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Approval: Chief of Police	Manual: Policy and Procedure			

I. PURPOSE

The purpose of this policy is to establish procedures for the handling of missing persons reported to the department.

II. DEFINITIONS

A. Missing Person:

1. Any individual who is 18 years of age or older, whose temporary or permanent residence is in North Carolina, or is believed to be in North Carolina, whose location has not been determined and who has been reported as missing as defined by North Carolina General Statute to a law enforcement agency.
2. A juvenile as defined by North Carolina General Statute, whose location has not been determined, and who has been reported as missing to a law enforcement agency, and whose parents, spouse, guardian, or legal custodian's temporary or permanent residence is in North Carolina, or is believed to be in North Carolina.

B. Disability: A person of any age who is missing and under proven physical/mental disability or is senile, thereby subjecting himself/herself or others to personal and immediate danger.

C. Endangered: A person of any age who is missing under the circumstances indicating that his/her physical safety may be in danger.

D. Involuntary: A person of any age who is missing under the circumstances indicating that the disappearance may not have been voluntary.

E. Juvenile: A person who is missing and declared un-emancipated as defined by the laws of North Carolina and does not meet any of the entry criteria set forth in the above three categories.

F. Catastrophe Victim: A person of any age who is missing after a catastrophe.

G. Silver Alert: A program developed in North Carolina to help protect an increasing population of individuals that suffer from dementia or other cognitive impairment. North Carolina developed the Silver Alert program to quickly locate missing persons who may be endangered. The program is a cooperative effort among local and state law enforcement and the N.C.

H. AMBER Alert: AMBER stands for America's Missing: Broadcast Emergency Response. The AMBER Alert is a system statewide system utilized to quickly disseminate information regarding abducted children.

III. POLICY

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- A. It is the policy of the Department to investigate all reports of missing persons to the fullest extent possible.
1. The criteria for entering and removing a person in the National Crime Information Center's (NCIC) data base as "officially missing" has been established by the Division of Criminal Information (DCI), North Carolina State Bureau of Investigation and is as follows:
 - a. Disability.
 - b. Endangered.
 - c. Involuntary.
 - d. Juvenile.
 - e. Catastrophe Victim.
 2. A missing person report will be completed for any person (adult or juvenile), whose last known location was in the City of Kinston, or whose temporary or permanent residence is in the City of Kinston, or when the person or child's last location is unknown, or whose parents, spouse, guardian, or legal custodian's temporary or permanent residence is in the City of Kinston. When in doubt, officers will take a report.
 3. Missing person complaints will be investigated through application of the same basic procedures established for other incidents. Some additional requirements may be involved depending upon the circumstances of an individual case. Complaints of missing persons shall be initially investigated by the responding patrol officer, unless compelling circumstances indicate that the case should be handled initially by the Investigations Section, such cases being kidnaping, or suspected foul play.
 4. Missing Persons under the age of 21 must be entered immediately into NCIC.
- B. A missing person report will be completed by the initial responding officer as part of the preliminary investigation. The preliminary investigation shall include at a minimum:
1. Notifying all units within the department of the person's name, physical description, clothing description, health/general condition, point last seen, and possible vehicles and accompanied persons, if any, and or other specific information that might assist in locating the person; this information shall be disseminated at the earliest possible moment.
 2. Attempting to obtain a photograph of the missing person.
 3. Informing the reporting person to call the department as soon as possible should the missing person return or additional information comes to their attention.

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4. Contacting persons developed from interviews who may possibly know the whereabouts of the person.
5. Visiting possible locations or having other units visit specified areas identified by the complainant.
6. Promptly notifying their immediate supervisor when a reported missing person is a juvenile; an individual who is mentally or physically challenged; an elderly individual who is unable to care for themselves; a person who is believed to be despondent; when the time of day, temperature, and or length of time before notification of police mandates immediate action be taken; and or when the missing person is critically ill, or at-risk in any known way.
7. As soon as possible, officers will submit a copy of all missing person reports to the Departments Records Section. Records personnel, in accordance with North Carolina General Statute 143B-499.1, will immediately:
 - a. Enter data about the missing person or missing child into the national missing persons file in accordance with criteria set forth by the FBI/NCIC.
 - b. Inform Lenoir County (911) communications center of missing person report and all pertinent information for re-broadcast of missing person information to all on-duty personnel via radio communication.
 - c. Initiate a state wide broadcast through DCI to all appropriate law enforcement agencies to be on the look-out for the individual.
 - d. Transmit a copy of the report to the North Carolina Center for Missing Persons.
8. The Squad Supervisor will notify the Administrative On-Call Supervisor when a reported missing person is a juvenile, an individual who is mentally and/or physically challenged, an elderly individual who is unable to care for themselves, a person who is believed to be despondent, or when the time of day, temperature, and/or length of time before notification of police mandates immediate action be taken.
9. The Administrative On-Call will make an independent judgement as to manpower needs, special equipment, search patterns, notification of outside emergency agencies for search and rescue, an investigator to respond to the scene, and whether to contact the appropriate Major.
10. The Shift Supervisor, unless relieved by a higher authority, will be responsible for the search operation and the coordination of all personnel and agencies involved, and will determine when to terminate the operation.
11. When the initial responding officer's tour of duty has ended, and the missing person's whereabouts have not been ascertained, and all aforementioned procedures have been taken, all complaints of missing persons will be referred to the Investigations Sections for

