



MONTGOMERY COUNTY MARYLAND DEPARTMENT OF POLICE

MISSING PERSONS - ADULTS/CHILDREN

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PROPONENT UNIT:

Investigative Services Bureau
Administration

AUTHORITY:

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If a provision of a regulation, departmental directive, rule, or procedure conflicts with a provision of the contract, the contract prevails except where the contract provision conflicts with State law or the Police Collective Bargaining Law. (FOP Contract, Article 61).

I. POLICY

The Montgomery County Department of Police (MCPD) will diligently investigate all reports of missing persons, whether they are adults or juveniles. Special attention will be exercised in cases of persons who may be in danger, mentally or physically impaired, unidentified, under a doctor's care, or on life-sustaining medication.

II. DEFINITIONS

- A. Active Search: Act of actively looking for a missing person in a coordinated manner utilizing resources to effectively and efficiently locate the person.
- B. Cognitive Disorder: A category of mental health disorders that generally include damage to the memory portions of the brain and primarily affect learning, memory, perception, and problem-solving. Examples include amnesia, delirium, and dementia/Alzheimer's.
- C. Intellectual Developmental Disability: A disability that originates during the developmental period (birth to age 18) and is characterized by significant limitations both in intellectual

functioning (reasoning, learning, problem-solving) and in adaptive behavior, which covers a range of everyday social and practical skills. Examples include autism, epilepsy, cerebral palsy, developmental delay, down syndrome, and fetal alcohol syndrome.

- D. Missing Adult: An individual, 18 years of age and over, who is the subject of a missing person's report filed with a law enforcement agency and whose whereabouts are unknown

- E. Missing At-Risk Adult: A missing individual, 18 years of age and over, who meets one or more of the following criteria:
 - 1. Is 75 years old or older
 - 2. Has a cognitive disorder or intellectual developmental disability
 - 3. Has a known or suspected serious injury, illness, or physical handicap, **thereby subjecting the individual or others to immediate danger**
 - 4. Is currently suicidal
 - 5. Is missing following a catastrophic event
 - 6. Foul play is suspected

- F. Missing Child: An individual under the age of 18 years who is the subject of a missing person's report filed with a law enforcement agency and whose whereabouts are unknown.

- G. Missing At-Risk Child: **Any child reported under the age of 13 OR** a missing individual under the age of 18 years who meets one of the following criteria:
 - 1. Has not been the subject of a prior missing person (runaway) report
 - 2. Suffers from a mental or physical handicap or illness
 - 3. Has a cognitive disorder or intellectual developmental disability
 - 4. Has ever previously been the subject of a child abuse report filed with the state or local law enforcement agency
 - 5. Is missing following a catastrophic event
 - 6. The disappearance is of a suspicious or dangerous nature
 - 7. The person filing the report of a missing child has reason to believe that the missing child may have been abducted

III. MISSING ADULTS – INITIAL INVESTIGATION

A. Patrol Procedures and Responsibilities

When a patrol officer is dispatched to a missing adult call, the officer will make personal contact with the complainant and:

- 1. Conduct a preliminary investigation and complete an MCP Form 617, Search Urgency Evaluation Form. **The caretaker's information will be recorded on the search urgency form. If the caregiver is not the parent or guardian and the missing person is not under their own care (ex, school, adult day care, private caregiver), the officer will immediately contact the parent or guardian once known.**

- 2. When a missing at-risk adult is involved (section II.E.):

