



Chapter 3 - General Operations

Section 332 - Response to Reports of Missing and Endangered Persons

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POLICY 332 - RESPONSE TO REPORTS OF MISSING AND ENDANGERED PERSONS

332.1 PURPOSE AND SCOPE

It is the policy of the Grand Rapids Police Department to establish guidelines and responsibilities for the consistent response to, and investigation of, all reports of missing and endangered persons as defined in MN STAT Chapter 299C.52, subd. 1 (c) and (d) ("Minnesota Missing Children and Endangered Persons' Program" referred to as Brandon's Law).

This policy addresses investigations where the person has been determined to be both missing and endangered and includes all procedures required by MN STAT 299C.52.

The Grand Rapids Police Department recognizes there is a critical need for immediate and consistent response to reports of missing and endangered persons. The decisions made and actions taken during the preliminary stages may have a profound effect on the outcome of the case. Therefore, this agency has established the following responsibilities and guidelines for the investigation of missing and endangered persons. All peace officers, employed by this agency, will be informed of, and comply with the procedures contained in this policy.

332.1.1 DEFINITIONS

A. Missing has the meaning given it in MN STAT 299C,52, subd. 1 (d), "The status of a person after a law enforcement agency has received a report of a missing person, has conducted a preliminary investigation, and determined that the person cannot be located".

B. Endangered has the meaning given it in MN STAT 299C,52, subd. 1, (c), "A law enforcement official has recorded 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:

- the person is missing as a result of a confirmed abduction or under circumstances that indicate that the person's disappearance was not voluntary.
- the person is missing under known dangerous circumstances.
- the person is missing more than 30 days.
- the person is under the age of 21 and at least one other factor in this paragraph is applicable.
- 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.
- the person does not have a pattern of running away or disappearing.
- the person is mentally impaired;
- there is evidence that the person may have been abducted by a noncustodial parent.
- the person has been the subject of past threats or acts of violence.
- 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; or
- 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.

C. Child has the meaning given it in MN STAT 299C,52, subd. 1 (a), "Any person under the age of 18 years or any person certified or known to be mentally incompetent".

D. NCIC means The National Crime Information Center.

E. CJIS means The Criminal Justice Information System.

F. DNA means "DNA" has the meaning given it in MN STAT 299C,52, subd. 1 (b), Deoxyribonucleic acid from a human biological specimen.

332.2 POLICY

The Grand Rapids 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 Grand Rapids Police Department gives missing person cases priority over property-related cases and does not require a specific amount of time to have passed before beginning a missing person investigation.

332.3 PROCEDURES

332.3.1 ACCEPTANCE OF REPORTS

Any employee encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in person and initiating the investigation. Those employees who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert an employee 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 question of jurisdiction.

This agency will respond according to the following six types of general procedures:

- Initial Response
- Initial Investigation
- Investigation
- 30 Day Benchmark
- Prolonged Investigation, and
- Recovery/ Case Closure

332.3.2 INITIAL RESPONSE

1. As required by MN STAT 299C.53, subd. 1(a), Law Enforcement shall accept, without delay, any report of a missing person. Law enforcement shall not refuse to accept a missing person report on the basis that:

~~t~~he missing person is an adult;

~~t~~he circumstances do not indicate foul play;

C. the person has been missing for a short amount of time;

D. the person has been missing for a long amount of time;

E. there is no indication that the missing person was in the jurisdiction served by the law enforcement agency at the time of the disappearance;

F. the circumstances suggest that the disappearance may be voluntary;

G. the reporting person does not have personal knowledge of the facts;

H. the reporting person cannot provide all of the information requested by the law enforcement agency;

I. the reporting person lacks a familial or other relationship with the missing person; or
J. for any other reason, except in cases where the law enforcement agency has direct knowledge that the person is, in fact, not missing, and the whereabouts and welfare of the person are known at the time the report is filed.

2. 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.

