

**2.423 Missing, UNIDENTIFIED, & ABANDONED PERSONS** (41.2.5, 41.2.6)

THE AGENCY WILL PROMPTLY AND THOROUGHLY INVESTIGATE AND REPORT UPON ALL INSTANCES OF MISSING, UNIDENTIFIED, OR ABANDONED CHILDREN OR ADULTS AND APPROPRIATELY ASSIST ALLIED AGENCIES WHO ARE ATTEMPTING TO LOCATE OR INVESTIGATE REPORTS OF MISSING, UNIDENTIFIED, OR ABANDONED PERSONS WHO MAY BE, OR HAVE BEEN, IN THE AGENCY'S PRIMARY JURISDICTION.

**2.423.02 Missing Adults or Emancipated Juveniles**

- A. Missing adults are those persons who are at least 18 years old, whose whereabouts are unknown, and the reasons or causes of their absences are also unknown.
- B. Missing emancipated juveniles are those individuals who are under the age of 18, have been legally declared emancipated (released from parental care) by the laws of their states of residence, whose whereabouts are unknown, and the reasons or causes of their absences are also unknown.
- C. Missing person investigations will be conducted consistent with **2.423.08** when adults or emancipated juveniles are:
  - 1. Missing and under proven physical/mental disabilities or are enfeebled, infirmed, or otherwise suffering from the loss of mental faculties associated with old age, thereby subjecting themselves or others to personal or immediate danger;
  - 2. Missing and in the company of other persons under circumstances indicating their physical safety is in danger;
  - 3. Missing under circumstances indicating foul play or that disappearances were not voluntary; or
  - 4. Subjects of missing person reports filed with other law enforcement agencies in this state, but having investigative leads to this jurisdiction.
- D. If missing adults or emancipated juveniles do not meet the conditions listed in **2.423.02.C**, officers will:

- 1. Promptly attempt to determine the circumstances surrounding the disappearance of the individuals through investigative steps that include, but are not limited to, locating and inspecting scenes where the adults were last seen and interviewing family members, friends, teachers, etc.;
  - 2. Ensure descriptions are provided to the Baltimore County Police; and
  - 3. Implement intensive investigations consistent with **2.423.08** within 12 hours of the filing of initial reports, if the missing individuals have not been located.
- E. Missing person reports and investigations will not automatically be initiated and conducted when adults who do not meet specified missing person criteria and are apparently of sound mind, leave notes or other correspondence stating they are leaving. Reports and investigations may be initiated at the direction of supervisors or commanders.

**2.423.04 Missing Children**

- A. See **Family Law (FL) § 9-401** and **FL § 9-402** for criteria and protocols relating to the investigation of missing children.
  - 1. Missing children are persons under the age of 18, the subject of missing person reports filed with law enforcement agencies in this state, and whose whereabouts are unknown.
  - 2. Runaway children are persons under the age of 18, the subject of missing persons reports filed with law enforcement agencies in this state, and whose whereabouts are unknown, but whose disappearances are probably voluntary and do not indicate foul play.
- B. Missing person investigations will be immediately initiated when juveniles:
  - 1. Have not been subjects of previous missing person reports;
  - 2. Suffer from mental or physical handicaps or illnesses;
  - 3. Are missing as the result of suspicious or dangerous circumstances;
  - 4. Are missing as the result of possibly being abducted;
  - 5. Have previously been the subject of child abuse reports or investigations; or
  - 6. Are less than 14 years of age.

