



**Division of Criminal
Justice Services**

Child Locator Report

*A review and recommendation
of locator systems for children
with developmental disabilities*

June 2016

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Overview

The New York State Missing Persons Clearinghouse is located at the New York State Division of Criminal Justice Services (DCJS). The Clearinghouse's statutory obligations and responsibilities are set forth in New York State Executive Law Sections 837, 837-e, 837-f, 837-f(1), and 838; Education Law sections 355, 6206, 6303, and 6450; and Part 6055 of New York State Codes, Rules and Regulations.

This report is submitted pursuant to Chapter 430 of the Laws of 2015 which requires DCJS to publish such report and provide it to the Governor, the Temporary President of the Senate and Speaker of the Assembly.

The legislation – prompted by the tragic death of Avonte Oquendo, a 14-year-old boy with autism who was killed after he wandered away from his school – recognizes the continuing need to find ways to protect children with developmental disabilities and that time plays a critical role in preventing wandering incidents and related deaths involving these children. The legislation further promotes coordination of search and rescue protocols that involve locator devices and requires DCJS, in consultation with the Office for People with Developmental Disabilities (OPWDD), to review information technology systems used for locating missing children with developmental disabilities. DCJS, in consultation with OPWDD, must also review technology systems established by local governments and make recommendations for a statewide communication program that can be utilized by other entities operating locator systems. The review, findings, and recommendations are summarized in this report, including:

- A survey of all information technology systems used by local governments including global positioning systems, radio-termination technology, telemetry, and satellite positioning systems;
- An analysis of appropriate means for coordinating information sharing among entities using locator systems;
- A standardized process to assist local governments and other entities interested in establishing a locator system;
- A process for synchronizing locator systems throughout the state;
- Recommended response procedures for law enforcement agencies when conducting search and rescue operations involving a child with developmental disabilities; and
- Recommendations to establish a standardized and coordinated locator tracking system throughout the state.

Tracking System Technology

Global Positioning Systems (GPS)

A GPS tracking unit is a device that can be carried or worn by a child and uses the Global Positioning System to track its precise location at intervals. The recorded location data can be stored within the tracking unit, transmitted to a central location database or Internet-connected computer, using a cellular radio, or a satellite modem embedded in the unit. This allows the child's location to be displayed on a map either in real-time or when analyzing the track later, using GPS tracking software. Typically the device is purchased and maintained on an individual basis. These devices are small and come in different forms such as watches or tag-like discs.



Data tracking software is available for smartphones with GPS capability. GPS tracking devices have a range of different features including: update intervals, geo-fencing, tracking history, text messaging, motion-activated tracking intervals, panic buttons, two-way voice and on-demand location updates.

GPS advantages: GPS devices can be paired with a parent's cellular phone to provide easy access and monitoring. GPS can give a precise location of the child. The geo-fencing feature can be utilized to set up a geographical boundary for the child and send a notification to the parent when the perimeter is breached.

GPS disadvantages: GPS may not work indoors, around tall buildings, in forests, underground in trains or subways, or other locations without a clear view of the sky. GPS is also dependent on location and needs to have a GPS and cellular signal. Battery management is also a concern. Battery life is relatively short and the device will not work without being charged. Battery life between charges ranges from 4 hours to 60 hours and performance depends on the type of features activated for the device, such as geo-fencing. The more frequent intervals of position fixes will result in more rapidly draining the battery. The initial cost to purchase the equipment ranges from \$100 to \$600, with a monthly service fee ranging from \$5 to \$50 per month, depending on the features selected with the product.

Radio Frequency Identification System (RFID)

With this technology, the child wears a wrist or ankle bracelet emitting an individualized radio frequency tracking signal. If the child goes missing, the caregiver notifies the local agency administering the tracking program and a trained emergency team responds to the missing person's area. The individual frequency number is programmed into a receiver that allows searchers to track the signal and locate the missing child. An example of a radio frequency identification system provider is Project Lifesaver International, a non-profit organization that partners with law enforcement across the country. This program distributes the tracking equipment and maintains a database that enables partner agencies to share client information when necessary to locate a missing person.



RFID advantages: The radio frequency tracking system has greater reliability in wooded areas and in buildings, is not subject to system interruption, does not rely on satellite signal triangulation, and is less susceptible to signal blockage than GPS tracking devices. Battery life is 30 to 60 days, depending on the type of battery. Initial costs are approximately \$350 and there is no monthly service fee. Battery and band replacement each cost approximately \$2.70. Because the program is typically administered by a local governmental agency, there are typically grants and funding available to provide the equipment at no charge for developmentally disabled children.