3. Obtain interpretive services if necessary.

4. Interview the person who made the initial report, and if the person is a child, the child's parent(s) or guardian(s).

5. Determine when, where, and by whom the missing person was last seen.

6. Interview the individual(s) who last had contact with the person.

7. Obtain a detailed description of the missing person, abductor, vehicles, etc. and ask for recent photo of missing person.

8. Immediately enter the complete descriptive and critical information, regarding the missing and endangered person, into the appropriate category of the NCIC Missing Person File.

A. As required by 42 U.S.C. 5779(a) (Suzanne's Law) law enforcement shall immediately enter missing children less than 21 years of age into the NCIC.

B. As required by MN STAT 299C.53, subd. 1(b), if the person is determined to be missing and endangered, the agency shall immediately enter identifying and descriptive information about the person into the NCIC.

9. Enter complete descriptive information regarding suspects/vehicle in the NCIC system.

10. Request investigative and supervisory assistance.

11. Update additional responding personnel.

12. Communicate known details promptly and as appropriate to other patrol units, local law enforcement agencies, and surrounding law enforcement agencies. If necessary, use The International Justice & Public Safety Network (NLETS), the Minnesota Crime Alert Network, and MNJIS KOPS Alert to alert state, regional and federal law enforcement agencies.

13. Notify the family of the Minnesota Missing/Unidentified Persons Clearinghouse services available.

14. Secure the crime scene and/or last known position of the missing person and attempt to identify and interview persons in the area at the time of the incident.

15. Obtain and protect uncontaminated missing person scent articles for possible use by search canines.

16. Activate protocols for working with the media. (AMBER Alert, Minnesota Crime Alert Network)

17. As required by MN STAT Chapter 299C.53, subd. 1(b), consult with the Minnesota Bureau of Criminal Apprehension if the person is determined to be an endangered missing person. Request assistance as necessary.

18. Implement multi-jurisdictional coordination/mutual aid plan as appropriate such as when:

a) the primary agency has limited resources;

b) the investigation crosses jurisdictional lines; or

c) jurisdictions have pre-established task forces or investigative teams.

19. Based on the preliminary investigation, determine whether or not a physical search is required.

332.3.3 INITIAL INVESTIGATION

1. Respond to a dispatched call as soon as practicable. Obtain a detailed description of the missing person, as well as a description of any related vehicle and/or abductor.
2. Canvass the last known area where the missing person was seen, if known.

3. Determine when, where and by whom the missing person was last seen. Interview the person who last had contact with the missing person
4. Arrange for use of helpful media coverage.
5. Maintain records of telephone communications/messages.
6. Ensure that everyone at the scene is identified and interviewed separately.
7. Search the home, building or other area/location where the incident took place and conduct a search including all surrounding areas. Obtain consent or a search warrant if necessary.
8. Relay known details to all on-duty personnel as well as other local or surrounding law enforcement agencies using local and state databases
9. Broadcast a Be on the Look-Out (BOLO) bulletin, and if applicable an Amber Alert, if the person is under 18 years of age or there is evidence that the missing person is endangered. The BOLO and/or Amber Alert should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 18 or may be endangered
10. Notify a supervisor immediately if there is evidence that a missing person is either endangered or may qualify for a public alert, or both
11. Assign an investigator or officer whose duties will include coordination of the investigation.
12. Consult with the Bureau of Criminal Apprehension (BCA) if the person is determined to be an endangered missing person (Minn. Stat. § 299C.53, Subd. 1(b))
13. Ensure that entries are made into the appropriate missing person networks, as follows: Immediately, when the missing person is endangered. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report
14. Collect and/or review: Current photo of missing person, cell phones and/or other electronic devices.

