



NEW ORLEANS POLICE DEPARTMENT OPERATIONS MANUAL

CHAPTER: 41.23

TITLE: MISSING PERSON REPORTING

EFFECTIVE: 12/10/2017

REVISED: Replaces Policy 332

PURPOSE

This Chapter describes the procedure for accepting, reporting, documenting and investigating missing persons. State laws, as well as federal law, specify certain requirements relating to missing persons (La. R.S. 14:403.3; La. R.S. 40:2521; La. R.S. 46:1431; La. R.S. 46:1844(P) and 42 USC 5779(a)).

DEFINITIONS:

AMBER Alert or a Child Abduction Emergency—A child abduction alert system. **AMBER** is officially a contrived acronym for America's Missing: Broadcast Emergency Response. The decision to declare an AMBER Alert is made by each police organization that investigates each of the abductions. Public information in an AMBER Alert usually consists of the name and description of the abductee, a description of the suspected abductor, and a description and license plate number of the abductor's vehicle, if available.

Developmental Disability—A severe chronic disability that can be cognitive or physical or both. Developmental disabilities appear before the age of 22 and are likely to be lifelong. Some developmental disabilities are largely physical issues, such as cerebral palsy or epilepsy. Some individuals may have a condition that includes a physical and intellectual disability, for example Down syndrome or fetal alcohol syndrome. Refer to La. R.S. 28:451.2(12) for the state definition.

Missing Child—Any individual under the age of eighteen years, whose temporary or permanent residence is in Louisiana, whose location has not been determined and who has been reported missing to a federal or state law enforcement agency (La. R.S. 46:1431).

Missing Person—Any Louisiana resident who has been reported missing to local or state law enforcement agencies.

Missing Senior Citizen—A person whose whereabouts are unknown, whose domicile at the time he/she is reported missing is in this state, who is 60 years of age or older and whose disappearance poses a credible threat to his/her safety and health.

Silver Alert—A public notification system to broadcast information about missing persons, especially seniors with Alzheimer's Disease, dementia, or other mental disabilities in order to aid in their return.

REPORT ACCEPTANCE

1. All members shall accept any report, including any telephone report, of a missing person, including runaways, without delay. A missing person report shall be accepted regardless of jurisdiction. The missing person report shall contain at a minimum:
 - (a) The name of the reporting person;
 - (b) The relationship of the reporting person to the missing person;
 - (c) The name, age, address and all identifying characteristics of the missing person;
 - (d) The length of time the person has been missing; and
 - (e) Other information deemed relevant.
2. For all reports involving a missing child, department members should request that a member of the family or next of kin authorize the release of the medical and dental records of the missing child for analysis by the Louisiana Repository for Unidentified and Missing Persons.
3. In all missing persons cases where foul play is suspected, the District Investigative Unit shall be notified through Communications Services.

INITIAL RESPONSE AND INVESTIGATION

4. Patrol members should handle the initial missing person report and conduct a preliminary investigation involving additional resources as necessary. Department members shall promptly assist any person who is attempting to make a report of a missing person or runaway.
5. The handling officer shall immediately contact such persons and, using interpretive services as reasonably necessary, make inquiries concerning the missing person and make an assessment of reasonable steps to be taken to locate the person. The initial investigation should include:
 - (a) Interviewing the persons who made the initial report, and if the person is a child, the child's parent or guardian.
 - (b) Determining when, where and by whom the missing person was last seen.
 - (c) Interviewing the individual who last had contact with the person.
 - (d) Obtaining a detailed description of the missing person, abductor, vehicles and other pertinent information.

