing adult, missing child, or runaway juvenile;
  8. Physical and mental condition of the missing adult, missing child, or runaway juvenile;
  9. Names, telephone numbers, and addresses of the family, friends, and associates of the missing adult, missing child, or runaway juvenile;

10. Circumstances of the disappearance of the missing adult, missing child, or runaway juvenile.
  11. Medical and dental information, such as medical conditions requiring treatment or medication, the name of the individual's physician, and dentist of the missing adult, missing child, or runaway juvenile;
  12. Blood type, if available, of the missing adult, missing child, or runaway juvenile;
  13. Most recent photograph of the missing adult, missing child, or runaway juvenile; and
  14. Any other information which would assist in locating the missing adult, missing child, or runaway juvenile.
- F. Determining whether to broadcast Attempt to Locate (ATL) information.
- G. Attaching the original Missing Person Report for NCIC entry to the original IR. A copy shall be attached to the IR copy given to a detective for follow-up investigation.
- H. If foul play or unusual circumstances are suspected, or are found to exist, notify a supervisor immediately and request that additional units respond to the scene to aid in a search. The case will be treated as a criminal act. Securing the scene and collecting evidence will be a priority.
  1. The responding supervisor will coordinate the search and determine whether or not the Search and Rescue Coordinator should be notified and asked to respond. The responding supervisor shall notify the watch commander or district commander.
  2. In all cases in which foul play is suspected, the shift supervisor shall request that a district detective respond to assume the investigation.
  3. In all missing adult or missing child cases where evidence exists of a possible homicide, the responding supervisor shall notify and brief the homicide supervisor at the Major Crimes Division.
2. **Amber Alerts:** An Amber Alert shall be issued through the Communications Division at the request of the district commander, only if all the following criteria has been met:
  - A. There is a reasonable belief that an abduction has occurred;
  - B. The abduction is of a child aged 17 years or younger;
  - C. There is belief of imminent danger of serious bodily injury or death; and
  - D. There is enough descriptive information regarding the suspect or the suspect's vehicle to believe that an immediate broadcast to the public will enhance the efforts to locate the child and apprehend the suspect.
3. **Assignment of a Missing Adult, Missing Child, and Runaway Juvenile Cases:** All missing adult, missing child, and runaway juvenile IRs will be assigned by a detective supervisor to a district detective for follow-up unless the missing child is abducted, at which time the Major Crimes Abduction Response Team will assume responsibility for follow-up. The detective supervisor shall be responsible for maintaining a computerized case management system for tracking missing adults, missing children or runaway juvenile cases. The progress of each case will be monitored, and at the end of 30 days, the detective supervisor shall ensure that

all forms contained in the Data Collection Entry Guide are completed for each missing adult, missing child, or runaway juvenile.

4. **Patrol District Detectives:** Detectives at each patrol district are responsible for continuing a follow-up investigation for those cases to which they have been assigned. While the duties of the assigned detective and those of the responding deputy are not necessarily separate and distinct, the responsibilities that are primarily those of the assigned detective include, but are not limited to, the following:
  - A. Commencing an investigation upon receipt of the initial report. Circumstances warranting a detective call out:
    1. Any juvenile under the age of 8 years of age who:
      - a. Become missing at any time;
      - b. Have mental or physical disabilities; or
      - c. Are a danger to themselves or others (suicidal, or are endangered, kidnapped, or abducted).
    2. Any Juvenile from 8 to 17 years of age who:
      - a. Have mental or physical disabilities;
      - b. Are endangered (kidnapped or abducted);
      - c. Did not return home from school and have no history of being a runaway;
      - d. Are missing at night and have no history of being a runaway; or
      - e. Any situation that may merit exigency or runaways who are considered endangered.
    3. Any Adult who:
      - a. Are victims of kidnapping or domestic violence;
      - b. May be endangered due to medical conditions such as memory dementia, Alzheimer's disease, diabetes, or other physical condition; or
      - c. Are a danger to themselves or others (suicidal), or any suspicion of foul play.
  - B. Ensuring that all of the necessary information has been obtained and that information on the missing adult, missing child, or runaway juvenile has been entered into the NCIC Missing Person File in the appropriate category. For documentation, a copy of the computer entry should be obtained and attached to the IR.
  - C. Complete a National Missing and Unidentified Persons System (NamUs) entry for any missing adult and missing child not located within 48 hours. Missing children should also be reported to the National Center for Missing and Exploited Children for inclusion in their database.
  - D. Obtaining information for the Data Collection Entry Guide within 48 hours of receipt of the report for follow-up investigation.