- C. If missing children do not meet the conditions listed in **2.423.04.B**, officers will:
1. Promptly attempt to determine the circumstances surrounding the disappearance of missing children through investigative steps that include, but are not limited to locating and inspecting scenes where the children were last seen and interviewing family members, friends, teachers, etc.;
  2. Ensure descriptions are provided to the Baltimore County Police; and
  3. Implement intensive investigations consistent with **2.423.04.E** and **2.423.08** within 12 hours of the filing of initial reports, if the missing children have not been located.
- D. If any of the conditions listed in **2.423.04.B** exist, officers will ensure:
1. All necessary and available information is entered into METERS and NCIC;
  2. Appropriate intensive search procedures are initiated;
  3. The National Missing Children Information Center and the Maryland Clearinghouse for Missing Children (MCMC) are provided copies of the missing child reports;
  4. The Baltimore County Department of Social Services is contacted to obtain any information that may assist in locating the missing child; and
  5. The Maryland State Police (MSP) is contacted as appropriate.
- E. Other considerations that may affect the criticality or complexity of missing child investigations include, but are not limited to:
1. **Age:** Extremely young children, toddlers to four or five years old, may be expected to be found within relatively short distance from the place of occurrence due to their physical capacities. Children 13 or younger may not have the survival skills necessary to protect themselves from exploitation and other street crime;
  2. **Location:** Extremely young children may be expected to be located within relatively short distances including in their own house, playgrounds, recreation areas, schools, churches, other public buildings, or homes of friends or schoolmates.
3. **Drug dependence and/or addiction:** The lack of prescribed medication may lead to serious health problems or death;
  4. **Mental or physical handicaps:** These children may have trouble understanding and communicating their needs. Emotionally upset or suicidal children are a high risk;
  5. **Time elements:** The greater the amount of time that has passed before the police are notified increases the difficulty of the investigation;
  6. **Safety zone:** A child's safety zone, or that area where the child normally will be found, increases with age.
  7. **Nature of the environment:** The danger naturally inherent in the environment depends on the age and maturity of the child;
  8. **Inappropriate relationships:** Juveniles involved with adults may be easily exploited physically;
  9. **Past history:** Children who have previously run away or have been the victims of physical and/or sexual abuse are highly at-risk;
  10. **Family unit:** Drastic changes to the family unit, i.e., divorce, separation, death, etc. may contribute to runaway situations.
- F. If missing children have not been located within 24 hours of the filing of missing persons reports and either this agency or MSP have reason to believe that the missing children may be located outside our jurisdiction, the MSP is required by **FL § 9-402** to enter the investigation and, in cooperation with this agency, assist state and national efforts to locate the missing children.

### **2.423.06 Missing Person Investigations – Generally**

- A. Many of the procedures described in this section are adapted from an investigative checklist prepared and distributed by the National Center for Missing and Exploited Children. These procedures are meant to provide a framework of actions that will be used as appropriate and applicable in all missing person investigations.

- B. The responsibilities of employees initially receiving calls for service involving missing persons include, but are not limited to:
1. Receiving incoming telephone calls;
  2. Obtaining essential information;
  3. Evaluating service needs by assessing characteristics of calls to determine whether emergency or non-emergency responses are required;
  4. Informing victims/witnesses of the agency's response, including direct law enforcement services and/or referrals to other agencies;
  5. Initiating appropriate responses that include, but are not limited to:
    - a. Transferring calls to other parties;
    - b. Dispatching police officers; or
    - c. Taking other actions that result in the satisfactory completion of requests for service.
- C. The responsibilities of initial investigating officers include, but are not limited to:
1. Conducting thorough preliminary investigations consistent with **2.305 Preliminary Investigations**;
  2. Interviewing parents or others who made initial reports;
  3. Verifying that the person is in fact missing;
  4. Verifying the custody status of missing children;
  5. Identifying the circumstances of the disappearances;
  6. Determining when, where, and by whom the missing persons were last seen;
  7. Interviewing individuals who last had contact with the missing persons;
  8. Identifying the individuals' zone of safety for their age and development stage;
  9. Making initial determinations, based on available information, of the type of incident, e.g., stranger abduction, family abduction, nonfamily abduction, endangered runaway, lost, injured, etc.;
  10. Obtaining detailed descriptions of missing persons, abductors, vehicles used, etc.;
  11. Relaying detailed descriptive information to Communications for broadcast updates;
  12. Contacting on-duty supervisors to determine what, if any, immediate follow-up investigations and search activities will be conducted; and
  13. Requesting additional personnel if circumstances require;
  14. Requesting investigative assistance if necessary;
  15. Briefing and bringing up to date all additional responding personnel, including supervisors and investigators;
  16. Ensuring that individuals at scenes are positively identified, their identification information accurately recorded, and interviewed separately;
  17. Obtaining information from interviewees such as:
    - a. Their relationships with missing persons;
    - b. Information they may have that relates to the disappearances;
    - c. Where the missing persons were last seen;
    - d. What they believe may have happened to the missing persons;
    - e. Names, addresses, phone numbers, etc. of friends, relatives, and associates of the missing persons;
  18. Conducting searches;
    - a. On the approval of a supervisor or commander;
    - b. Normally beginning in the immediate areas of the person's homes or last known locations as situations dictate;
    - c. Of homes, buildings, etc. where incidents took place;
    - d. Of individuals' residences even though they were reported from other locations;
    - e. Of surrounding areas including vehicles and other places of concealment;
    - f. Of locations where missing persons are thought to frequent; and
    - g. Until they are suspended only on the approval of a commander after ensuring that all reasonable means of locating the persons have been exhausted and that further searching is not likely to locate the persons;

