



## **47.0 Missing Person Investigations**

This General Order consists of the following sections:

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### **Purpose:**

To establish uniform procedures for the investigation and reporting of missing persons, both adults and children.

### **Discussion:**

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 instances in which persons disappear for unexplained reasons and under circumstances that indicate they are at risk. The role of the initial responding deputy is critical in identifying the circumstances surrounding missing persons and identifying those persons at risk. The very life of the missing person may well depend on the swift and effective mobilization of investigative resources.

### **Summary:**

The Washington County Sheriff's Office will respond in person to all reports of missing or unidentified persons, whether they are adults or children, in a timely manner, and will provide appropriate assistance to other law enforcement agencies attempting to locate or investigate reports of missing or unidentified person(s) who may be in the Department's jurisdiction.

### **Definitions:**

**Missing Child:** Family Law Article, Sec. 9-401 of the Annotated Code of Maryland defines a "missing child" as a person under the age of 18 years who is the subject of a missing persons report filed with a law enforcement agency in this State and whose whereabouts are unknown which includes: lost, abducted, kidnapped, child custody dispute, or apparent runaway.

**Missing Person:** A person of any age who is reported missing by someone concerned for the person's health, safety, and well-being.

General:

Generally, a person may be declared “missing” when his or her whereabouts are unknown and unexplainable for a period of time that is regarded by knowledgeable parties as highly unusual or suspicious in consideration of the subject’s behavior patterns, plans, or routines.

1. Family Law, Section 9-402 of the Maryland Annotated Code states that a law enforcement agency **may not** adopt rules, regulations, or policies that prohibit or discourage the filing of a report or the taking of any action on a report that a child is a missing child or that a child is believed to be a missing child. The Department will accept the report of a person, missing within the geographic boundaries of Washington County, from any reasonable complainant immediately under almost any circumstances. Special consideration will be given to situations in which domestic violence is suspected, as well as child custody disputes. In those circumstances, special care must be taken to ensure the missing person reporting process is not being used inappropriately.

#### **47.1 Missing Children: Initial Report and Investigation**

- A. Patrol Deputies will be responsible for responding to the initial report of a missing child.
- B. Any time a call is received indicating a child is or may be missing, the deputy is required to make personal contact with the complainant. Should the juvenile return to the residence prior to the deputy’s arrival, the call for service will be closed as “unfounded.”
- C. Upon arrival at the report of a missing child, the responding deputy shall immediately determine if the case meets the criteria of a “Critically Missing Child”.
- D. If, upon initial investigation, it appears that the child is lost or the victim of a criminal act, i.e., abduction/kidnapping, or meets one of the following “critical factors” from the State of Maryland Missing Person Report Form, the deputy will immediately notify the on-duty supervisor.
- E. Child Criticality Factors
  1. The missing child has not been the subject of a prior missing person’s report;
  2. The missing child suffers from a mental or physical handicap or illness that causes an increased risk of harm during the child’s disappearance;
  3. The disappearance of the missing child is of a suspicious nature or in any way dangerous;

4. The person filing the report of a missing child has reason to believe that the missing child may have been abducted;
  5. The missing child has previously been the subject of a child abuse report filed with a State or local law enforcement agency; or
  6. The missing child is under 17 years of age.
- F. Upon conclusion that any one of the conditions specified above exists, deputies shall immediately:
1. Enter all necessary and available information into the National Crime Information Center (NCIC) computer network within 2 hours after receipt of the minimum information necessary to make the entry;
  2. Institute appropriate *intensive* search procedures;
  3. Notify the National Center for Missing and Exploited Children;
  4. Enlist the aid of the Department of State Police, when appropriate, in locating the missing child.
- G. The initial responding deputy must gather as much pertinent information as possible in order to properly classify a missing person report and initiate a proper response. Initial description and information to be gathered will include, but not be limited to the following:
1. Physical description (Age, race, sex, height, weight, DOB, clothing, etc.);
  2. Mental/Physical condition; medication being taken;
  3. Direction/mode of travel; vehicle description; destination and/or areas frequented;
  4. Persons in the company of;
  5. Date/Time/Location last seen;
  6. The relationship of the missing person to the person making the report;
  7. Whether the subject has been missing on prior occasions and the degree to which the absence departs from established behavior patterns, habits, or plans;
  8. Whether the individual has been involved recently in domestic incidents; suffered emotional trauma or life crises; demonstrated unusual, uncharacteristic, or curious behavior; is dependent on drugs or alcohol; or has a history of mental illness;
  9. Access to money or credit cards; removal of clothing, keepsakes, and toiletries, etc.
- H. Additionally, especially in the case of a young child missing from the home or near the home, every effort will be made by initial responding units to make a thorough search of the area where he or she was missing

