



Portsmouth, Virginia Police Department General Orders Manual

Missing Persons		OPR	42
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APPROVED: Edward G. Hargis, Chief of Police			

PURPOSE: To standardize and coordinate the reporting, investigation, and location of missing persons.

POLICY: The Portsmouth Police Department will investigate all missing persons reports regardless of whether the person is an adult or a missing, abandoned, abducted, runaway or other missing status child. Officers shall give investigations the appropriate degree of priority treatment. Follow-up investigations and public safety activities will be timely and comprehensive, and officers will exercise particular care in cases of persons who may be in danger, mentally or physically impaired, unidentified, under a doctor's care, or on life-sustaining medication. Additionally, this department holds that every person reported as missing to be "at risk" until significant information to the contrary is confirmed. There is no waiting period for reporting a missing person, either adult or child. The Department will assist citizens in locating missing persons and attempt to determine the facts and circumstances surrounding a reported disappearance. (41.2.6 a)

PROCEDURES:

I. Reporting guidelines

- A. There is no waiting period. Missing persons (including runaway children) may be reported by a parent, legal guardian, or other responsible adult with knowledge of the circumstances.
- B. Jurisdictional conflicts will be avoided. If a missing person either resides in, or was last seen in Portsmouth, this department will initiate the required reporting process. If a person resides in Portsmouth and was last seen in another jurisdiction, but the responsible law enforcement agency chooses not to take a missing person report, this agency will assume reporting and investigative responsibility.
- C. Custody issues will not delay or impede a missing persons report. It is this department's policy to accept a missing child report even if custody has not been formally established. Officers shall encourage reporting parties to obtain legal custody as appropriate; however, since the safety of the missing child is paramount, department members will open a case when it can be shown the child has been removed, without explanation, from their usual place of residence. (41.2.6 a)
- D. Employees should take missing child reports only from a parent or legal guardian. However, exceptions can be made in certain circumstances where a responsible adult has temporary responsibility for the child. Employees may take reports from group homes or shelter care facilities only if a court or the Department of Social Services placed the juvenile at that group home or shelter facility. In cases where the parents placed the child in the group home or shelter facility, the parents must make the runaway report at the jurisdiction where they reside. However, see I.B above. (41.2.6 a)

- E. Officers will immediately notify the Shift Commander when unusual circumstances exist see II.C below. (41.2.6 b)
- F. A VCIN clerk shall make a National Crime Information Center (NCIC) entry as soon as possible, but no later than two hours after the initial receipt of the 911 call. (41.2.5 c)
- G. The investigator should close the case only when the missing adult or child is located, the reporting party informs the department the person has returned, or when an NCIC message indicates contact by another law enforcement agency. Officers will complete a supplemental report when the missing person has been located or returned, and will contain the following specific information: (41.2.5 c)
 - 1. Date the individual was located.
 - 2. Health and/or condition of the located person
 - 3. If the missing person is a competent adult, note their authorization to release their current location (see IV.B).
 - 4. Place the individual was located and whether they returned home.
 - 5. Identity of person reporting the location/return.
 - 6. How the information was confirmed.
 - 7. Contact information for other agencies assisting in the location/return, if applicable.

II. Missing person definitions

A. Missing Adult

- 1. A person 21 years of age or older; AND
- 2. Whose absence is contrary to his or her normal patterns of behavior; AND
- 3. Such absence may be due to one or more of the unusual circumstances listed in section C below.
- 4. An adult, leaving of his or her own free will absent any risk factors, is not a missing person.

B. Missing Child (Suzanne's Law *42 USC 5779a*, established 2003)

- 1. A person younger than 21 years of age; AND
- 2. Whose whereabouts are unknown to his or her parent, guardian, or responsible party.
- 3. The following terms may apply to a missing child case:
 - a. Non-family abduction: an unknown person takes the child through force or persuasion, and usually in furtherance of additional victimization.
 - b. Family abduction: a non-custodial family member flees with the child, usually in direct violation of a court-ordered arrangement.
 - c. Runaway child: most often a teenager who leaves home voluntarily for a variety of reasons.
 - d. Abandoned/Thrown-away/Unidentified: a child whose caretaker makes no effort to recover the child who has run away, or who is abandoned or deserted. Although not necessarily reported as runaways, these children may come to the attention of employees.
 - e. Lost/Injured or otherwise missing: a child who has disappeared under unknown circumstances. The incident may range from the child wandering away and becoming lost to the child being abducted, wherein no one witnessed the act. These circumstances sometimes involve "foul play" where those reporting the incident are attempting to cover-up a crime involving the child.