332.3.4 SUPERVISOR RESPONSIBILITIES

The supervisor shall review and approve missing person reports upon receipt and ensure resources are deployed as appropriate, initiating a command post as needed. The reports should be promptly sent to the Records Center. The supervisor shall also ensure applicable notifications and public alerts are made and documented and that records have been entered into the appropriate missing person networks. The supervisor should also take reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

332.3.4 INVESTIGATION

1. Begin setting up the Command Post/Operation Base away from the 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 the command post and one at the 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 and follow up on all leads.
3. Compile a list of known sex offenders in the region.
4. In cases of infant abduction, investigate claims of home births made in the area.
5. In cases involving children, obtain child protective agency records for reports of child abuse.
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, fingerprints and DNA when practical or within 30 days.
8. Create a Missing Persons' Profile with detailed information obtained from interviews and records from family and friends describing the missing person's health, relationships, personality, problems, life experiences, plans, equipment, etc.
9. Update the NCIC file, as necessary with any additional information, regarding the missing person, suspect(s) and vehicle(s).
10. Interview delivery personnel, employees of gas, water, electric and cable companies, taxi drivers, post office personnel, sanitation workers, etc.
11. For persons under the age of 21, contact the National Center for Missing and Exploited Children (NCMEC) for photo dissemination and other case assistance.

12. Determine if outside help is needed and utilize local, state and federal resources related to specialized investigative needs, including:
 13. a) Available Search and Rescue (SAR) resources
 14. b) Investigative Resources
 15. c) Interpretive Services
 16. d) Telephone Services (traps, traces, triangulation, etc.)
 17. e) Media Assistance (Local and National)
18. Secure electronic communication information such as the missing person's cell phone number, email address(s) and social networking site information.
19. Appoint an officer who shall be responsible for communicating with the family/reporting party or their designee and who will be the primary point of contact for the family/reporting party or designee. Provide contact information and the family information packet (if available) to the family/reporting party or designee.
20. Provide general information to the family/reporting party or designee about the handling of the missing person case or about intended efforts in the case to the extent that the law enforcement agency determines that disclosure would not adversely affect the ability to locate or protect the missing person or to apprehend or prosecute any person(s) criminally in the disappearance.

*****MISSING FOR OVER 30 DAYS*****

If the person remains missing after 30 days from entry into NCIC the local law enforcement agency will be contacted by the BCA Missing and Unidentified Persons Clearinghouse to request the following information (if not already received):

1. DNA samples from family members and, if possible, from the missing person.
2. Dental information and x-rays.
3. Additional photographs and video that may aid the investigation or identification.
4. Fingerprints.
5. Other specific identifying information.

This information will be entered into the appropriate databases by BCA Clearinghouse personnel. If the person is still missing after 30 days, review the case file to determine whether any additional information received on the missing person indicates that the person is endangered and update the record in NCIC to reflect the status change.

332.3.5 PROLONGED INVESTIGATION:

The investigator assigned to a missing person investigation:

(a) Should ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.

1. The notice shall be in writing and should also include a photograph.

2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information if the school receives a call requesting the transfer of the missing child's files to another school.

(b) Should recontact 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.

(c) Shall review the case file to determine whether any additional information received on the missing person indicates that the person is endangered, and shall update applicable state or federal databases accordingly (Minn. Stat. § 299C.535(b); Minn. Stat. § 299C.535(c)).

(d) Shall attempt to obtain the following, if not previously obtained, if the person remains missing after 30 days (Minn. Stat § 299C.535(a)):

1. Biological samples from family members and, if possible, from the missing person
2. Dental information and x-rays
3. Additional photographs and video that may aid the investigation or identification
4. Fingerprints
5. Any other specific identifying information

(e) Should consider contacting other agencies involved in the case to determine if any additional information is available.

(f) Shall verify and update the Minnesota Justice Information Services (MNJIS), the Minnesota Missing and Unidentified Persons Clearinghouse, NCIC and any other applicable missing person networks within 60 days of the original entry into the networks and every 45 days thereafter until the missing person is located (42 USC § 5780).

(g) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 45 days.

