

	Operational General Order	11.04 Missing Persons	PAGE 1 OF 6
	SUBJECT		EFFECTIVE DATE
	<b>Virginia Beach Police Department General Order</b> <b>Chapter 11 - Patrol Operations</b>		<b>08/21/2018</b>
			ORIGINATOR/REVIEW
DISTRIBUTION		CALEA: 41.2.5, 41.2.6	Uniform Division
ALL			
BY THE AUTHORITY OF THE CHIEF OF POLICE:			<i>James A. Casura</i>

**Purpose**

To establish procedures for the reporting and investigation of missing persons.

**Definitions**

**Missing Child** - Any person who is under the age of 21 years, whose temporary or permanent residence is in Virginia, or is believed to be in Virginia, whose whereabouts are unknown to any parent, guardian, legal custodian or other person standing in loco parentis of the child, and who has been reported as missing to a law enforcement agency within the Commonwealth.

**Runaway** - A juvenile (under 18 years of age) whose absence by the totality of the circumstances can be determined to be voluntary.

**Abandoned child** - A juvenile, whose whereabouts are either known or unknown, believed to be endangered or in need of assistance to ensure his safety. Additionally, the parents are not attempting to help the juvenile or refusing to take parental responsibility.

**Abducted child** - A juvenile, who is believed to have been taken unwillingly from their environment without permission from a child’s parent or legal guardian by either a stranger or a family member.

**Absconders** – Juvenile Offender under the court-ordered probation or parole supervision of the CSU and have, without permission, left the supervision of their parents or legal guardians for more than 24 consecutive hours and their whereabouts are unknown or for juvenile offenders 18 years of age or older and whose whereabouts are no longer known to the supervising officer after reasonable efforts to locate.

**Absent without Leave (AWOL)** – Juvenile offenders under the court-ordered probation or parole supervision of the CSU and have, without permission, left or failed to return from an authorized absence (e.g., home visit, school, work) to a DJJ-funded and/or court-ordered non-secure placement within the time frames established within the facility's procedures. Juvenile offenders who are AWOL are classified as absconders.

**Escapees** – Juvenile offenders who have, without permission, and (i) with or without force, left a secure placement (e.g., detention center, juvenile correctional center) or (ii) failed to return from an authorized absence (e.g., furlough, school, work) from a secure placement.

When officers have taken a juvenile into custody as a result of a Detention Order, Juvenile Intake will be contacted by telephone to screen the case. Juvenile Intake will make the final determination whether or not a juvenile will be detained or released to a capable guardian.

**At Risk/Missing Endangered** - Any person, either a juvenile or an adult, whose whereabouts are unknown and whose continued absence poses a significant health or safety concern for that person or others. Included, but not limited to: the elderly, including Alzheimer's patients; subjects who are either homicidal or suicidal; persons prescribed life-sustaining medication and now do not have access to their medicine.

"Critically missing adult" means an adult (i) whose whereabouts are unknown, (ii) who is believed to have been abducted, and (iii) whose disappearance poses a credible threat as determined by a law-enforcement agency to the health and safety of the adult and under such other circumstances as deemed appropriate by the Virginia State Police.

"Critically missing adult alert" means the notice of a critically missing adult provided to the public by the media or other methods under a Critically Missing Adult Alert Agreement.

"Critically Missing Adult Alert Agreement" means a voluntary agreement between law-enforcement officials and members of the media whereby an adult will be declared missing, and the public will be notified by media outlets, and includes all other incidental conditions of the partnership as found appropriate by the Virginia State Police.

"Critically Missing Adult Alert Program" means the procedures and Critically Missing Adult Alert Agreements to aid in the identification and location of a critically missing adult.

#### **Policy (CALEA 41.2.6 A)**

It is the policy of the Virginia Beach Police Department to provide for the timely response, reporting and investigation to calls involving a missing child or adult; runaway; abandoned child, abducted child, unidentified at-risk persons; and to assist in providing for the health, safety and welfare of these individuals.

#### **Preliminary Investigative Guidelines (CALEA 41.2.5 A, B, 41.2.6 A, E)**

Officers shall be cognizant of the following when receiving reports of missing persons:

##### Missing Persons:

- Juveniles: Careful preliminary investigation by the reporting officer is required in order to make distinctions between runaways and missing/abducted/endangered juveniles. When citizens report a missing juvenile to an officer they shall take an IBR. Even when a juvenile has already returned home, an IBR is appropriate. Contact a supervisor in order to determine the extent of immediate action to be taken.
- If the missing child is under twelve years of age or is at risk, the supervisor shall contact the Runaway/Missing Persons Unit supervisor and jointly reach a decision on the appropriate action to be taken to ensure that a maximum effort is made to locate the child, to include immediate entry in to the NCIC system, issuance of local or regional be-on-the-look-out bulletins (BOL's), or the notification of supporting agencies. If the Runaway/Missing Persons Unit supervisor is not available, any available Investigative Division supervisor shall be notified of the situation.
- Adults: The officer shall conduct a preliminary investigation, which includes an interview with the reporting person and the documentation of initial attempts to locate the victim. If the victim is deemed to be missing, the officer shall issue a local or regional BOL and report the incident in accordance with the below listed procedures. If the victim is believed to be at risk, the reporting

officer shall contact a supervisor who will determine the extent of immediate action to be taken and contact the Investigative Division to assume responsibility for the investigation.

