



POLICY & PROCEDURE

HOLMEN POLICE DEPARTMENT

SUBJECT:	MISSING PERSON & JUVENILE INVESTIGATIONS AMBER ALERT SYSTEM	NUMBER:	2.6
		ISSUED:	09/07/2016
SCOPE:	All Sworn Personnel	REVIEWED:	01/29/2017
DISTRIBUTION:	Policy & Procedure Manual		
REFERENCE:	The National Center for Missing & Exploited Children; WI Missing and Abducted Children Response and Investigative Resource Guide; NCIC Standards	WILEAG 4TH EDITION STANDARDS:	23-6.6.5

INDEX AS: Investigation Procedures for Missing Persons
 Missing Adults
 Missing Juveniles
 Entry/Removal From TIME System
 Follow up Investigations
 Special Needs Issues
 AMBER Alert Requirements/Activation
 Supervisory Control and Notification

PURPOSE: The purpose of this Policy & Procedure is to establish guidelines and responsibilities for members of the Holmen Police Department regarding the Department's response to reports of missing persons.

This Policy & Procedure consists of the following numbered sections:

- I. POLICY
- II. DEFINITIONS
- III. PROCEDURES
- IV. RECOVERY OF MISSING PERSON AND CASE CLOSURE

I. POLICY

Many missing person reports involve individuals, who have voluntarily left home for personal reasons, while other reports are often unfounded or quickly resolved. However, there are many instances in which persons disappear for unexplained reasons and under circumstances where they may be considered at risk. The roles of the initial responding officer are critical in identifying the circumstances

surrounding missing persons and in identifying those persons at risk. Therefore, it is the policy of the Holmen Police Department that; (1) all reports of missing persons be given full consideration and attention by members of this agency to include careful recording and investigation of factual circumstances surrounding the disappearance in accordance with this policy; and (2) that particular care be exercised in instances involving missing children and those who may be mentally or physical impaired or others who are insufficiently prepared to take care of themselves.

II. DEFINITIONS

MISSING ADULT: is a person who is 18 years of age or older and whose absence is contrary to his or her normal patterns of behavior and may be due to one or more of the unusual circumstances defined below.

MISSING CHILD: is a person who is younger than 18 years of age and whose whereabouts are unknown to his or her parent, guardian, or responsible party.

UNUSUAL CIRCUMSTANCES: refers to

1. (6.6.5.1) A missing child 13 years of age or younger. This age was established by the federal Missing Children Assistance Act 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 on the streets - **or**
2. A child or an adult who is missing and believed to be one or more of the items noted below. The zone of safety will vary depending on the age of the child and his or her developmental stage. In the case of an infant, for example, the zone of safety will include the immediate presence of an adult custodian or the crib, stroller, or carriage in which the infant was placed. For a school-aged child the zone of safety might be the immediate neighborhood or the route taken between home and school.
 - a. Out of the zone of safety for his or her age and physical and mental condition. The zone of safety will vary depending on the age of the child and his or her developmental stage. In the case of an infant, for example, the zone of safety will include the immediate presence of an adult custodian or the crib, stroller, or carriage in which the infant was placed. For a school-aged child, the zone of safety might be the immediate neighborhood or the route taken between home and school.
 - b. Mentally diminished. If the child is developmentally disabled or emotionally disturbed, he or she may have difficulty communicating with others about needs, identity, or address. The disability places the child in danger of exploitation or other harm. In the case of an adult; a missing person who is

suspected to have dementia (such as Alzheimer's) or other mental health issues.

- c. Drug dependent. In the case of a child, the term "drug dependent" shall refer to dependence on either prescription or illicit substances, since any drug dependency puts a child at substantially increased risk. In the case of an adult, the term "drug dependent" shall refer to a dependence on legally prescribed medicines vital to the adult's continued physical well-being. This in no way limits an officer's discretion in determining exigent circumstances regarding an adult's use of illicit drugs.
- d. A potential victim of foul play or sexual exploitation. Significant risk to the person can be assumed if investigation indicates a possible abduction, violence at the scene of abduction, or signs of sexual abuse.
- e. In a life-threatening situation. The environment in which the person is missing may be particularly hazardous. Examples of a dangerous environment could be a busy highway for a toddler, an all-night truck stop for a teenager, or simply an outdoor environment in inclement weather for a child or elderly missing person.
- f. Absent from home for more than 24 hours before being reported to law enforcement as missing. While some persons may incorrectly assume that 24 hours must pass before law enforcement will accept a missing-person case, a delay in reporting might also indicate the existence of neglect or abuse within the family.
- g. Believed to be with persons who could endanger his or her welfare. A missing person in such circumstances is in danger not only of sexual exploitation, but of involvement in criminal activity such as burglary, shoplifting, and robbery.
- h. Is absent under circumstances inconsistent with established patterns of behavior. Most children and adults, to some degree, have established routines that are reasonably predictable. Significant, unexplained deviations from those routines increase the probability that the person may be at risk. A child or adult whose disappearance involves circumstances that would cause a reasonable person to conclude that the missing person should be considered at risk.