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follow-up and passed onto the oncoming patrol shift supervisors.

12. If an officer locates a subject who has been reported missing or comes in contact with a person who is believed to be mentally and or physically challenged, an elderly individual who appears to be unable to care for themselves or a person believed to be despondent, the locating officer shall do the following:
 - a. Attempt to locate and contact the reporting person or a responsible person (i.e., relative) to whom the person may be released.
 - b. If the individual has been entered into NCIC/DCI, ensure the found individual is removed in accordance with the regulations and procedures established by these respective systems.
 - c. If there are circumstances which lead the officer to believe that releasing the person would not be in the person's best interest, the officer or investigator should return the person to their home, to a medical facility, or contact the Department of Social Services.

13. If an officer locates, or is investigating a case in reference to a found juvenile and during the investigation determines or suspects any of the following unusual circumstances exists, the officer will comply with procedures as outlined by Department policy and will take the youth into protective custody and notify their immediate supervisor:
 - a. The juvenile appears to be out of the zone of safety for his/her age and/or developmental state.
 - b. The juvenile is mentally incapacitated and not able to care for him/herself.
 - c. The juvenile is dependent on medications or other drugs and may be in physical danger if not obtained.
 - d. The juvenile appears to be the victim of foul play, violence, or abuse.
 - e. The juvenile is in an environment "dangerous" to the youth based on the age and development of the child.

- C. Silver Alert
 1. The Silver Alert program was designed to quickly disseminate descriptive information about the missing person, so that citizens in the affected area can be on the lookout for the endangered person and notify local law enforcement with any relevant information. The program is a cooperative effort among local and state law enforcement and the N.C. Center for Missing Persons, with voluntary participation by radio and television broadcasters and the N.C. Department of Transportation.

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2. ALL of the following statutory criteria must be met before the N.C. Center for Missing Persons will activate a Silver Alert:
 - a. The person is believed to be missing.
 - b. The person is believed to be suffering from dementia or Alzheimer's disease, or a disability that requires them to be protected from potential abuse or other physical harm, neglect, or exploitation.
 - c. A legal custodian of the missing person has submitted a missing person's report to the local law enforcement agency where the person went missing
 - d. Law enforcement reports the incident to the NC Center for Missing Persons.

3. The North Carolina Center for Missing Persons is the only agency that can activate a Silver Alert and will do so ONLY at the request of an investigating law enforcement agency. It is then the responsibility of the center to determine whether there is sufficient identifying data to justify a Silver Alert activation.

4. The following are the appropriate procedures for issuing a Silver Alert:
 - a. Step 1 - Local Law Enforcement Investigates: When a family member or caregiver calls local law enforcement to report their missing loved one, the law enforcement agency must first investigate the case and determine if the criteria warrant a request for a Silver Alert. According to North Carolina law, a Silver Alert can only be issued if all of the criteria are met (see above).
 - b. Step 2 - Local Law Enforcement Calls NC Center for Missing Persons: After completing the investigation and determining the case meets the qualifying criteria, law enforcement will call the NC Center for Missing Persons (an agency within the Department of Crime Control and Public Safety) to request a Silver Alert. The law enforcement agency will send completed Silver Alert forms to the center outlining the necessary information about the missing person.
 - c. Step 3 - NC Missing Persons Center Issues Silver Alert: The center and investigating law enforcement agency work together to notify the surrounding community about the missing person.

