



POLICE SCIENCE

Aided and Missing



PART II: MISSING PERSONS

This subject goes directly to our primary responsibility: *protect life*. First, we must know who would classify a missing person. As such, not everyone who simply fails to appear at home or work, when expected, is considered to be a missing person. Once we have determined that a person is missing, we must know how to investigate their absence and to alert others as thoroughly and quickly as possible. Furthermore, there is a direct relationship between the swiftness and accuracy of the investigation and the probability that a missing person will be found and returned to their home and family.

Missing Persons Defined

According to the Patrol Guide, a missing person is defined as a person *missing from a New York City Residence* and is:

- Seventeen years of age or younger, or
- Cognitively impaired/developmentally disabled or disabled to the extent that hospitalization may be required or not capable of self-care or clear communication, or
- Sixty-five years of age or older, or
- Possible victim of drowning, or
- Indicated an intention of committing suicide, or
- Missing under circumstances indicating unaccountable or involuntary disappearance.

Missing persons do not include the following categories of people:

- Persons wanted for a crime,
- Persons wanted on a warrant, or
- Persons 18 years of age or older, who have left home voluntarily because of domestic, financial or other similar reasons.

These exclusions are intended for persons who are likely to have fled *VOLUNTARILY* as a direct result of their status (e.g., a person wanted for a crime fleeing to avoid prosecution). However, the exclusions listed above shall not be used as justification for failing to accept a missing persons report when the totality of the circumstances indicate that a person may in fact be missing.

Reports of persons missing from temporary residences within New York City (hotel guests, college, and university students) will be accepted. In such cases, complainants will also be instructed to file a complaint of a missing person with the law enforcement agency where the missing person resides. Thus, if a New York University student, for example, whose permanent residence is in Philadelphia were to be reported missing from their Manhattan dormitory room, they would be reported as a missing



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person, and the complainant in the case would be advised to file an additional report with the Philadelphia Police Department. The same procedure should be followed with hotel guests: we will accept a report of a Los-Angeles-based businessperson who was missing from a New York hotel, but we would also advise the complainant to contact the LAPD to assure that the individual was reported missing with that agency. Whenever possible, of course, officers should assist complainants in contacting and filing missing person reports with such agencies.

Further note that there is *no minimum time limit* to be observed before accepting a complaint about a missing person. As soon as we hear about a missing person, we should initiate our investigative procedure. Under no circumstances will complainants be referred directly to the Missing Persons Squad.

Investigating Missing Persons

When called to investigate a report of a missing person, a police officer should interview the COMPLAINANT to determine if, in fact, the complaint of a missing person is valid.

COMPLAINANT – For the purpose of this procedure, the complainant is not limited to a member of the family, but could be another person (such as a legal or temporary guardian, a representative of the Department of Education, a hospital administrator, a roommate, a home care attendant, etc.) who may be reasonably expected to know whether or not the person is actually missing.

If there is a valid complaint of a missing person, the responding officer should immediately begin to gather the following information:

1. An accurate description of the missing individual, including clothing worn.
2. Whether the person has gone missing before and, if so, location(s) where the person was found.
3. An accurate electronic and/or hard copy photo of the missing person, if available (electronic photo is preferred).
4. Location the missing was last seen.
5. Missing person's cellular telephone number and ascertain if their mobile device has tracking capabilities.
6. Missing person's email address(es), social media usernames and passwords, if known.



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7. Obtain the Administration for Children's Services caseworker's name and telephone number, if applicable.
8. Biological parents' and closest relative or guardian's name, address and telephone number, as appropriate.
9. Whether missing person has Alzheimer's disease or a related dementia, or is taking medication for Alzheimer's disease or a related dementia, and is enrolled with the MedicAlert + Alzheimer's Association Safe Return program, as appropriate.
 - a. If so, determine whether the missing person was wearing a MedicAlert + Safe Return bracelet or necklace and request that complainant provides the Safe Return identification number.
 - (1) If the identification number is unknown, contact the MedicAlert + Alzheimer's Association Safe Return program at 1-800-625-3780 to obtain the number and any other information the Association has on the missing person (e.g., medical condition(s), list of medication(s), emergency contact information, recent photograph).
10. The location where missing person grew up and of missing person has been known to return to that location in the past.
11. Conduct an immediate search of the building or structure to verify that such person is missing when a person sixty-five years of age and older, or a child nine years of age or younger, or a cognitively impaired/developmentally disabled person is missing from a hospital, institution, or any building, **PRIOR TO INITIATING ANY OTHER ACTION. AN INITIAL SEARCH OF THE BUILDING WILL BE CONDUCTED TO VERIFY THAT SUCH PERSON IS ACTUALLY MISSING.**
12. Request patrol supervisor to respond.
13. Notify the desk officer of the details.