- Runaways: When a runaway is reported, the patrol officer shall conduct an initial investigation, broadcast a BOL and submit reports in accordance with the below listed reporting procedures. BOL's will be broadcast by E911 Emergency Communications Division personnel upon receipt and over all uniformed precinct frequencies. The reporting officer shall then provide the complaining parent with an information sheet (PD-143), which provides the answers to common questions concerning the runaway child. It is the responsibility of each patrol officer to read and understand this information sheet and the procedures described therein, in order to provide quality information to the parents of runaway children.

### **Reporting Procedures (CALEA 41.2.5 C, 41.2.6 C, E)**

The reporting officer should report missing persons or runaways in accordance with the following:

- There is no required amount of time that must elapse prior to reporting someone as missing or having runaway.
- All runaway or missing persons' reports will be taken immediately utilizing an IBR (PD-18R1), to ensure complete and accurate descriptors are collected. A complete physical description and any possible leads on the whereabouts of the runaway / missing person shall be included in the narrative of the IBR (PD-18R1). State Code requires that the report be received by the Virginia State Police within two (2) hours of receiving the initial call for a missing child.
- To ensure compliance State Code mandates officers taking reports of missing/runaway children, senior adults or any missing person that is entered into NCIC shall, within two (2) hours of receiving the initial call, fax the report (SP-67 or SP-183) themselves or through a PDO, to the Virginia State Police fax number. The copy of the fax receipt shall be attached to the report and the report shall be forwarded to the Missing Person Unit through the Services Division. If a missing adult does not meet the NCIC entry criteria (Disability, Endangered, Involuntary, Catastrophe Victim, and Other safety concerns) complete an IBR (PD-18R1) but **do not complete an SP-67**.
- Runaways and missing persons under the age of twenty-one will be entered into the NCIC system by the NCIC Clerk at the time the report is taken by the officer. Parental consent is not required. Officers reporting missing adults under the age of twenty-one will complete the information in a designated box for the Missing Person Age 18 or Over, "Missing Child" as the applicable condition on the NCIC entry condition for the SP-183. Request the signature of the reporting person, but write "REFUSED" if they will not sign. The report for Missing Person Age 18 or over is located in a designated section on the (Runaway/Missing Persons) of the IBR (PD-18R1).
- Any runaway or missing person report will be listed as the primary offense and will be a stand-alone report. No other offenses will be placed on a runaway or missing person's report. The reporting officer will submit a separate report for each victim. If multiple persons are reported as runaways or missing at the same time from the same location, separate reports must exist for each runaway or missing person.
- Anyone may report a missing person regardless of their relationship to the missing individual and a report must be taken regardless of whether the NCIC entry is required at the time of report.

**Absconder, AWOL, and Escape Cases**

- If the absconder is under the age of 18, the parent or legal guardian shall be instructed to file a runaway report. The parent or legal guardian may also be encouraged to file a runaway report for AWOL and escape cases.
- When a petition for violation of a court order, probation, or parole and a detention or shelter care order are issued the responsible Court Service Unit (CSU) staff shall communicate this information to the parent or legal guardian of the juvenile offender. The parent or legal guardian shall be asked for any additional or new information regarding the juvenile offender's whereabouts and to inform immediately the responsible CSU staff and law enforcement of any such new information.
- Designated Court Services Unit staff shall (after three days of the detention order being provided to the appropriate law enforcement agency but not to exceed five working days) verify with the law enforcement agency that the detention order has been entered into the National Crime Information Center (NCIC) and Virginia Crime Information Network (VCIN) and document the status in DJJ's electronic data system.
- If the supervising Probation Officer (PO) or any other CSU staff receives new information regarding the whereabouts of the juvenile offender, that information shall be communicated immediately to the appropriate law-enforcement agency.

**Virginia Critically Missing Adult Alert Program – (Ashanti Alert)**

Critically Missing Adult Alerts may be local, regional, or statewide. The initial decision to make a local Critically Missing Adult Alert shall be at the discretion of the local law-enforcement official. Prior to making a local Critically Missing Adult Alert, the local law-enforcement official shall confer with the Virginia State Police and provide information regarding the critically missing adult to the Virginia State Police. The decision to make a regional or statewide Critically Missing Adult Alert shall be at the discretion of the Virginia State Police.

The Critically Missing Adult Alert shall include the critically missing adult information as defined in § 15.2-1718.2 and any other such information as the law-enforcement agency deems appropriate that will assist in the safe recovery of the critically missing adult.

The Critically Missing Adult Alert shall be cancelled by any law-enforcement agency that locates a critically missing adult who is the subject of an alert. The agency cancelling the alert shall notify the Virginia State Police immediately that the critically missing adult has been located.

**Abducted Children**

Upon the discovery that a child has been abducted, by either a parent or an unknown person/s, the assigned officer shall notify a supervisor who will determine the need for an immediate response and contact the Investigative Division. Investigative Division personnel will assume responsibility of the investigation and determine the need to implement an Amber Alert.