5. Law Enforcement Responsibilities
 - a. Enter information into the National Criminal Information Center system
 - b. Initiate a statewide "be on the lookout" bulletin to all appropriate law enforcement agencies

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- c. Provide a 24-hour phone number to receive calls during the investigation
 - d. Activate phone calls in the immediate area using a type of reverse 911 calling system. (Using the A Child is Missing program, law enforcement can notify 1,000 businesses and/or residents each minute)
 - e. Notify the National Center for Missing & Exploited Children (if the person is 21 or younger)
6. NC Center for Missing Persons Responsibilities
- a. Update information on the department's web site
 - b. Notify the local media about the missing person (including pictures when possible)
 - c. Request the NCDOT to activate highway message signs (if appropriate)
 - d. Once the missing person has been located, the local law enforcement agency will notify the NC Center of Missing Persons, who will cancel the Silver Alert.
7. The Silver Alert is run by the North Carolina Department of Public Safety. Appropriate forms can be retrieved from their web address <https://www.ncdps.gov/documents/silver-alert-2017-information-form>.
- D. Amber Alert
- 1. AMBER stands for America's Missing: Broadcast Emergency Response. The system is a voluntary cooperative effort among North Carolina radio and television broadcasters, local and state law enforcement, the Department of Transportation and the N.C. Center for Missing Persons. The goal is to use local radio and TV stations, electronic highway signs and lottery terminals to immediately notify citizens of a criminally abducted child in their area.
 - 2. ALL of the following statutory criteria (GS §143B-499.7) must be met before the NC Center for Missing Persons will activate an AMBER Alert. The child is:
 - a. 17 years old or younger
 - b. believed to have been abducted,
 - c. not taken by a parent (unless the child is in danger)
 - d. not believed to be a runaway or voluntarily missing
 - e. and the abduction has been reported to and investigated by a L.E. agency.

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3. The North Carolina Center for Missing Persons is the only agency that can activate an AMBER Alert and will do so ONLY at the request of an investigating law enforcement agency. It is then the responsibility of the Center to determine whether there is sufficient identifying data to justify AMBER Alert activation. For instance, there must be sufficient descriptive data on the child, abductor and/or abductor's vehicle for the public to be on the lookout for something. It does no good to activate an AMBER Alert if sufficient information can't be provided to the public.
4. If the abduction of the child is known or suspected to be by a parent of the child, the Center may disseminate information through the AMBER Alert System if the child is believed to be in danger of injury or death.
5. The following are the appropriate procedures for issuing an Amber Alert:
 - a. **Step 1 - Local Law Enforcement Investigates:** When a parent or caregiver calls local law enforcement to report their missing child, the law enforcement agency must first investigate the case and determine if the criteria warrant a request for an AMBER Alert. According to North Carolina law, an AMBER Alert can only be issued if all of the previously listed criteria are met.
 - b. **Step 2 - Local Law Enforcement Calls NC Center for Missing Persons:** After completing the investigation and determining the case meets the qualifying criteria, law enforcement will call the NC Center for Missing Persons (an agency within the Department of Crime Control and Public Safety) to request an AMBER Alert.

The law enforcement agency must have enough identifying information: such as description of child, abductor and vehicle information. It does no good to issue an AMBER Alert if there is not sufficient information that can be provided to the public to assist with the search. The law enforcement agency will enter the case into the National Crime Information Center to begin tracking the case.

- c. **Step 3 - NC Missing Persons Center Issues AMBER Alert:** The NC Center for Missing Persons is the only agency that is authorized to issue an AMBER Alert. The NC Missing Persons Center contacts the NC State Highway Patrol with instructions to issue an Emergency Alert System (EAS) message.

The EAS message is technically THE AMBER Alert. Through the EAS System, television and radio stations receive the tone signal that indicates an emergency message will follow. (This EAS is the same system that notifies citizens about severe weather warnings.) Descriptive information about the child and abductor will be announced in a pre-recorded message or displayed as a 'crawl' message across the television screen.

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6. The NC Missing Persons Center also:
 - a. Contacts NCDOT to activate the electronic message signs on the highways. Signs will include vehicle make, model and license plate with “Abducted Child – Call *HP if seen”
 - b. Contacts the NC Education Lottery to activate messages on lottery terminals
 - c. Enters information that simultaneously updates the www.ncdps.gov website and notifies appropriate media and other key personnel
 - d. Contacts contiguous states if appropriate
7. The AMBER Alert is run by the North Carolina Department of Public Safety. Appropriate forms can be retrieved from their web address at <https://www.ncdps.gov/document/amber-alert-information-form>.