Recording Complaints of Missing Persons

A complaint of a missing person will be recorded on a **Complaint Report Worksheet** and a **Missing/Unidentified Person Report** using the same complaint number for both reports.



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Special Category Missing Persons

When a report of a missing person falls into one or more of the following “special categories” of missing persons, *an immediate investigation and search is required*:

- Fifteen years of age or younger, or
- Cognitively impaired/developmentally disabled or disabled to the extent that hospitalization may be required or not capable of self-care or clear communication, or
- Sixty-five years of age or older, or
- Possible victim of drowning, or
- Unique/unusual case, or
- Indicated an intention of committing suicide, or
- Missing under circumstances indicating unaccountable or involuntary disappearance.

The Missing Persons Squad will make a daily notification to New York City Department for the Aging for crime victims 60 years of age and older. The telephone notification shall include name, address, and contact numbers of family members of missing persons.

The Department’s Searches for Missing Persons

It is the responsibility of the police to conduct the search for the missing person. When circumstances dictate, the search should begin at the location the missing person was last seen/known to have been. Every effort must be made to conduct a proper search to ensure that any evidence relating to the missing person is discovered and properly preserved. A search should *begin* with the establishment of a crime scene and expand from there. The following are the basic steps involved in the Department’s searches for missing persons, all of which may be utilized by the supervisor to conduct a search for a missing person:

- Establish a crime scene
- Search the area where the missing person was last seen or is known to have been
- Building searches of the residence or facility at which the missing person was last seen or to which they were headed
- Door-to-door searches
- Land, sea, and air searches, involving the Aviation and Harbor Units;
- K-9 searches
- Roadblocks and checkpoints
- School searches



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- Residential building searches
- Grid searches
- Transportation route searches

Autism and Dementia Wanderers

Officers performing routine patrol or conducting canvasses for missing persons may encounter individuals that have been diagnosed with Alzheimer's or other forms of dementia that tend to wander. The dementia (Alzheimer's) wandering types¹ are:

- Critical wanderer: Anyone with dementia who wanders away from supervised care, a controlled environment, or cannot be located.
- Random wandering: A type of wandering where the subject moves about aimlessly with no apparent goal.
- Goal-directed wandering: A type of wandering where the subject's movement can be attributed to some type of goal.

Law enforcement officers may encounter individuals who, while initially coherent, are subsequently recognized as being confused and disoriented. In these situations, officers should ask the individual basic evaluation questions, such as the following:

- What route are you taking to get there? Whom are you meeting?
- What is your full name and address? What is your phone number?
- What day of the week is it? What month is it?
- Can you tell me what city and state we are in?
- What time is it right now? (Answer should be correct within one hour.)
- Where are you coming from? Where are you going?

The behavioral profile of a person with dementia whom is the subject of a missing person investigation is as follows²:

- "They go until they get stuck." Appear to lack ability to turnaround.
- Subject oriented to the past, degree of the disease sends them back in time.
- Leaves own residence or nursing home, possibly with last sighting on a roadway / street.
- Coexisting medical problems that limit mobility are common.
- Has previous history of wandering.

¹ NYS Division of Criminal Justice, Office of Public Safety, Basic Course for Police Officers, September 2012, page 7-J.18

²NYS Division of Criminal Justice, Office of Public Safety, Basic Course for Police Officers, September 2012, page 7-J.19



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- May cross or depart from roads.
- Subject often found in a creek or drainage and/or caught in bushes.
- Usually found within one mile of initial planning point or closer.
- Subject will not leave many verifiable clues.
- May succumb to the environment (hypothermia, drowning, and dehydration).
- Subject may attempt to travel to former residence or favorite place.
- Will not cry out for help or respond to shouts.

Some important points to remember when communicating with persons with Alzheimer's are:

- Employ a non-threatening tone of voice.
- Try to move them to a quiet area of environment if noisy. This sometimes causes increased restlessness, anxiety, or pacing.
- Always identify yourself as a police officer, even if you are in uniform.
- Speak slowly using low-pitched voice.
- Maintain good eye conduct.
- Use questions that require "yes" and "no" responses.

