

ST. CLOUD POLICE DEPARTMENT
Law Enforcement
Policies and Procedures

Subject: Response to Reports of Missing or Endangered Person Policy	Policy Number: 253
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POLICY

The St. Cloud Police Department recognizes that there is a critical need for immediate and consistent response to reports of missing and endangered people. The decisions made and actions taken during the preliminary stages have a profound effect on the outcome of the case. Therefore, this law enforcement agency has established the following responsibilities and guidelines for the investigation of missing and endangered people. All peace officers and other concerned persons employed by this agency will be informed of and comply with the procedures within this order.

PURPOSE

The purpose of this policy is to establish guidelines and responsibilities for the consistent response to and the investigation of all reports of missing and endangered people as defined in Minnesota Statutes, Chapter 299C.52, subdivision 1(c) and (d). (“Minnesota Missing Children and Endangered Persons Program”).

DEFINITIONS

Missing – According to Minnesota Statutes, Chapter 299C.52, subdivision 1(d), missing means “the status of a person after a law enforcement agency that has received a report of a missing person has conducted a preliminary investigation and determined that the person cannot be located..

Endangered – According to Minnesota Statutes, Chapter 299C.52, Subd. 1(c), endangered means "a law enforcement official has received sufficient evidence that the missing person is at risk of physical injury or death." The following circumstances indicate that a missing person is at risk of physical injury or death:

- 1) The person is missing as a result of a confirmed abduction or under circumstances that indicate that the person’s disappearance was not voluntary;
- 2) The person is missing under known dangerous circumstances;
- 3) The person is missing more than 30 days;
- 4) The person is under the age of 21 and at least one other factor in this paragraph is applicable;
- 5) There is evidence the person is in need of medical attention or prescription medication such that it will have a serious adverse effect on the person’s health if the person does not receive the needed care or medication;
- 6) The person does not have a pattern of running away or disappearing;
- 7) The person is mentally impaired;
- 8) There is evidence that the person may have been abducted by a noncustodial parent;
- 9) The person has been the subject of past threats or acts of violence;
- 10) There is evidence the person is lost in the wilderness, backcountry, or outdoors where survival is precarious and immediate and effective investigation and search and rescue efforts are critical;
- 11) Any other factor that the law enforcement agency deems to indicate that the person may be at risk of physical injury or death, including a determination by another law enforcement agency that the person is missing and endangered.

Child – According to Minnesota Statutes, Chapter 299C.52, Subd. 1(a), child means “any person under the age of 18 years or any person certified or known to be mentally incompetent.”

Sufficient Evidence – means articulable facts and circumstances which would induce a reasonably prudent police officer to believe that a crime has been or is about to be committed.

NCIC – means the National Crime Information Center.

CJIS – means the Criminal Justice Information System.

COMMENT

After the St. Cloud Police Department has received a report of a missing person, obtained the basic facts of the case, obtained descriptions of the missing person and abductor (if known), and determined that there is sufficient evidence to believe the person is endangered, the agency will respond according to the following five types of general procedures.

A. INITIAL RESPONSE PROCEDURES

1. Dispatch an officer to the scene to conduct a preliminary investigation to determine whether the person is missing, and if missing, whether the person is endangered.
2. Obtain interpretive services, if necessary.
3. Interview parent(s) or the person who made the initial report.
4. Determine when, where, and by whom the missing person was last seen.
5. Interview the individual(s) who last had contact with the missing person.
6. If the incident is for a runaway, complete the High Risk Runaway Screen for First Responders and follow the directions on the back.
7. Obtain a detailed description of the missing person, abductor, vehicles, etc.
8. Review the criminal history of the missing person for additional descriptors, aliases and out of state IDs to add to the hot file.
9. Obtain a recent photo of the missing person and upload it to Evidence.com. The officer narrative must include the month, day and year the photo was taken. If unsure of the exact date, an estimate of month and year is needed.
10. Identify where dental records can be obtained by Investigators.
11. Immediately enter the complete descriptive and critical information, regarding the missing and/or endangered person, into the appropriate category of the NCIC Missing Person File.
12. Enter complete descriptive information regarding suspects, vehicles, or other means of travel in the NCIC system.
13. Instruct the Communications Center to broadcast known details to other patrol units, other local law enforcement agencies, and surrounding law enforcement agencies, if applicable. If necessary, use the National Law Enforcement Telecommunications System (NLETS), the Minnesota Crime Alert Network and MNJIS KOPS Alert to alert state, regional, and federal law enforcement agencies.

B. RESPONSE IF THE MISSING PERSON IS DEEMED ENDANGERED:

1. Notify the family of crime victim services available and give the family the Crime Victim Services card.
2. Seal the crime scene, do not allow individuals to leave the area until interviewed, and note anyone who may have left just prior to the arrival of law enforcement. Notify a crime scene technician and have them respond or consider using the BCA.
3. Notify the Public Information Officer, activate protocols for working with the media.
4. The sergeant in charge, or designee, will, as required by Minnesota Statute, Chapter 299C.53,

- Subd. 1, contact the Bureau of Criminal Apprehension regarding the incident. Request assistance as necessary.
5. Issue Amber Alert if investigation reveals the incident meets the required guidelines.
 6. Conduct a neighborhood/vehicle canvass.
 7. Arrange for use of helpful media coverage.
 8. Maintain records of telephone communications or messages.
 9. Ensure that everyone at the scene is identified and interviewed separately.
 10. Search the home or building where the incident took place and conduct a search including all surrounding areas. Obtain consent or a search warrant if necessary.
 11. The person in charge of the Criminal Investigations Unit, or his/her designee, will coordinate the investigation.

