



WEBER COUNTY SHERIFF'S OFFICE

POLICY AND PROCEDURES

MISSING PERSONS; MISSING CHILDREN; AMBER ALERT

EFFECTIVE DATE: 10/07/03 AMENDS/SUPERCEDES: 28.25, 28.26, 28.27 STANDARD NUMBER: 41.2.6, 41.2.7	REVIEW DATE: 01/29/05, 04/01/05 REVISION DATE: 01/29/05, 04/08/05 APPROVED: _____ Sheriff Signature
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28.25.1 **Purpose**

To facilitate the proper handling and care of missing persons and missing children.

28.25.2 **Rationale**

Though it is sometimes difficult to assess the danger that a missing person may be in, clearly, the sooner that a missing person is found, the less likely that they will have been seriously victimized by crime or desperate circumstances.

28.25.3 **Definitions**

- A. **Missing Child:** any person younger than 18 years of age who is missing from his home environment or a temporary placement facility for any reason, and whose whereabouts cannot be determined by the person responsible for the child's care. UCA 26-2-27
- B. **Missing Person:** a person who is missing from his home environment and is: (1) physically or mentally disabled, (2) missing under circumstances that indicate that they are endangered, missing involuntarily, or a victim of a catastrophe; or (3) a missing child. UCA 26-2-27
- C. **Custodial Interference:** (1) a person, whether a parent or other, without good cause, takes, entices, conceals, or detains a child under the age of 16 from its parents, guardian, or other lawful custodian: (a) knowing the actor has no legal right to do so; and (b) with intent to hold the child for a period substantially longer than the parent-time or custody period previously awarded by a court of competent jurisdiction. (2) having actual physical custody of a child under the age of 16 pursuant to a judicial award of any court of competent jurisdiction which grants to another person parent-time, visitation, or custody rights, and without good cause the actor conceals or detains the child with intent to deprive the other person of lawful parent-

time, visitation, or custody rights. (3) custodial interference is a class A misdemeanor unless the child is taken from one state to another, in which case it is a felony of the third degree.

UCA 76-5-303

- D. **Child Kidnaping:** the actor intentionally or knowingly, without authority of law, and by any means and in any manner, seizes, confines, detains, or transports a child under the age of 14 without the consent of the victim's parents or guardian, or the consent of a person acting in *loco parentis*.

UCA 76-5-301.1

- E. **Kidnaping:** (1) an actor intentionally or knowingly, without authority of law, and against the will of the victim: (a) detains or restrains the victim for any substantial period of time; (b) detains or restrains the victim in circumstances exposing the victim to risk of bodily injury; (c) holds the victim in involuntary servitude; (d) detains or restrains a minor without consent of the minor's parent or legal guardian or the consent of a person acting in *loco parentis*, if the minor is 14 years of age or older but younger than 18 years of age; or (e) moves the victim any substantial distance or across a state line. UCA 76-5-301

- F. **Runaway:** any minor who willfully leaves the residence of a parent or guardian without the permission of the parent or guardian. UCA 62A-7-101

- G. **Critical Missing Person:** any person who meets any of the following criteria: any child age 12 or under, any adult over age 70, any person in poor physical or questionable mental health, any person where there is an indication of foul play, and any other person missing under circumstances which lead a reasonable person to conclude that there is a danger if the missing person is not located immediately (i.e., person missing outdoors in extremely harsh weather, person who requires medication, etc.).

- H. **Attempt to Locate (ATL):** a broadcast over public safety radio systems, by mobile [patrol car] data terminal computers, or through BCI to other law enforcement agencies, through local dispatch centers describing persons or vehicles sought by law enforcement officials.

28.25.4 Policy

- A. It is the policy of this Office to:

1. respond and investigate any missing person report, made by any individual, without a waiting period, regardless of the age of the missing person or the relationship of the person making the report.

2. investigate and complete missing persons reports if the person lives, is visiting, works or was last seen in our jurisdiction.
3. immediately investigate and thoroughly document all missing persons reports.
4. **direct that a deputy shall not ignore, prohibit or discourage the filing or taking action upon a missing person or missing child report.**

28.25.5 **Procedure**

- A. **Initial investigation:** Upon receiving a report that an individual cannot be located, the responding deputy should at minimum:
 1. gather an initial physical description of the individual;
 2. gather any leads as to the possible location (destination, mode of travel, routes, etc.);
 3. the identity of persons with whom, and location where, the person was last seen;
 4. names and phone numbers of relatives and friends, and any other information which may assist in locating the victim;
 5. initiate an “Attempt To Locate” (ATL) broadcast by the dispatcher to the surrounding jurisdictions, which includes a description of the missing person and any other pertinent information;
 6. conduct interviews with the reporting person, spouse, parent(s), sibling(s), friends, employers, co-workers, or any other persons who may have knowledge of the whereabouts of the missing person. These interviews may be made by telephone or in person, but all interviews and attempts to interview will be documented;
 7. obtain a photograph of the missing individual, if available; a photo is mandatory prior to entry into the Utah Missing Person Clearinghouse.
 8. initiate a case report, with a narrative summary of all actions taken by law enforcement and any other related action known to have been taken by others. The report should contain, at a minimum, the following information:
 - a. Height, weight, color of hair and eyes;
 - b. Use of eyeglasses or contacts;