Officers must also be aware of missing persons who suffer from autism disorder. This disorder affects the normal development of the brain relating to social and communicative interaction. This usually appears within the first three years of a child's life and is more common among boys than girls.

Missing persons who have autism present a challenge for the police because their physical appearance is not markedly different from that of other people. However, there are some common characteristics.³ Make note of the following:

- May have extreme sensitivity to light, sound and/or touch. May cover ears, eyes, remove clothing, or wear clothing inside out to avoid tags or seams against skin
- Show no real fear of danger
- Insensitive to pain
- Make little or no eye contact
- Repeat phrases in place of normal communication
- May have verbal and auditory limitations; may not respond to name or when spoken to; may seem deaf or defiant
- May have social challenges or inability to understand social cues

³ NYS Division of Criminal Justice, Office of Public Safety, Basic Course for Police Officers, September 2012, page 7-J.15



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- May be attracted to water, traffic, or have extreme obsessions with certain ideas, objects, places or people
- May run or bolt from stressful situations
- May enter another person's home without understanding consequences
- May be impulsive or become aggressive when scared or unable to express needs or wants
- May seem like a typical person because of normal physical attributes, but act intoxicated, high, unstable and suspicious

Officers performing routine patrol or conducting canvasses for missing persons and come across persons diagnosed with this disorder should try to approach the individual in a quiet, non-threatening manner. Officers should avoid quick motions and gestures that may be perceived to be threatening. Understand that touching a person with autism may cause a protective “fight or flight” reaction. Always avoid touching an autistic person on the shoulders or near the face.

Give instructions that are simple and direct with no use of slang. An officer's statements will be taken literally, so use specific commands. Demonstrate what you want the person to do or write instructions down, if the person can read, or use sign language or pictures. Do not assume that a non-verbal person does not understand what you say.

Autism Wandering

When a person, who requires some level of supervision to be safe, leaves a supervised, safe space and/or the care of a responsible person and is exposed to potential dangers. Wandering is also referred to as elopement, bolting, fleeing, and running. You may hear, “My son is a runner.”⁴ There are different *wandering types*.⁵

- *Goal-directed*: Wandering with the purpose of getting to something (water, train tracks, park, an item, or place of obsession, etc.)
- *Non-goal directed*: Wandering with seemingly no purpose; random and aimless movement from one place to another.
- *Bolting/fleeing*: The act of suddenly running or bolting, usually to quickly get away from something, a negative reaction to an event, anxiety, fear, excitement, stress, or uncomfortable sensory input.
- *Other*: Any other type of wandering – nighttime wandering or wandering due to disorientation, transition, or confusion.

⁴ NYS Division of Criminal Justice, Office of Public Safety, Basic Course for Police Officers, September 2012, page 7-J.16

⁵ Ibid



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Wandering Dangers

- Drowning
- Exposure, dehydration, or hypothermia
- Traffic injuries
- Physical restraint
- Falls
- Encounters with strangers

Officers may utilize the *5W “just add water” approach* to gather information during the early stages of a missing person who is diagnosed with autism⁶ :

- *Who*: Name, gender, age, typical appearance, special markings, physical attributes, diagnosis, level of severity, preferred form of communication, level of communication, cognitive age, identifiable behaviors (“He always flaps his hands,” “She always walks on her toes”), medical ID or other wearable ID, tracking frequency number, responding to their name if called.
- *What*: What are their interests? What do they like? What do they fear? What is their favorite music, food, places, people, phrases, TV show, game, iPad app? What would draw them towards us? What would drive them away us?
- *Where*: Where have they wandered from before? Where did they go before? Where are they likely to go now?
- *When*: When did they wander before, how many times, how were they found?
- *Water*: Is there a specific water source they are attracted to? Where is that water source? Are there water sources on your property or in your neighborhood? Ponds, lakes, retention ponds, swimming pools? Where are they? Does your child know how to swim?

The Silver Alert System

A “Silver Alert” is a communication to the public of identifying information concerning a *vulnerable senior* (i.e., a person sixty-five (65) years of age or older with dementia, as a result of Alzheimer’s disease or a similar condition) who is reported missing to the Department or other law enforcement agency under circumstances indicating that the person is in imminent danger of serious bodily harm or death. The determination to activate a Silver Alert shall be made by a captain or above assigned to the Detective Bureau.