from, including areas the child is known to frequent, their residence, neighbor yards, etc.

1. The Washington County Sheriff's Office Search Urgency Form should be utilized in situations where a missing child is on foot or without motorized transport and believed to be lost or missing in a certain area.
  2. In the case of a critically missing child, believed to be on foot in a given area, all available resources should be considered. The resources to be used will again be at the discretion of the investigating deputy and the Duty Officer depending on the specific circumstances.
  3. Search managers should only be contacted in circumstances where their enhanced skills would be appropriate. For example:
    - a. A search manager, skilled in wilderness search management, would not bring any additional investigative technique to the investigation of a 16-year-old runaway, last seen getting into a friend's vehicle.
    - b. A person with a developmental disability, lost in the Indian Springs Wildlife Management area after a family outing, would certainly require the technical expertise of a search manager.
- I. As soon as practical, the investigating deputy will request a local broadcast on the missing child. If the missing child's possible/probable destination is known, the investigating deputy may request a message be sent to the appropriate area of destination requesting their assistance. A regional teletype may be issued, if necessary.
- J. Family members should be interviewed separately. Deputies must remain objective and realize that a family member may later become a suspect if the child has been abducted or injured. Deputies must ensure they interview individuals separately and preserve potential evidence while remaining alert to demeanor and attitude throughout the interview.
- K. Once contact has been made with the complainant, and the deputy has established that the child is missing, a Missing Person Report will be completed. The deputy will also prepare a supplement report narrative to detail the circumstances surrounding the disappearance. The report will contain all investigative efforts taken to locate the juvenile.

- L. If it is found that more than one subject is missing, a separate report number, Missing Person Report, and supplement report must be completed for each subject.
- M. The deputy will complete the Missing Person Report as completely as possible, acquiring a photo of the missing child if available.
- N. Upon becoming acquainted with the facts of the investigation, the Duty Officer will determine if a detective is to be immediately assigned to the case and also what additional search efforts will be used. These efforts may include, but are not limited to, the use of K-9 teams, a helicopter, search parties, AMBER Alert plan activation, media representatives, etc.
- O. The Criminal Investigation Unit shall immediately enter the investigation of a "Critically Missing Child" case if the Duty Officer, after consulting with the investigating deputy, believes:
  - 1. There is any indication of foul play or criminal conduct connected to the child's disappearance, or;
  - 2. The Duty Officer believes a detective's special training or abilities would provide an investigative resource not available to patrol.
    - a. When a detective is called to the scene of any missing person investigation, the detective may use relevant portions of the "Missing Person Long Form" to aid in the investigation.
    - b. Any portions of the Long Form completed should be stored in the working case file located in the Duty Officer desk area.
- P. The deputy will advise the complainant they must immediately notify the Department if the child is located or heard from so that follow-up investigation can be completed, and the missing child can be removed from NCIC.
- Q. The deputy will complete all reports involving missing persons before the tour of duty is completed. The supervisor will ensure the Emergency Communications Center sends (when appropriate) any teletype(s) for missing children believed to be in a specific location outside of Washington County.
- R. In Non-Critically Missing Child Cases, the following actions will be taken:
  - 1. Institute appropriate search procedures and include an ATL broadcast to all area police agencies.

