

## **Purpose**

This policy recognizes that the La Crescent Police Department will often become involved with and investigate reports of missing and endangered persons. This policy identifies investigation stages, assigns responsibilities and establishes guidelines for use in these types of investigations.

## **Policy**

It is the policy of the La Crescent Police Department to respond to all reports of missing persons immediately. The La Crescent Police Department does not consider any report of a missing person routine and assumes that any missing person is in need of immediate assistance until significant information and evidence of the contrary exists. The La Crescent Police Department will initiate an investigation into all reports of missing persons, regardless of the length of time the person has been missing.

## **Definitions**

The following phrases and terms have special meanings as used in this policy:

- A. **Missing.** Is defined pursuant to MN Statute 299C.52 Sub 1, (d). “The status of a person after a law enforcement agency has received a report of a missing person, has conducted a preliminary investigation and determined that the person cannot be located.”
- B. **Endangered.** Is defined pursuant to MN Statute 299C.52 Sub 1, (c). “A law enforcement official has recorded sufficient evidence that the missing person is at risk of physical injury or death.” The following circumstances indicate that a missing person is at risk of physical injury or death:
  - 1. The person is missing as a result of a confirmed abduction or under circumstances that indicate that the person’s disappearance was not voluntary.
  - 2. The person is missing under known dangerous circumstances.
  - 3. The person is missing more than 30 days.
  - 4. The person is under the age of 21 and at least one other factor in this paragraph is applicable.
  - 5. There is evidence the person is in need of medical attention or prescription medication such that it will have a serious adverse effect on the person’s health if the person does not receive the needed care or medication.
  - 6. The person does not have a pattern of running away or disappearing.
  - 7. The person is mentally impaired
  - 8. There is evidence that the person may have been abducted by a non-custodial parent.
  - 9. The person has been the subject of past threats or acts of violence.

10. There is evidence the person is lost in the wilderness, backcountry, or outdoors where survival is precarious and immediate and effective investigation and search-rescue efforts are critical.
  11. Any other factor that law enforcement deems to indicate that the person may be at risk of physical injury or death, including a determination by another law enforcement agency that the person is missing and/or endangered.
- C. **Child.** Is defined pursuant to MN Statute 299C.52, Sub 1, (a). “Any person under the age of 18 years or any person certified or known to be mentally incompetent”.
- D. **NCIC.** The National Crime Information Center.
- E. **MNJIS.** The Minnesota Criminal Justice Information System/Network.
- F. **DNA.** Is defined pursuant to MN Statute 299C.52, Sub 1, (b). Deoxyribonucleic acid from a human biological specimen.

## Procedures

This agency will respond according to the following six types of general procedures:

1. Initial Response
2. Initial Investigation
3. Investigation
4. 30 Day Benchmark
5. Prolonged Investigation, and
6. Recovery/ Case Closure

### A. Initial Response.

1. Pursuant to MN Statute 299C.53, Sub 1, (a), law enforcement shall accept, without delay, any report of a missing person. La Crescent Police shall not refuse to accept a missing person on the basis that:
  - a. The missing person is an adult.
  - b. The circumstances do not include foul play.
  - c. The person has been missing for a short amount of time.
  - d. The person has been missing for a long amount of time.
  - e. There is no indication that the missing person was in the jurisdiction served by the La Crescent Police Department at the time of the disappearance.
  - f. The circumstances suggest that the disappearance may be voluntary.
  - g. The reporting person does not have personal knowledge of the facts.
  - h. The reporting person cannot provide all of the information requested by the investigating officer.
  - i. The reporting person lacks a familial or other relationship with the missing person.
  - j. For any other reason, except in cases where a law enforcement agency has direct knowledge that the person is, in fact, not missing, and the whereabouts and welfare of the person are known at the time the report is filed.

