

**COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK**

GENERAL ORDER POLICE BUREAU	DATE OF ISSUE April 4, 2013	EFFECTIVE DATE April 5, 2013	NO. 038-13
SUBJECT: GENERAL ORDER Missing Persons, Amber Alert, Vulnerable Adult Alert		DISTRIBUTION Police Bureau Personnel	AMENDS
REFERENCE: CALEA 41.2.4, 41.2.5, 41.2.6, 82.2.1, 82.3.5 NYS – DCJS Missing & Exploited Children			RESCINDS PBGO 38-12

Purpose: To establish guidelines relative to obtaining, recording, and disseminating information regarding persons and children reported as missing to the Monroe County Sheriff's Office.

Policy: It shall be the policy of this agency to thoroughly investigate all calls of missing persons and complete all required reports. Reports of missing persons and children meeting the below listed criteria shall be immediately investigated and documented **at the scene** and pertinent information shall be provided to New York State as legally mandated.

I. Reporting requirements

- A. In all incidents of missing persons, there is no mandated waiting period before a missing person entry can be made. Reporting requirements listed below are state mandated maximum times for data entry.
- B. The zone of occurrence will assume responsibility for the immediate and thorough investigation of all reports of missing persons. When extenuating circumstances dictate the need, Criminal Investigation Section (CIS) personnel will conduct follow-up.
- C. Specific criteria to be placed in the applicable box on the Standard Incident Report should denote the following codes as appropriate for DCJS: Ensure the entry code is consistent with the circumstances/conditions.
 - 1. **Disability (Code D):** A person of any age who is missing under proven physical/mental disability or who is senile, thereby subjecting themselves or others to personal and immediate danger. Information **must** be forwarded **immediately** by Records personnel to the Division of Criminal Justice Services (DCJS) through the eJusticeNY IJ Portal. Continuing investigation will be the responsibility of the Patrol Division. An Investigator will assume control of the investigation after 30 days.
 - 2. **Vulnerable Adult (Code A):** An individual 18 years or older who has a cognitive impairment, mental disability, or brain disorder and whose disappearance has been determined by law enforcement to pose a credible threat of harm to such a missing individual.
 - 3. **Endangered (Code E):** A person of any age who is missing and in the company of another person under circumstances indicating that their physical safety is in danger. Information **must** be forwarded **immediately** by Records personnel to DCJS through eJusticeNY IJ Portal. Continuing investigation will be the responsibility of an investigator.

4. **Involuntary (Code I):** A person of any age who is missing under circumstances indicating that the disappearance was not voluntary. Information **must** be forwarded **immediately** by Records personnel to DCJS through eJusticeNY IJ Portal. Continuing investigation will be the responsibility of an investigator.
5. **Juvenile (Code J):** A person who is missing and is under the age of eighteen (18) and does not meet any of the above criteria. Criminal Records Unit personnel must forward information to DCJS through eJusticeNY IJ Portal **immediately**.

Continuing investigation will initiate with the patrol deputy and may become the responsibility of a CIS investigator after initial investigative leads are exhausted.
6. **Disaster Victim (Code V):** A person of any age who is reported missing after a disaster. Criminal Records personnel must forward information as soon as possible to DCJS through eJusticeNY IJ Portal. Continuing investigation will be the responsibility of CIS.
7. **Other (Code O):** A person of any age who is missing under circumstances not described by above codes (e.g., missing for unknown reasons). This will require an immediate entry into the eJustice IJ Portal. Continuing investigation will be the responsibility of the Patrol Division. An investigator will assume control of the investigation after 30 days.

D. Amber Alert

The Amber Alert program has been designed as a public resource to expeditiously broadcast details of a child's abduction to the public in the hopes of facilitating a rapid recovery of such child. Only command officers can activate this alert. Specific criteria states that the child must be:

1. Under the age of eighteen (18) and;
2. In imminent danger of serious bodily harm or death at the hands of another or due to the child having a mental or physical disability.
3. If Amber Alert is activated it will be entered into the eJustice IJ Portal as Involuntary (Code I), Disability (Code D), or Endangered (Code E).

E. Missing Child/College Student Alert

1. A missing student is any person who is a "student of an institution (college or university) who resides in a facility owned or operated by such institution on or off campus and who is reported as missing from his or her residence."
2. There is no age limit specified in the law (for a college student).

Note: When a case does not meet the AMBER Alert activation criteria, but a missing child, college student or young adult (under 21, non-college student) is deemed to be endangered, this alternative Alert is available.

F. Missing Vulnerable Adult Alert

The Missing Vulnerable Adult program has been designed as a means for Law Enforcement to establish a mechanism, through the Missing Persons Clearinghouse for rapidly disseminating information about missing vulnerable adults to the public and other law enforcement agencies. This program will also be used to assist in identifying

unidentified, living persons who may be listed in the missing vulnerable adult database. A command officer will activate this program for cases that involve the following criteria:

1. The missing person is 18 years of age or older AND has a cognitive disorder, mental disability or brain disorder.
2. There is a credible risk of harm to such missing person.