III. PROCEDURES

- A. There is no waiting period for reporting a missing person. Missing person reports shall be taken in-person or by telephone in conformance with the criteria of this

Policy & Procedure.

B. Actions upon determination of unusual circumstances.

1. If it is determined that unusual circumstances are involved in the report of a missing adult or child, the person will be considered **at-risk**. *While all missing-child incidents should be investigated thoroughly, those involving unusual circumstances indicate a heightened likelihood of risk to the child and, therefore, require an intensive response.*
 2. If appropriate, existing interagency response protocols—including the **AMBER Alert** System, the WI Crime Alert Network, and/or A Child Is Missing should be activated along with utilizing the **Locator** Program.
 - a. Amber Alert protocols are found on “Amber Alert Wisconsin” web site, www.amberalertwisconsin.org, along with required documents.
 - 1) Amber Alert Criteria:
 - a) Child must be 17 years of age or younger
 - b) Child must be in danger of serious bodily harm or death
 - c) Initiating agency must have enough descriptive information about the child, the suspect(s) and/or the suspect vehicle(s) to believe an immediate broadcast alert will help locate the child
 - b. The WI Crime Alert Network is at www.wisconsincrimealert.gov.
 - c. A Child Is Missing is at www.achildissinging.org
 - d. LOCATER (Lost Child Alert Technology Resources) www.locaterposters.org
 3. Jurisdictional conflicts are to be avoided when a person is reported missing. If a missing person either resides in, or was last seen in this jurisdiction, the Department will immediately initiate the required reporting process. If a missing person legally resides in this jurisdiction and was last seen in another jurisdiction, but the law enforcement agency covering that jurisdiction chooses not to take a missing-person report, the Department will assume reporting and investigative responsibility.
- C. (6.6.5.2) The first responding officer assigned to the report of a missing person shall be responsible for:
1. Responding in a prompt manner to the scene of the report. *Even if the assigned officer has been provided with initial information, such as the missing child’s description and other facts about the incident, it would be inappropriate to delay response to conduct a random search by doing things such as circling through parks, checking playgrounds, or stopping suspicious individuals. Unless, in immediate response to the missing child’s safety, these activities cannot be handled by other patrol units.*

2. Interviewing the person(s) who made the initial report. *The purpose of this interview is to gain an insight into the circumstances surrounding the disappearance and other information needed to conduct an initial assessment of the case. Note: Using a specifically designed missing-person report form to gather information will enable the first responder to more promptly reach an accurate risk assessment.*
3. Obtain a description of the missing person. *The collection of information about the missing person, including race, height, weight, hair and eye color, clothing, and other noteworthy features, should be done promptly and relayed to other officers who may be assisting in the investigation. Recent photographs and/or videotape should be secured if available.*
4. Verifying that the person is in fact missing. *In the case of children, first responders should never assume that searches conducted by distraught parents or others have been performed in a thorough manner. Another check of the house and grounds should be made that includes places where children could be trapped, asleep, or hiding. Special attention should be paid to enclosures like refrigerators, freezers, and the interior of parked vehicles where limited breathing air may place the child at even greater risk. In the case of older children, first responders should ask if parents have checked with the child's friends or perhaps overlooked or forgotten something the child may have said that would explain the absence. Note: A search of the home should be conducted even if the missing person was last seen elsewhere.*
5. If the report is of a runaway 13 or older, with no "at risk" factors:
 - a. Complete the Missing/Runaway Form
 - b. Obtain a photograph of the missing person.
 - c. Have the missing person entered into CIB/NCIC.
 - d. Follow-up any immediate leads as to the person(s) location.
 - e. Broadcast the missing person(s) description.
6. If the report is of a missing adult under the age of 21 years old:
 - a. Complete the Missing/Runaway Form
 - b. Obtain a photograph of the missing person.
 - c. Have the person entered into CIB/NCIC (there is no waiting period for entry into NCIC).
 - d. Follow-up on any leads as to the missing person(s) location.

