



# UW-Madison Police Department

**Policy: 42.5**

**SUBJECT: MISSING PERSON INVESTIGATIONS**

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## **POLICY:**

The University of Wisconsin–Madison Police Department shall thoroughly investigate all reports of missing persons. All reports of missing persons must be given full consideration and attention by members of the Department, to include careful recording and investigation of circumstances surrounding the disappearance. Particular care should be exercised in instances involving missing children and persons who may be mentally or physically impaired or are insufficiently capable of taking care of themselves.

## **DEFINITIONS:**

“Endangered person” is defined as a person who meets one or more of the following criteria:

1. Due to age, may be unable to properly safeguard or care for themselves;
2. Where there is an indication of foul play or any circumstances which lead a reasonable person to believe there is a danger if the missing person is not located immediately (i.e. harsh weather, life sustaining medication);
3. The person suffers from a diminished mental capacity or condition that if left untreated could pose a danger;
4. The person is a patient of a mental institution and is considered potentially dangerous to themselves or others;
5. The person has demonstrated the potential for suicide.

“Family abduction” refers to a non-custodial family member fleeing with a child, usually in direct violation of a court ordered custody arrangement.

“Missing person (adult)” is defined as a person whose whereabouts are unknown and unexplainable for a period of time that is regarded by knowledgeable parties as highly unusual or suspicious in consideration of the subject’s behavior patterns, plans, or routines.

“Missing person (infant/child)” is defined as an infant or child who becomes separated from their parents or legal guardians under circumstances not indicating the likelihood of an abduction or involuntary absence.

“Non-family abduction” refers to a child taken by an unknown individual, through force or persuasion, usually in furtherance of additional victimization.

“Runaway person” is defined as a person who leaves voluntarily for a variety of reasons without the consent of a parent or guardian.

## **PROCEDURE:**

### **42.5.1 INITIAL REPORT OF MISSING, RUNAWAY, OR ABDUCTED PERSON**

The following shall govern procedures for the initial report of missing, runaway, or abducted persons:

- A. Many missing person reports involve individuals who have voluntarily left their place of residence or employment for personal reasons, while other reports are often unfounded or quickly resolved. However, there are instances in which persons disappear for unexplained reasons and under circumstances where they may be considered at risk. The role of the initial responding officer is critical in identifying the circumstances surrounding a missing person report and in identifying those persons at risk.

- B. Missing person investigations will be initiated, when appropriate, for residents of campus, and in those situations where the person was last observed or his/her disappearance is alleged to have occurred on the University campus, unless otherwise indicated by the shift O.I.C.
- C. In those situations involving persons whose primary residence is in another jurisdiction, information will be provided to the agency having jurisdiction. The Department retains case investigation responsibility until other investigative arrangements have been made. The investigations should be coordinated as much as possible to avoid duplication of effort and to ensure the most thorough investigation.
- D. Upon receiving an initial call regarding a possible missing, runaway or abducted person, the Law Enforcement Dispatcher (L.E.D.) will follow Appendix J and will broadcast all information to all security and police units. The L.E.D. will facilitate communications between all responding units. If a person is reported missing to the Health Sciences Complex Security Office, the officer who receives the call will immediately notify the Communications Center. Route security officers should monitor communications and respond at the direction of the shift O.I.C. or Incident Commander.
- E. The initial officer shall respond promptly to the scene of the report. If other areas need to be checked immediately, other officer(s) should be assigned. The initial responding officer, referencing Appendix J, must gather as much pertinent information as possible in order to properly classify a missing person report and initiate proper response. The officer will interview the person who made the report. This interview should include the following information:
  - 1. Name, date of birth, 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 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.
  - 6. The psychological and physical condition of the subject and whether the subject is currently on prescription medication.
- F. If the missing person is a child, the investigating officer should also determine if the child:
  - 1. Is or may be with any adult who could cause harm.
  - 2. May have been the subject of a parental abduction. Confirm custody status. Ascertain whether a dispute over child custody might have played a role.
  - 3. Has previously run away from home, has threatened to do so, or has a history of explainable or unexplainable absences for extended periods of time.
- G. The officer should attempt to verify that the person is, in fact, missing. A thorough search should be conducted of both the home and last seen location. To coordinate the search effort, the incident command system should be utilized. The search for children should include places where children could be trapped, asleep, or hiding. Special attention should be paid to enclosures like refrigerators, freezers, and the interior of parked vehicles where limited oxygen may place the child at even greater risk. The Police Incident Commander will determine when to notify the local office of the FBI and other enforcement agencies. The Police Incident Commander may authorize mobilization of additional resources necessary for an area search.
- H. The investigating officer should attempt to identify the circumstances of the disappearance and inform the reporting person of one of two resources, based upon the age of the missing person:
  - 1. If the missing person is under 18 years of age, contact information for the National Center for Missing and Exploited Children shall be given: 1-800-843-5678, [www.ncmec.org](http://www.ncmec.org)
  - 2. If the missing person is age 18 or older, contact information for the National Center for Missing Adults shall be given: 1-800-690-3463, [www.theyaremissd.org](http://www.theyaremissd.org)
- I. Within 24 hours of the determination that a student who lives in on-campus housing is missing, local law enforcement agencies shall be notified.

