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Policy

Cases involving missing persons are serious and must be handled professionally, expeditiously, and with sensitivity. It is the policy of the Somerville Police Department to ensure that reports of missing persons are promptly recorded, assessed, and investigated in accordance with the following procedures. The department recognizes that the initial police response to the report of a missing person is critical to the effective collection of evidence and tracing of leads, as crucial evidence may be lost if it is subsequently discovered that the person was abducted. In particular, great care must be exercised in investigating any missing child case, as all missing children are at risk. [41.2.6 (a)]

Definitions

At Risk Persons: Any person who is physically or mentally challenged and who poses a risk to themselves or others, e.g., mental disorders, suicidal, Alzheimer's patients, or diabetics.

Critically Missing: A reported missing person who is missing and foul play may be a factor; or any child (as defined by the local jurisdiction) or any at risk person.

Missing Child: A child 17 years old or under who's parent or legal guardian reports that their disappearance is outside of a normal behavioral pattern; otherwise any child who is 12 years old or younger.

Procedures

A. Taking a Report

1. The reporting of a missing person report should be done in person whenever practicable and a missing person's form shall be completed.
2. If a report of a missing person is received over the telephone, the officer receiving the report shall explain the procedures of the department requiring a personal submission of a

missing person report. If an immediate emergency exists, an officer shall be dispatched to the reporting party's residence to take a report. If the reporting party resides out of state or the reporter is unable to submit a missing person report in person, the report shall be taken over the telephone. Every effort must be made to verify the legitimacy of a report taken over the telephone. Contact with the police department in the community of the reporting person shall be made for verification. A missing person report form is to be completed whenever a person is reported missing. [41.2.6(e)]

3. In addition, an officer receiving a report of a missing person shall take and record the following information on the departmental missing person form.
 - a. A description of the missing person, including: name, age, sex, physical description, and description of clothing. [41.2.5 (a)]
 - b. Whether the person is mentally or physically impaired; whether they require any medications; if medications are required, the type, frequency, and last administration should be ascertained, if possible.
 - c. The time and place at which the missing person was last seen, anyone who may be accompanying the missing person, and any likely destination to which the missing person may be going.
 - d. The name and address of the individual making the report.
 - e. The relationship between the individual making the report and the person reported missing.
4. If the telephone report is of a missing child, disabled person, or elderly person the officer shall also inquire:
 - a. Whether the absence is a significant deviation from established patterns of behavior and cannot be explained.
 - b. Whether the person has ever run away/gone missing from home before.
 - c. Whether the person is believed to be with others, including friends, parents, siblings, other relatives, or anyone who may endanger the welfare of the missing person.
5. Upon receipt of a report of a missing child, an officer shall be dispatched to the residence or other location where the report originated, shall as soon as possible, begin the follow-up investigation. On duty Detectives should be dispatched to the reporting party's location to lead a more thorough investigation. If the reporting party is not the child's parent, and/or legal guardian, an attempt shall be made to notify the parents, and/or legal guardian, as soon as possible. A missing person report form shall be completed. Copies shall be made and: [41.2.6 (e)]

- a. The original shall be submitted in the same manner as other investigative reports.
- b. A copy is to be placed in the Active Missing Person CJIS file.
- c. A NIBRIS incident report must be filed by the Officer receiving the missing person's report form.
- d. A copy shall be forwarded to the CID/Juvenile Unit (in the case of a missing child) and all on duty investigators.
- e. If a report of a critically missing person, missing child, disabled person, or elderly person is received during a shift where no Detective is on duty, the on call Detectives should be recalled to duty by the Commanding Officer.
- f. The reporting officer, Station Officers, or Commanding Officer shall send out a department wide email outlining the person's personal information, description, circumstances under which they went missing, and possible locations/destinations (if known).
- g. The Commanding Officer will notify the Command Staff via Text Message.

B. Emergency Cases

1. Upon receipt of the necessary information in writing and in emergency cases over the telephone, or in the form of a completed report in the lobby, the Station Officer shall prepare the missing person report for data entry. Immediately enter the necessary information into the CJIS computer system, (refer to NCIC and CJIS manuals for entry format and procedure), and record the NCIC, CJIS, and OCA numbers in the missing person report. [41.2.5 (c)]
2. In the case of a missing child, whenever a parent, guardian, or governmental unit responsible reports the child missing, police officers are required by law to immediately:
 - a. Enter relevant information into the Central Register for Missing Persons.
 - b. Immediately undertake to locate the missing child in accordance with Mass. General Law, Chapter 22A, Section 4.
 - c. Activate the Amber Alert System when:
 - (1). A child under the age of 18 has been abducted
 - (2). The child is in danger of serious bodily harm, injury, or death

