



Effective: 07/19/1999
Last Revised: 09/15/2019

**CSU FULLERTON POLICE DEPARTMENT
GENERAL ORDER NUMBER 5-7**

MISSING PERSONS

SUBJECT: Procedures for Handling Missing Persons.

PURPOSE: To give guidelines on the procedures University Police will follow when dealing with reports of missing persons.

POLICY: It shall be the policy of the California State University Police Departments to thoroughly investigate any reports of missing persons, both adult and juvenile. This policy shall also extend to unidentified children that are located within our jurisdiction. Additionally, this agency holds that every person reported as missing will be considered at risk until significant information to the contrary is confirmed. A report will be prepared at any time of the day or night regardless of the alleged missing person's age, length of absence or jurisdiction where the person was last seen. This policy will be in accordance with Penal Code section 14200 et. seq.

Law enforcement administrators shall ensure that all applicable laws are taken into consideration to preserve the privacy of the alleged missing person until an accurate determination of the status of the missing person is determined. Appropriate information should be provided to the family and outside law enforcement. [CALEA 41.2.6a]

PROCEDURES:

I. Definitions

- A.** Missing person – any person who is reported missing to a law enforcement agency until the person is located or determined to be a voluntarily missing adult. It also includes any child who is missing voluntarily or involuntarily, or under circumstances not conforming to his or her ordinary habits or behavior and who may be in need of assistance. Missing persons may include any of the following:
1. Parent/family abduction – includes a child who has been taken, detained, concealed, enticed away, or retained by a non-custodial parent, or non-parent family member.
 2. Runaway – any child who is voluntarily missing.
 3. Unknown missing – cases where there are insufficient facts to determine a disposition.

4. Dependent adult – adult who has physical or mental limitations that restrict his/her ability to carry out normal activities. (PC 14215(a)(5))
 5. Catastrophe – missing person is possibly a victim of a disaster.
 6. Lost – missing person who has strayed away or whose whereabouts are unknown.
 7. Stranger abduction – missing person taken by a stranger (includes cases of a known abductor who is not a family member).
 8. Voluntary missing adult – missing adult who has left on his/her own free will.
 9. Suspicious circumstances – circumstances which give rise to the belief that foul play may have been involved; persons are suffering from physical, mental or emotional conditions which cause them to constitute a danger to themselves or others; the disappearance is out of character for the individual, and no known reason can be determined. [CALEA 41.2.5f]
- B. MPS – California Department of Justice Missing Persons System. This system will allow the entry of missing persons and body parts into the California Law Enforcement Telecommunications System (CLETS). Entry will automatically be made into the NCIC system [CALEA 41.2.5c].
- C. At Risk – 1) Includes, but is not limited to, circumstances where evidence or indications exist that the missing person (juvenile or adult, regardless of age) is a victim of a crime or foul play, is in need of medical attention, has no pattern of running away or disappearing, is the victim of parental abduction/kidnapping, or is mentally impaired. 2) Any person who is physically or mentally challenged and who poses a risk to themselves or others, e.g. mental disorders, suicidal, Alzheimer or diabetics. [CALEA 41.2.5f]
- D. BOL (Be on the Look-out) Teletype – A message sent via computer to other agencies through the CLETS system. May include local and national locations.
- E. Child/juvenile – any person under the age of 18 years.
- F. Coroner Check – A check with the coroner in the localities where the missing person was last located.
- G. Medical Records – X-rays of dental and body and full medical records. This also includes fingerprints, if available.
- H. Photo – Most recent photo of missing person.
- I. AMBER Alert – (America’s Missing: Broadcast Emergency Response) State-wide reporting system by use of roadway/freeway lighting boards that alert the motoring public of an abduction or at risk missing person.

II. State Mandates

- A. The following are the State of California mandates and guidelines for the initial response and follow-up to a missing persons report, as defined in 14204 - 14210 (c) of the Penal Code. [CALEA 41.2.6c,e]
1. Accept any report of a missing person without delay, regardless of jurisdiction.
 2. Accept any report of a runaway juvenile without delay.
 3. Accept reports of missing persons by telephone.
 4. Assign priority to missing persons reports over non-emergency property crimes. [CALEA 41.2.5f]
 5. Make an immediate assessment of reasonable steps to be taken to locate the type of missing person, as defined in 14205(a) PC, and determine if that person might be at risk. [CALEA 41.2.5f]
 6. Broadcast a BOL, without delay, when a child is under the age of 16 or the person missing is considered at risk. [CALEA 41.2.5f]
 7. If the person missing is under 16 years of age or if there is evidence that the person is at risk, a report must be submitted to the Attorney General's office through CLETS within four hours of accepting the report. (PC14205(b)) [CALEA 41.2.5f]
 8. Provide the reporting party with DOJ form SS 8567 which authorizes the release of dental records and/or x-rays, skeletal x-rays, and/or photographs. The form states that if the person is still missing after 30 days, that the form is to be signed by a family member or next of kin, and taken to the appropriate medical authority.
- B. FERPA - The Family Educational Rights and Privacy Act (20 USCS Section 1232g, and the regulations adopted there under (34CFR 99) must be reviewed to ensure there is no privacy violation of the alleged missing person.
- C. Jurisdiction – California law requires all Police Departments (with the exception of CHP), to take without delay any missing persons report which is reported to them, whether in their jurisdiction or not. As such the University Police Department will take any missing persons report without delay, regardless of jurisdiction. A missing person call will be given priority over non-emergency property crime calls in determining order of dispatch. [CALEA 41.2.6c,e]
1. All missing persons reports belonging to another jurisdiction, but taken by this Department will be forwarded to that jurisdiction in a timely manner. The primary jurisdiction will be determined by the missing person's address and last known location. [CALEA 41.2.5b]

