

Missing Persons

6.10.01 PURPOSE

This order establishes policy concerning accepting reports of missing persons, as directed by the California Penal Code, specifies when immediate searches are required, and provides guidance for handling the initial missing persons investigation. Members should assume missing persons are in immediate danger or at risk until the facts contradict assumption.

6.10.02 DEFINITIONS

A. Missing Person – Any person who is reported missing to a law enforcement agency until the person is located or determined to be a voluntarily missing adult. Additionally,

- Any child (any person under 18 years of age) who is missing voluntarily or involuntarily, or under circumstances not conforming to his/her ordinary habits or behavior and who may need assistance (CA Penal Code §14215).
- Any child who has been taken, detained, concealed, enticed away, or retained by a parent in violation of the law (CA Penal Code § 277 et seq.).

B. At risk – Includes, but is not limited to (CA Penal Code § 14215):

- A victim of a crime or foul play.
- A person missing and in need of immediate medical attention.
- A missing person with no pattern of running away or disappearing.
- A missing person who may be the victim of parental abduction (Penal Code § 277 seq.).
- A mentally impaired missing person, including cognitively impaired or developmentally disabled.
- A missing person under the age of 12.

6.10.03 POLICY

It is the Policy of the San Francisco Police Department (SFPD) that members shall immediately make an incident report in all cases where a concerned individual reports a person missing (including telephone reports), regardless of the residence address or location of the reportee or missing person, the time reported, the age of the missing person, or the length of absence (Penal Code §14214(a)).

6.10.04 PROCEDURES

A. Inquiries – Prior to preparing an incident report, check with the County Jail or Juvenile Justice Center, ZSFGH (and any hospitals the missing person may frequent), and the Medical Examiner’s Office to determine if any of these facilities have knowledge of the person.

B. Initial Investigation

- 1. Checklist** – Members conducting the initial investigation should reference and include the following:
 - Results of inquiries made to other departments.
 - Determine whether the person qualifies as a missing person and whether the person may be at risk.
 - Be cognizant of potential crime scene evidence, if applicable.
 - Physical descriptions, clothing, tattoos, and/or documented identifications (DMV, SFMUG, School ID, etc.) of the missing person.
 - Whether dental or skeletal x-rays of the missing person are available and the name and contact information of the doctor or dentist.
 - Possible destinations, places frequented, schools, addresses of friends and family and place of employment.
 - Information regarding the missing person's electronic communications devices such as cell phone number, e-mail address, and social media accounts.
 - If available, obtain a current photograph (either an electronic version, hard copy, or social media image) and upload it to the incident report.
 - Whether a welfare check was conducted of the missing person’s residence, business, and/or school and the results of that check.
 - Familiarity or frequency of public transportation use.
 - Shall broadcast a "Be On Look-Out" (BOLO) notification via Dispatch, “on an all,” if the person is under 21 years of age or if there is evidence that the missing person is at risk, without delay (CA Penal Code § 14211(d)).

The listed steps meet the checklist requirement set forth in Penal Code § 13519.07, for an initial missing persons investigation investigative checklist.

- 2. Notification** – The member accepting the missing person report shall, as soon as practical, notify Department Operations Center (DOC). DOC shall enter the name of the missing person, and all other required information listed above into the CLETS Missing/Unidentified Persons System (MUPS) as required by the DOJ:
 - *Within two hours* for persons under the age of 21 or at risk (CA Penal Code § 14211(e)),
 - *Within four hours* for persons aged 21 or older after accepting the report.

C. Exigent Circumstances/Continuous Searches

1. **Criteria** – Certain circumstances are considered “at risk” and exigent and require an immediate and continuous search to be conducted. The following are examples of at risk and exigent circumstances:
 - The missing person is under the age of 12; however, infants or children in the company of the missing parent/legal guardian do not meet the criteria unless the member has reason to believe that the safety of the child or the infant is in jeopardy. When parental abduction is suspected, members shall take a report (CA Penal Code § 14214(a)) and notify the District Attorney’s Child Abduction Recovery Unit (CARU) for follow up investigation.
 - Any juvenile that has no documented or undocumented pattern of running away or disappearing, the disappearance does not appear to be voluntary, and the juvenile has had no contact with the reporting party.
 - Circumstances exist to believe the missing person is a dependent adult or lacks the cognitive abilities to care for themselves.
 - The missing person is not able to care for their safety based on contemporaneous threats of suicide or self-harm.
 - The missing person requires immediate medical attention that if left untreated, would cause death or serious risk to their health.
 - The member suspects foul play or believes exceptional facts exist.
2. **Documentation** – If an immediate search is conducted, members should document the search in a supplemental report, articulating the steps that were taken to locate the missing person. At the end of the searching members’ watch, the platoon commander should either reassign the search to another unit or determine if the search is to be terminated.
3. **Notification** – If exigent circumstances exist, the member should immediately notify their field supervisor, as well as the Missing Person Unit during business hours or DOC after hours/on the weekends.
4. **Immediate Search Termination** – An immediate search can be terminated only when the person is located or with the approval of the platoon commander of the unit conducting the search.

