

**SAN MARCOS POLICE DEPARTMENT
POLICIES AND PROCEDURES MANUAL**

Section Title: Missing Persons/Amber Alert/Silver Network **General Order:** 301

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Issuing Authority: *Howard E. Williams*

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I. POLICY

Many missing person reports involve individuals who have voluntarily left home for personal reasons. Other reports are often unfounded or quickly resolved. However, people disappear for unexplained reasons and under circumstances where they may be considered at risk in many instances. The complaint taker and initial responding officer are critical in identifying the circumstances surrounding missing persons and in identifying those persons at risk. Therefore, it is the policy of the San Marcos Police Department that all reports of missing persons be given full consideration and attention by members of this agency, to include careful recording and investigation of factual circumstances surrounding the disappearance in accordance with this policy. Particular care must be exercised in instances involving missing children and people who may be mentally or physical impaired, or others who are insufficiently prepared to take care of themselves.

II. PURPOSE

The purpose of General Order 301 is to establish responsibilities and guidelines for the investigation of missing persons.

III. MISSING PERSONS

- A. There is no waiting period for reporting a missing person. Missing person reports will be taken in-person or by telephone in conformance with the criteria of this policy and the criticality of the incident.
- B. A person may be declared "missing" when his/her whereabouts is unknown and unexplainable for a period that is regarded by knowledgeable parties as highly unusual or suspicious in consideration of the subject's behavior patterns, plans or routines.
- C. An individual may be considered "missing-critical" who meets the foregoing criteria and who, among other possible circumstances:
 - 1. May be the subject of foul play;
 - 2. Because of age (young or old), may be unable to properly safeguard or care for himself/herself;

3. Suffers from diminished mental capacity or medical conditions that are potentially life threatening if left untreated/unattended;
 4. Is a patient of a mental institution and is considered potentially dangerous to himself or others;
 5. Has demonstrated the potential for suicide; or
 6. May have been involved in a boating, swimming or other sporting accident or natural disaster.
- D. Reports of juveniles who have voluntarily left home (i.e., "runaways") should be classified as such only after thorough investigation.
- E. Based on the outcome of initial inquiries, a decision may be made concerning the potential danger posed to the missing person and the urgency of police response.
- F. The initial report taker must gather as much pertinent information as possible to classify properly a missing person report and initiate the proper response. This includes the following information:
1. Name, age and physical description of the subject and relationship of the reporting party to the missing person;
 2. Time and place of last known location and the identity of anyone accompanying the subject;
 3. The extent of any search for the subject;
 4. Whether the subject has been missing on prior occasions and the degree to which the absence departs from established behavior patterns, habits or plans;
 5. Whether the individual has been involved recently in domestic incidents; suffered emotional trauma or life crises; demonstrated unusual, uncharacteristic or bizarre behavior; is dependent on drugs or alcohol or has a history of mental illness; and
 6. The current physical condition of the subject and whether the person is currently on prescription medication.
- G. If the missing person is a child, inquiry should also determine if the child:
1. Is or may be with any adult who could cause him/her harm;
 2. May have been the subject of a parental abduction; and/or
 3. Has previously run away from home, has threatened to do so or has a history of explainable or unexplainable absences for extended periods.
- H. A supervisory officer will be notified immediately upon classification of a report as "missing-critical."

IV. INVESTIGATION

- A. The preliminary investigation is intended to gather additional information and to take those steps that will aid in the search for and location of a missing person. This includes gathering the following types of information and materials:
1. Complete description of the subject and a recent photograph;
 2. Details of any physical or emotional problems;

