

# City of Johns Creek Police Department

<i>Subject:</i> Missing Persons		<i>Number:</i> 02-11
<i>Reference:</i> GBI Investigative Division Directive 8-8-17		<i>Amends:</i>
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**PURPOSE:**

Establish guidelines for reporting and investigating of all individuals who are absent and/or missing.

**POLICY: (02-11)**

The Department will investigate all situations where individuals are reported missing and/or absent regardless of circumstances and time factors involved. The Department will ensure investigations involving missing or unidentified children are given high priority and all available resources will be used in determining their whereabouts or identity. After reasonable, immediate efforts to locate any missing person have been expended, and the person has not been located, all such persons shall be entered into GCIC/NCIC and necessary bulletins prepared and distributed to pertinent, area agencies and posted in conspicuous locations. “Reasonable, Immediate” is clarified to mean, “within the narrow scope of time wherein all reasonable leads have been checked and the primary investigation indicates the person **may** not have voluntarily departed.

**PROCEDURES:**

**Initial Response (02-11-01)**

Upon receiving a report that an individual or child cannot be located, the initial officer will obtain and record all information which is relative to the investigation of this incident. The information which must be recorded is, if available:

1. Physical description and age of the missing individual;
2. Destination;
3. Mode of transportation;
4. All possible routes;
5. Identity and location of the last known individual who may have seen them;
6. Names, addresses and telephone numbers of friends and relatives; and
7. Any other information which may assist in locating the missing individual or child.

The first responding officer will initiate an immediate investigation to locate the individual or child which will include:

1. Providing a radio broadcast of the description of the person and any known circumstances to other on duty patrol units, adjacent agencies, and those jurisdictions where the individual may have been known to travel through or to.
2. Conduct interviews with:
  - a. Spouse
  - b. Parents
  - c. Relatives

- d. Friends
- e. Employers and/or co-workers
- f. Any individual who may have knowledge of the missing individual's whereabouts.

Interviews may be conducted in person or via telephone to help expedite locating the missing individual. However, all interviews and/or attempts to interview will need to be documented in the officer's incident report.

- 3. Obtain a recent photograph of the missing individual.
- 4. Initiate the incident report with the minimum information:
  - a. Height, weight, color of hair and eyes;
  - b. Glasses or eye contact lenses;
  - c. Skin color;
  - d. Physical or mental characteristics;
  - e. Scars, marks, and/or tattoos;
  - f. Date of birth;
  - g. Clothing description;
  - h. Social security number and operator license number (if applicable);
  - i. Nicknames;
  - j. Names, addresses, telephone numbers of parents and/or relatives;
  - k. Dental records (if readily available); and
  - l. Fingerprints (children).

### **Special Handling of Missing Children (02-11-02)**

Per Federal Law and NCIC Policy, when agencies receive reports of missing juveniles, including runaways, or any person less than 21 years of age, the records must be entered into GCIC/NCIC within two hours after enough information is obtained to complete an entry. (USCS § 5780) This would include runaways, abandoned, abducted or a child in any other missing status.

The first responding officer will:

- 1. Notify his/her supervisor and initiate a thorough and immediate physical search of the area.
- 2. After enough information is obtained to complete an entry in GCIC/NCIC the officer will make immediate contact with Forsyth County Sheriff's Office GCIC to ensure the record is entered within the two hour time frame. Notify the parents that this entry has been made.
- 3. Notify Fulton County Department of Family and Child Services (DFACS) at (404) - 651-9361. The officer should request that DFACS provide any relevant information on the child such as:
  - a. Whether or not there is currently an active case;
  - b. Name of the child's case worker;
  - c. Any previously reported missing incidents and any information related to those situations;
  - d. Previously reported abuse cases; and
  - e. All other relevant information which would assist in locating the child.
- 4. Provide the parents and/or guardians with the 24 hour State of Georgia Clearinghouse (GBI) for missing and exploited children (1-800-282-6564). This is intended to help provide the parents with any additional assistance.
- 5. The supervisor will ensure all notifications and required contacts have been made.
- 6. Supervisor will contact additional resources and personnel, if applicable.