#### **42.5.2 SUPERVISOR ROLE**

The following shall outline the supervisor's role during missing, runaway, or abducted person investigations:

- A. A police supervisor shall be immediately notified when it is determined that the missing person meets one or more of the below listed criteria. If a police supervisor is not available, the Manager on Call will be contacted.
  - 1. May be the subject of foul play.
  - 2. Because of age (young or old), may be unable to properly safeguard or care for him or herself.
  - 3. Suffers from psychological or medical conditions that are potentially life threatening if left untreated/ unattended.
  - 4. Are patients of a mental institution and are considered potentially dangerous to themselves.
  - 5. Have demonstrated the potential for suicide.
  - 6. May have been involved in a boating, swimming, or other accident, natural disaster, or catastrophe.
  - 7. When any physical or psychological situation is discovered in which an officer believes a missing person may be at a greater than normal risk.
  
- B. Upon notification from the officer that the missing person meets any of the above listed criteria, the supervisor should
  - 1. Determine if additional personnel and resources are needed to assist in the investigation.
  - 2. Consider activation of the Amber Alert, Silver Alert, or Wisconsin Crime Alert Network system, and/or other immediate community notification methods.
  - 3. Establish a command post if needed.
  - 4. Organize and coordinate search efforts. Ensure that all required notifications have been made within and outside the Department.
  - 5. Activate Incident Command System if necessary to address the needs of the situation.
  - 6. Ensure that if a missing person is not recovered during the work shift, the information relating to the missing person is disseminated to all sworn personnel on other shifts.

#### **42.5.3 AMBER ALERT**

The following shall govern procedures for utilizing the national Amber Alert System:

- A. If it has been determined that the child was abducted and there is sufficient suspect information to provide to the public, the State/National Amber Alert System will be activated.
  
- B. The process for initiating the Amber Alert will be followed. This can be found at the following website: [www.AmberAlertWisconsin.org](http://www.AmberAlertWisconsin.org). The Communications Center will provide the required information to the Dane County Communications Center who will initiate the state wide Amber Alert. Amber Alert is not to be used for runaways or family abductions unless the child's life is in danger. All of the following conditions are required prior to initiating the Amber Alert System:
  - 1. Child must be 17 years of age or younger
  - 2. Child must be in danger of serious bodily harm or death.
  - 3. Initiating agency must have enough descriptive information about the child, the suspect(s) and/or the suspect vehicle(s) to believe an immediate broadcast alert will help locate the child.

#### **42.5.4 SILVER ALERT**

The following shall govern procedures for utilizing the State Silver Alert System:

- A. If it has been determined that an elderly person 60 years old or older is missing or endangered and there is sufficient information to provide to the public, the State Silver Alert program will be activated. Similar to an Amber Alert, Silver Alerts will go out by email, text message, or fax through the Wisconsin Crime Alert Network to notify the public that an adult with Alzheimer's, dementia, or other permanent cognitive impairment is missing.
  