2. An officer should be dispatched to the reporting person in order to conduct a preliminary investigation to determine if the person is missing, and, whether the person is endangered.
3. Obtain interpretive services, if indicated.
4. Interview and speak with the person who made the initial report, and if the person is a child, the child's parent(s) or guardian(s).
5. Determine when, where, and by whom the missing person was last seen.
6. Interview the person(s) who last had contact with the missing person.
7. Obtain a detailed description of the missing person, abductor (if pertinent), vehicles, etc. and obtain a recent color photograph of the missing person.
8. Immediately enter the complete descriptive and critical information, regarding the missing/endangered person, into the appropriate category of the NCIC Missing Persons File.
  - a. As defined by 42 U.S.C. 5779(a) "Suzanne's Law": Law enforcement shall immediately enter missing children less than 21 years of age into the NCIC Missing Persons File.
  - b. As defined by MN Statute 299C.53, Sub 1(b): If the person is determined to be missing and endangered, the agency shall immediately enter identifying and descriptive information about the person into the NCIC Missing Persons File.
9. Enter complete descriptive information regarding suspects/vehicle in the NCIC system.
10. Request investigative and supervisory assistance.
11. Update additional responding personnel.
12. Communicate known details promptly and as appropriate to other police units, local law enforcement agencies and surrounding law enforcement agencies. If necessary, use the International Justice & Public Safety Network (NLETS), the Minnesota Crime Alert Network, and MNJIS "KOPS" alert to notify state, regional and federal law enforcement agencies.
13. Notify the Minnesota Missing/Unidentified Persons Clearinghouse.
14. Secure any crime scene and/or last known position of the missing person and attempt to identify and interview any witnesses or persons in the area at the time of the disappearance.
15. Obtain and protect uncontaminated missing person scent articles for possible use by canine search teams.
16. Activate procedures for media release and consider AMBER Alert, Minnesota Crime Alert Network. Consider LCPD social media platform posting and CODE RED Alerts.
17. Consult with and notify the Minnesota Bureau of Criminal Apprehension, per MN State Statute 299C.53 Sub 1(b), if the person is determined to be an endangered missing person.
18. Implement a multi-jurisdictional coordination plan as appropriate when:
  - a. The primary investigative agency has limited resources
  - b. The investigation crosses jurisdictional lines
  - c. Jurisdictions have pre-established task forces or investigative teams
19. Determine if a physical search is required or prescribed.

## **B. Initial Investigation.**

1. Conduct a canvass of the area or neighborhood in which the missing person was last seen. Determine further scope or geographic area search extension.
2. Arrange for use of helpful media coverage and information sharing.
3. Maintain records of telephone, electronic and on-line messaging or communications
4. Ensure everyone present is identified and interviewed separately and privately.
5. Search the home, building or other area/location where the person is missing from and conduct a search including all surrounding areas. Consider legal process, including search warrants.
6. A investigator or officer will be assigned as the coordinator of the investigation.

## **C. Investigation.**

1. Begin planning and set up of an operational base or command post away from the missing person's residence. The primary investigator should be familiar with the command post staff and resources available. Consider assignment of a family liaison officer in order to provide advocacy and support to the missing person's family.
2. Establish capabilities to examine incoming and outgoing telephone calls, including cellular networks. Conduct follow up on all inbound/outbound calls.
3. Compile a list of known sex offenders in the region.
4. In cases of infant abduction, investigate any reports of home births in the area or region.
5. In cases involving children, obtain and review any pertinent child protection reports and consult with child protection investigators.
6. Review records for previous incidents related to the missing person and prior police activity in the area.
7. Obtain the missing person's medical and dental records, fingerprint and DNA when practicable or within 30 days.
8. Update the NCIC Missing Persons file as necessary with any additional information regarding the missing person, possible suspect(s) and vehicle(s).
9. Create a Missing Persons Profile with detailed information obtained from interviews and records from family and friends describing the missing person's health, relationships, personality, problems, life experiences, plans, equipment, etc.
10. For missing persons under the age of 21, contact the National Center for Missing and Exploited Children (NCMEC) for photo dissemination and other case assistance.
11. Determine if outside assistance is necessary and utilize local, state or federal resources available including:
  - a. Search and Rescue personnel
  - b. Additional Investigative Resources
  - c. Interpretive Resources
  - d. Technical Investigative Assistance
  - e. Media Information Assistance

