



Apex Police Department General Order



Apex Police Department		General Order	
Title Missing Persons		Order Number 1107-20	
Effective Date: February 12, 2020		Amends: 1107-14	
CALEA Standard: 41.2.5, 41.2.6		Rescinds:	
Reference: NCGS 143B-499.7 NCGS 143B-499.8 Amber Alert Guide G.O. – 1204 - DCI Operations		Pages: 8	
Forms: F1204d – Missing Person Entry Transaction Form North Carolina Amber Alert Form North Carolina Amber Alert Release of Information Form (English and Spanish) North Carolina Silver Alert Information Form North Carolina Silver Alert Release of Information Form North Carolina Silver Alert Deactivation Form			

Missing Persons

Purpose

The purpose of this directive is to provide a standard operating procedure for the department response to missing persons.

Policy

It will be the policy of the Apex Police Department to fully investigate cases of missing persons, including runaway, abandoned, abducted or otherwise missing children and persons, in accordance with this directive and the National Search Assistance Act of 1990. The agency will use the North Carolina Amber and Silver Alert Systems in situations deemed appropriate and consistent by the guidelines established by those plans. (41.2.6 (a))

Definitions

Catastrophic Victim—a missing person of any age following a manmade or natural disaster.

Critical Missing Person—any missing person meeting the following criteria:

- All juveniles under 15 years of age, regardless of the circumstances

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- Any missing person who is mentally incapacitated
- Any missing person who is drug dependent, including prescribed medication and/or illegal substances and the dependency is potentially life threatening
- A patient from a hospital that presents an imminent danger to him/herself or others
- Any missing person believed to be in a life threatening situation
- Any missing person believed to be in the presence of someone who could endanger the missing person's welfare
- Any instance where there is a real or suspected danger of foul play
- An absence inconsistent with the missing person's established pattern of behavior and the deviation cannot be readily explained
- Other unusual circumstances where the on-duty supervisor concludes the person should be considered critically missing or "at-risk" (41.2.5 (g))

Missing Adult—any missing person who is 18 years of age or older.

Missing Child—any missing person who is younger than 18 years of age.

Missing Person—any person whose whereabouts are unknown, whatever the circumstances of the disappearance. A missing person is considered as such until located and the well-being of the person is established.

Runaway—any juvenile who intentionally leaves from his/her parent, guardian or authorized person in order to be free of control or restraint without the consent of his/her parent or guardian.

Collection and Recording of Information

1. The Telecommunicator who receives the report of a missing person will: (41.2.6 (e))

- Collect appropriate information to assist the responding officer(s)
- Prioritize the call based on the factors received from the reporting person and dispatch officers accordingly
- Collect essential information from the caller and transmit appropriate radio alerts and DCI/NCIC BOLO message providing descriptive information about the person, the person's last known location and, when appropriate, any information concerning potential abductors and their means and direction of travel to all agency personnel (41.2.5 (b)) (41.2.6 (c))
- If possible, inform the reporting person that he/she should not disturb or tamper with the home, school or location where the missing person might have been or the missing person's belongings
- Where possible and appropriate, search agency records for information that may facilitate the search and investigation. These include records that establish whether incidents have been reported in the vicinity that may have some bearing on the case such as: complaints of attempted abductions; residents in the vicinity who are

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designated as sex offenders; a history of domestic incidents involving the missing person; criminal history of the missing person or others at the person's home address; prior reports of absence on the part of the missing person; and juvenile delinquency reports of the missing juvenile and/or siblings.

Initial Call Response

1. Once a decision has been made to classify a case as a Critical Missing Person, the classification cannot be changed without the prior approval of the Chief of Police or the Patrol or Criminal Investigations Commander, unless the missing person has been located.
2. There is no minimum time requirement that a person must be missing before a missing person investigation can be initiated.
3. Reports of missing persons will normally be assigned to the patrol officer assigned to the district of occurrence, unless compelling circumstances indicate the case should be handled initially by the Criminal Investigations Division or School Resource Officers.