- B. The process for initiating the Silver Alert will be followed. The request form can be found at the following website: [www.wilenet.org](http://www.wilenet.org). The Communication Center will provide the required information to the Dane County Communications Center who will initiate the Statewide Silver Alert. All of the following conditions are required prior to initiating the Silver Alert program.
  - 1. Silver alerts will be issued when the following criteria are met.
    - a. The missing person is 60 years of age or older.
    - b. The missing person is believed to have Alzheimer's, dementia, or another permanent cognitive impairment that poses a threat to the individual's health and safety

- c. There is reasonable belief that the missing person's disappearance is due to the individual's impaired cognitive condition.
  - d. The silver alert request is made within 72 hours of the individual's disappearance.
  - e. There is sufficient information available to disseminate to the public that could assist in locating the missing person.
2. As Alzheimer's and Dementia are not limited to those 60 and older, where individuals are missing and at risk, but do not meet the criteria for a silver alert, the Wisconsin Crime Alert Network (WCAN) can be utilized to send out a Missing/Endangered alert.
- C. The following investigative questions should be covered if possible:
- 1. Name, date of birth, address, phone number to include cell phone, e-mail address, social media information.
  - 2. Vehicle information: make, model, color, registration/state, identifying marking (dents, stickers.)
  - 3. Banking information and major credit card information.
  - 4. Last known clothing description.
  - 5. Medication and medical needs.
  - 6. Known persons or places the missing person may frequent.
- D. The Silver Alert is only valid for 24 hours.
- 1. If the subject of the silver alert is not found after 24 hours, an extension must be requested.
  - 2. Wisconsin Department of Justice (DOJ) must be contacted to cancel the alert within one hour of locating the subject of the alert.

#### **42.5.5 DATA SYSTEMS ENTRY AND REMOVAL**

The following shall govern procedures for entering and removing missing persons and suspects into regional and national systems:

- A. Upon report of a missing person, the appropriate entries shall be made in local, state, and national information databases in accordance with established procedures (N.C.I.C. and the National Center for Missing and Exploited Children). For missing persons under 21 years of age, entries should always be made in C.I.B. and N.C.I.C. Missing persons 18-20 years of age do not have to be endangered for entry. For missing persons 21 years of age or more, entries should be made in C.I.B. and N.C.I.C. if endangered.
- B. Upon location of a missing person, all agencies and information systems previously contacted for assistance will be notified, updated, and computer messages canceled. In cases involving an Amber alert, the Dane County Communications Center should be contacted to facilitate cancellation of the alert.
- C. Supplemental report(s) should include as complete an account as possible of the whereabouts, action, and activities of children while missing, as well as the verification that all computer alerts have been removed and by whom.

#### **42.5.6 INVESTIGATION**

The following shall govern procedures for further investigative efforts after the initial response:

- A. Information on the missing person should be distributed to personnel during shift briefings. In incidents where there is potential danger posed to the missing person, the investigating officer will initiate a broadcast to all persons on duty including all information necessary to identify the missing person.
- B. Competent adults, having left home for personal reasons, cannot be forced to return home. Officers locating such individuals shall:
  - 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.
  - 3. Make provisions to transmit this information to the reporting party or next of kin, if permitted by the located person.
- C. In missing person cases, reporting parties shall be informed of the well-being of located missing persons. A determination should be made of need for any intervention services including mental or physical examinations and arrangements for counseling. Unless criminal matters necessitate otherwise, the desire of adult missing persons not to reveal their whereabouts shall be honored.