INVESTIGATIVE PROCEDURES AND DILIGENCE

6. If an initial investigation reveals that a person appears to be missing, further actions may be necessary. The investigating officer should determine from the information available whether a physical search is appropriate. If it appears from the situation that the missing person's safety may be endangered or there are missing children, each of the following actions should be performed:
 - (a) If a search is warranted, conduct a search of the home, building or other area/location where the incident took place and conduct a search including all surrounding areas. Obtain consent or a search warrant if necessary.
 - (b) If a search is not warranted or does not locate the missing person, additional investigation may be required, including:
 - A neighborhood/vehicle canvas.
 - Identifying persons at the scene and conducting separate interviews.
 - Documenting actions, telephone communications and other activities.
 - Assigning an investigator or officers whose duties will include coordination of the investigation.

- Involvement of the media.
 - If the missing person is under 13 years of age or there is evidence the person is missing under suspicious circumstances, Communications Services shall broadcast over the radio or send a mobile computer "be-on-the-lookout" (**BOLO**) transmission without delay within this jurisdiction.
 - In all missing persons cases where foul play is suspected the District Investigative Unit shall be notified through Communications Services.
7. The agency having jurisdiction over the missing person's residence normally will handle the investigation after the initial report is taken. However, department members may assist other agencies, including federal agencies, in the investigation of any person who was last seen in this jurisdiction.
8. During missing person investigations, the handling investigator shall attempt to obtain the most recent color photograph available of the missing person. The photograph and all pertinent information concerning the missing person shall be forwarded to the Louisiana Repository for Unidentified and Missing Persons and the Orleans Parish Coroner's Office. These photographs may be used for public information bulletins without written authorization.

INVESTIGATIVE RESOURCES AND SUPPORT

9. Additional support, investigative and supervisory assistance should be requested as reasonably necessary. Members providing assistance should be properly briefed and updated on the investigation status.
10. The handling investigator is responsible for seeing that all appropriate law enforcement agencies in the state are promptly notified. If deemed appropriate, law enforcement agencies in adjacent states or jurisdictions should be provided with any information that may aid in the location and return of the missing or a person whose safety appears endangered. If necessary, use the International Justice and Public Safety Network (NLETS), the AMBER Alert network and the Silver Alert program to alert state, regional and federal law enforcement agencies.
11. Resources that should also be considered in the investigation of a missing person case include, but are not limited to:
- (a) Local FBI office
 - (b) Local Medical Examiner
 - (c) National Missing and Unidentified Persons System (NamUs), www.namus.gov
 - (d) Louisiana Clearinghouse for Missing and Exploited Children, 1-800-434-8007.
 - (e) National Center for Missing and Exploited Children, www.missingkids.com, 800-THE-LOST, including Project ALERT (America's Law Enforcement Retiree Team) and Team Adam
 - (f) Any other agencies and/or resources that may be available to assist in the investigation of the case.

AMBER AND SILVER ALERT CRITERIA

12. Criteria for Amber Alerts are:
- (a) Confirmation that an abduction has taken place;
 - (b) Child must be at risk of serious injury or death;
 - (c) Sufficient descriptive information of child, captor, or captor's vehicle; and
 - (d) The child must be 17 years old or younger.

13. Silver Alerts may be activated for individuals 60 years of age or older with a diagnosed mental impairment.

INVESTIGATION OF MISSING SENIOR CITIZENS AND MISSING ADULTS WITH DEVELOPMENTAL DISABILITIES

14. If it is determined the person is a missing senior citizen or a missing adult with developmental disabilities, the handling officer shall immediately:
 - (a) Ensure that identifying and descriptive information about the person and involved suspects and vehicles are broadcast regionally, statewide, and nationally. Activate protocols for working with the media including AMBER Alerts and Silver Alerts as appropriate. See **41.23.1 – Public Alerts** for information on initiating public alerts.
 - (b) Consult with the Louisiana State Police and request assistance as necessary.
 - (c) Secure the crime scene and/or last known position of the missing person and, if not already completed, attempt to identify and interview persons in the area at the time of the incident.
 - (d) Implement multijurisdictional coordination and mutual aid plans when necessary. Factors to consider include:
 - i. Inadequate department resources.
 - ii. The investigation crosses jurisdictional lines.
 - iii. Existence of pre-established task forces or investigative teams.
 - (e) Obtain and protect uncontaminated missing person scent articles for possible use by search canines.