(h) Should consider taking certain actions if a person is missing after a prolonged period, generally exceeding 45 days. Those actions include:

1. Developing a profile of the possible abductor.
2. Using a truth verification device for parents, spouse and other key individuals.
3. Reviewing all reports and transcripts of interviews, revisiting the crime scene, reviewing all photographs and videotapes, re-interviewing key individuals and reexamining all physical evidence collected.
4. Reviewing all potential witness/suspect information obtained in the initial investigation and considering background checks on anyone of interest identified in the investigation.
5. Periodically checking pertinent sources of information about the missing person for any activity, such as telephone, bank, Internet or credit card activity.
6. Developing a time line and other visual exhibits.
7. Critiquing the results of the ongoing investigation with appropriate investigative resources.
8. Arranging for periodic media coverage.
9. Considering the use of rewards and crime-stoppers programs.
10. Maintaining contact with the family and/or the reporting party or designee, as appropriate.

(i) Shall maintain a close liaison with the National Center for Missing & Exploited Children® (NCMEC) if the missing person is under the age of 21 (42 USC § 5780).

(j) Should make appropriate inquiry with the coroner or medical examiner.

(k) Should obtain and forward medical records, photos, X-rays and biological samples, as applicable.

(l) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously, and forward the photograph to BCA (Minn. Stat. § 299C.54).

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

332.4 WHEN A MISSING PERSON IS FOUND/CASE CLOSURE

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the reporting party and other involved agencies and refer the case for additional investigation if

warranted. The N/A shall ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) Notification is made to BCA.
- (b) A missing child's school is notified.
- (c) Entries are made in the applicable missing person networks.
- (d) When a child is endangered, the fact that the child has been found shall be reported within 24 hours to BCA.
- (e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

Found Alive:

1. Verify that the located person is the reported missing person.
2. If appropriate, arrange for a comprehensive physical examination of the victim.
3. Conduct a careful interview of the person, document the results of the interview, and involve all appropriate agencies.
4. Notify the family/reporting party that the missing person has been located. (In adult cases, if the located adult permits the disclosure of their whereabouts and contact information, the family/reporting party may be informed of this information.)
5. Dependent on the circumstances of the disappearance, consider the need for reunification assistance, intervention, counseling or other services for either the missing person or family/reporting party.
6. Cancel alerts (Minnesota Crime Alert, AMBER Alert, etc), remove case from NCIC (as required by MN STAT 299C.53. subd 2) and other information systems and remove posters and other publications from circulation.
7. Perform constructive post-case critique. Re-assess the procedures used and update the department's policy and procedures as appropriate.

Found Deceased:

1. Secure the crime scene.
2. Contact coroner, medical examiner or forensic anthropologist to arrange for body recovery and examination.
3. Collect and preserve any evidence at the scene.
4. Depending upon the circumstances, consider the need for intervention, counseling or other services for the family/reporting party or designee.
5. Cancel alerts and remove case from NCIC and other information systems, remove posters and other publications from circulation.
6. Perform constructive post-case critique. Reassess the procedures used and update the department's policy and procedures as appropriate.

332.5 UNIDENTIFIED PERSONS

Department members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified person's description into the NCIC Unidentified Person File.
- (c) Use available resources, such as those related to missing persons, to identify the person.

332.6 TRAINING

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

(a) The initial investigation:

1. Assessments and interviews
2. Use of current resources, such as Mobile Audio Video (MAV)
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

(b) Briefing of department members at the scene.

(c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).

(d) Verifying the accuracy of all descriptive information.

(e) Initiating a neighborhood investigation.

(f) Investigating any relevant recent family dynamics.

(g) Addressing conflicting information.

(h) Key investigative and coordination steps.

(i) Managing a missing person case.

(j) Additional resources and specialized services.

(k) Update procedures for case information and descriptions.

(l) Preserving scenes.

(m) Internet and technology issues (e.g., Internet use, cell phone use).

(n) Media relations.