

## **2.438 MISSING PERSONS**

Agency officers will investigate instances of missing persons and children (including runaways, abandonment, abducted, or other missing status) and submit missing person reports on all persons reported missing from the agency's primary jurisdiction unless the calls have been deemed unfounded by supervisory or administrative ranked personnel.

### **2.438.10 Missing Adults (21 years of age or older)**

- A. The Clery Act and HEOA of 1965, as well as 34 C.F.R. 668.46 establish protocols for resident students of the campus reported missing.
- B. Missing person investigations will be conducted immediately when adults are:
  1. Missing and under proven physical/mental disabilities or are senile, thereby subjecting themselves or others to personal or immediate danger;
  2. Missing and in the company of other persons under circumstances indicating their physical safety is in danger; or
  3. Missing under circumstances indicating that disappearances were not voluntary; or
- C. Upon initial complaint, communications will dispatch an officer to meet with the reporting person.
- D. Upon receipt of a missing person complaint, officers will exhaust all leads in order to make a conclusive determination as to the missing status of the individual.
- E. If the missing person is a student, regardless of age, and currently residing in any residence at the university, notifications must be made within 24 hours to their family if they have not already been contacted.
  1. The Department of Resident Life, Office of Fraternity and Sorority Life, and other housing on campus have notification lists available in the case of a missing student.
  2. If a contact person is designated, Officers shall notify that contact person as soon as practical.
  3. If the student is under the age of 18 and not emancipated, the parents must be notified within 24 hours, whether indicated or not as a contact person.

### **2.438.20 Missing Persons under the age of 21**

- A. Statutes contained in FL 9-401, FL 9-402, U.S.C. 42-5779, and Public Law 108-21 establish criteria and protocols for the investigation of missing children reports.
- B. There is no waiting period before a law enforcement agency initiates an investigation of a missing person under the age of 21 and reports the missing person to NCIC (Suzanne's Law).
- C. Upon initial complaint, communications will dispatch an officer to meet with the reporting person.
- D. Upon receipt of a missing person complaint, officers will exhaust all leads in order to make a conclusive determination as to the missing status of the individual.
- E. Missing person investigations will be immediately initiated when juveniles:
  1. Have never been the subject of previous missing person reports;
  2. Suffer from mental or physical handicaps or illnesses;
  3. Are missing as the result of suspicious or dangerous circumstances;
  4. Are missing as the result of possibly being abducted; or
  5. Have previously been the subject of child abuse reports or investigations; or
  6. Are under the age of 21.

### **2.438.30 Missing Person Investigations, Generally**

- A. The responsibilities of initial investigating officers include, but are not limited to:

1. Obtaining an initial description of the missing person;
  2. Conducting thorough preliminary investigations consistent with **2.308 Preliminary Investigations**;
  3. If the person is under 21 years of age, they should be entered into MILES and NCIC as a missing person;
  4. Requesting communications personnel broadcast descriptions of missing persons;
  5. Requesting teletypes be sent to other, appropriate jurisdictions;
  6. Completing State of Maryland Missing Persons Reports (Form 79);
  7. Contacting on-duty patrol squad commanders to determine immediate follow-up investigations will be conducted; and
  8. Obtaining a color photograph of the victim;
  9. Completing required agency reports.
- B. Patrol squad commanders will:
    1. Determine, through the best information available, if immediate follow-up investigations are necessary;
    2. Ensure State of Maryland Missing Persons Reports (Form 79s) have been completed;
    3. Make appropriate notifications; and
    4. Initiate intensive search and/or investigative actions where circumstances dictate.
  - C. If missing children have not been located within 24 hours of the filing of missing persons reports and either this agency or MSP have reason to believe that the missing children may be located outside our jurisdiction, MSP is required by FL 9-402 to enter the investigation and, in cooperation with this agency, assist state and national efforts to locate the missing children.
  - D. CIU officers are responsible for all follow-up investigations involving missing juveniles when abduction by non-custodial parents or strangers is suspected.
  - E. Search and follow-up procedures for missing adults and juveniles may include, but are not limited to:
    1. Thoroughly checking residences;
    2. Searching immediate areas;
    3. Checking locations where missing persons are thought to frequent;
    4. Interviewing friends, relatives, and acquaintances of missing persons;
    5. Notifying CIU personnel;
    6. Mobilizing off-duty personnel to assist in searches;
    7. Requesting other law enforcement agencies to search specific locations or question specific persons believed to have relevant knowledge;
    8. Requesting investigative assistance from MSP, the FBI, or other relevant law enforcement agencies; and
    9. Contacting reporting persons for follow-ups.
  - F. Investigating officers are responsible for requesting communications personnel enter and remove missing person TTY messages. Communications personnel and their supervisors are responsible for ensuring missing person messages are entered and removed consistent with MILES and NCIC directives.
  - G. Law enforcement agencies in Maryland must enter missing juvenile data/information into NCIC within 2 hours of receipt of the minimum information necessary to make entry.