Initial Officer Responsibilities

1. The following initial information will be gathered at a minimum by the responding officer. (41.2.5 (a)) (41.2.6 (e))
 - Name, address, and other personal data
 - Physical description
 - Clothing description
 - Last known location
 - Probable destination
 - Vehicle that may be involved
 - Contributing circumstances, such as argument, personal pressures, or previous absences
 - Health, habits, daily routine
 - A photograph of the missing person must be obtained, which will become part of the missing person folder and be returned to the family upon locating the missing person
 - Other specific information that could assist in locating the person
2. The initial assigned officer will check following for the missing person:
 - Local hospitals to verify if the missing person has been admitted or treated (41.2.6 (e))
 - Criminal justice information services to determine if the person is in custody (41.2.6 (e))

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3. The initial officer will complete Form F1204d – NCIC Missing Persons Transaction Entry and submit it to the on-duty Telecommunicator for entry into NCIC and DCI. A DCI entry will be made when any of the following are established (41.2.5 (b)) (41.2.5 (c)) (41.2.6 (e)):
 - A person of any age is missing and has a proven physical or mental disability or is senile
 - In any situation when circumstances indicate the absence is not voluntary
 - A person of any age is missing after a catastrophe
 - A person of any age is in the company of another person under circumstances indicating that his/her physical safety is in jeopardy
 - A child is missing
 - In addition, children will be reported to the North Carolina Center for Missing Persons, a DCI message will be sent statewide and, if the specified victim criteria are met, the Amber Alert Notification System will be activated
4. The assigned officer will notify the on-duty supervisor for missing person classification. (41.2.6 (b))(41.2.4)

Supervisor Responsibilities

The supervisor will: (41.2.6 (e))

- Determine the classification of the missing person as defined under critical missing person and determine if a command post is required
- Contact the on-call detective in all critical missing person cases and request his/her assistance with locating/investigating the missing person
- Ensure that a cursory search of the last known location and/or residence of the missing person has been completed
- Notify the Patrol Division Commander

Criminal Investigation Division Responsibilities (41.2.6 (e))

1. When requested the on-call detective or other assigned detective will respond.
 - The on-duty supervisor will brief and provide all available information to the assigned investigator.
 - The assigned investigator will assume responsibility for the investigation.
2. The assigned investigator will perform a follow-up contact(s) with the reporting party to determine the current status of the missing person and details of the person's absence. (41.2.5 (e))
3. The assigned investigator will perform additional subsequent contacts as appropriate, dependent upon the circumstances surrounding the individual's absence, investigative leads and other variables unique to the particular situation. (41.2.5 (e))

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4. The assigned investigator will conduct follow-up investigations in accordance with the following timeline: (41.2.5 (f)) (41.2.6 (f))
 - Critical Missing Persons – at minimum, every 24 hours
 - Non-Critical – at minimum, every 48 hours
5. The assigned investigator will ensure the appropriate information has been entered into DCI/NCIC.

Critical Missing Person/Command Post Operations

The supervisor will: (41.2.6 (e)) (41.2.5 (f))

- Determine if additional officers should be dispatched to the scene in order to conduct a physical search
- Determine if other personnel, special equipment, or other agencies are needed for assistance in conducting the search
- Until relieved, be responsible for the search operation and the coordination of all personnel and agencies involved
- If the person is located during the search, the locating officer will transport the individual to his/her home, to a medical facility, or to the Apex Police Department; depending upon the circumstances surrounding the situation. If medical attention is necessary, EMS should be notified and the person may be transported to a medical facility.

Operational Plan

1. Once the determination has been made that a search and rescue is warranted, a specific plan will be developed by the Incident Commander. At a minimum, the plan will provide for the following: (41.2.5 (f))
 - Designation of the command officer to serve as Incident Commander
 - Coordination of operations within the department and with outside agencies by the Incident Commander
 - Outside agencies may include the Wake County Sheriff's Office, North Carolina State Highway Patrol, Apex Fire Department, Wake County Emergency Medical Services, Wake County Emergency Management/Public Safety, and other Town departments
 - The use of any special operational components, such as the Emergency Response Team or requests for a K-9 unit from another agency
 - The mapping of any travel or search routes required
 - Provisions for emergency first aid, ambulance, and medical assistance
 - Applicable procedures for coordination among departmental units and outside agencies, including radio communication procedures