- (3). There is sufficient descriptive information to believe an Amber Alert may locate the child. [41.2.6 (d)]
- (4). In the event that the computer network is not functioning, the appropriate entries shall be made as soon as possible.
3. Officers receiving the report are to determine if the missing person is court-committed or a voluntary patient, by calling hospitals and local police departments and shall inquire if the person is considered to be dangerous to themselves or others.
4. The dispatcher shall broadcast to all personnel, with emphasis on all on duty supervisors, the information necessary for the recognition and identification of the missing person, as well as any immediate medical or hazardous conditions. [41.2.5 (b)]
5. The station officers shall compose an email addressed to SPD ALL with the description and a picture (if available) of the missing person.

C. Preliminary Investigation

1. The preliminary investigation of cases involving missing persons shall be the responsibility of the patrol division.
2. If the preliminary investigation fails to locate the missing person, the Street Supervisor will respond to the scene and will ensure that CID is notified immediately, regardless of the age of the missing person. [41.2.6 (e)] The investigating officer should whenever possible interview the person who initiated the report to verify information already available and to obtain further facts which may be helpful, including the following: [41.2.6 (b)]
 - a. Whether the person is drug dependent. (prescribed medication, or illicit drugs).
 - b. The reason for any delay in reporting the person missing.
 - c. In the case of a child, school attending and, if relevant, person who was supposed to meet the child.
 - d. The extent of any search already performed by the caller or other parties, including a list of friends, co-workers, and associates who have been contacted, and a list of any who have not been reached.
 - e. Details regarding any known mental, emotional, or physical impairment of the missing person; whether he or she requires any medications; if medications are required, the type, frequency and last administration should be ascertained, if possible.

- f. A fully detailed description of the missing person.
 - g. Whether the person has ever been reported missing on previous occasions; and if so, the circumstances and where they were found.
 - h. Other information that may be useful in locating the person (for example, particular habits or personal interests, places frequented, location of out-of-city relatives or friends, public social media accounts etc.) and determining whether the person is a potential victim of a crime.
 - i. In the case of a missing child, a check should be made of the last place the child was reportedly seen, including interviews of individuals who were present at the actual scene of the disappearance, as well as friends' homes, playgrounds, place of employment, and other places frequented by the child, as well as local hospitals.
 - j. Where appropriate, department records should be consulted for any further information about the missing person.
3. In the case of a missing child, parental consent to a search of the house for the child should be obtained, and a search should be conducted immediately.
4. If available, a photograph of the missing person always should be obtained. The photograph, with an accompanying description, should be attached to the missing person's report where it may be viewed by any officer. Written permission should be obtained from the family prior to disseminating information to agencies or individuals, other than law enforcement, outside of the department.
5. A detailed description of the missing person shall be broadcast to all patrol cars by Dispatch or by the investigating officer.
6. The officers assigned should conduct a preliminary investigation as described above in an attempt to locate the missing person. When it becomes apparent that the person cannot be located, a more detailed investigation and/or search should be conducted. A lead investigator should be assigned by a CID Supervisor and a priority investigation should be initiated.
7. In any case where it appears that the missing person may not be found locally, or when the preliminary investigation is unsuccessful, the investigating officer shall order notification of the following agencies and data bases, if not previously notified: local police departments, CJIS, and NCIC. In cases of apparent stranger abductions, the FBI should be contacted.
8. Upon the receipt of a report of a missing child, the CID/Juvenile Unit shall contact the last known elementary or secondary school, whether public or private, where the child is enrolled. This notification will act as a flag to the school department to notify the police department of any requests for school records from other schools to which the child may

enroll. If child has been located, the school will be notified of the return by the CID/Juvenile Unit. (Mass. General Law, Chapter 22A, Section 9). In addition to the school department, the City Clerk will also be notified as to flag any requests for the child's birth certificate or other pertinent records.