- a. Conduct an initial search which may include, but is not limited to:
 - i. A thorough check of the home and vehicles
 - ii. Search of the immediate area
 - iii. Search of place last seen
 - b. Place a radio lookout with the **Public Safety Communications Center (PSCC)**. **When it is reasonably believed a critical missing person may have traveled outside of Montgomery County, the officer should request PSCC to contact other jurisdictions as appropriate. (ex., a critical missing person seen entering the metro station, an autistic, non-verbal adult seen entering a metro bus, etc.). When PSCC fulfills the notification request via phone, radio, or other electronic means, PSCC will add the contacting agency, name of person/ID number information was provided to, and time of the notification. When officers contact other agencies, they will record in the report's narrative the contacting agency, the name of the person/ID number information provided, and the time of the notification in the Computer Aided Dispatch (CAD).**
 - c. Notify a supervisor who will respond to the scene. Supervisors will contact on-duty executive staff or the on-duty Duty Commander and advise them of the results of the MCP **Form 617** and any other relevant information.
 - d. Notify the on-duty/on-call Search Coordinator when:
 - i. There is a score of 1 in any category on the MCP **Form 617** or
 - ii. The cumulative score is **15**, or less on the MCP **Form 617**.
 - e. National Crime Information Center (NCIC)
Place the subject into NCIC **as soon as the required entry information is received** via the Message Routing Center (MRC).
 - f. Notify the district investigative section as soon as the on-scene supervisor believes their involvement would be beneficial, but before clearing the scene.
 - g. Initiate appropriate intensive search procedures, as determined by the supervisor and/or Search Manager.
3. NCIC Entry
- a. Determine if an NCIC entry should be made (section VII). For an NCIC entry to be made, the complainant must sign an MCP **Form 592**, "NCIC/**Social Media** Missing Person Attestment Statement," at the time of the report filing attesting to the missing person's circumstances. NCIC regulations mandate that a signed statement be provided to the police department taking the report to aid in the protection of the adult missing person's right to privacy. The MCP **Form 592** will be submitted along with the missing person report.

- b. NCIC entry must be made for any missing adult, at least 18 and under 21 years old. Due to Suzanne's Law, completion of the NCIC Attestment Form is unnecessary, **however, when the criteria of Section III.A.4 below are met, completing the Social Media portion of the MCP Form 592 is still necessary.**
4. Write the initial report including, but not limited to:
- a. Full description - attach a photograph (full face) when available. **If a photograph is available for bulletins or various forms of media, complete an MCP Form 592.**
 - b. **Acquaintances**, places frequented, threats of violence, etc.
 - c. Prescribed medications, mental or physical ailments, doctors, if known, and place of employment and/or school.
 - d. Whether a radio lookout was made **and if other jurisdictions were contacted by officers/Police Services Assistants (PSAs)/PSCC, to whom they spoke, and when they did so.**
 - e. Investigator notified when appropriate.
 - f. A statement regarding whether or not an NCIC entry was made, the ID number of the MRC operator who made the entry, **and the time MRC was contacted.**
 - g. Attach a copy of the MCP **Form 617** to the report.
5. Prior to the end of the officer's tour of duty, supervisors will route the report electronically via the report writing system to the district investigative section responsible for the follow-up investigation of the missing person (see section IV).
6. If the officer solicited the assistance of an individual or business in locating a missing adult, and the adult is subsequently located, the officer will ensure that follow-up contact is made to inform the individual or business that the adult has been located.
7. If the event is determined to be criminal in nature (foul play suspected, victim located deceased, etc.), the appropriate investigative unit will be immediately notified and will assume responsibility for the investigation.

B. Public Safety Communications Center (PSCC) Responsibility

- 1. **Provide radio broadcasts for missing at-risk children (section II.G.).**
- 2. **When the missing person may have traveled to surrounding jurisdictions, there are critical factors and units on the scene requesting PSCC; they will contact other jurisdictions as appropriate. When PSCC fulfills the notification request via phone, radio, or other electronic means, PSCC will add the contacting agency, name of person/ID number information was provided to, and time of the notification to the call.**

IV. MISSING ADULTS – FOLLOW-UP INVESTIGATION

- A. The supervisor of the investigative section with follow-up responsibility, or designee, will review the report and assign the case for follow-up investigation in compliance with the section's standard operating procedures.
- B. The Major Crimes Division will assume follow-up investigation responsibility when foul play is suspected.
- C. The Missing Persons/Cold Case Section will assume follow-up investigation responsibility when the missing person has not been located 72 hours after the district investigative section receives the initial report and the initial investigation has been completed.