2. Complete a Missing Persons' Report and have the person entered into NCIC within two hours.
  3. Complete a supplement report detailing the circumstances of surrounding the missing person report and documenting all search efforts.
  4. Obtain a recent photograph of the missing child. If possible, obtain several photographs taken at different angles. Distribute these photographs to all responders.
  5. Submit all completed reports to the Duty Officer prior to the investigating deputy securing from duty.
- S. During the initial investigation into a missing child, supervisors are responsible for ensuring:
1. The investigation into the missing person is thorough and complete with consideration given to the search urgency score, if applicable, and the capabilities of the missing person.
  2. The missing person is entered into NCIC within 2 hours.
  3. The missing person is entered on the MPR board.
  4. The complete file, with photo when available, is placed in the MPR file with an entry made in the MPR logbook.
  5. The 24-hour follow-up is conducted with a supplemental report of the findings.

#### **47.2 Activation of the Maryland Amber Alert Plan.**

- A. The Maryland AMBER plan is set in motion by the Maryland State Police (MSP) only upon requests made by law enforcement. Members making such requests must first determine that all the following criteria exist:
1. Investigating deputy verifies that a child has been abducted.
  2. Investigating deputy believes the circumstances surrounding the abduction indicate the child is in serious danger of bodily harm or death.
  3. There must be enough descriptive information about the child, abductor and/or suspect's vehicle to believe an immediate broadcast alert would help.
  4. The abductor and/or child are likely to still be in the broadcast area.
- B. To further clarify these activation criteria, the Maryland AMBER Plan defines an "abduction" as: "A child who is reported to be involuntarily missing from the person(s) having care-taking responsibilities for the child. There is an eyewitness who states that the child was taken by a

person or persons for whom there is a physical description, a vehicle description (if one is involved), and a direction of travel from the point last seen. Lacking an eyewitness, there exists articulable evidence that the child's disappearance was not voluntary."

1. The facts supporting these criteria should be consistent with the deputies' investigation and generally not based solely upon a parent or caregiver's unsupported assertion.
2. Child abduction by a non-custodial parent is not a case that would routinely meet Maryland AMBER plan criteria, unless the investigating deputy(s) can articulate a reasonable suspicion that the parent intends to physically harm the child.
3. Upon confirmation of the above criteria, a supervisor will contact Communications and request plan activation.
4. Communications will immediately contact the MSP Headquarters Duty Deputy, request that the Maryland Amber plan be activated, and provide the MSP Headquarters Duty Deputy with call-back information and a point of contact for the MSP AMBER Alert Coordinator to call for verification of the Alert's contents.

#### **47.3 Missing Adults: Initial Report and Investigation**

- A. "Missing Adult" is defined as a person who is 18 years of age or older and the subject of a missing person's report and whose whereabouts are unknown.
- B. Patrol Deputies will be responsible for responding to the initial report of a missing adult.
- C. Any time a call is received indicating an adult is or may be missing, the deputy is required to make personal contact with the complainant. Should the adult be located prior to the deputy's arrival, the call for service will be closed as "unfounded."
- D. Upon arrival at the report of a missing adult, the responding deputy shall immediately determine if the case meets the criteria of a "Critically Missing Adult" by considering the following criteria:
  1. A "Critically Missing Adult" is a missing adult who meets one or more of the following criteria:
  2. The missing adult suffers from a mental or physical handicap or illness such as Alzheimer's or dementia.
  3. The disappearance of the missing adult is of a suspicious or dangerous nature.

4. The person filing the report of a missing adult has reason to believe the missing adult may have been abducted.
5. The missing adult appears to have just wandered away from a location and the weather conditions are such that extended exposure to the weather could cause severe injury or death.
6. The missing adult is 70 years of age or older.
7. The missing adult is a client of Project Lifesaver.

E. If the missing adult is determined to be a “Critically Missing Adult”, then the following actions shall be immediately taken:

1. Institute appropriate *intensive* search procedures and include an ATL broadcast to all area police agencies.
2. Complete a Missing Person’s Report and have the person entered into NCIC within two hours.
3. Complete a supplement report detailing the circumstances of surrounding the missing person report and documenting all search efforts.
4. If the person is a Project Lifesaver client, have the communications center notify Project Lifesaver officers to respond with receiving equipment.
5. Obtain a recent photograph of the missing adult. If possible, obtain several photographs taken at different angles. Distribute these photographs to all responders.
6. Submit all completed reports to the Duty Officer prior to the investigating deputy securing from duty.

