

POLICY AND PROCEDURES MANUAL

Fergus Falls Police Department

Policy Title	Policy Statement on Responding to Reports of Missing, Abducted or Endangered Children or Adults
Policy Number	512 (Formerly 70.10)
Federal References	18 United States Code, Sections 301-302 18 United States Code, Section 1073 18 United States Code, Section 1201, 1591 18 United States Code, Sections 2241-2244, 2251-2252A, 2421-2424 28 United States Code, Section 534 28 United States Code, Section 1738A 42 United States Code, Section 5771-5772 42 United States Code, Section 5779-5780 42 United States Code, Section 14071 42 United States Code, Section 14662
State References	Minnesota State Statutes: 253B.141, 260B.121, 299C.51-56, 626.8454, (3)
References	<u>West Central Minnesota Abduction Investigation Protocol</u> <u>Minnesota Bureau of Criminal Apprehension Field Guide to Abduction/Homicide Major Case Investigation</u> <u>Federal Bureau of Investigation Child Abduction Response Plan and investigative Guide</u> <u>Minnesota Crime Alert Network Amber Alert Action Plan</u>
Effective Date	November 1, 2010
Distribution	All Licensed Peace Officers and Administrative Coordinator
Rescinds	August 1995, September 1996, October 1999

PURPOSE

It is the purpose of this policy to establish guidelines and responsibilities for the investigation of all incidents of runaway, abducted, and/or missing and endangered children and missing adults reported to the Fergus Falls Police Department.

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I. POLICY

It is the policy of the Fergus Falls Department of Public Safety to establish guidelines and responsibilities for the consistent response to, and investigation of, all reports of missing and endangered children as defined in MN Statutes, Chapter 299C.52, subd. 1 (c) and (e) (“Minnesota Missing Children Program”) and missing adults. **The mandatory procedures are highlighted in bold print.**

The Fergus Falls Department of Public Safety recognizes that there is a critical need for immediate and consistent response to reports of missing and endangered children and missing adults. The decisions made and actions taken during the preliminary stages 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 children and missing adults. All peace officers employed by this agency will be informed of and comply with the following required procedures.

After this agency has received a report of a missing or abducted person, obtained the basic facts of the case, descriptions of the missing person and abductor (if applicable and known), and determined that there is sufficient evidence to believe that the person is endangered, the agency will respond according to the following five types of general procedures:

- Initial Response
- Initial Investigation
- Investigation
- Prolonged Investigation, and
- Recovery/ Case Closure.

The facts surrounding each missing and endangered person report will dictate when the procedures are warranted and what the order and priority should be within each of the five categories. However, each of the procedures must be carried out immediately as circumstances warrant and many of the steps will need to be done simultaneously.

II. DEFINITIONS

- A. *Missing (Child)*:** “the status of a child after a law enforcement agency that has received a report of a missing child has conducted a preliminary investigation and determined that the child cannot be located” (MN Statutes, Chapter 299C.52, subd. 1 (c)).
- B. *Endangered (Child)*:** “a law enforcement official has received sufficient evidence that the child is with a person who presents a threat of immediate physical injury to the child or physical or sexual abuse of the child” (MN Statutes, Chapter 299C.52, subd. 1 (e)).
- C. *Child*:** “any person under the age of 18 years or any person certified or known to be mentally incompetent” (MN Statutes, Chapter 299C.52, subd. 1 (a)).
- D. *Sufficient Evidence*:** articulated facts and circumstance which would induce a reasonably prudent peace officer to believe that a crime has been or is about to be committed.
- E. *NCIC*:** the National Crime Information Center

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F. *CJIS*: the Criminal Justice Information System

III. PROCEDURES

A. INITIAL RESPONSE

1. Dispatch an officer to the scene to conduct a preliminary investigation.
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 child was last seen.
5. Interview the individual(s) who last had contact with the child.
6. Obtain a detailed description of the missing child, abductor, vehicles, etc.
7. **Load the NCIC Missing Person File (involuntary category) with complete descriptive and critical information regarding the missing and endangered child.**
8. **Load the NCIC system with complete descriptive information regarding suspects(s).**
9. Request investigative and supervisory assistance.
10. Update additional responding personnel.
11. Broadcast known details on all police communication channels to other patrol units, other local law enforcement agencies, and surrounding law enforcement agencies. If necessary, use the National Law Enforcement Telecommunications Systems (NLETS) and the Minnesota Crime Alert Network to alert state, regional, and federal law enforcement agencies.
12. Notify the family that crime victim services are available, and give the family the Crime Victim Services card.
13. Secure the crime scene, do not allow individuals to leave the area until interviewed, and try to determine if anyone may have left prior to the arrival of law enforcement.
14. Activate protocols for working with the media.
15. **As required by MN Statutes, Chapter 299C.53, subd. 1, contact the Bureau of Criminal Apprehension regarding the incident. Request assistance as necessary.**
16. Implement multi-jurisdictional coordination / mutual aid plan as necessary; i.e.:
 - a) when the primary agency has limited resources;
 - b) when the investigation crosses jurisdictional lines; and
 - c) when jurisdictions have pre-established task forces or investigative teams.

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B. INITIAL INVESTIGATION

1. Conduct a neighborhood/vehicle canvas.
2. Arrange for use of helpful media coverage.
3. Maintain records of telephone communications/messages.
4. Ensure that everyone at the scene is identified and interviewed separately.
5. 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.
6. Assign a trained and/or experienced investigator whose duties will include coordination of the investigation.

C. INVESTIGATION

1. Begin setting up the Command Post/Operation Base away from the child'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.
3. Compile a list of known sex offenders in the region.
4. In cases of infant abduction, investigate claims of home births made in that area.
5. Obtain child protective agency records for reports of abuse on the child.
6. Review records for previous incidents related to the missing child and prior police activity in the area, including prowlers, indecent exposure, attempted abductions, etc.
7. Obtain the child's medical and dental records.
8. Update the NCIC missing person file with any additional information regarding the child 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.

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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:
 - Ground Searches – personnel, vehicles, and/or mounted patrols
 - Canine assisted
 - Water and underwater searches
 - Air searches
 - j) Investigative Resources:
 - Child interviewing
 - Polygraph
 - Profiling/behavioral analysis
 - MN Sex and Violent Crime Analysis Programs
 - Crime analysis/computer assistance
 - Forensic artistry/Crime scene and evidence processing
 - Memory retrieval
 - k) Interpretive Services
 - l) The Department of Natural Resources
 - m) Telephone Services (traps, traces, etc.)
 - n) Media Assistance (Local and National)

D. PROLONGED INVESTIGATION

1. Develop a profile on the possible abductor.
2. Consider the use of a polygraph for the parents and other key individuals.
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 a time-line and other visual exhibits.
6. Critique the results of the on-going investigation with appropriate investigative resources.
7. Arrange for periodic media coverage.

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8. Utilize rewards and crime-stoppers 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.

E. RECOVERY/CASE CLOSURE

1. Arrange for a comprehensive physical examination of the victim.
2. Conduct a careful interview of the child, 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.