V. MISSING CHILDREN – INITIAL INVESTIGATION

Note: All reports of anyone under 18 years of age missing from home (or court-ordered placement in Montgomery County) under the provisions of Family Law 9-401 or 402 will be entitled "Missing Children" (section II.F.), so the necessary provisions of the law may be met. The "Type of Event" (Missing Person Report) should state "Missing Child" and include the classification code of either 2943 or 2111, located in the Field Report Manual.

A. Patrol Procedures and Responsibility

On receipt of a report regarding a missing child, the officer shall make personal contact with the complainant and:

- 1. Conduct a preliminary investigation and complete an MCP Form 617, Search Urgency Evaluation Form. **The caretaker's information will be recorded on the search urgency form. If the caregiver is not the parent or guardian (ex, school, daycare, private caregiver, etc.), the officer will contact the parent or guardian once known.**
- 2. When a missing at-risk child (section II.G.) is involved, the officer shall immediately:
 - a. Conduct an initial search which may include, but is not limited to:
 - i. A thorough check of the home and vehicles
 - ii. Search of the immediate area
 - iii. Search of place last seen
 - b. Place a radio lookout with the PSCC. **When it is reasonably believed a critical missing child may have traveled outside of Montgomery County, the officer should request PSCC to contact other jurisdictions as appropriate. When PSCC fulfills the notification request via phone, radio, or other electronic means, PSCC will add the contacting agency, name of person/ID number information was provided to, and time of the notification. When officers contact other agencies, they will record in the report's narrative the contacting agency, the name of the person/ID number information provided, and the time of the notification in the CAD.**

- c. Notify a supervisor who will respond to the scene (response not required if the preliminary investigation determines the child has been the subject of a prior missing person (runaway) report). Supervisors will contact on-duty executive staff or the on-duty Duty Commander and advise them of the results of the MCP **Form 617** and any other relevant information.
 - d. Notify the on-duty/on-call Search Coordinator when:
 - i. There is a score of 1 in any category on the MCP **Form 617** or
 - ii. The cumulative score is **15** or less on the MCP **Form 617**, or
 - iii. The subject is a first-time runaway.
 - e. Place the subject in NCIC immediately via MRC. **Note the time and the identification number of the MRC personnel contacted in the report's narrative.**
 - f. Notify the Special Victims Investigations Division (SVID) at (240) 773-5400 or the on-call investigator through **the PSCC**.
 - g. Initiate appropriate intensive search procedures, as determined by the supervisor and/or Search Manager.
 - h. **Attempt to** obtain a photograph of the missing child, preferably a portrait-type photo. **If a photograph is available for bulletins or various forms of media, complete an MCP Form 592.**
 - i. Before the officer's tour of duty is completed:
 - i. Complete all reports and initiate appropriate teletype for missing children believed to be in a specific location outside Montgomery County.
 - ii. Supervisors will route the report electronically via the report writing system to the SVID Missing Children Section.
 - iii. Forward the photo of the missing child to SVID. **SVID will** ensure the Public Information Office (PIO) receives a copy of the missing child's photo.
3. If it is not a missing at-risk child, the officer shall immediately:
- a. Seek to determine the circumstances surrounding the disappearance of the missing child.
 - b. Follow procedures set out in sections V.A.2.
4. In cases involving repeat runaways, if the missing at-risk child criteria (section II.G.) is not met, notification to either the on-call Missing Children Section detective or a Search Manager is not necessary.

5. If the officer solicits the assistance of an individual or business in locating a missing child, and the child is subsequently located, the officer will ensure that follow-up contact is made to inform the individual or business that the child has been located.

PSCC Responsibility

1. Provide radio broadcasts for missing at-risk children (section II.G.).
 2. **When the missing person may have traveled to surrounding jurisdictions and units on the scene, request PSCC and contact other jurisdictions as appropriate. When PSCC fulfills the notification request via phone, radio, or other electronic means, PSCC will add the contacting agency, name of person/ID number information was provided to, and time of the notification to the call.**
- B. Police Information Management and Technology Division (IMTD) Responsibility
Enter NCIC information regarding missing children as soon as possible **and not more than two (2) hours after being notified with the required entry information.**

VI. MISSING CHILDREN/RUNAWAY – FOLLOW-UP INVESTIGATION

- A. SVID will conduct follow-up investigations in missing children/runaway cases.
- B. When the child turns 18, the investigation will be transferred to the district investigative section where the child was originally missing **unless it has been 72 hours since the person was reported missing; in this case, the investigation will be transferred to the Major Crimes, Cold Case section.**
- C. The Major Crimes Division will assume follow-up investigation responsibility when foul play is suspected.

