

STOCKTON POLICE DEPARTMENT

GENERAL ORDER

MISSING PERSONS  
SUBJECT

DATE: June 22, 2015

NO: D-10

FROM: CHIEF ERIC JONES

TO: ALL PERSONNEL

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I. POLICY

Patrol Officers are generally responsible for the initial investigation into missing person's reports. One Investigator/Community Service Officer (CSO) is also assigned full time to missing person's cases and is responsible for conducting follow-up. During hours the Investigator/CSO is available and on duty, and no personal contact is needed with the reporting party, Investigations personnel may take the original missing person report. Reports of missing persons require immediate action.

II. LAW

- A. Officers should become familiar with penal codes sections 14200 through 14213.
- B. Section 14205 of the Penal Code REQUIRES Law Enforcement Agencies to take missing person/runaway reports IMMEDIATELY regardless of jurisdiction, and authorizes the local police or sheriff's department for the jurisdiction in which the person was last seen, to initiate an investigation. Follow-up will be conducted by the agency whose jurisdiction it falls within.
  - 1. This section also requires that with regard to reports involving missing persons under 21 years old, or persons of any age when there is evidence the person is at risk, the department shall complete the following investigative steps:
    - a. Broadcast within it's jurisdiction a "Be on the Look-Out" (BOLO) bulletin without delay.
  - 2. The Investigating Officer shall notify the headquarters clerk within two hours of obtaining necessary information for entry of the missing person into the National Crime Information Center (NCIC).

NOTE: Missing person's reports shall be completed prior to the officer securing from their shift.

III. PROCEDURE

- A. All personnel shall be familiar with the booklet on Missing and Abducted Children, put out by the National Center for Missing and Exploited Children. A copy of this booklet will be maintained in the Patrol Sergeant's Office.
  - 1. In particular, the following investigative checklists should be reviewed:
    - a. Administrative
    - b. First Responder (patrol officer)
    - c. Investigative officer (Family Crimes Unit)
    - d. Supervisor
- B. As used in this General Order, "evidence that the person is at risk" includes, but is not limited to evidence or indications of any of the following, and requires immediate police response and investigation.

1. Is the victim of a crime or foul play
2. Is in need of medical attention
3. Has no pattern of running away or disappearing
4. Is the victim of a parental abduction/kidnapping
5. Is mentally impaired
6. Any minor missing under any of the following circumstances
  - a. The minor is twelve (12) years of age or younger.
  - b. The missing youth is believed to be out of the zone of safety for his/her age and developmental stage.
  - c. The missing youth is mentally incapacitated.
  - d. The missing youth is drug dependent, including prescribed medication and/or illegal substance, and the dependency is potentially life threatening.
  - e. The missing youth has been absent from home for more than twenty-four (24) hours before being reported to the police.
  - f. Based on available information, it is determined the missing youth is in a life-threatening situation.
  - g. Based on available information, it is believed the missing child is in the company of adults who could endanger his/her welfare.
  - h. The absence is inconsistent with his/her established patterns of behavior and the deviation cannot be readily explained.
  - i. Other circumstances are involved in the disappearance that would cause a reasonable person to conclude the child should be considered "at risk."

C. The response to a missing person may require immediate action and a formal missing person's report. If action is to be taken, it will be done in the following manner:

1. TELECOMMUNICATIONS CENTER – On all Missing Persons/Runaways, an officer/CSO shall take the report.
  - a. In "at risk" cases, during hours when Family Crimes Unit officers are on duty, the telecommunications center will dispatch a patrol officer. The responding officer will contact the Family Crimes Unit for possible assistance and/or follow-up.
  - b. Information received from citizens regarding active missing persons will be acted upon by patrol, in the absence of available Family Crimes Unit personnel.
2. RESPONDING OFFICER – A Missing Persons Report will be filed via ARS on all missing person/runaway cases, where the investigating officers do not locate the person within a reasonable period of time. If the missing person/runaway is twelve (12) years of age or younger, he/she shall be classified as "at risk." The supervisor will be notified immediately of those classified as "at risk." The Watch Commander shall be advised of the facts of the "at risk" missing person report and the time the child was last seen.
  - a. Determine if the missing person is "at risk."
  - b. When investigating a kidnapping or parental abduction case, a missing person report must also be filed on the missing child and the suspect. This should include a suspect vehicle description, if available. (Refer to G.O. J-5A)
  - c. When investigating multiple missing persons from the same location and time, use one Department Reference (DR) number for the reports.
  - d. Initiate the investigation and the search.
  - e. If a crime is involved with the missing person/runaway, a separate report must be filed for the crime. This includes cases of parental or stranger abductions and sexual assaults.
3. SUPERVISOR RESPONSIBILITIES – When notified of an "at risk" missing person, the supervisor will do the following:
  - a. Respond to the location, if necessary.
  - b. Supervise the investigation and search of the missing person.
  - c. Notify the Watch Commander.
  - d. Coordinate with Family Crimes Unit personnel in the search.
4. WATCH COMMANDER – Barring unusual circumstances, if a child is twelve (12) years of age or younger and is reported missing, and has not been seen or located within a reasonable period of time after the original report was made, the Watch Commander will

decide if the Family Crimes Unit supervisor should be notified. If the supervisor is not available, contact will be made with the lieutenant in charge.