3. Identity of the last person(s) to have seen the subject as well as friends, relatives, coworkers or associates who were or may have been in contact with the subject prior to disappearance;
 4. Plans, habits, routines and personal interests of the subject including places frequented or locations of particular personal significance;
 5. Indications of missing personal belongings, particularly money and other valuables;
 6. Any suggestions of foul play or accident;
 7. In the case of missing children, officers will be particularly cognizant of information that may suggest the potential for parental abduction or the possibility of stranger abduction, as well as:
 - a. the presence of behavioral problems;
 - b. past instances of running away;
 - c. signs of an abusive home environment or dysfunctional family situation;
 - d. whether the child is believed to be with adults who may pose a danger; and,
 - e. the name and location of the school attended by the child and any persons who may be responsible for private transportation to and from the location.
- B. When possible, officers should gain permission to search a missing child's home and school locker, as appropriate.
- C. Upon verification of a missing person, a missing person report will be completed and appropriate entries made in state and national information databases in accordance with established procedures (e.g.: NCIC and The National Center for Missing and Exploited Children). Pursuant to State Law, the Department of Public Safety (DPS) Missing Child report form will be completed and immediately forwarded to the DPS Clearinghouse missing children database.
- D. In the case of persons designated as "missing-critical," a supervisor may:
1. Direct that the dispatcher broadcast to all persons on duty all information necessary to identify the missing person, and
 2. Request that the shift commander authorize mobilization of resources necessary for an area search.
- E. On-going investigations of missing persons should include, but should not be limited to, the following actions and activities:
1. Requesting release of dental records, blood type, DNA sample and any fingerprints available;
 2. Contacting hospitals and the coroner's office as appropriate for injured or deceased persons fitting the description of the missing person;
 3. Thoroughly checking the location at which the missing person was last seen and conducting interviews as appropriate with persons who were with the individual or who may work in or frequent the area;

4. Conducting interviews with any additional family, friends, work associates, schoolmates and teachers as well as school counselors and social case workers, as appropriate, to explore the potential for foul play, voluntary flight, or, in the case of juveniles, parental kidnapping or running away;
 5. Providing identification and related information to all elements of the Department, the state police missing persons' authority, neighboring police agencies and, if parental or stranger-to-stranger abduction is suspected, the Federal Bureau of Investigation (FBI); and
 6. Using local media to help locate missing persons, with the approval of the Chief of Police and the missing person's family; and
- F. The lead investigator will maintain routine on-going contact with the missing person's closest relative concerning progress of the investigation. These and other relevant individuals will be informed that they must notify the lead investigator as soon as any contact is made with the missing person.

V. RECOVERY OF MISSING PERSONS AND CASE CLOSURE

- A. Competent adults, having left home for personal reasons, cannot be forced to return home. Officers locating such individuals will:
1. Advise them that they are the subject of a missing person investigation;
 2. Ask if they desire the reporting party or next-of-kin to be notified of their whereabouts; and
 3. Make provisions to transmit this information to the reporting party or next-of-kin if permitted by the missing person.
- B. In all cases, reporting parties will be informed of the well-being of located missing persons. Unless criminal matters necessitate other action, desires of missing persons not to reveal their whereabouts will be honored.
- C. Missing persons will be questioned to establish the circumstances surrounding their disappearance and whether criminal activity was involved.
- D. In cases involving juveniles, officers will ensure that:
1. The juvenile receives medical attention if necessary in a timely manner;
 2. Initial questioning of the youth identifies the circumstances surrounding the child's disappearance, any individuals who may be criminally responsible and/or whether an abusive or negligent home environment was a contributory factor, and
 3. That parents, guardians and/or the person reporting the missing youth are notified in a timely manner.
- E. Upon location of a missing person, all agencies and information systems previously contacted for assistance will be notified or updated. This will include NCIC/TCIC and any other local, regional, State or national databases into which the information has been entered.
- F. When indicated, follow-up action will include filing of an abuse and neglect report with the state youth service agency.

- G. The case report will include a complete report on the whereabouts, actions and activities of children while missing.
- H. When indicated, criminal charges will be filed with the prosecutor's office.

