DAVIS POLICE DEPARTMENT
MISSING PERSONS/RUNAWAYS
Policy and Procedure 2.23-A

DEPARTMENT MANUAL

I. POLICY

The Legislature of the State of California finds and declares that it is the duty of all law enforcement agencies to immediately assist any person who is attempting to make a report of a missing person or runaway (Penal Code § 14205). This Policy will assist members in that duty.

The Davis Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Davis Police Department gives missing person cases priority over property-related cases and will not require any time frame to pass before beginning a missing person investigation (Penal Code § 14211). Members dispatched to a missing person call will promptly respond to the call.

Members responding to any incidents involving missing persons, including, but not limited to, runaways or a report by a person that a person’s whereabouts are unknown, shall immediately take a full police report and make an assessment of reasonable steps to be taken to locate the person. All proper forms shall be filled out and filed.

If the missing person or runaway is under 21 years of age, or there is evidence that any person is at risk, a “Be on the Look-Out” (BOLO) shall be broadcast on the Davis Police primary radio frequency without delay. In addition, a missing person entry shall be submitted through the California Telecommunications System (CLETs) within two hours of receiving the initial report on any missing person case.

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system’s individual criteria (See PP 2.46-A).

In cases where the Davis Police Department takes a report where the missing person’s residence is not in Davis, a copy of the report shall be forwarded to the law enforcement agency having jurisdiction of the residence address of the missing person or runaway and of the place where the person was last seen.

II. PROCEDURE

A. Definitions

1. At risk - Includes, but is not limited to (Penal Code § 14215):
• A victim of a crime or foul play.
• A person missing and in need of medical attention.
• A missing person with no pattern of running away or disappearing.
• A missing person who may be the victim of parental abduction.
• A mentally impaired missing person, including cognitively impaired or developmentally disabled.

2. Missing person - Any person who is reported missing to law enforcement when the person’s location is unknown. This includes a child who has been taken, detained, concealed, enticed away or kept by a parent in violation of the law (Penal Code § 277 et seq.). It also includes any child who is missing voluntarily, involuntarily or under circumstances that do not conform to his/her ordinary habits or behavior, and who may be in need of assistance (Penal Code § 14215).

3. Missing person networks - Databases or computer networks available to law enforcement and that are suitable for information related to missing persons investigations. These include the National Crime Information Center (NCIC), the California Law Enforcement Telecommunications System (CLETS), Missing Person System (MPS) and the Unidentified Persons System (UPS).

4. Child- while California considers a child to be a person under eighteen years of age, for purposes of this policy federal law considers any person under the age of twenty-one years to be a child.

B. Required Forms and Biological Sample Collection Kits

The Investigation Lieutenant will ensure the forms and kits are developed and available in accordance with this policy, state law, federal law and the California Peace Officer Standards and Training (POST) Missing Persons Investigations guidelines, including:

• Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation (Penal Code § 13519.07).
• Missing person school notification form.
• Medical records release form from the California Department of Justice.
• California DOJ missing person forms as appropriate.
• Biological sample collection kits.

All forms are also kept as attachments to this policy in the Department Manual.

C. Acceptance of Reports

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay (Penal Code § 14211). This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those members who do not take such reports or who are unable to render immediate assistance shall promptly dispatch or alert a member who can take the report.
A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any other question of jurisdiction (Penal Code § 14211).

D. Initial Investigation

Members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

1. Respond to a dispatched call for service as soon as practicable.
2. Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.
3. Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both.
4. Broadcast a “Be on the Look-Out” (BOLO) bulletin if the person is under 21 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 21 years of age or may be at risk (Penal Code § 14211).
5. Ensure that entries are made into the appropriate missing person networks as follows:
   a. Immediately, when the missing person is at risk.
   b. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.
6. Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
7. Collect and/or review:
   a. A photograph and a fingerprint card of the missing person, if available.
   b. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
   c. Any documents that may assist in the investigation, such as court orders regarding custody.
   d. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
   e. When circumstances permit and if appropriate, attempt to determine the missing person’s location through his/her telecommunications carrier.
8. Contact the appropriate agency if the report relates to a previously made missing person report and another agency is actively investigating that report. When this is not practical, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

E. Report Procedures and Routing

Members shall complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

F. Supervisor Responsibilities

The responsibilities of the supervisor shall include, but are not limited to:

1. Reviewing and approving missing person reports upon receipt.
2. Ensuring resources are deployed as appropriate.
3. Initiating a command post as needed.
4. Ensuring applicable notifications and public alerts are made and documented.
5. Ensuring that records have been entered into the appropriate missing persons networks.
6. Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
7. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

G. Records & Communication Responsibilities

Records and/or Communications shall:

1. Broadcast any required BOLO.
2. Enter the missing person into CLETS.
3. As soon as reasonable under the circumstances, and only if the reviewing supervisor has not already done so, notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person’s residence in cases where the missing person is a resident of another jurisdiction (Penal Code § 14211).
4. Notify and forward a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen (Penal Code § 14211).
5. Notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person’s intended or possible destination, if known.
6. Forward a copy of the report to Investigations.
7. Coordinate with the NCIC Terminal Contractor for California to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (42 USC § 5780).