19. Treating the areas as crime scenes in order to protect potential evidence;
  20. Obtaining and disseminating recent photographs of missing persons and/or abductors;
  21. Interviewing other family members, friends, and associates;
  22. Requesting teletypes be sent to other, appropriate jurisdictions; and
  23. Completing required reports.
    - a. State of Maryland Missing Persons Reports (MSP #79s), rather than agency reports, will be completed for all reports of missing persons.
    - b. Agency supplemental reports will be used for corresponding report narratives.
    - c. Only respective copies of MSP 79s will be sent to the MCMC unless otherwise requested by that agency.
    - d. Missing Person Certifications should be signed by parents, legal guardians, next-of-kin, physicians, or other authoritative sources, including friends or neighbors in unusual circumstances. Signed reports by officers taking missing reports will suffice for NCIC authorizations when obtaining signatures on Missing Person Certifications is not reasonably attainable.
- D. Patrol supervisors will:
1. Determine, through the best information available, if immediate follow-up investigations are necessary;
  2. Notify a commander if incidents involve suspicious circumstances or if the missing person is under the age of 14;
  3. Notify the agency's PIO to ensure press releases are prepared and distributed as appropriate;
  4. Obtain briefing and written reports from initially responding officers;
  5. Determine and request additional resources and equipment;
  6. Establish command posts away from missing persons' residences;
  7. Ensure coordination and cooperation among all law enforcement personnel involved in the search efforts;
8. Ensure that all related agency directives are being followed;
  9. Ensure criminal background checks are conducted on all principle suspects and participants in the investigations;
  10. Be available to make any decisions or determinations as they develop;
  11. Make other appropriate notifications; and
  12. Ensure that all required reports are completed and submitted for approval before reporting officers end their tours of duty.
- E. Investigating officers will:
1. Verify the accuracy of all descriptive information and other details developed during preliminary investigations;
  2. Obtain brief, recent histories of family dynamics;
  3. Investigate and reconcile the reasons for conflicting information offered by witnesses and other individuals;
  4. Review and evaluate all evidence and information that has been collected;
  5. Develop investigative plans for follow-ups;
  6. Determine what additional resources and specialized services are required; and
  7. Execute investigative follow-up plans.
- F. Additional follow-up procedures may include, but are not limited to:
1. Mobilizing off-duty personnel to assist in searches;
  2. Preparing and distributing flyers and bulletins about missing persons and/or their abductors;
  3. Obtaining the medical and dental records of the missing persons;
  4. Establishing telephone and email hotlines for tips and leads;
  5. Requesting assistance from allied enforcement agencies to provide staff and/or logistical assistance, search specific locations, or question specific persons believed to have relevant knowledge; and
  6. Requesting investigative assistance from MSP, the FBI, or other relevant law enforcement agencies.