1. The forms contained in the Data Collection Entry Guide shall be completed for any adult or child whose absence appears to be based upon unusual circumstances; this would include, but not necessarily be limited to, the following:
    - a. The disappearance appears to be involuntary;
    - b. The last known location of the missing person is in a hostile or unfamiliar environment, such as the desert or the mountains;
    - c. The missing person has a disability;
    - d. The missing person has a history of suicide attempts or threats;
    - e. Foul play is suspected or there is a history of family violence;
    - f. The missing person is a juvenile and there is no indication that the juvenile has run away;
    - g. The missing person is either under 13 or over 65 years of age; or
    - h. The time of day or extremes of weather create a hazardous environment.
  2. As soon as the forms contained in the Data Collection Entry Guide are completed, the assigned detective shall contact OIC and request that the clerk modify the original entry with information contained in the completed forms in the Data Collection Entry Guide.
  3. The detective requesting the modified entry shall obtain the entry clerk's name and serial number. This information shall be included in a supplemental report documenting that all forms contained in the Data Collection Entry Guide were completed and that the information contained therein was added to the original NCIC entry.
  4. The copy of the completed Data Collection Entry Guide packet shall be forwarded to the Missing Persons Coordinator.
  5. The original Data Collection Entry Guide packet shall be forwarded to OIC and retained with the IR.
- E. Coordinating investigative activities with the Missing Persons Coordinator to ensure that all available resources are used in attempting to locate the missing adult, missing child, or runaway juvenile.
- F. Ensuring that the reporting party has been given the IR number and instructed on how to notify the Office immediately if the missing adult, missing child, or runaway juvenile returns home or is found.
- G. Informing complainants that mentally competent person 18 years of age or over cannot be forced to return home.
- H. Making a diligent attempt to obtain dental and medical records including x-rays on the missing adult, missing child, or runaway juvenile.
1. When obtained, dental and medical x-rays or charts should be impounded as evidence at the Property Management Division.

2. The district detective shall ensure that dental and medical record information is included in the Data Collection Entry Guide packet for entry into NCIC. OIC will be notified and will be responsible for entering this information in NCIC.
    3. An effort to obtain DNA family reference samples shall be completed. Family reference samples may be obtained from family members biologically connected to the missing adult, missing child, or runaway juvenile.
  - I. Ensuring that appropriate law enforcement notifications are made when a child has been reported missing by a parent or guardian. These responsibilities include, but are not limited to, the following:
    1. Notify the school the child was attending or the County School Superintendent, if the child was enrolled for home instruction, that the child has been reported missing to a law enforcement agency. A copy of the completed IR shall be forwarded to the Missing Persons Coordinator after 15 working days from receipt of the initial report.
    2. Notify, in writing, the registrar of the child's state of birth, that the child has been reported missing to a law enforcement agency. A request shall also be made to flag the child's birth certificate records and include the child's name, date, and place of birth.
    3. Notify the appropriate school or County School Superintendent, and the State Registrar of the state in which the child was born, when the missing child has been found, to ensure that the flag is removed from the birth certificate records.
5. **Found Missing Adult, Missing Child, or Runaway Juvenile:** When a missing adult, missing child, or runaway juvenile is believed to have been found, OIC shall be contacted and asked to verify the information. Once verified, OIC shall then remove the missing adult's, missing child's, or runaway juvenile's name from NCIC. If the original IR was written by MCSO, a supplemental report shall be written; if the original IR was written by another agency, an original IR shall be written. In either case, the deputy will document the fact that the person has returned and that his name has been removed from NCIC. The name and serial number of the person at OIC responsible for removing the entry from NCIC will also be documented in the IR. The deputy writing the supplement is also responsible for forwarding a copy to the detective supervisor in the affected district so the file can be closed. Detective supervisors shall be responsible for notifying the assigned detective, and, in cases in which Data Collection Entry Guide packets have been completed, also notifying the Missing Persons Coordinator.
6. **School Administrators:** School administrators have a responsibility to notify the local law enforcement agency whenever a school child is enrolled without the required proof of age and identity, or if the proof appears inaccurate or suspicious.
  - A. The responding deputy shall contact the school officials reporting the incident, and document all pertinent information in an IR.
  - B. The case will be assigned to a district detective, by the detective sergeant, for follow-up and disposition. The assigned investigator, responsible for disposition of the incident, is also responsible for the following:
    1. Contacting the person who enrolled the child, such as his parent or guardian, and attempt to elicit voluntary compliance;
    2. Keeping the school district or private school informed of the status of the investigation; and
    3. Ensuring that no other crime is being committed, such as custodial interference.

- C. All personnel responsible for the investigation of the improper enrollment of a school child will use the least coercive methods available to ensure adherence to applicable statutes. Enforcement action may only be taken when there is reason to believe that another crime has been committed, such as kidnapping or custodial interference.

**7. Missing Person Coordinator:**

- A. The duties of the Missing Person's Coordinator position within the Major Crimes Division are as follows:
  - 1. Maintaining and store within the Major Crimes Division a hard copy and electronic copy of all missing persons within the jurisdiction of the Maricopa County Sheriff's Office; and
  - 2. Conduct a monthly audit coordinated with the OIC Section/Records Division to validate the MCSO Missing Person records entered into NCIC by OIC. The monthly audit consists of the following:
    - a. Reviewing the records contained within the Missing Person NCIC Validation Report;
    - b. Identifying the records that are no longer current and all records indicated as still being active should remain in the NCIC database;
    - c. Identifying any records that are not active. These records should be cancelled or cleared and removed from NCIC through OIC;
    - d. Making sure all records contain available information; and
    - e. Making sure the information contained in each of the records is accurate.
- B. *Missing Person Cards* which have been cancelled are received by the Missing Person Coordinator from OIC to update the Missing Person file (hard copy and electronic) within the Major Crimes Division.
- C. *Missing Person Cards* completed for runaway juveniles that are not a case within the MCD will be forwarded to the corresponding district where the original Missing Person report was generated so it can be updated at the district level.