VII. NCIC ENTRY CRITERIA

- A. An NCIC entry can only be made if the missing person falls into one or more of the following categories:
 1. Disability - An individual of any age who is missing and under proven physical/mental disability or is senile, thereby subjecting the individual or others to personal and immediate danger.
 2. Endangered - An individual of any age who is missing under circumstances indicating that the individual's physical safety may be in danger.
 3. Involuntary - An individual of any age who is missing under circumstances indicating that the disappearance may not have been voluntary (i.e., abduction or kidnapping).

4. Juvenile - An individual who is missing and declared unemancipated as defined by the laws of the individual's state of residence and does not meet any of the entry criteria outlined in the above categories.
 5. Catastrophe Victim - An individual of any age who is missing after a catastrophe.
 6. Other – **A person who is missing and for whom there is a reasonable concern for their safety or** a missing-person who is at least 18 and under 21 years old (Suzanne's Law).
Consult with a supervisor when encountering situations that may fall under this section.
- B. If the missing person does not fit into any entry categories, an NCIC entry **cannot and** will not be made. A statement in the report will indicate that no entry was made (ex: "The subject does not meet the entry criteria for NCIC. Therefore, no computer entry was made.").

VIII. MANAGED SEARCH OPERATIONS TEAM (MSOT) PROCEDURES AND RESPONSIBILITIES

- A. Conduct a consult with the officer on the scene of missing at-risk persons and assess the extent of active search operations needed and the level of response from the MSOT. Levels of searches are:
1. Level 1
 - a. utilizes only the assets of the district of occurrence
 - b. requires no response by MSOT personnel
 - c. command is retained at the district level
 2. Level 2
 - a. Coordinated by MSOT personnel
 - b. Utilizes resources other than that of the district of occurrence
 - c. Command is retained at the district level with **the** coordination of a **MSOT Coordinator**.
 3. Level 3
 - a. Coordinated by MSOT personnel
 - b. Utilizes multiple resource types or resources from outside of the department
 - c. Use of any volunteer resources
 - d. The Special Operations Division assumes command
- B. When an MSOT response is initiated to an active search, the Search Coordinator will ensure the search is coordinated efficiently and effectively utilizing scientific, statistical, historical, and intuitive data per MSOT guidelines.
- C. MSOT will coordinate efforts with the appropriate investigative unit(s).

- D. The use of volunteer resources will only be conducted under the coordination of a Search Coordinator.
- E. Search Coordinators may, when necessary, issue an “A Child is Missing” call to the community in the search area to notify them of a missing at-risk child or adult. “A Child is Missing” is a federally funded notification system similar to a reverse 911. Only Search Coordinators can authorize an “A Child is Missing” Call.
- F. **Search Coordinators may consider notification of the OEMHS to initiate an Alert Montgomery alert to those in Montgomery County who have selected to receive Police Alerts. An alert may be considered for critical missing individuals with Autism, Alzheimer's/ Dementia, or developmental disabilities when there is an active search, and the MSOT has requested a county-wide lookout every 30 minutes. Such a request will come only after coordination with MSOT.**

IX. CLOSURE/CANCELLATION

- A. Only a patrol unit or investigative unit can close missing person reports.
- B. The officer closing the case will:
 - 1. Verify the return and the identity of the missing person. If the missing person is found in another jurisdiction, the officer can have the police department in that jurisdiction make the verification.
 - 2. Cancel any teletypes, lookouts, or NCIC entries **by contacting MRC**.
 - 3. Write a supplemental report including, but not limited to, the following:
 - a. location where the subject was found.
 - b. subject’s physical and mental condition.
 - c. how identity was verified.
 - d. synopsis of any criminal charges contemplated.
 - 4. Notify the PIO as soon as practical if a press release was previously issued.
 - 5. Notify the appropriate investigative section. Supervisors will route the supplement report electronically via the report writing system to the appropriate investigative section.
 - 6. Advise the original complainant of the relevant case details and the subject’s location. Officers are cautioned that every case presents different problems and that discretion will be exercised where appropriate in furnishing information.