- G. Missing person and runaway reports will be investigated and followed-up by each on-duty patrol shift until:
1. Missing subjects are located;
  2. Investigations are assumed by other agencies or personnel assigned to the agency's criminal investigations component; or
  3. Otherwise directed by the patrol commander or the Chief.
- H. The investigations supervisor is responsible for ensuring complete NCIC missing persons packets are completed as directed by the investigations component commander or when individuals have been missing for 60 days.
- I. Investigating officers are responsible for requesting communications personnel enter and remove missing person TTY messages. Communications personnel and their supervisors are responsible for ensuring missing person messages are entered and removed consistent with METERS and NCIC directives.
- J. Missing persons will be entered into NCIC when:
1. **Disability:** Persons of any age are missing under proven physical/mental disability or are senile, thereby subjecting themselves or others to personal and immediate danger;
  2. **Endangered:** Persons of any age who are missing under circumstances indicating that their physical safety may be in danger;
  3. **Involuntary:** Persons of any age who are missing under circumstances indicating that their disappearances may not have been voluntary, i.e., abduction or kidnapping;
  4. **Catastrophe Victim:** Persons of any age who are missing after catastrophes;
  5. **Juvenile or Adult under 21:** Juveniles or adults under the age of 21 who are missing and do not meet any of the criteria set forth in 1, 2, 3, or 4;
  6. **Other:** Persons 18 or over who do not meet the criteria for entry in any other category, but who are missing and reasonable concerns exist for their safety.
- K. NCIC entries for emancipated persons or persons 18 or over will be made providing the agency has:

1. Signed documentation from parents, legal guardians, next of kin, physicians, or other authoritative sources, including friends or neighbors in unusual circumstances supporting the stated conditions under which persons are declared missing; or
2. Signed reports by investigating officers when other specified documentation is not reasonably attainable.

#### 2.423.08 Missing On-Campus Residential Students

- A. The agency complies with requirements of **34 CFR 668.46(h) Missing Student Notification Policies and Procedures** as they apply to missing on-campus residential students.
- B. In addition to conducting missing person investigations consistent with **2.432.06**, the agency will:
1. Ensure that notifications are made to persons or organizations as required by university policy;
  2. Ensure any optional contact persons listed with other university officials are notified within 24 hours after it has been determined that adult or emancipated on-campus residents are missing; and
  3. Ensure that custodial parents or guardians are notified within 24 hours when non-emancipated juvenile on-campus resident students are missing.

#### 2.423.10 AMBER Alert System

- A. The agency participates as necessary in the state's AMBER (America's Missing Broadcast Emergency Response) Alert System.
- B. In order to activate the AMBER system, the agency must have decided to open a major missing child investigation because:
1. The whereabouts of a child under the age of 18 is unknown and the child is the subject of a missing persons report filed with this agency;
  2. The agency has verified that a child has been abducted;
  3. The agency believes the circumstances surrounding the abduction indicate the child is in serious danger of bodily harm or death;

4. There must be enough descriptive information about the child, abductor, and/or the suspect's vehicle to believe an immediate broadcast alert would help; and
  5. The abductor and/or the child are likely to still be in the broadcast area.
- C. Non-custodial parental abductions without articulable reasons to expect physical injuries to children do not meet AMBER system criteria.
- D. Officers must obtain the approval of a supervisor or commander before contacting the MSP to request activation of the AMBER system.
1. Information must have been collected for NCIC, regional BOLO, and MD AMBER system.
  2. The MSP Headquarters Duty Officer must be contacted by phone, FAX, or METERS message to request activation of the AMBER system.
  3. The MSP must be provided callback and point of contact information for verification of AMBER alert contents.

#### **2.423.12 SILVER Alert System**

- A. The agency participates as necessary in the state's Silver Alert System.
- B. In order to activate the Silver Alert System, the agency must have decided to open a missing person investigation because the:
1. Missing person suffers from a cognitive impairment, such as Alzheimer's, or dementia;
  2. Person's disappearance poses a true threat to the person's health and safety;
  3. Missing person is traveling in a vehicle and with enough descriptive information about the person and the vehicle for police to issue an alert;
  4. Agency has already activated a local alert by contacting media in their area; and
  5. Missing person has been entered into NCIC as a missing person.
- D. Officers must obtain the approval of a supervisor or commander before contacting the MSP Headquarters Duty Officer to request a Silver Alert.