H. Investigations Follow-up

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

1. Shall ensure that the missing person’s school is notified within 10 days if the missing person is a juvenile.
2. The notice shall be in writing and should also include a photograph (Education Code § 49068.6).
3. The investigator should meet with school officials regarding the notice as appropriate to stress the importance of including the notice in the child’s student file, along with contact information if the school receives a call requesting the transfer of the missing child’s files to another school.
4. Should re-contact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available via the reporting party.
5. Should consider contacting other agencies involved in the case to determine if any additional information is available.
6. Shall verify and update CLETS, NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (42 USC § 5780).
7. Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
8. Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children® (NCMEC) if the missing person is under the
age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (42 USC § 5780).

9. Should make appropriate inquiry with the coroner’s office.

10. Should obtain and forward medical and dental records, photos, X-rays and biological samples pursuant to Penal Code § 14212 and Penal Code § 14250.

11. Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not previously been obtained and forward the photograph to California DOJ (Penal Code § 14210) and enter the photograph into applicable missing person networks (42 USC § 5780).

12. Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).

13. In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 586).

I. Locating Missing Persons or Runaways.

1. If the missing person returns:
   a. Supplement the report indicating the person is no longer missing
   b. Have dispatch remove the person from CLETS.
   c. Close the case after dispatch removes them from the Missing Person System. A copy of the CLETS Teletype shall be scanned to the original report.

2. Runaways shall be dealt with pursuant to PP 3.04-B, Juvenile Procedures, and 3.16-A, Juvenile Detentions.
   a. When a runaway has returned the call-taker will create a call using the event type “SUPP”. The reporting person’s name, phone number, the name of the runaway, and the case number shall be included in the call.
   b. A dispatcher shall dispatch a PSS or officer to call the reporting party back, and update the report.
   c. The runaway should then be removed from CLETS. All printouts shall be scanned to the original report.

3. If the missing person report was taken by an outside agency and the person is located by Davis PD, dispatch shall notify the original reporting agency as soon as possible the person was located. A report shall be generated indicating the circumstances of the location. CLETS teletypes shall be scanned to the report.

J. Unidentified Persons

Members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying themselves should:

1. Obtain a complete description of the person.
2. Enter the unidentified person’s description into the NCIC Unidentified Person File.
3. Use available resources, such as those related to missing persons, to identify the person.

K. Case Closure

The Investigations supervisor/manager may authorize the closure of a missing person case after considering the following:
1. Closure is appropriate when the missing person is confirmed returned or evidence has matched an unidentified person or body.
2. If the missing person is a resident of Davis or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
3. If this department is not the lead agency, the case can be made inactivated if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks as appropriate.
4. A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

L. Training

Subject to available resources, Professional Standards should ensure that members of this department whose duties include missing person investigations and reports receive regular training that includes:

1. The initial investigation
2. Assessments and interviews
3. Confirming missing status and custody status of minors
4. Evaluating the need for a heightened response
5. Identifying the zone of safety based on chronological age and developmental stage
6. Briefing of department members at the scene.
7. Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).
8. Verifying the accuracy of all descriptive information.
9. Initiating a neighborhood investigation.
10. Investigating any relevant recent family dynamics.
11. Addressing conflicting information.
12. Key investigative and coordination steps.
13. Managing a missing person case.
14. Additional resources and specialized services.
15. Update procedures for case information and descriptions.
17. Internet and technology issues (e.g., Internet use, cell phone use).
18. Media relations.

Darren Pytel
Police Chief

Created: 2/00
Reviewed: 1/01
1/02
1/03
8/05
04/08
09/11
Revised: 6/02 additional procedures added to reporting
8/02 AMBER Network Added, including info for AB 415
8/05 CHP Bulletin #135 replaced by CHP Bulletin #169
03/07 RIMS procedures updated
01/09 CLETS entry changed to 2 hours. AMBER procedure updated.
04/10 info added
04/11 new number for ENTAC and AMBER alert info added
10/11 added section 1, under II, D
1/13 Silver Alert Added
04/17 changes made to entire policy
06/19 new forms added