VI. TEXAS AMBER ALERT NETWORK (TAAN)

- A. TAAN is a coordinated initiative by local law enforcement agencies to notify Austin DPS, Emergency Operations Center, Texas Department of Transportation, the National Weather Service, and Beyond Missing, via confidential fax, of child abduction.
- B. TAAN will only be implemented if all five of the following criteria are met:
 - 1. The abducted child is 17 years of age or younger;
 - 2. The Department must believe that the child has been abducted, that is, unwillingly taken from their environment without permission from the child's parent or legal guardian;
 - 3. The Department must believe that the missing child is in immediate danger of serious bodily harm or death;
 - 4. The Department must confirm that an investigation has taken place that verifies the abduction and has eliminated alternative explanations for the missing child; and,
 - 5. Sufficient information is available to disseminate to the public that could assist in locating the child, the suspect, or the vehicle used in the abduction.
 - 6. If the child does not meet the requirements for TAAN activation, the child will still be treated as a missing person as outlined in Chapter IV of this section.
- C. The following information should be broadcast on TAAN:
 - 1. Description of the offender;
 - 2. Description of the child;
 - 3. Description of vehicle(s), if any; and
 - 4. Updates regarding the search.
- D. Any officer with information on a possible abduction is to contact their immediate supervisor to inform them of the possibility of Amber activation. The following personnel within the Department are authorized to implement the Plan:
 - 1. On-Duty Patrol Commander
 - 2. Criminal Investigative Division Commander
 - 3. Criminal Investigation Division Sergeants
- E. On the confirmation that an AMBER Alert is to be activated, the person/personnel listed above will immediately activate the Emergency Operations Center. At a minimum, the following personnel should be in the Emergency Operations Center and will be notified by the person activating the Emergency Operations Center.
 - 1. City Manager,

2. Chief of Police,
 3. City Communications Director, and
 4. CID Commander.
- F. All requests for activation must include a point of contact and telephone number for confirmation and verification of any request. Fill in “Authentication password” with the password from the Department’s Amber Alert Network card.
- G. Faxed and e-mailed requests for activation should be placed on the Amber Alert Information Form.
- H. Requests made by TLETS should include the same information on the Amber Alert – the Information Form, including a point of contact, phone number to the EOC, (512-753-2180), and the agency password.
- I. The Department has been issued login names and passwords to activate the Texas Amber Alert Network. Initiating the system is a two-step process.
1. Notify the DEM that an abduction meeting the Amber Alert criteria has occurred. DEM will contact the NWS to issue an alert to the media, contact TX DOT to activate electronic highway signs within the 200-mile radius of the abduction and send an alert on TLETS.
 2. The Department generates a poster using the beyondmissing.com Internet site. The poster is automatically sent via fax and e-mail to media outlets, law enforcement agencies and selected private businesses within the search zone.
- J. The following hierarchy represents the method to contact the Governor’s Department of Emergency Management (DEM):
1. Primary: Fax the Amber Alert Information Form to (512) 424-2281 or (512) 451-2291
 2. Secondary: Send a TLETS message to AZAA, the DEM Communications Group in Austin
 3. Tertiary: E-mail the Amber Alert Information Form to eoc@txdps.state.tx.us (512) 424-2277 or (512) 424-2208
- K. Upon Verification of the activation request, DEM will issue an Amber Alert by:
1. Advising the National Weather Service (NWS) via the Texas Warning System to issue an Amber Alert in the appropriate region or regions;
 2. Notifying the Texas Department of Transportation’s Traffic Management Center (TX DOT) to activate electronic highway signs in the search zone to flash messages about the Amber Alert;
 3. Contacting state and local law enforcement offices within the search zone and providing those offices with details of the abduction via TLETS;
 4. Notifying the Texas Missing Persons Clearinghouse of the abduction; and
 5. Notifying the Governor’s Office that an Amber Alert has been issued.

- L. Once an abducted child has been recovered, the abduction resolved, or the Department decides that the Alert is no longer effective, TAAN must be deactivated.
 - 1. The lead investigator will coordinate the notification to DEM to cancel the alert. DEM is responsible for sending appropriate notification to the NWS, TX DOT and law enforcement agencies.
 - 2. Logon to BEYONDMISSING.com and edit the original submission to show the child has been found or that the abduction has been resolved.