- a. If it develops that the missing person has been the subject of foul play or has been located either deceased or in severely deteriorated physical or mental condition, personal contact will be made with the complainant by the lead investigative unit.
 - b. In cases involving missing juveniles outside Montgomery County, NCIC entries can only be canceled upon returning to this jurisdiction. To accomplish this, officers will inform the guardian to immediately contact SVID when the juvenile returns so the NCIC entry can be canceled. Exceptions may be made when the juvenile's location and condition are verified by another police agency and the legal guardian grants permission for the child to remain at that location.
 - c. In all other cases, telephone contact will suffice.
7. If requested, return any photographs in police possession.
 8. If a missing child returns home and no foul play is suspected, the missing child can be canceled, as stated above in this section, and only the appropriate supplemental report is required. In the event the missing child is determined to be a runaway, the officer arresting a runaway juvenile will write the appropriate supplemental and arrest reports.

X. COUNTY RESIDENT MISSING OUTSIDE THE COUNTY

When a call is received concerning a county resident who is believed to be missing in another jurisdiction (e.g., Sugarloaf Mountain, Florida, California, China, etc.) with circumstances that would warrant an investigation if the individual were missing in Montgomery County, the following procedures will be followed:

A. Report

A police information (2938) report will be written, and a copy will be forwarded to the district investigative section.

B. Notification

1. If a missing at-risk adult (section II.E.) is involved, the officer will notify the district investigator **as soon as possible**.
2. If a missing at-risk child (section II.G.) is involved, the officer will notify SVID **as soon as possible**.
3. In a non-critical case, the officer will immediately contact the jurisdiction where the individual is believed to be missing. This will be noted in the report, along with a point of contact and a phone number for the other jurisdiction.

C. Liaison

Once an investigator is assigned to the case, the investigator will act as a liaison between the complainant and the jurisdiction where the individual is believed to be missing. The investigator will and **email** a copy of the report to the other jurisdiction.

D. Additional Assistance

Depending on the location and circumstances, the Special Operations Division Commander or designee can authorize specialized resources (e.g., the Managed Search Operations Team, the Emergency Services Unit, and the Canine Unit) to assist the outside jurisdiction, as appropriate.

E. NCIC Entry

The jurisdiction where the individual is believed to be, or last known to be, is responsible for making the NCIC entry.

XI. MARYLAND AMBER PLAN, SILVER ALERT AND PURPLE ALERT PROGRAMS

A. Amber Plan

The Maryland Amber Plan is a collaborative approach between broadcasters, Maryland State Police (MSP), and area law enforcement agencies in response to the abduction of children. "Amber" is an acronym for America's Missing: Broadcast Emergency Response and is a protocol for alerting the public of a child abduction to solicit information useful in the investigation and recovery of abducted children.

1. Once the patrol officer verifies the kidnapping/abduction and all the criteria have been met, the officer will place a lookout stating, "Amber Alert pending." A Sergeant **or detective (with executive approval)** from the SVID Missing Children Section will confirm that all criteria have been met. Then, contact the MSP Duty Commander in Pikesville to request the Amber Plan be placed in motion. (Refer to the Maryland Amber Plan MOU for more information on procedures and the criteria required.)

B. Silver Alerts

Silver Alerts are a collaborative approach between broadcasters, MSP, and area law enforcement agencies for response to missing persons with a cognitive disorder. Once an investigator or Search Coordinator verifies the missing person **meets the criteria set forth by MSP below**, they may contact the MSP Duty Commander in Pikesville to request a Silver Alert be issued.