### **2.438.40 AMBER Alerts**

- A. The Maryland State Police are responsible for the state-wide coordination of the AMBER Alert.
  1. Radio and Television stations volunteer to immediately interrupt programming and broadcast information about a child abduction by using the Emergency Alert System (EAS).
  2. MDOT/SOC will also display information about the alert on DMS signs statewide on all highways.

3. MSP will create an internet post of the missing child, and will also create posters upon request. The color photo of the child is required for this purpose.
- B. AMBER Alert guidelines are set by the State:
  1. AMBER Alerts may be requested only by law enforcement;
  2. AMBER Alerts are intended only for the most serious, time-critical child abduction cases;
  3. AMBER Alerts are not intended for cases involving runaways or parental abductions, except in life-threatening situations.
  4. AMBER Alerts are only for juveniles (persons 17 years of age and younger).
- C. Criteria for an AMBER Alert are as follows:
  1. Officers verify that the child has been abducted;
  2. Officers believe 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, and the suspect or the suspect vehicle to believe an immediate broadcast would help.
  4. The abductor and/or child are likely to still be in the broadcast area.
- D. When officers reasonably believe a case meets the criteria for an AMBER Alert, they will contact the MSP Headquarters Duty Officer at (410)486-3101 or (800)525-5555 to request an activation of the AMBER Alert. Contact may be made by telephone, facsimile, or MILES teletype. MSP will call back to verify the information from an officer with detailed knowledge of the case to ensure the AMBER Alert is properly broadcast.

#### **2.438.50 Notice Upon Location of Missing Child**

- A. When a missing child that has been reported to NCIC or MSP is located, MSP will be notified that the child has been recovered.

#### **2.438.60 SILVER Alerts**

- A. The Maryland State Police are responsible for the state-wide coordination of the SILVER Alert.
  1. MDOT/SOC will display information about the alert on DMS signs statewide on all highways.
  2. Upon confirmation of the Silver Alert criteria, the MSP coordinator will contact the Maryland Emergency Management Agency and request an emergency alert. This alert will go to all Maryland police departments, media outlets, and 911 centers.
- B. SILVER Alert guidelines are set by the State:
  1. SILVER Alerts may be requested only by law enforcement;
  2. SILVER Alerts are intended for cases in which the person suffers from a cognitive impairment, such as Alzheimer's, or dementia;
  3. SILVER Alerts will be issued when:
    - a. The persons disappearance poses a true threat to the persons health and safety;
    - b. The missing person must be traveling in a vehicle and there must be enough descriptive information about the person and the vehicle for law enforcement to issue an alert;
    - c. The investigating police department has already activated a local alert by contacting media in their area; and
    - d. The missing person has been entered into the NCIC database.
- C. When officers reasonably believe a case meets the criteria for an SILVER Alert, they will contact the MSP Headquarters Duty Officer at (410)486-3101 or (800)525-5555 to request an activation of the SILVER Alert. Contact may be made by telephone, facsimile, or MILES teletype. MSP will call back to verify the information from an officer with detailed knowledge of the case to ensure the SILVER Alert is properly broadcast.