D. Follow-up Investigation and Search

1. The second phase of the investigation of a missing person case is the intensive investigation and is the responsibility of the CID. Investigators need to immediately pursue whatever leads are available. Contact with the reporting person/s may yield additional information relative to the investigation. [41.2.5(d)(e)] [41.2.6 (e) (f)]
2. Where appropriate, police records should be consulted for any further information about the missing person.
3. In all cases of a critically missing persons regardless of the age, the investigating officer should request from the parent, legal guardian, or reporting entity:
 - a. Written authorization for the release of medical and dental records (required by law in the case of a missing child, (Mass. General Law, Chapter 22A, Section 6), as well as a copy of such records.
 - b. A copy of the missing person's fingerprints, if available.
 - c. A toothbrush, hair brush or other source of cells for DNA testing.
4. Every missing child case requires a suitable follow-up by police. Whenever a child is reported missing by a parent, guardian, or governmental unit responsible for the child, the law requires that police immediately undertake to locate the child (Mass. General Law, Chapter 22A, Section 4). [41.2.6] [41.2.5 (e)]

E. Missing Child

1. **Voluntary Missing Case, including runaway and abandoned children. [41.2.6]**
 - a. Investigation focuses on the family, friends, school, and lifestyle of the missing youth. Resources that the youth may have should be considered. In determining whether a child is voluntarily missing, officers should consider whether the child took any items of sentimental value. This may indicate the child has run away. Other units in the department and nearby jurisdictions should be informed of the case and provided with pictures preferably via email of the missing youth. The officer should instruct the parent to secure a Child Requiring Assistance (CRA) warrant from the juvenile court as soon as possible to aid in recovery of the child. Any indication of neglect or abuse in the family should be considered, and upon recovery of the missing child, appropriate follow-up action should be taken by the investigating officer,

including filing a report with the Department of Children and Families (DCF) under [M.G.L. c.119 § 51A](#). [41.2.6 (c)]

- b. Any child between the ages of 8 days of ten years old may not be willfully abandoned without the parent or guardian having made preparations for their board or maintenance. Any child found in this state will be considered abandoned under [M.G.L. c.119 § 39](#).

2. Parental Kidnapping Case

- a. Parental kidnapping cases require a thorough investigation as the abducting parent is in violation of the law (Mass. General Law, Chapter 265, Section 26A), and the child abducted by a parent could be in serious danger. The investigation focuses on the abducting parent, his or her friends and relatives, and on the needs of the child for public services, such as education, health care, and childcare. A thorough check of bank records, employment, labor unions, credit bureaus, and the Federal Parent Locator Service should be made in an attempt to locate the abductor. If friends or relatives are thought to be in contact with the abductor via the mail, the postal inspector's office may be asked to place a "cover" on that individual's mail. When sufficient supporting data is provided, criminal charges should be filed against the abducting parent and an arrest warrant obtained. The District Attorney's Office should be notified in parental kidnapping cases to expedite court procedures. In certain cases, the District Attorney's office may seek a federal Unlawful Flight to Avoid Prosecution (UFAP) warrant through the United States Attorney's Office.

3. Abduction Cases. [41.2.6]

- a. Abduction cases require that the child be considered in extreme danger and are therefore subject to mobilization of every available resource of the investigating agency. A command post (CP) may be established away from the child's house. An officer may be stationed at the house to maintain communication between the CP and the parents in the event that the child is found or returns home. If the child is found either injured or dead, the officer at the home should be informed discreetly. The search for an abducted child has two purposes, first, to find the child and ensure his or her safety, and second, to identify, locate, and apprehend the abductor and construct a case that will result in conviction. The District Attorney's office and the State Police Missing Person Unit should be notified in all abduction cases. The FBI should be informed of the abduction.

4. Unknown Missing Cases

- a. Unknown missing cases should be investigated using all of the techniques discussed in the other three cases categories. A child who is missing due to unknown circumstances should be assumed to be in extreme danger until facts emerge indicating otherwise. An immediate investigation should be conducted and is required

- by law in the case of a missing child (Mass. General Law, Chapter 22A, Section 4). There should be no waiting period established before taking action. If any unusual circumstances are present, a command post may be set up and an extensive search and investigation conducted.
- b. The District Attorney's office and the State Police Missing Persons Unit should be notified in any case in which their resources may be helpful.
 - c. If the investigating officer determines that the aid of outside agencies or special equipment will be helpful, a request for these services shall be made after consultation with the officer-in-charge.
 - d. Notification of the general public through the news media can be valuable in locating a missing person. A decision to contact the news media shall be made after approval by the Chief of Police, or his designee, and after consultation with the family of the missing person.
 - e. Officers assigned to a missing person case should maintain contact with family members and frequently report the status of the investigation.