D. Children Missing from Foster Care, Family Home, or Childcare Institutions

1. Pursuant to the *Bringing Missing Children Home Act*, all law enforcement agencies are mandated to notify the National Center for Missing and Exploited Children (NCMEC) of each child reported missing from a foster care, family home, or childcare institution. To report a missing child to NCMEC, go to: <https://www.missingkids.org/theissues/missingfromcare>

2. For questions or technical problems, please contact NCMEC at 1-800-THE-LOST.
3. Document the date and time the entry to NCMEC was made in the incident report.
4. Notify the missing child's school in writing, *within 10 days* of disappearance (CA Education Code §49068.6).

E. Found Persons

1. **Notification** - A missing person needs to be physically seen and identified prior to a "Found Person" report being completed. If a missing person is arrested or detained, add the title, "Found Person," to the report heading and route a copy to SVU. Notify DOC to remove all entries from the MUPS/NCIC systems once the missing person has been positively identified and located. Members are reminded that the notification timelines are outlined in CA Penal Code §14213(a-d).
2. **Juveniles** - If the person is a juvenile (under 18 years) and there is no reason for a custodial arrest, the following options may be used:
 - If the juvenile resides in San Francisco, return the juvenile to the verified place of residence.
 - Take the juvenile to the district station business office for pickup by a relative or guardian providing the response can be made within one hour (Refer to DGO 7.01 Policies and Procedures for Juveniles Detention, Arrest, and Custody).
 - If a relative or guardian will not or cannot respond within one hour, take the juvenile to Huckleberry House, 1292 Page Street.

Returned Before Reporting - If the missing person returns or is located before the submission of the report, an incident report is still required. Title the report "missing person" and "found person" and include the circumstances in the narrative. If the missing person was a victim of a crime during the time they were missing, a new police report should be made.

6.10.05 SUMMARY OF DEPARTMENTAL RESPONSIBILITIES

Missing Persons	Exigent Circumstances	Missing Children	Found Persons	Outside of SF	Departmental Responsibilities	Unit Responsible
X	X	X		X	Check with the County Jail, Juvenile Justice Center, ZSFGH, & the Medical Examiner's Office for knowledge of missing person	Reporting member: prior to incident report
X	X	X			Conduct initial investigation	Reporting member
X	X	X		X	Notify DOC	Reporting member: as soon as practical
X	X	X		X	Enter the name and other information about the missing person into MUPS	DOC: within 2 hours if under 21 years, within 4 hours if 21 years or older
				X	Notify and copy report to departments having jurisdiction over missing person's residence and last sighting	Reporting member: within 24 hours
	X				Document the search in a supplemental report	Patrol member: when an immediate search is conducted
	X				Reassign the search to another unit or terminate the search	Station OIC: at the end of searching member's watch
	X				Notify field supervisor, Missing Person Unit (during business hours), DOC	Reporting member: immediately
	X				Search termination	SVU/Station OIC: upon locating the missing person or supervisor's approval
		X			Notify the NCMEC and document the date and time of entry	Reporting member
			X		Remove all entries from MUPS	DOC: upon reporting member notification
			X		Return juvenile to residence, district station for parental pick-up, or Huckleberry House without parental pick-up	Reporting member: for found juveniles without arrest

Missing Persons	Exigent Circumstances	Missing Children	Found Persons	Outside of SF	Departmental Responsibilities	Unit Responsible
			X		Title report "Missing Person and Found Person" with details	Reporting member: if the missing person is located before submission of report

References

- DGO 7.01 Policies and Procedures for Juveniles Detention, Arrest, and Custody
- National Center for Missing and Exploited Children (NCMEC)
- SFPD FTO Manual – Missing Persons

DRAFT