The National Center for Missing and Exploited Children (NCMEC) will assist our agency in the following ways:

- 1. **Stranger Abduction:** Call NCMEC at 1-800 THE LOST. The NCMEC will make a public service announcement outlying the facts of the incident and a photograph of the child. This will be transmitted via satellite to local television stations.

2. **Project Alert:** Assigns a specially trained volunteer consultant from NCMEC to provide expert and technical assistance to our agency.

The Georgia Bureau of Investigation also offers assistance through Levi's Call – Georgia's Amber Alert and C.A.R.T. Levi's Call utilizes the Emergency Alert System (EAS) to deliver vital information to broadcasters and the public about a missing child and an abductor. The Georgia Department of Transportation's changeable message signs located along major highways also are accessed to display descriptive information about the suspect's vehicle.

Levi's Call is an investigative tool that can be activated by the Johns Creek Police Department through a request to the Georgia Bureau of Investigation. When abduction is confirmed and investigators determine that the case meets the Alert Criteria (to follow), the GBI regional office will be contacted. Should this occur after hours, the investigating officer shall contact the GBI Communications Center at (404) 244-2600 where an operator will locate the on call agent.

Before Levi's Call can be activated, the following alert criteria must be met:

1. There must be a confirmed child abduction,
2. The circumstances surrounding the abduction must indicate that the child is in danger of harm or death,
3. The child must be 17 years of age or younger,
4. There must be enough descriptive information to believe that an immediate broadcast alert will help; and
5. The case must be entered into the National Crime Information Center (NCIC) database.

Activation will not be granted in the following cases:

Non-custodial abductions where no danger exists to the child,

1. Runaways; however
2. An exception may be given to juveniles with mental or physical disabilities who may be at greater risk of danger because of their impairments. These cases should be evaluated on their own merit.

B. Child Abduction Response Team (State of Georgia – Directive 8-8-17)

1. The Child Abduction Response Team (C.A.R.T.) is authorized to investigate the abduction or endangerment of children in the State of Georgia upon the request of a sheriff, police chief, the attorney general, the district attorney or designee, and with the approval of the C.A.R.T. Coordinator and an Inspector. The C.A.R.T. is a response combining the resources of nine different state agencies (sworn and non-sworn) to provide an immediate and efficient response to a child abduction or otherwise missing endangered child. The participating agencies are:

Georgia Bureau of Investigation Georgia  
Department of Public Safety Georgia  
Department of Natural Resources Georgia  
Department of Human Services Georgia  
Emergency Management Agency Georgia  
Department of Juvenile Justice Georgia  
Department of Pardons and Paroles Georgia  
Department of Corrections  
Georgia Department of Transportation

2. The activation criteria for the C.A.R.T are as follows:

- a. The true (non-family) abduction of a minor child (under the age of 18); or

circumstances. These circumstances must clearly be articulated to the C.A.R.T. Coordinator in order to activate the team members. The child's disappearance or abduction shall meet the endangerment criteria if the child's life or well-being is perceived to be at-risk (due to violence or health conditions), or if the identified parental abductor has a potential for violence and could endanger the child; or

- c. Any other abduction or missing child investigation that requires immediate response in order to protect the well-being of the child. All incidents at this level shall require the approval of an Inspector, Deputy Director for Investigations, Assistant Director, or GBI Director.
3. Once our agency requests a C.A.R.T. activation and confirmation the C.A.R.T. activation criteria has been met and response is necessary, the C.A.R.T. will respond.

### **Critical Missing Person (02-11-03)**

A missing person may be considered at risk for any of the following reasons:

1. Any person because of age (young or old), and may be unable to properly safeguard or care for himself/herself;
2. Has demonstrated a potential for suicide or diminished mental capacity;
3. Any person in poor physical or questionable mental health or is a patient of a mental institution and is considered potentially dangerous to himself/herself or others;
4. Any missing individual where criminal activity is suspected or may be a subject of foul play. (The occurrence is grossly out of character for the person reported to be missing.)
5. Any individual missing under circumstances which would lead a reasonable person to conclude and/or suspect that there may be danger, and/or the individual is not located immediately. (Severe weather conditions, in need of prescribed medication.)