C. Unusual Circumstances/Risk factors

1. A missing adult or child will be considered “at risk” when one or more of the following factors exist:
 - a. A missing child 13 year of age and younger (National Child Search Assistance Act).
 - b. Out of the safety zone for his/her age, developmental stage, or mental and physical condition.
 - c. Diminished mental capacity or suicidal tendencies.
 - d. Drug dependent – requires life or health sustaining medications.
 - e. Absent from home for 24 hours **before** being reported to law enforcement as missing.
 - f. A potential victim of foul play or sexual exploitation.
 - g. Believed to be with others who could endanger his/her welfare.
 - h. Believed to be in a life-threatening situation.
 - i. Absent under known circumstances inconsistent with established patterns of behavior.
 - j. Any adult, including Project Lifesaver clients, with altered mental status or perception disorders who wanders away from home or caretakers will be reported as “at risk” missing persons even if located after very short searches.
2. Any other set of circumstances that would lead a reasonable person to believe the adult or child should be considered “at risk.” (41.2.5 f)

III. General procedures for handling missing adult complaints (41.2.5)

- A. Responding personnel will determine if the incident meets the definition of “missing adult,” and obtain an initial description and information to broadcast a BOLO, such as, race, sex, age, weight, height, color of hair. (41.2.5 a, b)
- B. Complete the initial incident report in accordance with ADM-16 (IBR code 99B). The report should contain the following information: (41.2.5 a)
 1. Full, updated information on the reporting person, to include relationship to the victim.
 2. The physical signature of the reporting person on the affidavit for missing persons.
 3. Full, updated information on the missing person, to include scars, marks, tattoos, relevant medical conditions and medications, known or suspected psychological conditions, marital or business problems, financial difficulties, and/or suicide threats, work and/or school locations.
 4. Current photographs of the missing person.
 5. Information identifying the missing person’s primary medical doctor and dentist.
 6. Description of any vehicle the missing person may be driving.
 7. Names of individuals the missing person may be with, and any risks associated with them.
 8. The location of any vacation homes or time share property owned by the missing person, or other locations the person is known to frequent.
 9. Information related to whether the missing person is in possession of firearms or other weapons.
 10. Information related to whether the missing person is active in social media or internet chat, identify and locate the computers primarily used by the missing person.
 11. Details of specific property the missing person took with them, and its significance to them.
 12. Any possible explanation the reporting person can give regarding the disappearance.
 13. Whether foul play is suspected, and why. (41.2.5 a. b)
- C. All missing adult reports require completion of the State Police Adult Clearinghouse report, form SP-67. (41.2.5 b)

- D. The reporting person should be asked to contact the department with any additional information and to contact friends and family of the missing adult.
- E. In cases of unusual circumstances (II.C above), the officer will contact the Shift Commander and a determination made regarding investigator callback.
- F. Missing adult cases will be assigned to the Criminal Investigations Division for follow up. The investigator will re-contact the reporting party as soon as practical to conduct the investigation. (41.2.5 d)
- G. Follow up investigative steps may include: (41.2.5 e)
 - 1. Cell phone tracking
 - 2. License plate reader queries
 - 3. Review of financial/debit card activity
 - 4. Contact with friends and family
 - 5. Social media presence and activity

IV. General procedures for clearing reports of missing adults

- A. Reported missing from Portsmouth:
 - 1. When it is confirmed that a missing adult has been returned or located, a supplement (see I.G.) will be filed under the original report number, AND
 - 2. The Police Records Unit notified to clear the person from VCIN / NCIC. (41.2.5 c)
- B. Reported missing from any other jurisdiction:
 - 1. When it is confirmed that a missing adult has been returned or located, a report (IBR code 99BR) containing the details in Section I.G. will be filed, AND
 - 2. The Police Records Unit will be notified in order to message the originating agency to clear the person from VCIN / NCIC. (41.2.5 c)
- C. To the extent possible, a person's desire to remain "hidden" shall be honored. The reporting person will be notified only of the individual's well being. If the located person is a competent adult, the employee shall determine the person's willingness for their location/whereabouts to be revealed, and shall obtain authorization before giving the reporting person any location or contact information.