RFID disadvantages: RFID has a limited signal range of five to seven miles for airborne tracking and one to three miles for tracking on land. The system requires a trained searcher to track the missing child using a receiver with the child's frequency number programmed into it. The searcher must be within the signal range to locate the missing child which is typically one mile to one-and-a-half miles on land and up to five miles in the air when the receiver is mounted on a helicopter.

Telemetry

Telemetry is an automated communications process by which measurements are made and other data collected at remote or inaccessible points and transmitted to receiving equipment for monitoring.

The first use of telemetry was in 1912, when it used telephone lines to transmit power plant data to an operational office.

Wireless telemetry equipment is used in cellular phones and wireless local area network applications. Satellite telemetry equipment is used frequently in many different industries. Aerospace applications use telemetry to relay information from an orbiting spacecraft back to mission control, or to provide communication for global positioning systems.



Wireless telemetry is also used in security detection and alarms, monitoring of medical patients, flying drones, and sensors that monitor the air pressure on vehicle tires. Both radio frequency and GPS are types of systems that use telemetry to transmit data. The advantages and disadvantages of telemetry are determined by the system using it. For example, wireless telemetry does not depend on land lines which may break or be difficult to access in remote areas, but a disadvantage would be that the wireless link requires a power supply.

Satellite Positioning System

The Satellite Positioning System (SPS) is generally used for mariners, aviators, and outdoor adventurers to activate Emergency Position Indicating Radio Beacons (EPIRBs).



An SPS typically requires an open view of the sky to transmit successfully. Personal Locator Beacons transmit powerful signals at 406 MHz, an internationally recognized distress frequency monitored in the United States by the National Oceanic and Atmospheric Administration and the Air Force Rescue Coordination Center.

Personal Locator Beacons communicate with a network of Russian, Canadian, American, and French military satellites known as COSPAS-SARSAT (SARSAT is an acronym for "Search and Rescue Satellite Aided

Tracking"). After receiving a transmission, these satellites 'fix' on the location using a Doppler Shift method and relay the information to the Coordination Center where search and rescue procedures begin. If using a GPS-compatible Personal Locator Beacons, GPS coordinates are delivered very quickly without having to wait for the satellites to determine the location.

A Personal Locator Beacon should be activated only in situations of grave and imminent danger, and only as a last resort when all means of self-rescue have been exhausted. There are no known Personal Locator Beacons systems used for the purpose of tracking or locating missing children with developmental disabilities.

Survey

In January 2016, the Clearinghouse surveyed 58 sheriff's offices and 521 police departments throughout New York inquiring about technology systems being used to track children with developmental disabilities.

There was a response rate of about 40 percent: 20 sheriffs' offices and 218 police departments. Among them, 90 percent indicated they do not have any type of child locator system in place.

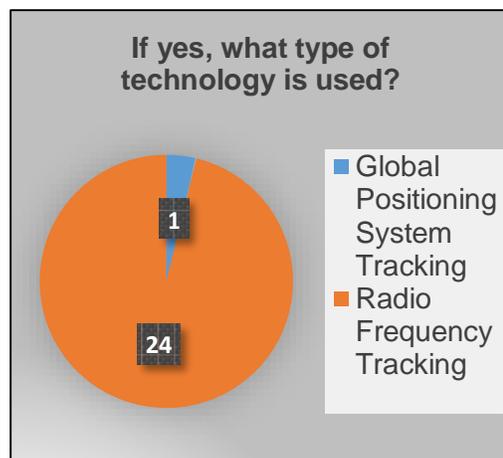
Of the 24 who indicated they do have a child locator system, 23 use only radio frequency technology exclusively through the Project Lifesaver International program; one respondent –the Niagara County Sheriff's Office – uses a GPS tracking device from TRiLOC Technologies in addition to the Project Lifesaver Program.

Among those responding to the survey, 24 agencies have a total of 172 children enrolled in the Project Lifesaver Program, while the Niagara County Sheriff's Office has two children enrolled in the TRiLOC GPS Locator program.