⁶ NYS Division of Criminal Justice, Office of Public Safety, Basic Course for Police Officers, September 2012, page 7-J.17



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The Silver Alert System has been established to provide notice to the public/media with information that may be helpful in identifying or locating a missing person sixty-five (65) years of age or older with dementia as a result of Alzheimer's disease or similar condition. In addition, a detective zone commanding officer/Detective Bureau duty captain may activate a Silver Alert for a person *UNDER* the age of sixty-five (65) who is reported missing under circumstances indicating that the person is in imminent danger of serious bodily harm or death and where such missing person has dementia as a result of Alzheimer's disease, or similar conditions, if they reasonably believe a Silver Alert will be beneficial in locating the missing person. When a uniformed member of the service responds to a report of a missing person and information received indicates that the case may qualify for a Silver Alert, they will:

- Comply with P.G. 207-23, "Missing Persons,"
- Request the response of the patrol supervisor,
- Notify the desk officer of details.

Only a captain or above from the Detective Bureau may activate a Silver Alert. A Silver Alert will *NOT* be activated, unless the "vulnerable senior" is missing under circumstances indicating that the person is in imminent danger of serious bodily harm or death. A person's status as a vulnerable senior alone is normally insufficient to justify a Silver Alert without additional factors that constitute imminent danger (e.g., severe weather, need for immediate medical attention, history of violent or reckless behavior, etc.).

Children Reported as Missing Persons

The search for a missing child demands a swift, coordinated, and accurate response from law enforcement, as the longer a child is missing the less successful a search and recovery effort is likely to be. Obtaining necessary information from members of a child's family may be difficult due to the traumatic experience of a child reported missing. Police officers should use every method available to them to attempt to calm the family and gain the information necessary to immediately begin the search for the child.

In interviewing the complainant, it is important to determine if the person who took the child is known (i.e., family member, spouse, biological parent). If there is a relationship between the suspected abductor and the child, law enforcement should attempt to obtain information concerning the immediate physical danger to the child. When the following questions are addressed, it will assist in directing your actions and the preliminary investigation⁷:

- Is there a witness or evidence of abduction or other foul play?

⁷ NYS Division of Criminal Justice, Office of Public Safety, Basic Course for Police Officers, September 2012, page 7-J.8



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- What is the child's *zone of safety*?
"The zone of safety will vary depending on the age of the child and his or her developmental stage. In the case of an infant, for example, the zone of safety will include the immediate presence of an adult custodian or the crib, stroller, or carriage in which the infant was placed. For a school-aged child the zone of safety might be the immediate neighborhood or route taken between home and school." (*The National Center for Missing and Exploited Children, Law Enforcement Policy and Procedures for Reports of Missing and Abducted Children, October 2011, page 2*).
- History of child missing? Runaway?
- Attempt to establish a timeline: Where, when and by whom was child last seen?
- Is online enticement or other online activity involved?
- Check police records – prior history of police contact with complainant, missing child, parents, suspect, or abductor, if known.
- Any similar calls or cases in that area?

The following is a list of people that an officer should want to interview during the initial stages of a missing child investigation, if available:⁸

- Parents, both in person, especially in custody situations if possible
- Family members, including siblings
- Friends, romantic interests
- School staff, teacher, bus drivers, etc., if applicable

Moreover, attempt to elicit the following information from the interview⁹:

- The person's (interviewee) contact information
- When and where they last saw the child
- Who they recommend also to be interviewed
- What they think happened to the child
- Note exact comments and/or behavior/emotional response, if unusual.
- Document conflicting information
- Obtain photo of child

⁸ NYS Division of Criminal Justice, Office of Public Safety, Basic Course for Police Officers, September 2012, page 7-J.9

⁹ Ibid



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Prior to initiating any other action, an initial search of the building will be conducted to verify that such persons are actually missing. An officer should ensure that the following steps are covered, if applicable¹⁰.