V. General procedures for handling missing children complaints (41.2.6 e)

- A. Call takers will process and dispatch the call in a timely fashion, in accordance with established Communications Division protocol regarding missing children in OPR-08, Police Radio Communications. Call takers shall determine if the circumstances of the call meet the definition of a missing child as defined above, notify officers of similar reports at the location, and ensure that a supervisor is aware of the call. (41.2.6 e)
- B. Responding personnel will determine if the incident meets the definition of "missing child", "runaway," abandoned, or abducted.
- C. Obtain an initial description and information to broadcast a BOLO, such as, race, sex, age, weight, height, color of hair. (41.2.5 c)

- D. Complete the initial incident report in accordance with ADM-16. The report should contain the information detailed in III.C above.
1. “Missing child” reports shall use IBR code 99B.
 2. “Runaway” reports shall use IBR code 90R.
 3. “Abduction” reports shall use IBR code 100A.
 4. Employees will complete a State Police Clearinghouse report (form SP-183) for all missing child reports, regardless of IBR code.
- E. In addition to the details from III.C, the following additional information should be included:
1. Child custody issues
 - a. Care should be taken to determine if the child is subject to custody orders.
 - b. If no custody order exists, the officer should attempt to maintain the status quo, as both parents have equal rights to their children. The officer may advise the parents to petition for custody through the court system.
 - c. If a child leaves the home of the custodial parent and freely goes to the home of the non-custodial parent, a runaway report *shall* be taken (and cleared). No VCIN/NCIC entries are required.
 - d. If there is the possibility the child is a victim of kidnapping/abduction, parental or otherwise, the appropriate police response shall be initiated.
 2. For “runaway” reports, the following information should be included:
 - a. Any known history of the juvenile, to include prior runaway incidents, delinquency, school problems (academic and disciplinary), and gang related activity.
 - b. Any friends or associates the runaway may be with, possible locations, and possible vehicles.
 - c. Note that the typical “runaway” is a teenager attempting to cope with a stress event or a chronic offender. However, each incident must be evaluated to clarify “missing child” or “runaway.”
- F. The initial responding officer to a report of a runaway (child 14 and older who voluntarily leaves the home) will broadcast a BOLO and make reasonable attempts to locate the youth.
- G. Runaway reports will be assigned to the Criminal Investigations Division for follow up.
- H. The initial responding officer to a report of a missing child (any child 13 and younger or who meets the II.C. “at risk” criteria) shall: (41.2.6 e)
1. Immediately notify the shift commander. (41.2.6 b)
 2. Obtain a signed “consent to search” form for the primary residence and any outbuildings and vehicles.
 3. Conduct a detailed and thorough search of the primary residence, including closets, crawl spaces, attics (if accessible), pools, sheds, and vehicles.
 4. Identify and separately interview everyone at the scene.
 5. In cooperation with the shift commander and the responding investigator, evaluate for abduction and Amber Alert criteria.
 6. File the report with Police Records for VCIN/NCIC entry within two hours. (41.2.6 c)
- I. The shift commander or designated supervisor shall: (41.2.6 e)
1. Establish an incident command post.

2. Determine if additional resources and or equipment are needed.
3. Contact the Criminal Investigations Division in accordance with callback guidelines and notify the Chief of Police via the chain of command.
4. Coordinate a detailed and thorough search of adjacent properties, including outbuildings, pools, vehicles, and brush/woods/ditches. Consent will be obtained from property owners prior to opening/entering any building or vehicle.
5. Coordinate with assigned investigator and evaluate for abduction and Amber Alert.
6. Ensure that we notify other local law enforcement agencies within two hours of the missing child.
7. Notify the Public Information Officer.
8. Coordinate other investigative steps as required, until relieved.