### **Notifications:**

The first responding officer shall notify the on-duty supervisor. The on-duty supervisor will make the proper notifications as outlined in the emergency notification procedures as well as requesting the on-call investigator. CID personnel will respond to all Critical Missing Persons calls.

The officer should initiate both a physical search and the investigation. The physical search should be conducted regardless if a parent, friend, or relatives have already conducted the search. The physical search should start with the interior of the house, followed by the exterior, and then the surrounding neighborhood. The officer should keep in mind that a small child may hide and not answer when someone is calling out his/her name. All searches should be conducted in a spiral manner.

The officer shall obtain enough information for a regional broadcast, to be made immediately, if applicable.

The officer may mobilize all available resources which could be utilized in helping to locate the missing individual. Those resources to be considered are:

1. Notifying the news media and request that a camera crew and/or reporter come to the scene;
2. Request assistance from the city fire department, public works personnel and other city departments;
3. Canine units should be called out immediately;
4. Request assistance from other law enforcement agencies including the Roswell Police Department, Sandy Springs Police Department and the Fulton County Sheriff's Department;
5. Request that the Fulton County Police Department or Atlanta Police Department provide helicopter assistance in conducting and organizing the search; and

6. Request search assistance from area volunteer groups.
7. Conduct "A Child Is Missing Alert," by calling (888) 875-2246 and provide the following information:
  - a. Provide reporting agency name
  - b. Provide officer's name and contact number
  - c. Provide case number
  - d. Provide name and description of missing person(s)
  - e. Provide the location where the person was last seen, zip code, County, and search area
  - f. Provide the time and date of when the person was last seen
  - g. Provide a phone number for Citizens to report sightings (Chattcom)

### **Activation of MATTIE'S Call (02-11-04)**

MATTIE'S call is the Georgia Alert System for Missing Disabled Adults, also considered critical missing persons. Georgia law defines "disabled adult" as an individual who is developmentally impaired or who suffers from dementia or some other cognitive impairment. O.C.G.A § 35-1-8(c) specifies that any law enforcement agency, which receives a report that a person with Alzheimer's disease or other mental illness involving dementia is missing, shall immediately open an investigation for the purpose of determining such person's whereabouts; and no policy for applying any waiting period prior to initiation of a missing persons investigation shall apply in the case of a person who has Alzheimer's disease or other mental illnesses involving dementia.

#### **A. Criteria to Activate Mattie's Call**

1. A law enforcement agency employee believes that a disabled person is missing and is in immediate danger of serious bodily injury or death;
2. The agency has verified the disappearance and eliminated alternative explanations for the disabled person's disappearance;
3. Sufficient information is available to disseminate to the public that could assist in locating the disabled person;
4. The missing disabled person must be entered into the National Crime Information Center (NCIC) database; and
5. The agency must issue a statewide broadcast to law enforcement/911 centers and contact local media regarding the missing person.

#### **B. Mattie's Call – Activation Procedures**

1. Regional Alert - A Child is Missing is a non-profit organization that reaches the public via rapid response telecommunications attempt to locate a missing child, a disabled individual, or an elderly person with Alzheimer's. A Child is missing can only be activated at the request of a local law enforcement agency. The public cannot make a request. The supervisor will ensure "A Child is Missing" (888-875-2246) is contacted. The agency must:
  - a. Contact A Child is Missing with the pertinent case information;
  - b. Assess the appropriate geographical boundaries of the alert based on the nature of the disabled person and the circumstances surrounding the disappearance; and
  - c. Conduct search operations within the established boundaries.
2. Statewide Alert (GAB NewsNet): At the agency's request a statewide Media Advisory will be issued to broadcasters through the Georgia Association of Broadcasters' NewsNet, a list server of broadcaster email addresses. GAB NewsNet can only be accessed by local law enforcement through a request to the Georgia Bureau of Investigation (GBI). It is to the broadcasters' discretion as to whether the information is shared with the public.