INVESTIGATION DUTY MISSING CHILD

15. Upon receiving and verifying a report of a missing child, the New Orleans Police Department shall enter the information within two hours into the Louisiana Clearinghouse for Missing and Exploited Children (LACMEC)/National Crime Information Center (NCIC) missing person databases (42 USC 5780(3); RS 40:2521).
16. In conducting an investigation of a missing child, the New Orleans Police Department shall:
 - (a) Conduct a preliminary investigation and classify the cause of the disappearance of the child as runaway, abduction by parent, abduction by a stranger or cause of disappearance unknown and shall:
 - Immediately notify such persons and make such inquiries concerning the missing child as necessary.
 - Utilize a family liaison to maintain communication with the family of the missing child.
 - Fully comply with the requirements of the National Child Search Assistance Act of 1990, Title XXXVII of Public Law 101-647, 104 Stat. 4966.
 - Enter into the LACMEC/NCIC Missing Person File database, as miscellaneous information, any person reasonably believed to have unlawfully abducted or detained the missing child, or aided or abetted the unlawful abduction or detention.
 - Verify and update original LACMEC/NCIC entries with any additional information within 30-60 days of entry.
 - Enter into the LACCH/NCIC Wanted Person File any warrant information for the arrest of a person suspected in the child's disappearance or concealment, including identifying and descriptive

- information concerning:
- The suspect.
 - As miscellaneous information, the missing child.
- Determine whether the circumstances regarding the missing child meet the criteria for AMBER Alert activation (see: **Chapter 41.23.1 – Public Alerts**).
- (b) Cross-reference and integrate all information into the LACMEC/NCIC Missing Person File.
- (c) The Department may notify, as soon as appropriate, the school in which the missing child is or was most recently enrolled or the parish school superintendent if the child was being instructed at home, that the child is the subject of a missing child report and that the child's school records are to be flagged in case the child reappears within the state.
- (d) The Department may contact the state registrar in the state of the child's birth to flag the child as missing on his/her birth certificate.
- (e) Inform family members of the missing child of the status of the investigation (La. R.S. 46:1844(P)).
- (f) When a missing child has not been located within 30 days after a report is filed, the assigned investigator shall:
- Confirm authorization for consent to obtain dental and medical records.
 - Send to the child's parent or guardian a request for certain identifying information regarding the child that the NCIC recommends to be provided.
 - Request the child's parent or guardian to provide such identifying information regarding the child.
 - Upon receipt of the medical or dental records, enter the information into the LACMEC and NCIC database.
- (g) Upon notice by a parent or guardian that a child reported as missing has been found or returned, an officer should conduct a recovery interview to verify that the child has returned and provide referrals to minimize the potential for reoccurrence. The Department shall enter the updated information into the LACMEC and NCIC database and shall inform any school that was notified that the minor is no longer a missing child.

CRIME SCENE INVESTIGATION/MANAGEMENT

17. If a crime scene is identified, it should be secured and a command post or operation base placed into operation a reasonable distance from the crime scene. The supervisor designed as the Incident Commander shall ensure the following persons (if needed) are identified:
- (a) Public Information Officer
 - (b) Search coordinator
 - (c) Investigative Coordinator
 - (d) Support Unit Coordinator
18. The Incident Commander shall designate two liaison officers (one at the command post and one at the home of the missing person). The role of the liaison at the home will include facilitating support and advocacy for the family.
19. The investigator of the crime should consider various elements, including:
- (a) Establishing the ability to trap and trace all incoming calls. Consider setting up a separate telephone line or cellular telephone for Department use and follow up

on all leads.

- (b) Compilation of a list of known sex offenders in the region.
- (c) In cases of infant abduction, investigate claims of home births made in the area.
- (d) In cases involving children, obtain child protective agency records for reports of child abuse.