

## Missing Persons

### 318.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

#### 318.1.1 DEFINITIONS

Definitions related to this policy include:

**High-risk missing person** - A person whose whereabouts are not currently known and whose circumstances indicate that the person may be at risk of injury or death. The circumstances that indicate that a person is a high-risk missing person include, but are not limited to, any of the following (50 ILCS 722/10(a)(1)):

- (a) The person is missing as a result of a stranger abduction.
- (b) The person is missing under suspicious circumstances.
- (c) The person is missing under unknown circumstances.
- (d) The person is missing under known dangerous circumstances.
- (e) The person is missing more than 30 days.
- (f) The person has already been designated as a high-risk missing person by another law enforcement agency.
- (g) There is evidence that the person is at risk because:
  - 1. The person is in need of medical attention or prescription medication.
  - 2. The person does not have a pattern of running away or disappearing.
  - 3. The person may have been abducted by a non-custodial parent.
  - 4. The person is mentally impaired.
  - 5. The person is under the age of 21.
  - 6. The person has been the subject of past threats or acts of violence.
  - 7. The person has eloped from a nursing home.
- (h) Any other factor that may, in the judgment of the law enforcement official, indicate that the missing person may be at risk.

**Missing person** - Any person who is reported missing to law enforcement when that person's location is unknown. This includes a person under the age of 18, reported to the Department as abducted, lost or a runaway, whose identity is entered into the Law Enforcement Agencies Data System (LEADS) (325 ILCS 55/1(c)).

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**Missing person networks** - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC) and LEADS.

#### **318.2 POLICY**

The Urbana Police Department does not consider any report of a missing person to be routine and assumes the missing person is in need of immediate assistance until an investigation of reasonable efforts reveals otherwise. The Urbana Police Department does not require a specific amount of time to have passed before beginning a missing person investigation.

Nonetheless, missing persons are a logistical and judgement problem for all law enforcement agencies. It is recognized that a person may be unaccounted for due to voluntary absence, involuntary absence, or suspected criminal acts.

#### **318.3 REQUIRED FORMS AND DNA COLLECTION KITS**

The Criminal Investigation Division supervisor shall ensure the following forms and kits are developed and available:

- Missing Person Report Form (50 ILCS 722/5(c))
- Missing Person Investigation Checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation
- Missing Person School Notification Form
- Medical Records Release Form
- DNA collection kits

#### **318.4 ACCEPTANCE OF REPORTS**

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction (50 ILCS 722/5(a)).

Cunningham Children's Home: Due to the circumstances surrounding the facilities associated with CCH, CCH staff will respond to the front desk to file runaway reports, as agreed to by CCH. The representative filing the report will complete the Missing Person Signature Form.

#### **318.5 INITIAL INVESTIGATION**

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions as applicable:

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- (a) Respond to a dispatched call as soon as practicable.
- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be a high-risk missing person.
- (c) Notify a supervisor immediately if there is evidence that a missing person is either high-risk or may qualify for a public alert, or both (see the Public Alerts Policy).
- (d) Broadcast an alert if the person is under 18 years of age or there is evidence that the missing person is high-risk. The alert should be broadcast immediately if the missing person is under 18 or as soon as practicable but in no event more than one hour after determining the missing person may be high-risk (325 ILCS 40/7).
- (e) Ensure that entries are made into the appropriate missing person networks, as follows:
  - 1. Immediately when the missing person is high-risk.
  - 2. In all other cases, as soon as practicable but not later than two hours from the time of the initial report.
- (f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
- (g) Collect and/or review:
  - 1. A photograph and fingerprint card of the missing person, if available.
  - 2. A voluntarily provided DNA sample of the missing person, if available (e.g., toothbrush, hairbrush). Any DNA samples obtained shall immediately be forwarded to the Illinois State Police for analysis (50 ILCS 722/5(d)(3)).
  - 3. Any documents that may assist in the investigation, such as court orders regarding custody.
  - 4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (h) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.
- (i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to a high-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.
- (j) If the missing person is a child, immediately contact the State Missing Persons Clearinghouse (325 ILCS 40/7(b)).

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- (k) In the event that a missing child is not found during the shift in which the report was made, information regarding the missing child shall be disseminated to all sworn officers in the Department (325 ILCS 40/7(b)).