C. INVESTIGATION OF ENGANGERED MISSING PERSON:

1. Begin setting up the Command Post/Operation Base away from the missing person's residence. Know the specific responsibilities of the Command Post Supervisor, Media Specialist, Search Coordinator, Investigative Coordinator, Communication Officer, Support Unit Coordinator, and two liaison officers (one at command post, one at victim's residence). The role of the liaison at the home will include facilitating support and advocacy for the family.
2. Establish the ability to "trap and trace" all incoming calls. Consider setting up a separate telephone line or cellular telephone for agency use.
3. Compile a list of known sex offenders in the region.
4. In cases of an infant abduction, investigate claims of home births made in that area.
5. Obtain child protective agency records for reports of abuse on child.
6. Review records for previous incidents related to the missing person and prior police activity in the area, including prowlers, indecent exposure, attempted abductions, etc.
7. Obtain the missing person's medical and dental records.
8. Update the NCIC missing person file with any additional information regarding the missing person or suspect as necessary.
9. Interview delivery personnel; employees of gas, water, electric, and cable companies; taxi drivers; post office personnel; sanitation workers; etc.
10. Contact the National Center for Missing and Exploited Children (NCMEC) for photo dissemination and other case assistance.
11. Determine if outside help is necessary and utilize local and state resources related to specialized investigative needs, including:
 - a. Crime Victim Advocates.
 - b. Minnesota Bureau of Criminal Apprehension.
 - c. Federal Bureau of Investigation.
 - d. County Attorney.
 - e. Customs Investigative Services.
 - f. Minnesota State Patrol.
 - g. Minnesota Crime Alert Network.
 - h. Investigative experts in the areas of sexual assault, child maltreatment and/or homicide.
 - i. Searches:
 - 1) Ground Searches – manpower, vehicles and/or mounted patrols.
 - 2) Canine Assisted.
 - 3) Water and Underwater Searches.
 - 4) Air Searches.
 - j. Investigative Resources:

- 1) Child Interviewing.
- 2) Polygraph.
- 3) Profiling/Behavioral Analysis.
- 4) Minnesota Sex and Violent Crime Analysis Programs.
- 5) Crime Analysis/Computer Assistance.
- 6) Forensic Artistry/Crime Scene and Evidence Processing.
- 7) Memory Retrieval.
- k. Interpretive Services.
- l. The Department of Natural Resources.
- m. Telephone Services (traps, trace, etc.).
- n. Media Assistance (local and national).

D. MISSING FOR OVER 30 DAYS

The case shall be routed to the Criminal Investigations Unit once the person has been missing for 30 days.

- a. The assigned Investigator will collect dental records and dental x-rays if available for the missing person and place them in property. Update the NCIC hot file with the information that dental records are available.
- b. DNA samples from family members and, if possible, from the missing person along with any needed documentation, including consent forms, required for the use of state or federal DNA databases. Follow the instructions on the BCA's website for this process.
- c. The collected DNA items shall be submitted to the BCA via the appropriate forms on the BCA website. The investigator will have the NCIC hot file updated to reflect that DNA is available.
- d. The assigned Investigator will contact the BCA Missing Persons/Unidentified Persons Clearinghouse Coordinator to consult with them about the case.
- e. Email the picture of the missing person, including the date the photo was taken, to SCPD-Records@ci.stcloud.mn.us with the ICR to be attached to the hot file by records.
- f. The assigned Investigator will attempt to locate fingerprints of the missing person and place them into property. If fingerprints are obtained, the Investigator will update the NCIC hot file noting that fingerprints are available.

E. PROLONGED INVESTIGATION

1. Develop a profile on the possible abductor.
2. Consider the use of a polygraph for the key individuals within the scope of the investigation.
3. Re-read all reports and transcripts of interviews, revisit the crime scene, review all photographs and videotapes, re-interview key individuals, and re-examine all physical evidence collected.
4. Review all potential witness/suspect information obtained in the initial investigation and consider background checks on anyone identified in the investigation.
5. Develop timeline and other visual exhibits.
6. Critique results of the ongoing investigation with appropriate investigative resources.
7. Arrange for periodic media coverage.
8. Utilize rewards and crime stopper programs.
9. Update NCIC Missing Person File information as necessary.
10. Re-contact the National Center for Missing and Exploited Children (NCMEC) for age progression assistance.

F. RECOVERY OF MISSING PERSON/CASE CLOSURE

1. Arrange for a comprehensive physical examination of the victim.

2. Conduct a careful interview of the missing person, document the results of the interview, and involve all appropriate agencies.
3. Refer family for effective reunification assistance.
4. Cancel alarms and remove case from NCIC and other information systems, and remove posters and other publications from circulation.
5. Perform constructive post-case critique. Re-assess the procedures used and update the department's policy and procedures as appropriate.