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- Logistical requirements including the number of officers and other personnel needed and use of special equipment

Missing Persons Located

1. In all cases, reporting parties will be informed of the well-being of located missing persons.
2. Missing persons who return or have been located will be verified in person, whenever possible, and will be questioned to establish the circumstances surrounding their disappearance and whether criminal activity was involved.
3. If indicated, the appropriate social service agency will be contacted to assist with intervention, including, but not limited to, mental and/or physical health examinations and arrangements for family counseling.
4. The assigned officer/detective will notify the Communications Center to cancel the DCI/NCIC entry for the returned missing person. The reporting officer will also document the cancellation of the entry within the supplemental report. (41.2.5 (c))
5. If an Amber/Silver Alert has been issued, appropriate cancellation procedures will be followed and forms will be completed.
6. A competent adult, having left home for personal reasons, cannot be forced to return home. Officers locating such person will:
 - Advise the person that he/she is the subject of a missing person report
 - Ask him/her if he/she desires that the reporting person be made aware of his/her whereabouts
 - If the subject indicates that he/she does not want his/her whereabouts known by the reporting person and upon being satisfied as to his/her safety and well-being, notify the reporting jurisdiction via teletype or telephone

Amber Alert System (41.2.5 (d)) (41.2.6 (d))

1. The Amber Alert System is to provide a statewide system for the rapid dissemination of information regarding abducted children. The following criteria are required for an Amber Alert to be issued:
 - The child is 17 years of age or younger
 - The abduction is not known or suspected to be by a parent of the child, unless the child's life is suspected to be in danger of injury or death
 - The child is believed to have been abducted or to be in danger of injury or death
 - The child is not a runaway or voluntarily missing

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- The abduction has been reported to and is being investigated by a law enforcement agency
2. After completing the investigation and determining the case meets the qualifying criteria, the investigator will call the NC Center for Missing Persons (an agency within the Department of Crime Control and Public Safety) to request an AMBER Alert.
 3. The investigating officer will complete the *North Carolina Amber Alert Form* and fax the completed form to the North Carolina Center for Missing Persons.
 4. The investigating officer will request the family complete *North Carolina Amber Alert Release of Information Form* and fax the completed form to the North Carolina Center for Missing Persons.
 5. The NC Center for Missing Persons is the only agency that is authorized to issue an AMBER Alert. The NC Missing Persons Center contacts the NC State Highway Patrol with instructions to issue an Emergency Alert System (EAS) message.
 6. When the missing person is located the investigating officer will notify the NC Center for Missing Persons to cancel the AMBER Alert.

Silver Alert System (41.2.5 (d))

1. The Silver Alert program is to provide a quick way to locate missing persons who may be endangered.
2. ALL of the following statutory criteria must be met before the NC Center for Missing Persons will activate a Silver Alert:
 - The person is believed to be missing – regardless of circumstance
 - The person is believed to be suffering from dementia, Alzheimer's or a disability that requires him/her to be protected from potential abuse or other physical harm, neglect, or exploitation
 - A legal custodian of the missing person has submitted a missing person's report to the local law enforcement agency where the person went missing
 - Law enforcement reports the incident to the NC Center for Missing Persons
3. After completing the investigation and determining the case meets the qualifying criteria, the investigating officer will call the NC Center for Missing Persons to request a Silver Alert.
4. The law enforcement agency will send completed *North Carolina Center for Missing Persons Silver Alert Information form* to the center outlining the necessary information about the missing person.

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5. The investigating officer will request the family to complete *North Carolina Silver Alert Release of Information Form* and fax the completed form to NC Center for Missing Persons.
6. The NC Center for Missing Persons is the only agency that can activate a Silver Alert and will do so ONLY at the request of an investigating law enforcement agency. It is then the responsibility of the center to determine whether there is sufficient identifying data to justify a Silver Alert activation.
7. If the person is located the investigating officer will complete *North Carolina Silver Alert Deactivation Form* and fax it to the NC Center for Missing Persons.

Text in "Green" denotes significant policy change.

BY ORDER OF:



John W. Letteney
Chief of Police