The agency must complete the Mattie's Call Alert Bulletin. The GBI will facilitate the Media Advisory. The requesting local agency must include contact information for the media and the public.

The Media Advisory Bulletin should be emailed (if email is not available, the bulletin can be faxed) to:

GBI Communications Center  
Email: [comctr@gbi.ga.gov](mailto:comctr@gbi.ga.gov)

Fax: 404-243-6545  
Phone: 404-244-2600

Before the Media Advisory will be issued the agency must complete the following:

- a. Notify GBI Communications Center that a bulletin is being sent;
- b. Have a designated media contact

#### C. Mattie's Call – Deactivation Procedures

1. The requesting law enforcement agency must contact local media, A Child is Missing, and the assisting state agency when the disabled person is located or the alert is no longer needed.
2. The requesting law enforcement agency must also send a statewide broadcast to law enforcement/911 centers to cancel the alert.

#### **Follow-Up Investigations (02-11-04)**

The Criminal Investigations Division should be contacted to conduct a follow-up investigation. Any personnel assigned to follow-up the investigation, must stay in contact with the person making the report to keep them apprised of any progress in the investigation. The investigator will continue to make a reasonable effort to acquire additional information and promptly integrate that information acquired for GCIC/NCIC.

If a missing child is not located immediately (2 hours), the Supervisor of the Criminal Investigations Division should be contacted to conduct a follow up investigation. Any personnel assigned to follow up the investigation, must stay in constant contact with the person making the report to keep them apprised of any progress in the investigation.

The investigating officer will continue to make a reasonable effort to acquire additional information and promptly integrate that information acquired for GCIC/NCIC.

For all persons missing for thirty (30) days after the filing of the initial report, the investigating officer shall attempt to obtain the dental records and DNA samples of the missing person. For missing juveniles, the investigating detective shall make a written request from the missing child's parents and/or guardians for his/her dental records and DNA samples. If dental records are acquired, then they shall be entered into GCIC/NCIC. If DNA samples are obtained, they should be sent to the FBI for entry into CODIS.

#### **Removal of Information from GCIC/NCIC (02-11-05)**

When a missing person and/or missing child has returned to the care, custody, and control of his/her parents, legal guardian or reporting party **and** this Department has verified the information, and the child or person is no longer missing, the officer receiving that information will notify his/her supervisor immediately and have the information removed from GCIC/NCIC. The on duty supervisor will also be responsible for making the proper notification through his/her chain of command.

#### **AWOL (Absent Without Leave) Arrest (02-11-06)**

1. Officers of the Johns Creek Police Department have the authority to apprehend AWOL military personnel although it is not a violation of state or local ordinance. It is a violation of the Uniform Code of Military Justice and cannot be tried in state or local courts.

2. When requested by a military official to assist in the apprehension of any individual reported to be absent without leave, assistance will be provided as long as military personnel are present to take the person into custody.
3. Officers will arrest military personnel who are absent without leave when:
  - a. A computer and/or a wanted check discovers that the individual is wanted (NCIC or USADIP), or if the individual volunteers the information.
  - b. When an individual is arrested for any offense other than absent without leave and the computer shows that individual as being absent without leave, it becomes the arresting officer's responsibility to verify the status of this information.
  - c. All arrests made for absent without leave will be approved by a supervisor prior to the individual being booked into the Detention Facility. All arrests will be accompanied by a general citation and should read: ABSENT WITHOUT LEAVE (HOLD) / (NAME OF BRANCH OF SERVICE.)
  - d. Anytime an officer is requested by any individual other than a military official to apprehend someone for being absent without leave from any branch of our armed forces, the officer will conduct a computer check and notify the proper military branch of service.