7. If the report is of a missing adult age 21 or older and circumstances indicate the need for an investigation and entry into NCIC the officer will:
 - a. Complete the Missing/Runaway Form
 - b. Obtain a photograph of the missing person.
 - c. Have the person entered into CIB/NCIC.
 - d. Follow-up on any leads as to the missing person(s) location.

8. Confirming custody status. *First responders should ascertain whether a dispute over the child's custody may have played a role in the disappearance. Questions regarding whether the reporting party has full legal custody, if the noncustodial 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.* Officers will 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, members of the Department will open a case when it can be shown that the child has been removed, without explanation, from his or her usual place of residence.

9. Identifying the circumstances of the disappearance. *First responders need to ascertain whether the circumstances surrounding a person's disappearance are such that a heightened level of response is warranted. If "unusual circumstances" exist the decision to employ additional response methods is clear. In other situations where the circumstances are not clear, officers should keep the missing person's safety in mind and act accordingly.*

10. Determining when, where, and by whom the missing person was last seen. *This information is needed to determine factors, such as abduction time frame, window of opportunity, and verification of previously received information.*

11. Interviewing the individual(s) who last had contact with the missing person. *Effective questioning of those individuals who last saw or spoke with a missing person is crucial in the case-assessment process. While seeking information about the person's appearance, demeanor, and actions, officers should also be alert to contradictions or evasiveness by the witness, especially if these statements cannot be readily substantiated.*

12. Identifying the missing person's zone of safety for his or her age and physical and mental state. *Responding officers should attempt to determine how far*

the missing person could travel from the location where last seen before he or she would most likely be at risk of injury or exploitation. This perimeter should, under many circumstances, define the first search zone.

13. Making an initial determination of the type of incident. *By employing all available assessment tools (i.e., completion of standardized forms; interviews with parents, other family members, and friends; statements of witnesses; and search of scene), an officer should be able to reach a preliminary determination regarding the type of case and need for additional resources.*

Notes: Officers must be cautious in “labeling” or classifying a missing-person case, since the classification process shall affect the way in which initial information or evidence is gathered. Even if first indications suggest a “less urgent” incident, officers should consider all possibilities until the case category is clearly determined.

14. Obtaining a description of the suspected abductor(s) and other pertinent information. *Officers need to immediately record witness information, not only for general investigative use, but also before witnesses forget or speak to others who may confuse or make suggestions about what was actually observed. If the abduction scene involves a business or other public place, officers may be able to supplement witness information with video from security cameras that might provide crucial information about the suspect, vehicles, and circumstances. In the case of a suspected family abduction, the reporting party may have photographs of the abductor or other valuable information.*
15. Determining the correct NCIC Missing Person File category and ensure that a notification is promptly transmitted and waivers are signed to enter information into systems. *There are 6 categories within the Missing Person File. They are disability, endangered, involuntary, juvenile, catastrophe, and other. Quickly entering this information into NCIC will increase the possibility of identifying a missing person coincidentally stopped or observed by law-enforcement personnel not yet aware of the incident at hand. In the case of a missing child, simply because the child is younger than 18 does not require that the juvenile category must be used. The circumstances of the disappearance should govern category selection.*
16. Providing detailed descriptive information required for the entry into NCIC to the La Crosse County Emergency Dispatch Center (LCCEDC) who will make the appropriate entry into NCIC and provide copies of the paperwork for the incident file. *As information becomes available regarding the missing person’s*

physical appearance, circumstances of the case, or description of the potential abductor, the initial officer should ensure that other officers and agencies are provided with up-to-date facts through the LCEDC.

17. *Identifying and interviewing everyone at the scene. The name, address, home and work telephone numbers of everyone present at the scene, along with his or her relationship to the missing person, should be recorded. If possible, include them in photographs and/or videotapes of the incident scene. By interviewing each person privately, officers may be able to uncover information that shall be instrumental in resolution of the case.*

 18. *Conduct a thorough search of the scene or any other area of relevance, such as high school locker. With the assistance of additional personnel, a systematic, thorough search of the incident scene should be conducted. If appropriate, officers should obtain written permission to search houses, apartments, outbuildings, vehicles, and other property that might hold information about the person's disappearance. Officers are again reminded to conduct a thorough, immediate search of the child's home and property — even if the disappearance supposedly took place elsewhere. When possible, officers should also search a missing child's school locker, as well as any computer or electronic messaging systems to which a child has access.*

 19. *Securing and safeguarding the area as a potential crime scene. If unusual circumstances exist, first responders must take control of the immediate area where the incident occurred and establish an appropriate perimeter to avoid destruction of vital evidence. In addition to external crime scenes, the missing person's home, and particularly his or her bedroom, should be secured and protected until evidence and identification material, such as hair, fingerprints, and bite marks are collected.*