- c. Skin color, race;
 - d. Physical or mental handicaps;
 - e. Scars, marks, or tattoos;
 - f. Date and place of birth;
 - g. Detailed description of clothing;
 - h. Photographs;
 - i. Social security number, driver's license number, if applicable;
 - j. Names and addresses of parents and relatives;
 - k. Nicknames;
 - l. Names and addresses of friends;
 - m. Dental records, if readily available;
 - n. Fingerprints of a child, if readily available.
9. make an immediate entry into the NCIC computer system. Based on BCI guidelines, this entry will be removed if the person is located. The reporting deputy should notify the parent(s) or legal guardian with regards to the person being entered into NCIC, and note this on the initial case report.

B. Special Handling of Missing Children or Critical Missing Persons:

- 1. Whenever a responding deputy has a critical missing person or a missing child, the deputy should immediately initiate both a physical search and an investigation.
- 2. When a small child is involved, there should always be a physical search, especially of the home and property where the child lives or was last seen. This physical search should be made even if the parent or other person has already conducted a search. Deputies should be advised that small children may hide and refuse to answer people calling their names. The physical search should start with the home or other building where the missing person was last seen and spiral outward.
- 3. Provide the parent(s) or legal guardian of a missing child with the twenty-four hour Sheriff's Office or dispatch number, in case the child returns home.
- 4. An ATL broadcast should be made by the dispatcher immediately to surrounding jurisdictions, with a description of the missing person and the reason for the critical classification.
- 5. Mobilize all resources available which could be of help in locating the subject. Resources to consider include:
 - a. Setting up a command post for centralization and incident

- command.
 - b. Notifying the news media.
 - c. Requesting assistance from the fire department, public works and other County Offices to aid in a search.
 - d. Requesting assistance from other law enforcement agencies.
 - e. Requesting response from the PSD unit.
 - f. Requesting helicopter assistance from another agency.
 - g. Requesting assistance from local volunteer groups, including WCSO Search and Rescue if appropriate.
 - h. Public utilities - Mountain Fuel, Utah Power, etc.
 - i. AMBER Alert (see 28.25.5, E)
6. **Notification and Supervision at Scene:** As soon as possible after receiving a critical missing person report:
- a. The shift supervisor should be notified of the incident by the deputy assigned to the case,
 - b. The shift supervisor, if appropriate, should assist the deputy or may assume incident command of the scene and direct activities as needed,
 - c. The shift supervisor should notify the duty lieutenant or Bureau Commander, if appropriate, who may assist or assume incident command of the scene,
 - d. The incident commander should, if appropriate, notify the Investigations Section Lieutenant or Sergeant to conduct a follow up investigation,
 - e. The incident commander should, as soon as possible, notify the Sheriff and Chief Deputy.
- C. **Follow-up investigations:** If a person is not immediately located (within 8 hours for an adult, within 2 hours for a missing child or critical missing person), the Investigations Section Lieutenant or Sergeant, if not already notified, will be notified to conduct the follow-up investigation.
- 1. Personnel assigned to follow-up investigations must remain in contact with the person making the initial report, to keep them apprized of the progress of the investigation, and/or to gain additional information.
 - 2. The investigating deputy shall continue to make reasonable efforts to acquire additional and ongoing information about the missing person following the transmittal of the initial information available, and

promptly integrate any additional information acquired into NCIC and other computer systems. Such efforts may include but not be limited to:

- a. Re-interview of witnesses, friends, relatives, reporting party/s.
 - b. Search of the original or re-defined area.
 - c. Interview or re-interview of possible suspects.
 - d. Records checks of persons involved.
 - e. Review of statements, reports.
 - f. Initiation of polygraph or CVSA examinations.
 - g. Contact with other agencies.
 - h. Other procedural steps listed in WCSO P&P Chapter 29.9 on Follow-Up Investigations.
3. When a missing person has not been located within thirty (30) days after the date of the initial report, the follow-up investigator should have a parent or responsible party, with assistance of their doctor and dentist, complete the NCIC missing person file – Data Collection Entry Guide (located in the Office Managers office) and return it to Records for entry into NCIC.
 4. If a missing person is recovered, the investigator should:
 - a. conduct follow up interviews with victim and persons involved,
 - b. verify the circumstances of the incident,
 - c. determine evidence of illegal acts or other misconduct, if any, or
 - d. other information pertinent to the case.