(Note – A suicidal missing person who does not have a cognitive disorder, mental disability or brain disorder is not eligible for this program.)

II. Procedures

A. Deputies shall:

1. Respond to the scene in a timely manner and conduct an “at risk” assessment.
2. Identify those at the scene and preserve the scene if deemed appropriate.
3. Notify a supervisor of **all** missing person investigations. Determine if extenuating circumstances exist (e.g., foul play suspected, age factor, questionable mental health/impaired physical conditions).-

Note: If criteria for Amber Alert, Missing Child/College Student Alert, or Vulnerable Adult Alert exist refer to Section IV of this order in addition to continuing with the subdivisions of this section.

4. Prepare a Standard Incident Report as outlined in Section V, obtaining as much information as possible and indicating unknown or N/A (when information is not available).
5. When possible, two recent photographs of the missing person will be obtained and attached to the report. One photo shall be attached to the original report and one to the primary follow-up report.
6. Provide the Emergency Communications Department (ECD) with the description of any person who is missing under extenuating circumstances for dissemination via MDT/MDC messaging for up to 24-hours.
7. Immediately check or request another unit to investigate and document any area or address the reporting person has indicated as a possible location of the missing person.
8. Commence search if warranted and if needed, assist with the preparation of fliers with investigative staff.
9. Be responsible for continuing investigations described as Code-O (where no extenuating circumstances exist) for 30 days, after which time the investigation will be turned over to the zone investigator for further follow-up.
10. Submit completed report to supervisor for review/approval as follows:
 - a. Immediately, regarding missing persons involving extenuating circumstances, after which the deputy shall contact the Records Unit with the appropriate information for immediate entry to DCJS through the eJusticeNY IJ Portal system, or

- b. Ensure teletype is sent in the appropriate timeframe.
- c. At completion of tour of duty in those instances lacking extenuating circumstance, after which the supervisor shall forward the report to the Records Unit through interdepartmental mail.

Note: Situations involving custodial interference, unlawful imprisonment, kidnapping or other crimes will also be documented on a Standard Incident Report (SIR).

B. Supervisors shall:

- 1. Respond to the scene of a missing person upon request of reporting deputy and assess the situation.
- 2. Ascertain if suspicious circumstances or age of the victim require immediate special attention (e.g., search, radio broadcast, etc.) and coordinate follow-up investigation as necessary.
- * 3. Contact the zone investigator, Major Crimes Sergeant, and patrol/zone commander when foul play is suspected or suspicious circumstances exist or an unexplained prolonged absence exists. The patrol/zone commander shall be contacted regarding the necessity for addition personnel.
- 4. Establish a command post if warranted, direct media inquiries, and update notifications as needed.
- 5. Arrange logistics for search if needed.
- 6. In cases of juveniles missing without extenuating circumstances, ensure that a follow-up contact is made with the reporting person/persons within 48 hours to determine whether the juvenile is still missing.
- * 7. In cases of reported missing juveniles, forward a copy of the report to the Zone Administrative Sergeant and Zone Captain.
- 8. When reports of missing persons fall into the following categories: Code D – Disability, Code E – Endangered and Code I – Involuntary. Ensure that the Records Unit is immediately contacted with appropriate information for Teletype entry into eJusticeNY IJ Portal.
- 9. In cases of an Amber Alert, Missing Child/College Student Alert, or Missing Vulnerable Adult Alert, the supervisor will ensure that the deputy is following the Amber Alert/Vulnerable Adult Alert procedure in section IV.
- 10. The appropriate zone commander as well as the CIS Captain is notified.

* C. Zone Administrative Sergeants shall:

- 1. Review copies of all Standard Incident Reports involving missing persons.
- 2. Track all investigations regarding missing persons.
- 3. Ensure continued follow-up investigation after 30 days of initial Standard Incident Reports that are coded Code – D and/or Code - O.

D. Records Unit Staff shall:

1. Enter data regarding missing persons through ejustice portal to DCJS. Those designated as immediate shall be entered as such; 48-hour designation shall be entered upon notification. Entries for a Missing Vulnerable Adult must include the missing person condition of "Vulnerable Adult".
2. After 30 days forward DCJS form 1508, Missing Person Data Collection Guide to the appropriate zone commander who will in turn ensure that the document is taken to the reporting person to be completed and then returned to the Records Unit.

III. Cancellations

A. Reporting deputy shall:

1. Either respond to the location of the individual initiating the cancellation or, by competent authority, verify the well being of the previously reported missing person.
2. Complete an Investigative Action Report (IAR) upon receiving a cancellation of a missing person, indicating the original CR number, victim's name, age and date of return, and circumstances relating to the incident.
3. Notify the Records Unit of information necessary for Teletype cancellation.
4. Submit completed IAR to supervisor upon completion of tour of duty.

B. Supervisor shall review all IARs and forward it to Records Unit for distribution.

C. Records Unit personnel shall ensure that reported missing person information entered into eJusticeNY IJ Portal is removed from it upon receiving cancellation information from IARs or from reporting deputies.