12. Secure any electronic communication devices from the missing person and identify any on-line social media platforms.
13. The LCPD primary case officer/investigator will be assigned as the family point of contact. This officer/investigator will be responsible to communicate with the family (or designee) and will serve as liaison between the investigation and family contacts.
14. The LCPD primary case officer/investigator will provide general information to the family contact about the progression of the investigation and about intended efforts, as reasonably and as safely practicable. This information sharing should not be such as to compromise law enforcement's ability to protect any missing person or to apprehend any criminally responsible persons identified.

**D. Missing for Greater than 30 Days.**

1. If the person remains missing after 30 days from the entry into the NCIC Missing Persons file, the La Crescent Police Department will contact the BCA's Missing and Unidentified Persons Clearinghouse to request the following information (if not yet obtained):
  - a. DNA Samples from family members, and, if possible from the missing person.
  - b. Dental information and x-ray images.
  - c. Additional photographs and video that may aid in the investigation or identification.
  - d. Fingerprints (if available).
  - e. Other specific identifying information.
2. This information will be entered into the appropriate database by BCA Clearinghouse personnel.
3. If the person is still missing after 30 days, review case information to determine whether any additional information indicates the person is endangered
4. Update the NCIC Missing Persons file as necessary.

**E. Prolonged Investigation.**

1. Develop a profile of any possible abductor. (If applicable)
2. Consider the use of truth verification techniques for spouses, parents, close family members and other key individuals.
3. Review and re-read all investigative materials, reports, transcripts, photographs, video, social networking platforms, cellular network information, etc.
4. Re-Examine any physical evidence collected. Submit for BCA Lab analysis as prescribed.
5. Periodically check information sources for information related to the missing person, such as credit cards, banking accounts, phone or internet activity or on-line social networking activity.
6. Develop a presentation style timeline.
7. Critique the results of, and, the current on-going investigation with appropriate resources and personnel.
8. Arrange for periodic media coverage and information release.
9. Consider any crime reward program.

10. Update NCIC Missing Persons file as necessary.
11. Contact NCMEC for age-progression imagery assistance.
12. Maintain contact with the missing person's family as appropriate.

**F. Recovery/Case Closure.**

1. Alive.
  - a. Verify that the located person is the reported missing person.
  - b. If appropriate, arrange a medical examination of the missing person.
  - c. Conduct a careful interview of the missing person, document the results and involve all appropriate agencies.
  - d. Notify the family of the missing person that the person has been located. (In cases of adults, if the adult permits the disclosure of their whereabouts and contact information, the family may be informed.)
  - e. Dependent on the circumstance of the disappearance, consider the need for reunification assistance, counseling or other supportive assistance.
  - f. Cancel any alerts (MN Crime Alert, AMBER, KOPS or other ATL) remove case from NCIC as required by MN Statute 299C.53 Sub 2.
  - g. Remove any posters, postings or publications from circulation.
  - h. Conduct constructive post-case critique. Re-assess the procedures used and update the LCPD policy and procedures as appropriate.
2. Deceased.
  - a. Secure the crime scene.
  - b. Contact coroner, medical examiner or BCA Crime Scene Response to arrange for recovery and examination.
  - c. Collect and preserve any evidence at the scene.
  - d. Depending upon circumstances, consider counseling available to the victim's family or reporting person/designee.
  - e. Cancel any alerts (MN Crime Alert, AMBER, KOPS or other ATL) remove case from NCIC as required by MN Statute 299C.53 Sub 2.
  - f. Conduct constructive post-case critique. Re-assess the procedures used and update the LCPD policy and procedures as appropriate

**Reference or Revision Date(s)**

- A. Minnesota State Statutes 299C.51 through 299C.5655.
- B. Minnesota State Statutes 390.25, 626.8454.
- C. The National Center for Missing and Exploited Children's Model on Missing Children.
- D. The Minnesota Bureau of Criminal Apprehension's Missing Person Clearinghouse.