D. **Removal of information from the criminal justice system:** When a missing person has been located or returned home and this agency has received notification that the person is no longer missing, the deputy receiving the report will remove or have removed the missing person's information from NCIC as soon as possible.

E. **AMBER ALERT**

1. The Child Abduction Alert Program is a voluntary partnership between law enforcement and local broadcasters for generating emergency alerts to the public when a child has been abducted.
 - a. Alerts must be initiated using the "Utah AMBER Alert Information" form.
 - b. Guidelines set forth on the form must be met.

2. Criteria for an AMBER Alert to be initiated are:
 - a. A reasonable suspicion that the child has been abducted and,
 - b. The child is 17 years of age or younger or an individual with a proven mental or physical disability and,
 - c. There is reason to believe the victim is in imminent danger of serious bodily injury or death and,
 - d. There is enough descriptive information about the child, abductor, and/or the suspect vehicle to send to the public which could assist in the safe recovery of the victim or apprehension of a suspect.
 - e. If the answer is **NO** to ANY of the above questions **DO NOT** send an AMBER Alert.
 - f. The AMBER Alert is not to be used in cases of custodial disputes or runaways that do not meet the requirements for an AMBER Alert.
3. If all the criteria for an AMBER Alert exist and the agency administration or administrator in charge has approved the Amber Alert to be activated then do the following:
 - a. Prepare an AMBER Alert form in full, leaving out any information that is strictly for law enforcement eyes only, this should be sent by teletype to law enforcement agencies. In the remarks field, make sure to add any information that would alleviate any questions from the public or media and forward to the Weber Area Consolidated Dispatch Center (WACDC) or Weber County Sheriffs' Office Records Unit, by e-mail, by telephone or by delivering the form in person. A WACDC official or Weber County Sheriff's Office Record Specialists will initiate the AMBER Alert by entering the Amber Alert information into the UCJIS system.
 - b. Make sure "hotline" telephone banks are set up and staffed.
 - c. Obtain a photograph of the abducted child as soon as possible and forward to Weber Area Consolidate Dispatch Center (WACDC), or Weber County Sheriff's Office Records Unit by e-mail, by telephone or by delivering the form in person.
 - d. Once the entry is submitted the alert is automatically transmitted to all law enforcement through out the state of Utah, all media personnel, and private citizens via cell phones, pagers, email accounts and teletypes. The Traffic Operations Center will activate all overhead signs on the

freeways and KSL will activate the Emergency Alert System.

4. The following notifications will be sent by UCJIS AMBER ALERT:
 - a. KSL TV/Radio will initiate the alert over the Emergency Alert System (EAS) and radio and T.V. broadcasters will put out the alert every 15 minutes for the first three hours after the Alert is initiated.
 - b. Traffic Operations Center (TOC) located in Salt Lake City will activate the highway Variable Message Signs (VMS) with the following information: “CHILD ABDUCTION ALERT” and “CHECK LOCAL RADIO.”
 - c. Businesses with Electronic message signs will put alert information on their signs.
 - d. BCI will send flyers with the Alert information through the statewide “Locator and Trak System.”
 - e. Utah State Dispatch Centers in Brigham City, Cedar City, Price, Richfield, and Vernal will alert all agencies within their jurisdictions.
 - f. Ports of Entry throughout the state will notify their officers.
 - g. Utah Trucking Association will notify all of their agents in the field.
 - h. The National Center for Missing and Exploited Children will be notified of the child abduction.
 - i. America On-Line and Commuterlink will send the alert to customers requesting to receive the alerts by E-Mail and pager.
5. If the criteria is met and the agency believes the suspect will be traveling out of the state, then the agency can contact BCI at (801)965-4446 to request the out of state (Nationwide) Amber Alert be sent. The subject must be entered NCIC for this transaction to take place.
6. Other WCSO polices, procedures or practices regarding but not limited to: APB messages, AM or NLETS messages to BCI, local or area notifications, or dispatch messages appropriate to the situation may be still be employed and are not precluded by AMBER Alert

procedures.

7. Media Considerations

- a. Assign a PIO to address press matters.
- b. PIO should be kept updated on the investigation at all times.
- c. Strategies for the full utilization of media exposure should be developed.
- d. Notify WACDC regarding circumstances warranting extension of broadcaster alerts beyond initial three hours.

8. Canceling the AMBER Alert

- a. Notify the WACDC immediately by radio or telephone at 801-629-8221 or the Weber County Sheriff's Office Records Unit when the Alert can be canceled.
- b. Note the reasons, circumstances and actions regarding the cancellation of the AMBER Alert in the incident report or supplemental report.