IV. Amber Alert/Missing Vulnerable Adult Alert Procedures, Missing Child/College Student Alert

A. Deputy Shall:

1. Conduct preliminary interviews and contact a supervisor if circumstances fit the Amber Alert, Missing Child/College Student Alert, or Vulnerable Adult Alert Criteria.
2. Once an Amber Alert, Missing Child/College Student Alert, or Vulnerable Adult Alert has been activated by a command officer, the deputy will complete the applicable **Amber Alert Submission Form, Missing Child/College Student Alert Submission Form, or Vulnerable Adult Alert Submission Form. All forms can be located on the MCSO intranet under other forms.**

B. Supervisors Shall:

1. Determine if an Amber Alert, Missing Child/College Student Alert, or Vulnerable Adult Alert is warranted and recommend activation of the alert to a command officer.
2. Ensure that the **General Authorization Form** has been completed and signed for non-urgent/missing child case/college student case.

3. For an Amber Alert, review the Amber Alert Submission Form and fax it to the NYSP Communication Section at 518-457-3207. The command officer listed on the Amber Alert Submission Form will be contacted by the NYSP Communications Center for final verification. Also notify the NYSP to the incoming fax at 518-457-6811. The submission form can also be accessed and submitted via eJusticeNY IJ Portal. The hard copy of the form is to be kept with the Missing Person's Report and submitted together.
4. For Missing Child/College Student Alert, contact the Missing Persons Clearinghouse at 1-800-346-3543 and speak to a Case Manager for approval. If approved, review the Missing Child/College Student Alert Submission Form and fax it to the Missing Persons Clearinghouse at 518-457-6965 or e-mail it to missingpersons@dcjs.ny.gov. The hard copy of the form is to be kept with the Missing Person's Report and submitted together.
 - a. Ensure that a photo of the missing person is available (jpg preferred)
 - b. Determine regions that will be activated
 - c. Provide DCJS with a phone number (24/7) that will be able to handle leads as they are received
5. For Missing Vulnerable Adult Alert, contact the Missing Person Clearinghouse at 1-800-346-3543 and speak to a Case Manager for approval. If approved, review the Missing Vulnerable Alert Submission Form and fax it to the Missing Persons Clearinghouse at 518-457-6965 or e-mail it to missingpersons@dcjs.ny.gov. The hard copy of the form is to be kept with the Missing Person's Report and submitted together.
 - a. Ensure that a photo of the missing person is available (jpg preferred)
 - b. Determine regions that will be activated
 - c. Provide DCJS with a phone number (24/7) that will be able to handle leads as they are received

Note: You also have the option of e-mailing this form directly from either website or to e-mail it directly from a computer to missingpersons@dcjs.state.ny.us. In any case, once it is sent you will have to then call to confirm that it was received.

6. When an unidentified, living person is located who may be listed in the Missing Vulnerable Adult database, contact the Missing Person Clearinghouse at 1-800-346-3543 in an attempt to identify the found missing vulnerable adult. The Missing Person Clearinghouse's website is: <http://www.criminaljustice.ny.gov/missing/va-alpha1.htm>
 7. Dispatch a Deputy to the Records Unit to assist with incoming calls and leads.
- C. Records Unit Shall:
1. Complete and send a NCIC missing person entry (File 6).
 2. Generate a eJusticeNY IJ Portal abduction message (File 11A).

D. Termination of an Amber Alert

In the event that the alert needs to be terminated either by recovery or determination that the abductee no longer qualifies for the Amber Alert, immediate notification to the NYSP communications center needs to be made by a command officer, or designee, by fax (518) 457-3207 and telephonic notification (518) 457-6811, canceling the broadcast.

E. Termination of a Vulnerable Adult Alert/Missing Child/College Student Alert

In the event that the alert needs to be terminated either by recovery or determination that the missing person no longer qualifies for the Vulnerable Adult Alert/Missing Child/College Student, immediate notification to the Missing Person Clearinghouse needs to be made by a command officer, or designee, by fax (518) 457-6965 and telephonic notification 1-800-346-3543, canceling the Alert.

NOTE: An Alert will expire after 14 days, if a person is still not located DCJS will continue to publicize as a regular case and not as an alert

V. **Completion of Standard Incident Report**

- A. Members will utilize a Standard Incident Report form and accompanying booklet when answering each question. The coded responses provide specific information that NYSIBRS utilizes for crime reporting, tracking and nationwide comparisons.
- B. Any questions that do not apply to the incident will be marked with a dash (-). If the answer to the question is unknown, it will be marked with an "X".
- C. The form will be completed utilizing the guidelines delineated in **Standard Incident Report and Supplement Investigative Action Report (PBGO 21)**.

VI. **Distribution**

Page 1	Records Unit
Copy 2	Records Unit
Copy 3	Investigating Deputy/Investigator
* Copy 4	Zone Administrative Sergeant, follow-up file
Copy 5	Reporting Person

By Order of the Sheriff

Patrick M. O'Flynn

* Indicates a change from previous order.