2. The dispatcher will enter the missing person into MPS for the agency having jurisdiction, according to the guidelines in this policy. This entry will remain in effect until the primary agency is notified of the missing persons report. [CALEA 41.2.5c]
3. Advise the agency having primary jurisdiction for the report of all actions taken and entries made. Once the agency having primary jurisdiction makes an entry into MPS, the University Police Department should cancel the original entry. [CALEA 41.2.5c]
4. If the case involves a child under 21 years, or there is evidence the missing person is at risk, this cross reporting must be done within 24 hours after the initial receipt of the report. (PC 14211(g))

III. Reporting Procedures and Computer Entry

- A. When an officer receives a report of a missing person he/she must determine the category of missing person and complete a Department *Missing Persons Report* and the DOJ *Missing Person Reporting Form*. [CALEA 41.2.6e]
 1. Information obtained from the reporting person shall include the following descriptors [CALEA 41.2.5a]:
 - a. Victim's name;
 - b. Time last seen;
 - c. Direction and mode of travel to include vehicle description, if known;
 - d. Race;
 - e. Gender;
 - f. Date of birth;
 - g. Height and Weight;
 - h. Hair and Eye color;
 - i. Clothing at time of disappearance;
 - j. Mental condition;
 - k. Any other distinguishing features;
 2. The responding officer will also determine from the reporting person the following:
 - a. Known associates;
 - b. Possible destinations;
 - c. Habits and behavior patterns.
 3. The responding officer shall immediately notify the on-duty supervisor of any reports of missing persons or children regardless of the classification. [CALEA 41.2.6b]
- B. All forms will be forwarded to the dispatcher who will enter the information into the California Missing Persons System (MPS). [CALEA 41.2.5b,c, 41.2.6e]
- C. All missing persons reports must be entered into MPS as soon as possible, but no longer than four hours after the initial report. (This entry will automatically be forwarded to NCIC). [CALEA 41.2.5b,c, 41.2.6c]

- D. The officer taking the report will record the file control number (FCN) assigned by CLETS on the missing person form. [CALEA 41.2.6c,e]
- E. The officer taking the report shall call the jurisdiction where the missing person was last seen and advise them of the circumstances. [CALEA 41.2.6c,e]

IV. AMBER Alert System

- A. Activation Criteria [CALEA 41.2.6d]
 - 1. After receiving a report of child abduction, the responsible law enforcement agency must conduct a preliminary investigation and determine if the specified criteria for an AMBER Alert activation have been met. All of the following conditions must apply:
 - a. A confirmed abduction has occurred.
 - b. The victim is 17 years of age or younger, or of proven mental or physical disability.
 - c. The victim is reasonably believed by law enforcement to be in imminent danger of serious bodily injury or death.
 - d. There is sufficient descriptive information of the child, captor or captor's vehicle available that, if disseminated to the general public, could assist in the safe recovery of the victim.
 - 2. AMBER alert is not intended for cases involving runaways, missing children in which there is no evidence of foul play or custody disputes that are not reasonably believed to endanger the life or physical health of a child.
- B. Activation Procedures [CALEA 41.2.6d]
 - 1. AMBER alert notifications can only be authorized by the Chief of Police or Command Staff. The supervisor on duty will notify command staff to obtain authorization.
 - 2. Detailed procedures on the use of the California AMBER alert are contained in a manual maintained in the Communications Center.
 - 3. Requests for use of the AMBER alert system should be made as soon as possible after a verified abduction has occurred.

V. Supervisor's Responsibility [CALEA 41.2.6b,e]

- A. The on-duty patrol supervisor will be responsible for the following:
 - 1. Obtaining a briefing from responding officers.
 - 2. Determining if additional personnel or resources are needed to assist in the investigation.
 - 3. Considering activation of the AMBER Alert system, if applicable.