 20. *Preparing necessary reports and completing appropriate forms. Information gathered by the first responding officer(s) may be instrumental in the eventual case resolution. To record this important information, officers should prepare a chronological account of their involvement and actions in the case from time of assignment to the point of dismissal. Reports should include everything, not just those events that seem to have a direct bearing on the case.*
- D. (6.6.5.4)The police chief or his/her designee will immediately review the report of a missing person and shall be responsible for:
1. *Obtaining a briefing from the first responder(s) and other agency personnel at the scene. This briefing allows the supervisor to determine the scope and complexity of the case and develop an appropriate response. The briefing*

should be conducted away from family, friends, or any other individuals who may be present. Doing so shall allow officers to speak freely about the events that have transpired and pass along initial impressions and opinions that might be misconstrued by others.

2. Determining if additional personnel and resources are needed to assist in the investigation. Detectives shall be contacted for their input and/or involvement for situations with unusual circumstances. The Police Chief or his designee shall be notified when time permits involving situations with unusual circumstances. *Depending upon the situation, a supervisor may determine that additional personnel, including specialized units, should be called to the scene or otherwise assist in the investigation. It is the supervisor's responsibility to ensure that the appropriate investigative unit has been notified and is responding to the correct location.*
3. Consider activation of the **AMBER ALERT** System, WI Crime Alert Network, **Locator** Program, and/or other immediate community notification methods, such as "A Child is Missing", or "Reverse 911" (contact Emergency Government through LCCEDC). ***THE 7 RIVERS AMBER ALERT PLAN BOOK SHALL BE REFERENCED FOR ACTIVATION. A copy can be located on the Police computer network.***

If circumstances indicate the chances for the child's safe recovery would be increased by immediate public awareness, the police chief should promptly implement such efforts.

The Chief/Lieutenant/designee will coordinate activation/cancellation of the AMBER alert following the guidelines set forth in the 7 Rivers AMBER Alert plan book. The Chief or Lieutenant will staff the designated "call center" for the first 24 hours which will be located at the Holmen Police Department (608)526-4212 unless determined otherwise. After the first 24 hours the Command Staff will review staffing needs and make adjustments as necessary.

4. Establishing a command post, if needed. *As a general rule the command post should be close enough to the center of activity to facilitate control and coordination, but sufficiently apart to allow a free exchange of ideas among responders. Using the victim's home as a command post is not recommended.*
5. Organizing and coordinating search efforts. *The police chief should appoint a search operation coordinator, though a mutual aid request, who can oversee the search effort while the police chief remains available to manage the entire investigation.*
6. Ensuring that all required notifications have been made. *Because dissemination of information is an integral part of the search for a missing*

person, the supervisor should ensure that all officers, other departments and agencies, and all investigative networks are supplied with accurate details.

7. Establishing a liaison with the victim's family. Families of a missing person will experience extreme stress. The police chief or designee should establish a liaison with the victim family who can explain what investigative actions are being employed and what they can do to assist in the search
 8. Confirming that all agency policies and procedures are observed. *In addition to providing the direction required during a missing-person investigation, the police chief or designee must also ensure that the rules and regulations of a professional law-enforcement organization are adhered to. Established policies and procedures, especially those related to missing children, should be regularly reviewed to ensure compliance.*
 9. Managing media relations. *Many missing-person investigations, especially those involving large-scale search efforts, are likely to draw media attention. The police chief or designee should manage media presence in a way that complements, rather than conflicts with the investigation.*
- E. (6.6.5.3)The officer assigned to continue the investigation of a missing person shall be responsible for:
1. Obtaining a briefing from agency personnel at the scene. *This briefing should be conducted prior to interviews with family members of the missing person or witnesses who may have been identified during the initial stage of the case. Its objective is to assist the investigator in formulating an effective interview strategy.*
 2. Verifying the accuracy of all descriptive information. *The verification process should include all details developed during the preliminary investigation. During the interview process, the investigator should be alert to facts or statements that conflict with those gathered by the first responder.*
 3. Conducting a neighborhood investigation, if appropriate. *A thorough canvass of the neighborhood should be conducted without delay. The objective is to identify and interview all persons within the abduction zone who may provide information related to the incident. Investigators should use a standardized set of questions to ensure completeness and uniformity of information and facilitate establishment of a database to track leads. A record should also be made of all vehicles parked within the neighborhood and any other conditions that may have future investigative value. Access should also be made to the Sex Offender Registration list to determine if individuals designated as sexual predators reside, work, or might otherwise be associated with the area.*