#### **2.423.14 "A Child is Missing" Program**

- A. The agency voluntarily participates in the "A Child is Missing" (ACIM) missing person program as a tool to assist in:
1. Locating:
    - a. Children who have wandered away;
    - b. Missing Alzheimer's patients;
    - c. First time run-away children;
    - d. Abducted children; or
  2. Locating families of:
    - a. Unidentified children;
    - b. Unconscious children; or
    - c. Mentally or physically challenged children.
- B. Officers must receive supervisory or command ranked approval before contacting ACIM through the phone number in the Communications Resource System.
- C. Information to be given to ACIM includes, but is not limited to:
1. Name of law enforcement agency;
  2. City, county and state of agency;
  3. Name of person missing;
  4. Their date of birth, gender, nationality, height and weight, hair and eye color, and clothing description;
  5. Any scars or other physical characteristics;
  6. Any medical/psychological conditions to be aware of;
  7. Their home address including zip code;
  8. Location last seen with zip code if different than residence;
  9. Police department phone number for the public to call to report information;
  10. Case number assigned to the case;
  11. If there is water or wooded areas in the vicinity;
  12. If friends and family have been contacted;
  13. If they have gone missing before;
  14. If foul play, kidnapping or parental abduction is suspected;
  15. If the missing person is a child, is the agency aware of any sexual predators within one mile of the last seen address; and
  16. A cell phone or pager number to reach the officer on the scene for additional information (Use Communication's non-emergency number 410-704-2134).

- D. ACIM prepares a recorded message that is then sent automatically to the community through a computer generated list of phone numbers.
- E. Investigating officers and their supervisors are responsible for maintaining an active liaison with ACIM during the investigation.
- F. If the person is recovered, investigating officers call ACIM to stop the search.
  - 1. ACIM then faxes a case follow-up form to the officer/agency to be filled out, documenting the conclusion of the case.
  - 2. The follow-up report is faxed back to ACIM and submitted to Central Records to become part of the case file.
  - 3. See also **2.423.16 Located Missing Persons**.

#### **2.423.16 Located Missing Persons**

- A. Missing person reports can only be closed by patrol or investigative personnel.
- B. Officers closing missing person cases will:
  - 1. Ensure a supervisor or commander is notified and approves case closures;
  - 2. Verify returns and identities of the missing persons. (If missing persons are located in other jurisdictions, closing officers can request the allied agency in that jurisdiction make the verifications);
  - 3. Arrange, whenever possible, for the formerly missing subjects to be interviewed to determine the circumstances of their disappearances;
  - 4. Arrange, whenever possible for the formerly missing, runaway, abandoned, or deserted children to be interviewed to determine if they were exploited by criminal activities, particularly those crimes that focus on children as sexual objects such as sexual abuse, child pornography, and prostitution;
  - 5. Write supplemental reports containing information that includes, but is not limited to:
    - a. Dates, times, and locations where missing subjects were found;
    - b. Locating agency;
    - c. How identities were verified;
    - d. The physical and mental condition of subjects;

- e. Any previously undetected reasons for disappearances;
  - f. Any suspect information; and
  - g. Synopsis of charges placed or contemplated;
- 6. Advise original complainants that the missing persons have been located, keeping in mind that every case presents different dynamics and that discretion must be exercised where appropriate in furnishing information, such as in domestic related cases; and
- 7. Return any photographs in police possession to owners.
- C. Officers taking missing persons into custody because of outstanding legal processes, e.g., warrants, emergency psychiatric petitions, escape charges, runaway, etc., will ensure that notifications are made to originating agencies so arrangements can be made to satisfy the requirement of the legal processes.
- D. Officers who locate subjects that are being sought only for notification requests will not detain the subjects unless other lawful reasons exist. Locating officers will ensure that originating agencies are notified of the circumstances surrounding the contacts. Complainants are to be notified by originating agencies.
- E. Personal and direct contact will be made with complainants when it is determined that missing subjects have been the subject of foul play, or have been found injured, deceased, etc. The determination of which agency and who will make these notifications should be determined collaboratively with the involved agencies.
- F. NCIC entries involving missing juveniles reported by this agency can only be canceled upon their return to this jurisdiction. To accomplish this, officers will inform the guardian to contact the case investigator when they return so the NCIC entry can be canceled. Exceptions may be made when the juvenile's location and condition are verified by another police agency and the legal guardian grants permission for the child to remain at that location. In all other cases, telephone contact will suffice.