4. Organizing and coordinating search efforts.
 5. Ensuring that all required notifications have been made.
- B. The supervisor will also ensure that all written reports and computer entries contain accurate information.
- VI. Investigative Follow-up [CALEA 41.2.6e,f]
- A. Investigations personnel will be contacted by the on duty supervisor in all missing persons cases to assist with follow-up investigations if the individual is not immediately located. [CALEA 41.2.5e]
- B. The assigned investigator will verify the accuracy of all descriptive information. [CALEA 41.2.5e]
- C. Preliminary investigative follow-up activities will include [CALEA 41.2.5e]:
1. Searching the area where last seen for vehicles or known associates.
 2. Searching areas and establishments frequented by the missing person.
 3. Contacting friends and associates for additional information or leads.
 4. Obtaining a brief history of recent family dynamics.
 5. Obtaining a photograph of the missing person.
 6. Contacting local jurisdictions and broadcasting a description of the missing person and circumstances involved in the disappearance. [CALEA 41.2.5b]
 7. Evaluating the need for additional resources or specialized services.
- D. The reporting person will be advised at the time of the report to contact the Police Department with any new information that is received or if the missing person has returned home or is located. [CALEA 41.2.5d]
- E. The assigned investigator will provide the reporting party with status updates as new information is received. [CALEA 41.2.5d]
- F. For long term open cases the investigator will send a status letter to the reporting party as follows [CALEA 41.2.5d]:
1. Every two months for cases less than a year old.
 2. Every six months for cases less than five years old.
 3. Every year for cases open for five years or more.
- VII. Investigation (Juvenile) [CALEA 41.2.6e,f]
- When the missing person is a child under 18 years of age, the investigating officer must have the next of kin complete the DOJ form #BCIA4048, authorizing the release of dental or skeletal x-rays or both. The form includes instructions on when to obtain these and submit them to the police Department.
- A. If the missing person has no next of kin, then the investigating officer may file a written declaration authorizing the release of the records.

- B. The following guidelines will be followed pursuant to PC 14212:
1. If the child is under 18 years of age and still missing after 10 days, the release form (BCIA4048) must immediately be executed to obtain dental/skeletal x-rays and a photograph. The investigating officer must check with the coroner. The report, photograph, and the dental/skeletal x-rays must be submitted to DOJ within 24 hours.
 2. If it is determined the person missing is under 18 years of age and is at risk, the dental/skeletal x-rays and a recent photograph should be immediately obtained. The investigating officer must immediately check with the coroner. The report, photograph and the dental/skeletal x-rays must be submitted to DOJ within 24 hours. [CALEA 41.2.5f]
 3. If a child under 18 is still missing after 30 days, the reporting party is required to obtain the dental records and give them to the investigating officer within 10 days.

C. If the missing juvenile is found:

1. The investigating officer must see that DOJ is notified within 24 hours and that the MPS entry is canceled.
2. He or she must also inform the reporting party that the juvenile has been located and arrange for the juvenile's return to a responsible adult.
3. A supplement to the original case will be completed noting the time, location, and physical condition of the located juvenile.

VIII. Investigation (Adult)

- A. When the missing person is an adult, the investigating officer must give the reporting party a BCIA4048 form, which contains instructions about filing the form.
- B. If the missing person has no next of kin, then the investigating officer may file a written declaration authorizing the release of the records.
- C. If the missing person has not been located after 30 days the reporting person may authorize the release of dental or skeletal x-rays PC 4212(d).

IX. Student Living In On Campus Housing [CALEA 41.2.6f]

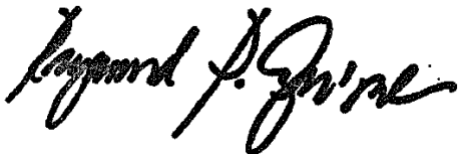
- A. Federal law requires that the University report both to local law enforcement and to the student's designated contact person when campus residents are determined missing for 24 hours. If the student is less than 18 years of age and not emancipated, the University Police is required to notify the designated contact person as well as follow our juvenile procedures for missing persons.
- B. When a campus resident is reported to the University Police as missing, the on-duty supervisor shall notify the Director of Housing and Residence Life and a member of the command staff of the missing student.

- C. Notification to the campus residents designated contact person must be done as soon as possible. Campus residents designated contact person information will be maintained by the CSUF Housing and Residence Life.
- X. When a Missing Person is Found
- A. When any person reported missing is found, the officer, or dispatcher shall immediately report that information to DOJ. (PC14204(a)) [CALEA 41.2.5c]
- B. The reporting party and other involved agencies will be notified.
- C. Any automated system entries will be canceled [CALEA 41.2.5c].
- D. Any person who is at risk is found; the report of finding shall be made within 24 hours. (PC14213(c))
- E. When any missing person is found alive or dead, in less than 24 hours, and is suspected of having been abducted, a report shall be made to DOJ. (PC 14213(c)) [CALEA 41.2.5c]
- F. In the event that a missing person is found before being reported to DOJ, a missing person report shall still be submitted to DOJ. (PC14213(c)) [CALEA 41.2.5c]
- G. A supplement to the original case will be completed noting the time, the location, and the physical condition of the located missing person.

REVIEWED BY:

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APPROVED:



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