F. Special Considerations – At Risk Persons

1. Persons with Alzheimer's [41.2.5 (f)]

- a. When a person with Alzheimer's is reported missing, a search shall be initiated immediately as these persons are considered at risk.
- b. The Dispatcher shall telephone **Safe Return** at 800-572-1122. **Safe Return** is a national Alzheimer registry available to law enforcement to help resolve lost elder cases. The Alzheimer's Association operates **Safe Return** twenty-four hours per day. It will issue a fax alert to area police departments, hospitals, shelters, and elder service agencies and will follow up with the missing person's caregivers. The Dispatcher shall notify **Safe Return** when the person is located.
- c. The most effective search strategy by far is searching on foot: research has demonstrated that the large majority of these individuals are found by a walking Good Samaritan or searcher.
- d. The initial search should extend one mile from the place last seen. In particular, all accessible areas within a one mile radius should be searched, with most areas requiring a rapid foot search. This includes around nearby houses: inside easily accessible buildings; and a quick search of streets, highways, and footpaths.
- e. A community notification should be considered early in the search.

2. Autism and Developmental Disorders [41.2.5 (f)]

- a.** Due to the challenges facing individuals with autism or developmental disorders, these types of missing persons should be considered true emergencies and search efforts should be initiated immediately.
- b.** If an autistic individual or person suffering from developmental disorders is reported missing, the officer on scene or dispatcher taking the call should obtain the following information from the parent or caregiver:
 - (1). Name, date of birth, physical description, clothing etc.
 - (2). Recent photograph
 - (3). Sensory ,medical, or dietary issues and requirements, if any
 - (4). Method of communication: Verbal, uses sign language, picture boards, or written words
 - (5). Likes and dislikes – approach and de-escalation techniques
 - (6). Any atypical behaviors or characteristics that may attract attention
 - (7). Favorite attractions and locations where they may be found
 - (8). ID tags, jewelry, or printed handout cards that may on the person
- c.** Children and adults with autism or developmental disorders are often attracted to water sources such as pools, ponds, and lakes. This should be taken into consideration when formulating a search plan. Inquire from the parents or caregivers if there are nearby pools or natural bodies of water that may attract the missing person.
- d.** People with autism or developmental disorders may lack an awareness of danger and may inadvertently place themselves in high risk situations.
- e.** People with autism or developmental disorders may not respond to their name being called.
- f.** People with autism or developmental disorders may not recognize or respond to a uniform, badge, or emergency response symbol.

G. Recovery of Missing Person:

- 1.** Whenever a missing person is located, officers shall ensure that medical attention is provided, if required.
- 2.** When officers locate an adult missing person, the party originating the report shall be immediately notified of the status of the missing person, bearing in mind the missing person's right to privacy. [41.2.5 (d)]

3. When a missing child is found, the parent or legal guardian shall be notified at once and arrangements made to return the child to their home. If the parent or guardian is unavailable, DCF shall be notified in an effort to provide temporary custody for the child.
4. Whenever a missing person has been located, the Commanding Officer shall order notification of all of the agencies and databases which had been contacted previously (Detective Bureau, Local Departments, State Police, CJIS, NCIC, and FBI). In addition, the Missing Person Form shall: [41.2.5 (c)]
 - a. Be noted as to date and time located.
 - b. Indicate the officer making the report.
 - c. Person reporting return or location.
 - d. Place located.
 - e. Be updated with the NCIC response from the processed NCIC locate.
 - f. Be removed from the active file in the Active Missing Persons folder and forwarded to dispatch for CAD entry and then to Records with the NCIC locate attached to it.
5. All missing persons, when found, shall be questioned, if possible, as to their whereabouts and activities. Police should determine whether the missing person was the victim of any crime during the period of absence. Eliciting a full account of the missing person's whereabouts is essential to future corroboration of the missing person's story.
6. Officers locating a missing person shall file an investigative NIBRS report detailing the circumstances surrounding the finding of the person and any particular difficulties encountered (for example, reluctance or refusal to return home) should be noted, as this may signal neglect or abuse. If there is any indication of neglect or abuse of a child, the Juvenile Unit shall be contacted and a Mass. General Law, Chapter 119, Section 51A report shall be filed with DCF. Any other appropriate follow-up action, including the filing of criminal charges, should be taken under the guidance of the Juvenile Unit. Suspected elder abuse shall be reported to Elder Affairs.
7. If a missing person is found dead, the procedures outlined in Mass. Gen. Law, Chap. 38 Sec. 6, requiring notification of the Medical Examiner and the District Attorney or their representative should be followed. If the deceased is not identified, police also should act to ensure that the Medical Examiner notifies the Department of Public Safety (Missing Persons Unit) and furnishes other identifying data, in compliance with the requirements of Mass. General Law, Chapter 22A, Section 5. A search of the NCIC unidentified Missing Person's file should also be undertaken.

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8. If a BOLO email has been sent out with details about a missing person, a second email must be sent out department wide informing all personnel that the missing person has been located.