4. Obtaining a brief history of recent family dynamics. *Information about family dynamics, obtained from family members, neighbors, teachers, classmates, employers, coworkers, friends, and witnesses, can offer valuable insights into what may have happened to the missing person and where he or she may be found. Records of family contact maintained by law-enforcement agencies, social-service departments, schools, and other organizations should also be obtained and evaluated.*
5. Exploring the basis for conflicting information. *When preliminary investigative steps have been taken, investigators should “compare notes” with the first responder, fellow officers, and other agency personnel to identify and work through conflicting information. This collaborative evaluation will provide the investigative staff with a solid foundation upon which to structure future case directions.*
6. Implementing effective case management. *Depending on the resources available, information may either be computerized or incorporated in a simple card system. Both methods are used to record, index, cross-reference, and retrieve the facts amassed during an investigation. The method doesn’t matter as long as the system works for the officer in charge of solving the case. Note: The National Center for Missing & Exploited Children (NCMEC) can provide computer software designed for effective case management.*
7. Evaluating need for additional resources and specialized services. *The complexity of many missing-person incidents may necessitate the use of resources and services both from within the agency and from other organizations as well. Officers should be aware of the input that can be obtained from resources such as the FBI & NCIC (both contacted through the LCCEDC) and the National Center for Missing & Exploited Children (1-800-843-5678) — in particular **Team Adam**, which is a rapid-response team of experienced law-enforcement investigators.*
8. Updating descriptive information within thirty days if person is still missing. *If it appears that the case will not be promptly resolved, investigators should ensure that the descriptive record, especially 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. Monitoring media relations. *While information gained through effective media relations is often of significant value in a missing-person case, investigators should review all notices prior to release to ensure that investigative*

objectives are not unintentionally compromised.

F. Ongoing Investigations of missing persons should include but should not be limited to the following actions and activities:

1. Request release of dental records and any fingerprints available.
2. Contact hospitals and the coroner's office as appropriate for injured or deceased persons fitting the description of the missing person.
3. Thoroughly check the location at which the missing person was last seen and conduct interviews as appropriate with persons who were with the individual or who may work in or frequent the area.
4. Conduct interviews with any additional family, friends, work associates, schoolmates and teachers as well as school counselors and social case workers, as appropriate, to explore the potential for foul play, voluntary flight, or, in the case of juveniles, parental kidnapping or running away.
5. Provide identification and related information to all elements of this agency, the State DOJ missing persons' authority, neighboring police agencies and, if parental or stranger-to-stranger abduction is suspected, the FBI.
6. Decisions to use local media to help locate missing persons shall be made with the approval of the police chief and the missing person's family.
7. The lead officer shall maintain routine on-going contact with the missing person's closest relative concerning progress of the investigation. These and other relevant individuals shall be informed that they must notify the lead officer as soon as any contact is made with the missing person.

V. RECOVERY OF MISSING PERSON AND CASE CLOSURE

A. Competent adults, having left home for personal reasons, cannot be forced to return home. Officers locating such individuals shall:

1. Advise them that they are the subject of a missing person investigation;
2. Ask if they desire the reporting party or next-of-kin to be notified of their whereabouts; and
3. Make provisions to transmit this information to the reporting party or next-of-kin, if permitted by the missing person.

B. In all cases, reporting parties shall be informed of the well-being of the located

missing person. Unless criminal matters necessitate other action, desires of missing persons not to reveal their whereabouts shall be honored.

- C. Missing persons shall be questioned to establish the circumstances surrounding their disappearance and whether criminal activity was involved.
- D. In cases involving juveniles, officers shall ensure that:
 - 1. The return of the juvenile is verified by meeting with the child in person when possible.
 - 2. The juvenile receives medical attention, if necessary, in a timely manner;
 - 3. Initial questioning of the youth identifies the circumstances surrounding the child's disappearance, any individuals who may be criminally responsible, and/or whether an abusive or negligent home environment was a contributing factor; and
 - 4. Parents, guardians, and/or the person reporting the missing youth are notified in a timely manner.
- E. Upon location of a missing person, all agencies and information systems previously contacted for assistance shall be notified or updated.
- F. Where indicated, follow-up action shall include filing of an abuse and neglect report with the appropriate County Human Services Department within 12 hours.
- G. The case report shall include a complete report on the whereabouts, actions, and activities of children while missing.
- H. Where indicated, criminal charges shall be filed.

Chief of Police
Shane Collins

This Policy & Procedure cancels and supersedes any and all previous written directives relative to the subject matter contained herein.

Initial 09/07/2016