- Search area of disappearance and the child's home. Do not rely on the family's search. Check closets, attic, basement, crawl spaces, garage, sheds, appliances, vehicles, elevator shafts, etc. Keep in mind that a residence is a potential source of evidence and may have to be secured as a crime scene.
- When searching a child's room determine if personal items are missing. Secure uncontaminated "scent items" (clothing, bedding, etc.), if necessary, and ensure that potential evidence is safeguarded as per Patrol Guide procedures. Items that may need to be secured are as follows: letters, cards, diaries, address/phone books, photographs, items with potential fingerprints, and DNA (hairbrush, toothbrush, and pillowcase).
- In accordance with Patrol Guide procedures, keep in mind that computers and computer-related evidence should only be removed by the "Computer Crimes Squad." Remember, search warrants may be required.

Family Abduction

Family abduction is defined by the New York State Division of Criminal Justice Services as the taking or keeping of a child by a family member in violation of a custody order, decree or other legitimate custodial rights; where the taking or keeping involved some element of concealment, flight or intent to deprive a lawful custodian indefinitely of custodial privileges. Do not assume it is a civil matter or that the child is safe because they are with a parent. Remember, desperate people can be vulnerable to committing desperate acts¹¹. Though this specific definition is not delineated by the Patrol Guide, family abductions do happen. An officer must remember to refer to Patrol Guide procedure 207-23, "Missing Persons," during the investigation. If investigating a missing person complaint involving a custody order, remember the following¹²:

- Make certain the child is with the person who has lawful custody.
- Check on the welfare of the child. You have a responsibility to protect the child.
- Thoroughly investigate the custody issue.
- Read and understand the entire custody order.

¹⁰ NYS Division of Criminal Justice, Office of Public Safety, Basic Course for Police Officers, September 2012, page 7-J.9 and 7-J.10

¹¹ NYS Division of Criminal Justice, Office of Public Safety, Basic Course for Police Officers, September 2012, page 7-J.13

¹² Ibid



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- Identify the parties to the order and compare custody order dates.
- Do not take order at its face value.
- Consult with a supervisor for guidance or clarification; a supervisor can contact a Department attorney, if necessary.
- Verify that you are holding a valid court order. Remember a new order may have been issued or the order may be a forgery. It is reasonable to ask parties to produce their orders and compare. Always work with certified copies or an original file stamped (confirmed) court order and make certain the orders have not expired. It may be necessary to call the issuing court.

Amber Alert Plan

The “Amber Alert Plan,” initiated in 1996, is a voluntary partnership between law enforcement agencies and broadcasters to disseminate urgent bulletins over the radio, television, Internet, and print media, etc., in the most serious child abduction cases. The Emergency Alert System is used to air a description of the missing child and suspected abductor. The system allows for prompt involvement of the entire community to assist in the search for and prompt return of abducted children.

The Amber Alert Plan may be activated whether the child was abducted by vehicle, on foot, or by any other means. The protocol for determining whether a case qualify for an Amber Alert is as follows:

- The child must be 17 years old or younger, AND,
- Police must believe that the child is in imminent danger of serious bodily harm or death, either at the hands of another or due to proven mental or physical disability.

When responding to a report of a missing child and information received indicates that the case may qualify for an Amber Alert:

- Comply with appropriate missing persons procedures
- Request response of patrol supervisor
- Notify the desk officer and request response of the precinct detective squad supervisor

Once it is determined that the case qualifies for an Amber Alert, only a captain or above from the detective bureau may request activation of the Amber Alert System through the New York State Police Communications Section.



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MISSING PERSONS REPORT CLASSROOM EXERCISE

Date:
Today

Time:
0100 hours

Location:
851 Grand Concourse
Apt. 3B
Bronx, New York 10451

Description:
Steven Johnson, male, Hispanic, D.O.B. 3/4/68, 5'11", 215 lbs., brown hair, blue eyes, white collared shirt, green tie, tan pants, and black shoes.

Scenario:
Police Officers Johnny Appleseed and Mary Bank respond to a report of a missing male. A female complainant, Mrs. Sylvia Johnson of 1235 Grand Concourse, advises the officers that her husband, Steven Johnson, has yet to come from work and has been missing for about 7 hours. Mrs. Johnson explains that her husband had last spoken to her at about 4 PM, one hour before he gets off from work. Mrs. Johnson further informs the officers that her husband was very depressed. Mr. Johnson had stated to her on the phone that he was very worried that he could not afford to support the new baby that was on the way. He also mentioned that the \$200,000 life insurance policy he had would do very well to support the family if he just "ended it all." Mrs. Johnson is worried that her husband might have done something drastic.

Notification(s) and Form(s):
As per the Patrol Guide, list the notifications required and the form(s) needed to complete this scenario.