TEXAS SILVER ALERT NETWORK (TSAN)

- VII. A. General Information:
 - 1. The Silver Alert Network was developed as a statewide emergency response system for certain missing senior citizens. The network is designed to be activated when a missing senior citizen with a diagnosed impaired mental condition poses a credible threat to his or her health or safety.
 - 2. A diagnosed impaired mental condition means a mental condition or disorder as defined by the current version of the Diagnostic and Statistical Manual as a clinically significant behavioral or psychological syndrome or pattern that occurs in an individual and that is associated with present distress or disability or with a significantly increased risk of suffering death, pain, disability, or an important loss of freedom. In addition, this individual's current condition presents a significant level of impairment to pose a credible threat to the individual's health and safety. The condition, e.g., Alzheimer's disease or dementia, shall be documented by a medical or mental health professional.

TSAN will only be implemented if all five of the following criteria are met:

The missing person must be 65 years of age or older.

The senior citizen must reside in Texas.

The senior citizen must have a diagnosed impaired mental condition AND the disappearance must pose a credible threat to the senior citizen's health and safety. The family or legal guardian of the missing senior citizen shall provide documentation from a medical or mental health professional of the senior citizen's condition to the law enforcement agency making the request for entry.

Request for entry into the Silver Alert System must occur within 72 hours of the senior citizen's disappearance.

There must be sufficient information available to disseminate to the public that could assist in locating the senior citizen. Highway signs will be activated only if accurate vehicle information is available and it is confirmed that the senior citizen was driving the vehicle at the time of the disappearance.

Any officer with information meeting the above criteria in to contact their immediate supervisor to inform them of the possibility of a TSAN activation. The following personnel within our Department are authorized to implement the Silver Alert Request:

- B. 1. On-Duty Patrol Commander,
- C. 2. Criminal Investigative Division Commander, and
- D. 3. Criminal Investigation Division Sergeants.

The Texas Department of Public Safety Silver Alert Request Form will be filled out with all available information and will be faxed to the State Operations Center, Governors Division of Emergency Management at (512) 424-2281 or (512) 451-2291 and a phone call notification will be made to (512) 424-2277 or 2208.

On the confirmation that TSAN is to be activated, the person/personnel listed above are to activate the Emergency Operations Center. At a minimum, the following personnel should be in the EOC and will be notified by the person activating the Emergency Operations Center.

- E. 1. City Manager,
 - F. 2. Chief of Police,
 - G. 3. City communications Director, and
 - H. 4. CID Commander.
- F. All requests for activation must include a point of contact and telephone number for confirmation and verification of any request.
 - G. Requests made by TLETS should include the same information on the Silver Alert Request Form, including a point of contact and phone number to the EOC, (512-753-2180).
 - H. Activation of Silver Alert
 - 1. Notify the DEM that an abduction meeting the Silver Alert criteria has occurred. DEM will contact the NWS to issue an alert to the media, contact TX DOT to activate electronic highway signs within the 200-mile radius of the abduction and send an alert on TLETS.
 - I. The following hierarchy represents the method to contact the Governor's Department of Emergency Management (DEM):
 - 1. Primary: Fax the Silver Alert Information Form to (512) 424-2281 or (512) 451-2291
 - 2. Secondary: Send a TLETS message to AZAA, the DEM Communications Group in Austin
 - 3. Tertiary: E-mail the Silver Alert Information Form to eoc@txdps.state.tx.us (512) 424-2277 or (512) 424-2208
 - J. Upon Verification of the activation request, DEM will issue a Silver Alert by:
 - 1. Advising the National Weather Service (NWS) via the Texas Warning System to issue a Silver Alert in the appropriate region or regions;
 - 2. Notifying the Texas Department of Transportation's Traffic Management Center (TX DOT) to activate electronic highway signs in the search zone to flash messages about the Silver Alert;
 - 3. Contacting state and local law enforcement offices within the search zone and providing those offices with details of the incident via TLETS;
 - 4. Notifying the Texas Missing Persons Clearinghouse of the incident; and

5. Notifying the Governor's Office that a Silver Alert has been issued.
- K. TSAN activations are valid for a period of 24 hours. Our department will be contacted after 12 hours, 18 hours and 23 hours in which we may decide to request an extension. All extensions must be requested prior to or during the 23 hour reminder from the State Operations Center.
- L. Once a missing senior citizen has been recovered, the incident resolved, or the Department decides that the Alert is no longer effective, TAAN must be deactivated.