1. Silver Alert-Vehicle

- a. **The missing person is traveling in a vehicle, and there is enough descriptive information about the missing person and the vehicle for law enforcement to issue an alert, AND**
- b. **The missing person suffers a cognitive impairment, including a diagnosis of Alzheimer's Disease or Dementia, AND**
- c. **The missing person's disappearance poses a credible threat to the health and safety of the individual AND**
- d. **The investigating agency has already activated a local or regional alert by contacting media outlets in their jurisdiction, AND**

- e. **The missing person has been entered into the National Crime Information Center (NCIC)**

2. Silver Alert Non-Vehicle

- a. **The missing person is not likely traveling in a vehicle, and there is enough descriptive information about the missing person for law enforcement to issue an alert AND**
- b. **The missing person suffers a cognitive impairment, including a diagnosis of Alzheimer's Disease or Dementia, AND**
- c. **The missing person's disappearance poses an immediate and credible threat to the health and safety of the individual AND**
- d. **The investigating agency has already activated a local or regional alert by contacting allied agencies and media outlets within and immediately surrounding their jurisdiction AND**
- e. **The missing person has been entered into the National Crime Information Center (NCIC)**

C. Purple Alerts

Purple Alerts are a collaborative approach between broadcasters, MSP, and area law enforcement agencies for response to missing persons with cognitive impairment, mental disorder, intellectual or developmental disability, or brain injury or are deaf, deafblind, hard of hearing, or late-deafened that does not have Alzheimer's, dementia or a physical mental or emotional disability related to substance abuse. Once an investigator or Search Coordinator verifies the missing person meets the criteria set forth by MSP below, they may contact the MSP Duty Commander in Pikesville to request a Purple Alert be issued.

- 1. **A missing person whose whereabouts are unknown and**
- 2. **Who has a cognitive impairment, mental disorder, intellectual or developmental disability, or brain injury that is NOT:**
 - a. **Alzheimer's Disease**
 - b. **Dementia; or**
 - c. **A physical, mental, or emotional disability related to substance abuse; or**
- 3. **Who is deaf, deafblind, hard of hearing, or late-deafened**
- 4. **Whose disappearance poses a credible threat to the health and safety of the individual due to age, health, mental or physical disability, environment, or weather conditions, as determined by the law enforcement agency; and**

5. Who does not meet the criteria for activation of a Silver Alert.

XII. CHILD CUSTODY DISPUTES

- A. Under Maryland Law, either parent of a child is presumed to have an equal right to have custody of the child unless a court order states otherwise. A child custody order of a Maryland court will supersede any custody order issued by a court in another jurisdiction unless:
1. The order from the outside jurisdiction was issued after the Maryland order, and 2. The lawful custodian of the child:
 - a. Consented to the more recent order or
 - b. Personally participated in the legal process in the other jurisdiction.
- B. Officers should request a copy of a court order that grants custody and follow that order's dictates in determining which party may be allowed to take the child. If no legal custody order is present, officers will make no judgment on their own accord as to which party should have custody but will advise all parties to seek the advice of an attorney.
- C. When a custody order involving a child under the age of 16 and the order has been violated, the lawful custodian must make a demand to the person with the child for the child's return. If that demand is not met within 48 hours, the person holding the child may be charged criminally under the Family Law Article, Title 9-304. In such a case, officers will contact the Missing Children Section, SVID.
- D. Officers may take any child into custody if there are reasonable grounds to believe that the child is in immediate danger from the child's surroundings and that removal is necessary for protection. In such instances, Child Welfare should be contacted for assistance at 240-777-4417.

XIII. AUTISM/IDD (INTELLECTUAL & DEVELOPMENTAL DISABILITIES), ALZHEIMER'S & DEMENTIA OUTREACH UNIT (A/IDD)

A. Follow-Up Investigation

The Autism/IDD, Alzheimer's, and Dementia Outreach Unit is responsible for proactive follow-up with the subject, family, and caregivers who go missing to provide resources to reduce the likelihood of additional elopement/missing situations. To facilitate this follow-up, officers or their supervisors should email mcpd.aidd@montgomerycountymd.gov a copy of the report by the end of the shift when a subject falls into these categories.

- B. If it is believed that a member of the A/IDD's immediate notification would assist officers on the scene of a missing subject, the A/IDD can be contacted via the PSCC.**