5. FAMILY CRIMES UNIT – The Family Crimes Unit, Missing Persons Detail, remains responsible for the investigation of all missing persons/runaways. Any other statutory requirements shall be the responsibility of the Family Crimes Unit.

D. Search for a Missing Person/Runaway

1. The situation and circumstances will dictate if a formal organized search will be initiated immediately. If a doubt exists, the patrol sergeant and/or Watch Commander will make this determination and take appropriate action. If the missing person/runaway are at risk, the Family Crimes Unit may be advised and respond to coordinate the search and do all necessary follow-up. After hours if the Watch Commander determines the need for off-duty Family Crimes Unit personnel, the Supervising Sergeant or the Commanding Lieutenant of the unit will be called, in that order, and assignments will be made.
2. The Family Crimes Unit will also be responsible for submitting dental charts to the Department of Justice and providing the specified forms to the person reporting the missing person.

E. A Child is Missing (ACIM) Alert Program

1. The primary focus of A Child is Missing Alert program is to assist law enforcement with locating missing children. This is not an Amber Alert. This service will be used prior to activating an Amber Alert. However, this service could be used simultaneously with an Amber Alert.
  - a. The ACIM system is preferable over the Department's CityWatch Emergency Notification System because it is capable of generating many more calls in a shorter amount of time. ACIM should therefore be the primary notification system used for missing children cases. However, CityWatch is a viable back-up system should ACIM be unavailable.
2. A Child is Missing Alert program is located in Florida. They use high speed computers to call neighborhoods where a child, abducted person, lost person, Alzheimer patient, wander-off's, runaways, college students, mentally challenged person, or at risk missing person have recently been seen or where the person was last seen. They have the capability of generating 1,000 calls every 60 seconds. This is a no-cost service that should be utilized whenever appropriate. The earlier the service is activated and used in an investigation, the better the chances are of locating the missing child/person.
3. The decision to activate ACIM system is to be made by the Watch Commander or supervising Sergeant in the Watch Commanders absence. The on call CASA Sergeant does not need to be notified if this system is to be activated. However, during normal hours the CASA Unit will make notifications to activate the system.
4. In all circumstances, when the ACIM program is activated by Stockton Police personnel
  - a. Telecommunications center will be advised, and
  - b. The fact that ACIM was utilized will be noted in the Watch Commanders daily report.
5. Once a decision to activate this system is made, the investigating patrol officer can then activate the system. The investigating officer does this by collecting the appropriate intersections and/or zip codes where they want the phone search to begin.

The numbers to activate this program are as follows:

1-954-763-1288  
1-954-492-4778  
1-888-875-2246

F. Procedure for Canceling Missing Persons

1. Patrol officers receiving cancellation of a missing person report will carry the required cancellation on a Subsequent Report to the original missing person report, or on an arrest report using the original Department Reference number (Original Stockton PD case).
  - a. It is the responsibility of the investigating officer to provide Headquarters with the information required to cancel the missing person in the NCIC file, i.e., name, date of birth, and Department reference number. All cancellations will be forwarded to Family Crimes.
  - b. Cancellation of a missing person from an outside agency shall be carried on a Significant Incident Report (S.I.R.) or an Arrest Report with a Stockton Police Department Reference number. It should include the case number of the original agency and the disposition of the missing person, in the text of the report.
  - c. Headquarters personnel will be responsible for removing missing persons/runaways from NCIC.
2. The Telecommunications Center, upon receiving information of a missing person cancellation, will make an "Advised Complaint" and forward it to the Family Crimes Unit marked, "Attention: Missing Persons Detail."

G. Silver Alert

On January 1, 2015, the State of California amended Government Code 8594.10, the Silver Alert System. The Silver Alert System is designed to issue and coordinate alerts with respect to an individual that is developmentally disabled or cognitively impaired regardless of his or her age.

Government Code 8594.10, Subsection C states that a law enforcement agency may request a Silver Alert be activated if that agency determines that all of the following conditions are met in regard to the investigation of the missing person:

1. The missing person is 65 years of age or older, developmentally disabled or cognitively impaired.
2. The investigating law enforcement agency has utilized all available local resources.
3. The law enforcement agency determines that the person has gone missing under unexplained or suspicious circumstances.
4. The law enforcement agency believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in the company of a potentially-dangerous person, or that there are other factors indicating that the person may be in peril.
5. There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

If all of the above criteria have been met, the on-duty Watch Commander or CASA Sergeant will contact the California Highway Patrol Emergency Notification Tactical Alert Center (ENTAC) at (916) 843-4199 to request a Silver Alert be activated.