- D. The assigned officer will document formal confirmation when missing persons are recovered or return voluntarily. Missing persons shall be questioned to establish the circumstances surrounding their disappearance and whether criminal activity was involved.
- E. In cases involving minors under the age of 18, officers shall ensure that:
  1. Medical attention, if necessary, is provided in a timely manner.
  2. Initial questioning identifies the circumstances surrounding the child's disappearance, identification of any individuals who may be criminally responsible, and/or whether an abusive or negligent home environment was a contributory factor.
  3. Parents, guardians and/or the reporting person are notified in a timely manner.
- F. Follow-up investigations of missing persons should include, but not be limited to:
  1. Follow-up contact with reporting person(s);
  2. Verification of the accuracy of all description information. Confirmation and updating of all missing person computer entries.
  3. Initiating a neighborhood canvass if appropriate with attention paid to vehicles in the area and individuals from the Sex Offender Registration list who reside, work, or otherwise might be associated with the area.
  4. Obtaining a brief history of family dynamics. Records of family contact maintained by law enforcement agencies, social service agencies, school, and other organizations should be obtained and evaluated.
  5. Exploring the basis for any conflicting information. Compare notes with first responders to identify and work through conflicting information.
  6. Contacting hospitals and coroner's office, as appropriate, for injured or deceased persons fitting the description of the missing person.
  7. Thoroughly checking the location at which the missing person was last seen and conducting interviews with persons who were with the individual or who may work in or frequent the area.
  8. Interviewing any additional family, friends, work associates or supervisors to explore the potential for foul play, voluntary flight or, in the case of minors, parental abduction or runaway.
  9. Providing identification and related information to all elements of the Department, neighboring police agencies and, if parental or stranger-to-stranger abduction is suspected, the Federal Bureau of Investigation or other federal agency having jurisdiction.
  10. Decisions to use local media to help locate missing persons shall be made with the approval of the Manager on Call.
  11. The lead investigator shall maintain routine ongoing contact with the missing person's closest relative concerning progress of the investigation. This relative and other relevant individuals shall be informed that they must notify the lead investigator as soon as any contact is made with the missing person.
- G. When appropriate, criminal investigations will be completed and criminal charges filed.

**42.5.7 ABANDONED CHILDREN – WISCONSIN SAFEHARBOR LAW**

- A. Pursuant to Wisconsin State Statute 48.195, a child whom a law enforcement officer, emergency medical technician or hospital staff member reasonably believes to be 72 hours old or younger may be taken into custody under circumstances in which a parent of the child relinquishes custody of the child to the law enforcement officer, emergency medical technician, or hospital staff member and does not express an intent to return for the child. If a parent who wishes to relinquish custody of his or her child is unable to travel to a sheriff's office, police station, fire station, hospital, or other place where a law enforcement officer, emergency medical technician, or hospital staff member is located, the parent may dial "911" and a law enforcement officer, emergency medical technician, or hospital staff member shall be dispatched to take the child into custody. Any authorized person who takes a child into custody shall take any action necessary to protect the health and safety of the child, and shall, within 24 hours after taking the child into custody, deliver the child to an intake worker.
- B. A parent who relinquishes a newborn child has the right to remain anonymous unless there is a reasonable cause to suspect the child is a victim of abuse or neglect. Anonymity includes the following provisions:
  1. No person may induce or coerce the parent into revealing his or her identity.
  2. The parent may leave the presence of the individual taking custody without being followed or pursued.
  3. No officer, employee, or agent of this state or of any of its political subdivisions may attempt to locate or learn the identity of the parent.
  4. Any person who assists the parent in relinquishing the child also has the same right to remain anonymous except

when there is cause to believe the child is a victim of abuse or neglect or that the person assisting the parent has coerced the parent into relinquishing custody.

- C. Any person who obtains information on the relinquishment of a child may not disclose that information except to the following:
  - 1. A birth parent who has waived anonymity or the child's adoptive parent.
  - 2. The staff of the Department of Health and Family Services or any county human or social services department or licensed child welfare agency that provides services to the child.
  - 3. Persons performing juvenile court intake or dispositional services.
  - 4. The attending physician.
  - 5. The child's foster parent or any other person who has physical custody of the child.
  - 6. A juvenile court or an American Indian tribal court that conducts proceedings relating to the child.
  - 7. The attorney representing the interest of the public or the tribe in those proceedings.
  - 8. The attorney representing the interests of the child.
  
- D. Any sworn Department member who takes a child into custody under this provision shall make available to the parent who relinquishes custody of the child the maternal and child health toll-free telephone number 1-800-722-2295.