J. The investigator shall: (41.2.6 e, f)

1. Re-contact the reporting party, if not called out to the initial incident.
2. Assist as required with coordination of search efforts.
3. Evaluate the need for additional resources and specialized services such as the FBI, missing children clearinghouses the National Center for Missing and Exploited Children.
4. Conduct the follow up investigation, which may include:
 - a. School and workplace checks.
 - b. Social media presence and activity.
 - c. Financial transactions (if appropriate).
 - d. Hospital and medical facility checks.
 - e. Other appropriate investigative procedures.

K. In cases where the child is 13 and is known to be a chronic runaway (3 times or more), the CIU supervisor will assess the case to determine the extent of the search required, specialized services required, and if the Public Information Officer should be notified.

VI. General procedures for clearing reports of missing children

A. Reported missing or runaway from Portsmouth:

1. Officers will file a supplement under the original report number (see I.G.) when they confirm that a child has been returned or located, AND
2. Notify the Police Records Unit to clear the person from VCIN/NCIC.

B. Reported missing or runaway from any other jurisdiction:

1. When officers confirm that a child has been returned or located, they will file a report (IBR code 99BR) containing the details in Section I.G., AND
2. Notify the Police Records Unit in order to message the originating agency to clear the person from VCIN/NCIC.

C. Missing children will generally be returned to the custodial parent. Child Protective Services may be contacted if needed. See Section VII for release of runaways.

D. Unless there is a clear and specific threat to the child's well being or safety, located children will not be permitted to conceal their location from their parents or legal guardians.

E. Missing/runaway children not located by their 18th birthday shall remain in VCIN / NCIC until their 21st birthday, at which time the missing child report shall be cleared and re-entered as a

missing, endangered adult.

VII. Apprehension and custody of runaways

- A. A juvenile taken into protective custody as a runaway is considered a status offender and **cannot** be held in any locked facility unless there are criminal charges (see OPR-16).
- B. Any juvenile taken into protective custody as a runaway shall be held only so long as is reasonably necessary to complete identification, investigation, and processing. The child shall be held under visual supervision in a non-locked, multipurpose area. The child shall not be handcuffed or otherwise secured to a stationary object.
- C. Runaway child:
 1. A juvenile who has run away (or escaped) from a jail or detention home, a residential facility, or a home when placed there by court order, social services, or a licensed child welfare agency shall be released to the home or facility from which he/she ran away or escaped **or** may be detained after the issuance of a detention order.
 2. A juvenile who has run away from home shall be:
 - a. Returned to the home; or
 - b. Released to parents, guardian, legal custodian, or other responsible adult standing *in loco parentis*; or
 - c. Placed in shelter care for not longer than 24 hours after the issuance of a detention order; or
 - d. released
 3. Any officer with a documented runaway child who needs placement assistance may contact the Juvenile Intake Office.
 4. Reasonable attempts will be made to turn over recovered runaways from nearby cities/counties to parents or guardians, or a law enforcement agency with jurisdiction. If unsuccessful, officers will contact the Juvenile Intake Office for a detention order.
 5. Runaway juveniles from outside nearby cities/counties will be turned over to the Juvenile Intake Office. Officers shall provide a copy of a runaway report or hit confirmation from the reporting jurisdiction.

VIII. Response to unusual circumstances

- A. In any missing person incident with unusual circumstances or risk factors, consider:
 1. Potential crime scenes and the need to secure an area.
 2. Existence of potential physical evidence for collection or preservation.
 3. Securing (and possibly secluding) witnesses for interview.
 4. Community notification tools – press releases, Reverse 911, Amber Alert (restrictions apply).
 5. Expanded investigation and/or search resources – call back, mutual aid, canine, air or marine resources. (41.2.6 c)
- B. The welfare of the missing adult or child is our foremost concern and will guide operational and investigational decision-making. When an adult or child reported missing or cannot be identified is found to be the victim: (41.2. 6 a, e, f)
 1. For missing persons, obtain dental x-rays and charts, and medical information, including body x-rays. All x-rays shall be secured as evidence with copies made for investigative purposes.

2. In the event that decomposed or skeletal unidentified human remains are located the medical examiner's office is to respond.
3. Immediately entering information into the National Crime Information Center (NCIC) Missing Person File and as soon as the individual identifying characteristics become available for the state, local or national data base and Unidentified Person File.
4. The department will make all efforts to identify the missing person.

APPROVED: 

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