F. The initial responding deputy must gather as much pertinent information as possible in order to properly classify a missing person report and initiate a proper response. Initial description and information to be gathered will include, but not be limited to the following:

1. Physical description (Age, race, sex, height, weight, DOB, clothing, etc.);
2. Mental/Physical condition; medication being taken;
3. Direction/mode of travel; vehicle description; destination and/or areas frequented;
4. Persons in the company of;
5. Date/Time/Location last seen;
6. The relationship of the missing person to the person making the report;
7. Whether the subject has been missing on prior occasions and the degree to which the absence departs from established behavior patterns, habits, or plans;



8. Whether the individual has been involved recently in domestic incidents; suffered emotional trauma or life crises; demonstrated unusual, uncharacteristic, or curious behavior; is dependent on drugs or alcohol; or has a history of mental illness;
  9. Access to money or credit cards; removal of clothing, keepsakes and toiletries, etc.
- G. Upon becoming acquainted with the facts of the investigation, the Duty Officer will determine if a detective is to be immediately assigned to the case and also what additional search efforts will be used. These efforts may include, but are not limited to, the use of K-9 teams, a helicopter, search parties, SILVER Alert plan activation, media representatives, etc.
- H. The Criminal Investigation Unit shall immediately enter the investigation of a “Critically Missing Adult” case if the Duty Officer, after consulting with the investigating deputy, believes:
1. There is any indication of foul play or criminal conduct connected to the adult’s disappearance, or
  2. The Duty Officer believes a detective’s special training or abilities would provide an investigative resource not available to patrol.
  3. When a detective is called to the scene of any missing person investigation, the detective may use relevant portions of the “Missing Person Long Form” to aid in the investigation.
  4. Any portions of the Long Form completed should be stored in the working case file located in the Duty Officer desk area.
- I. In Non-Critically Missing Adult Cases, the following actions will be taken:
1. Institute appropriate search procedures and include an ATL broadcast to all area police agencies.
  2. Complete a Missing Persons’ Report and have the person entered into NCIC within two hours.
  3. Complete a supplement report detailing the circumstances of surrounding the missing person report and documenting all search efforts.
  4. Obtain a recent photograph of the missing adult. If possible, obtain several photographs taken at different angles. Distribute these photographs to all responders.

5. Submit all completed reports to the Duty Officer prior to the investigating deputy securing from duty.
6. Complete a 24-hour follow-up with a supplemental report of the findings.

#### **47.4 Activation of the Maryland Silver Alert Program**

- A. The Maryland “Silver Alert” plan is set in motion by the Maryland State Police (MSP) only upon requests made by law enforcement. Members making such requests must first determine that all the following criteria exist:
  1. The missing person must suffer from a cognitive impairment, such as Alzheimer’s or dementia;
  2. The person’s disappearance must pose a true threat to the person’s health and safety;
  3. The missing person must be travelling in a vehicle and there must be enough descriptive information about the person and the vehicle for police to issue an alert;
  4. The investigating police department has already activated a local alert by contacting media in their area; and
  5. The missing person has been entered into the National Crime Information Center database.
- B. The facts supporting these criteria should be consistent with the deputies’ investigation and generally not based solely upon a caregiver’s unsupported assertion.
- C. Upon confirmation of the above criteria, a supervisor will contact Communications and request plan activation.
- D. Communications will immediately contact the MSP Headquarters Duty Deputy, request that the Maryland “Silver Alert” plan be activated and provide the MSP Headquarters Duty Deputy with call-back information and a point of contact for the MSP “Silver Alert” Coordinator to call for verification of the Alert’s contents.

#### **47.5 Follow-Up Investigation**

- A. A CIU supervisor will review the initial report and assign the case for follow-up investigation:
  1. At the start of the first business day following the initial report in critically missing juvenile and adult cases.