- G. If a missing child returns home and no foul play is suspected, the missing child NCIC entry can be canceled and only the appropriate supplemental report is required. Officers will write appropriate supplemental and detention related reports in the event the missing child is determined to be a runaway.
- H. The respective parents/guardians will be promptly notified when runaways are apprehended.
1. Runaways will not be placed in secure detention.
  2. Runaways who are also offenders may be placed in secure detention.
  3. See also **2.600 Arrest Procedures**.

**2.423.18 UNIDENTIFIED OR ABANDONED PERSONS**

**A. UNIDENTIFIED PERSONS ARE PEOPLE WHOSE LOCATIONS ARE KNOWN AND ARE:**

1. CHILDREN WHO ARE UNABLE TO IDENTIFY THEMSELVES, FOR ANY REASON ARE SEPARATED FROM THEIR PARENTS OR GUARDIANS OR CANNOT IDENTIFY THEIR PARENTS OR GUARDIANS; OR
2. ADULTS WHO ARE UNABLE TO IDENTIFY THEMSELVES OR THEIR CARETAKERS AND NEED ASSISTANCE BECAUSE OF PHYSICAL AND/OR MENTAL IMPAIRMENTS.

**B. ABANDONED PERSONS ARE PEOPLE WHOSE LOCATIONS ARE KNOWN AND ARE:**

1. CHILDREN WHO MAY OR MAY NOT BE ABLE TO IDENTIFY THEMSELVES OR THEIR PARENTS OR GUARDIANS AND HAVE BEEN LEFT WITHOUT PROPER CARE AND ATTENTION BY A PERSON WHO IS RESPONSIBLE FOR PROVIDING THAT CARE AND ATTENTION; OR
2. ADULTS WHO MAY OR MAY NOT BE ABLE TO IDENTIFY THEMSELVES, ARE IN NEED OF ASSISTANCE BECAUSE OF PHYSICAL AND/OR MENTAL IMPAIRMENTS, AND HAVE BEEN LEFT WITHOUT PROPER CARE AND ATTENTION BY A PERSON WHO IS RESPONSIBLE FOR PROVIDING THAT CARE AND ATTENTION.

**C. PATROL OFFICERS' DUTIES AND RESPONSIBILITIES INCLUDE, BUT ARE NOT LIMITED TO:**

1. REQUESTING APPROPRIATE EMERGENCY MEDICAL ASSISTANCE;
  2. ENSURING THE ON-DUTY PATROL SUPERVISOR HAS BEEN NOTIFIED;
  3. ATTEMPTING TO VERIFY THE PERSON'S STATUS AS UNIDENTIFIED OR ABANDONED AND WHAT LEAD TO THEIR PRESENT SITUATIONS;
  4. TAKING STEPS TO ENSURE THE PERSON'S SAFETY;
  5. RELAYING DETAILED DESCRIPTIVE INFORMATION TO COMMUNICATIONS; AND
  6. COMPLETING REQUIRED REPORTS.
- D. PATROL SUPERVISORS' DUTIES AND RESPONSIBILITIES INCLUDE, BUT ARE NOT LIMITED TO:**
1. RESPONDING TO INCIDENT SCENES;
  2. COORDINATING INITIAL INVESTIGATIONS;
  3. ENSURING AN ON-DUTY COMMANDER OR THE DUTY OFFICER IS NOTIFIED;
  4. ENSURING THE DEPARTMENT OF JUVENILE SERVICES OR BALTIMORE COUNTY ADULT PROTECTIVE SERVICES ARE NOTIFIED AS APPROPRIATE;
  5. TAKING STEPS TO ENSURE THE PERSON'S SAFETY;
  6. ENSURING THAT UNIDENTIFIED PERSONS ARE ENTERED INTO NCIC AS APPROPRIATE; AND
  7. ENSURING ANY FOLLOW-UP ACTIVITIES ARE COORDINATED AND FACILITATED.
- E. SEE ALSO COURTS & JUDICIAL PROCEEDINGS (CJ) § 5-641 IMMUNITY FROM LIABILITY FOR PERSONS WHO LEAVE UNHARMED NEWBORN CHILD WITH A RESPONSIBLE ADULT.**