Patrol officers and supervisors shall be aware of the following regarding the activation and approval for implementing the Amber Alert Protocol. Only an Investigative Division Supervisor, in accordance with written protocol, may issue an Amber Alert

**Criteria for Activation of Amber Alert (CALEA 41.2.6 D)**

1. The missing child must be 17 years of age or younger and there is a belief that the child has been abducted.
2. There is a belief that the missing child is in imminent danger of serious bodily harm or death.
3. There has been investigation that verified that the abduction has taken place or eliminated alternative explanations for the disappearance of the child.
4. Sufficient information is available to disseminate to the public that could assist in locating the child, suspect, and/or the suspect's vehicle.
5. The child must be entered into the Virginia Criminal Information Network (VCIN) and the National Crime Information Center (NCIC) as soon as possible.
6. The Amber Alert Plan will not be activated for runaways or parental abductions unless there is a threat of serious bodily injury or death to the child.
7. Activation of the Amber Alert Plan will be in accordance with the guidelines established by [Virginia's AMBER Alert plan](#).

**Abandoned Children / Lost Children / Located Runaways (CALEA 41.2.6)**

Officers who locate abandoned, lost, or runaway children shall immediately provide for the safety of the child and provide for medical attention if necessary.

Officers shall conduct a preliminary investigation into the circumstances surrounding the location of abandoned children to include the location of evidence associated with the abandonment, or witnesses. Officers will notify a supervisor and arrange for the investigation of the case to be assumed by the Investigative Division and the Virginia Beach Department of Social Services.

Officers shall make preliminary attempts to locate the parents or guardian of lost children and attempt to reunite the family. In the event that the parents or guardian cannot be located, the officer shall contact a supervisor, and arrange for intervention by the Virginia Beach Department of Social Services.

Officers locating runaway children shall notify the investigator assigned to the case, and check for pick-up orders via the E 911 Emergency Communications Division. If pick-up orders are not on file, the officer will arrange for the return of the runaway to his / her parents or guardians.

**Seton Youth Shelters Referral**

Seton Youth Shelters serves as a consistent referral service for youth and families who that have experienced a runaway episode or at risk youths. Priority for emergency shelter will be given to youth between the ages of 9 to 17 who are referred by the Virginia Beach Police Department. Departmental personnel will provide the youth and parent and/or guardian with a PD-143 that will list both the services offered by Seton Youth Shelters and their contact numbers. Crisis Intervention Services and Emergency Shelter services will be offered to any Child in Need of Services (CHINS) youth in the care of Virginia Beach Police where the parent/legal guardian is currently unavailable and/or where the parent/legal guardian and the youth agree to seek the services offered by Seton Youth Shelters. In such cases, officers may transport the youth to the appropriate shelter as identified by Seton Youth Shelters.

**Follow up Investigations (CALEA 41.2.5 C, E, F, 41.2.6 E)**

Once Investigative personnel have been assigned cases involving runaways or otherwise missing individuals, the follow up investigation will continue and the investigator will be mindful of the following procedural issues:

- In cases of missing children under the age of 12, or at risk missing adults or children, the investigator may be called to the scene immediately in order to ensure prompt and appropriate search for these individuals.
- Additional and pertinent information may be obtained by the investigator by contacting the reporting person.
- Leads as to the whereabouts of the runaway / missing person will be pursued either by the investigator assigned to the case, or coordinated by the investigator utilizing patrol officers.

Runaway or missing person reports shall be maintained in the department's Records Management System. When an SP-67 or SP-183 is completed, the SP-67 or SP-183 will serve as the original report and will be scanned/attached within our RMS. For cases without an SP-67 or SP-183, the digital PD-18R1 serves as the original.

- Detectives may disseminate, to regional area law enforcement agencies, the National Center for Missing and Exploited Children, or the media information they deem necessary for investigative action, with the permission of a parent, guardian or person standing in loco parentis of a juvenile.
- If their investigation determines that the situation necessitates a Child in Need of Services (CHINS) petition, the investigator shall recommend that one be obtained by the child's parents or guardian. The investigator will continue to assist the family until the victim is located.
- When the runaway or missing person is located, the investigator will cancel all flyers, NCIC entries and or teletypes as well as the BOL previously issued to the E911 Emergency Communication Division.
- Through the debriefing interview process, additional information may be obtained providing evidence of further serious crimes committed by, or against, the child in question. Pertinent and substantive information learned from these debriefings will be referred to the appropriate agency; i.e., Special Investigations, Social Services, etc.

#### **Debriefing of the Runaway or Missing Person (CALEA 41.2.6 F)**

Upon locating a runaway or missing person an appropriate follow up interview will be conducted by the assigned investigator seeking information regarding the following:

- Conditions that prompted the runaway to leave
- The location(s) that the runaway frequented while missing
- Criminal activity committed or witnessed by the runaway
- The need for follow up services by the court system or social service agencies

The results of debrief interviews and the actions taken shall be documented by the assigned investigator on the IBR (PD-18R1).