2. At the start of the first business day following the 24-hour follow-up in non-critically missing adult and juvenile cases.
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- B. The assigned detective will contact the reporting person within 12 hours of being assigned the case to introduce him or herself and acquire any additional information necessary to continue the investigation. From that point on, follow-up contact will be made on an “as needed” basis to progress the investigation and provide updates to concerned parties.
  - C. For children, the detective will contact the Department of Social Services - Child Protective Services to ascertain any information they may have in reference to the child.
  - D. Detectives conducting follow-up investigations will make every appropriate effort to expeditiously locate the missing subject.
  - E. Once a child has been missing for 72 hours, the detective will facilitate, with the National Center for Missing and Exploited Children (NCMEC) the composition of a flier that includes a photograph of the missing person, physical description, clothing and Departmental contact information. That flier will be posted on the Washington County Sheriff’s Office social media pages and distributed to the local media. Additionally, the flier will be added to the National Center for Missing and Exploited Children website and the Maryland Center for Missing Children website. Distribution to allied police agencies will be conducted through the National Center for Missing and Exploited Children and the Maryland Center for Missing Children via their established distribution lists.
  - F. If the subject is missing for 30 days, the detective will request the subject’s dental records and fingerprints from the complainant, parent or guardian if any such records exist. This information, as well as any other pertinent details will be updated in the NCIC entry. The investigation will remain “open” until the detective determines that a change in the case status is warranted.

#### **47.6 NCIC Entry**

- A. The investigating deputy will ensure that a NCIC entry is initiated for every State of Maryland Missing Person Report Form he or she completes. A record for a missing person who is under the age of 21 must be entered into NCIC using one of the appropriate categories

(Disability, Endangered, Involuntary, Juvenile, or Catastrophe Victim) within two hours of receipt of the minimum data required to enter a NCIC record. A missing person report filed with an agency is sufficient documentation for entering a juvenile in the NCIC Missing Person File. Updates to the NCIC entry will be completed once the report is completed and forwarded to the Communications Section.

#### **47.7 Case Closure / Cancellation – Adult / Children**

- A. Missing persons reports can only be closed by a deputy in person. The deputy closing the investigation will verify the return and identity of the missing person. If the missing person is found in another jurisdiction, the deputy may have the police department in that jurisdiction make the verification.
- B. The deputy will complete a supplement report that will include, but not be limited to:
  - 1. Location where the subject was found,
  - 2. Subject's physical and mental condition
  - 3. How identity was verified,
  - 4. Synopsis of any charges contemplated,
  - 5. Reason person was missing, where they had been, etc.
- C. All teletypes, lookouts, or computer entries will be canceled. The supervisor of the deputy who handles the closure of a missing person report will assure that all of these tasks are accomplished.
- D. The detective assigned to the case will be notified either verbally or via email.
- E. The complainant will be advised of the relevant details of the case and the subject's location when appropriate. (Deputies are cautioned in this regard that every case presents different problems, and that discretion will be exercised where appropriate in furnishing information.)
  - 1. If the missing person has been the subject of foul play, is deceased, or is in a severely deteriorated physical/mental condition, personal contact will be made with the complainant.
  - 2. In cases involving missing persons located outside Washington County, NCIC entries can only be canceled if a law enforcement officer contacts the subject in person, confirms they've been located and checks their welfare.

3. In all other cases, deputies should make personal contact with the located missing person to personally check their welfare.
- F. In the event a missing child is determined to be a “runaway,” the deputy will:
1. Interview the child to ascertain his general physical and mental condition; the reason for his disappearance; and his location while missing;
  2. Contact the Human Trafficking Regional Navigator if circumstances indicate a trafficking risk.
  3. Notify the on-call Department of Juvenile Services (DJS) Intake Deputy if the parent/guardian refuses to take custody of their child.
- G. If a missing adult is located with no criticality factors and requests that his or her whereabouts be withheld, the closing deputy will honor this request. The deputy will contact the reporting individual and inform him that the adult missing person has been located, that his welfare has been verified, and that pursuant to a request, no additional information will be provided.

#### **47.8 Locating Missing Persons from other Jurisdictions**

- A. When locating a person reported missing from another jurisdiction, the deputy will ensure that a NCIC “hit confirmation” request is sent to the originating jurisdiction to confirm the person is still considered missing. Once confirmation is received, if a child is involved, the child will be held until they can be turned over to the other agency or their parents/guardian. If the found person is an adult, the agency will be notified that the missing person has been located. The adult will not be taken into custody unless there are other circumstances such as the commission of a crime or the need for an emergency evaluation.