#### **318.6 REPORT PROCEDURES AND ROUTING**

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

##### **318.6.1 SUPERVISOR RESPONSIBILITIES**

The responsibilities of the supervisor shall include, but are not limited to:

- (a) Reviewing and approving missing person reports upon receipt.
  - 1. The reports should be promptly sent to the Services Division.
- (b) Ensuring resources are deployed as appropriate.
- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.
- (e) Ensuring that records have been entered into the appropriate missing person networks.
- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
  - 1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

##### **318.6.2 SERVICES DIVISION RESPONSIBILITIES**

The receiving employee shall:

- (a) As soon as reasonable under the circumstances, notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person's residence in cases where the missing person is a resident of another jurisdiction.
- (b) Notify and forward a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen.
- (c) Notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person's intended or possible destination, if known.
- (d) Forward a copy of the report to the Criminal Investigation Division.
- (e) Ensure that the services division enters the missing person into the appropriate databases.
- (f) Ensure that the NCIC database is updated with additional information obtained from missing person investigations 42 USC

§ 5780.

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### **318.7 CRIMINAL INVESTIGATION DIVISION FOLLOW-UP**

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

- (a) Should ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.
  - 1. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information if the school receives a call requesting the transfer of the missing child's files to another school.
- (b) Should recontact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available.
- (c) Shall attempt to obtain, if not previously received, the following (50 ILCS 722/5(d)):
  - 1. DNA samples from family members or from the missing person along with any needed documentation, or both, including any consent forms, required for the use of state or federal DNA databases, including, but not limited to, the Local DNA Index System (LDIS), State DNA Index System (SDIS) and National DNA Index System (NDIS).
  - 2. An authorization to release dental or skeletal X-rays of the missing person.
  - 3. Any additional photographs of the missing person that may aid with the investigation or an identification and enter the photograph into applicable missing person networks (42 USC § 5780). No written authorization to publicly release any photograph that would aid in the investigation or identification of the missing person is required.
  - 4. Dental information and X-rays.
  - 5. Fingerprints.
- (d) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (e) Shall verify and update LEADS, the NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (42 USC § 5780).
- (f) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children® (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (42 USC § 5780).
- (g) Should make appropriate inquiry with the Coroner.

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- (h) Should obtain and forward medical and dental records.
- (i) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).
- (j) Shall immediately begin an investigation and notify the Illinois State Police if information is received that a request for the birth certificate, school record or any other information concerning a missing child has been made (325 ILCS 55/6).
- (k) In the case of a high-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

#### **318.7.1 NOTIFICATION TO REPORTING PERSON**

The investigator shall notify the person making the report, a family member or other person in a position to assist the Department in its efforts to locate the missing person of the following (50 ILCS 722/5(d)(1)):

- (a) General information about the handling of the missing person case or about intended efforts in the case to the extent that the disclosure would not adversely affect the ability to locate or protect the missing person or to apprehend or prosecute any person criminally involved in the disappearance.
- (b) That the person should promptly contact the Urbana Police Department if the missing person remains missing in order to provide additional information and materials that will aid in locating the missing person such as the missing person's credit cards, debit cards, banking information and cellular telephone records.
- (c) That any DNA samples provided for the missing person case are provided on a voluntary basis and will be used solely to help locate or identify the missing person and will not be used for any other purpose.
- (d) That, dependent upon the missing person's age, the NCMEC and the National Center for Missing Adults may be contacted.

#### **318.8 WHEN A MISSING PERSON IS FOUND**

When any person reported missing is found, the employee notified shall document the location of the missing person in the appropriate report, notify the reporting party and other involved agencies and refer the case for additional investigation if warranted.

To consider a missing person as found, some level of certainty must be achieved. A law enforcement official viewing the missing person achieves that level of certainty. It is recognized, however, that may not always be possible or a wise use of resources. Reports of found persons originating from third party organizations may suffice, e.g. Cunningham Children's Home, hospital staff, Department of Children and Family Services, etc. Family members calling may also be sufficient. Employees are encouraged to be appropriately skeptical and consider all of the circumstances before classifying a person as found.

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The Police Services Supervisor shall ensure that, upon receipt of information that a missing person has been located, entries are made in the applicable missing person networks.

#### **318.8.1 UNIDENTIFIED PERSONS**

Members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified person's description into the NCIC Unidentified Person File.
- (c) Use available resources, such as those related to missing persons, to identify the person.

#### **318.9 CASE CLOSURE**

The Criminal Investigation Division supervisor may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
- (b) If the missing person is a resident of Urbana or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
- (c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.