Approximately 32 searches for children have been conducted since the programs were implemented with no related injuries or deaths in the outcome of any searches. Agencies using the aforementioned systems described the benefits of each system as:

Radio Frequency Identification System

- Reliable technology because it does not depend on satellite or cellular signals;
- Cost effective for the agencies because fewer staff are needed to respond to a search;
- Short recovery time when a client goes missing;
- Rapid response to location will allow for quick recovery of missing/lost child;
- Less susceptible to signal blockage, more reliable, not subject to system interruption, no concern for environmental issues such as weather to distorting the signal, radio frequency tracking will work indoors and in remote areas, a decrease in search time and ease of locating the missing person, especially in rural areas;



- Prior awareness of at-risk members of the community;
- Low cost, low maintenance, reliable equipment, easy to maintain the equipment, very easy to install on the clients and affordable to the clients; and
- Less personnel needed in search.

GPS Locator

- Accurate and user friendly.

There were only a few responses reporting any negative feedback on the two systems. For Project Lifesaver, the common concern reported was the limitation of the signal transmission distance. Concerns reported about the GPS unit included battery maintenance and unreliable satellite or cellular signals. The negative feedback included:

Radio Frequency Identification System

- Limited on distance of signal transmitted;
- Distance in which a signal can be obtained;
- Limited range, outdated technology, limited law enforcement partners when individual goes missing outside of jurisdiction;
- Equipment requires trained operators to locate the missing. Other systems are capable of allowing family or care givers to locate missing without intervention from the outside.
- Costs per client;
- Some children are sensitive to the band material;
- Limited on distance of signal transmitted, only one mile to one-and-a-half mile effective range from point last seen; and
- The initial amount of training necessary for users.

GPS Locator

- Battery maintenance; and
- GPS/cellular coverage.

All Project Lifesaver agencies can share client information with other agencies using the Project Lifesaver database. The only program that is not able to share client information is the TRiLOC GPS program administered through the Niagara County Sheriff's Office.

See Appendix B for a full report of the survey.

Department-Specific Initiatives

The Niagara County GPS tracking program has been in existence for approximately three years and was purchased through a private grant. Each unit costs \$400 and there is a monthly service fee of \$25 per unit. The sheriff's office purchases the unit and the recipient's family is responsible for the monthly fee. The unit is used for children with autism and adults with Alzheimer's disease or other cognitive disorders. There are two children and six adults participating in the program. There have not been any searches conducted for the children. The caregiver is required to provide the sheriff's office with the username and password for the account. The caregiver is responsible for monitoring the account.

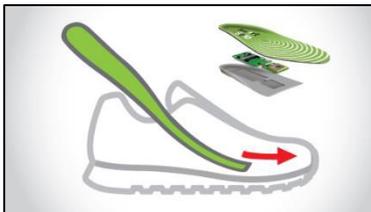
If a person goes missing, the sheriff's office has the recipient's information stored in a database at the 911 Dispatch Center and is able to access the account to attempt to locate the individual.

To date, caregivers have been successful in locating the missing person themselves and did not need the assistance of law enforcement. The battery must be kept charged and the tracking unit, which is on a locking bracelet, has to be removed from the person's wrist to be charged. Battery life depends on what features and applications are running on the device, but the devices generally stay charged for up to 48 hours. Some of the features include two-way voice activation, geo-fencing and alerts.



The Niagara County Sheriff's Office also has three children and one adult enrolled in the Project Lifesaver Program.

The New York City Police Department is conducting a trial of the radio frequency tracking Project Lifesaver Program and a GPS enabled shoe insole called Smart Sole from the GTX Corporation.



One benefit of the insole device is that it does not require wearing a bracelet. This may reduce any stigma that could accompany wearing a tracking bracelet and it provides an alternative for children with autism who have sensory sensitivities and may be resistant to wearing a wrist or ankle bracelet. This could be a problem, however, if the person wears a different pair of shoes instead of the GPS enabled shoe or takes the shoe off. Limitations also include battery management. The device has to be charged daily, which requires taking it out of the insole and placing it on a charging station. During the trial, users have noted that the device will not charge if it is not placed onto the charging station exactly right.

The NYPD has observed both positive and negative results with each device. There have been instances when the radio frequency was more reliable than the GPS and other times when the GPS was more reliable. For example, Project Lifesaver's signal reflected off the large steel base of the Brooklyn Bridge, which interfered with locating the 'missing person' during testing. Meanwhile, the GPS tracking device was able to give the precise location. During another test near water in Far Rockaway, the GPS unit wasn't able to locate the missing person, but the radio frequency device worked without issue. During a test at Citi Field, both devices encountered problems inside of the stadium. Radio frequency experienced signal deflection and the GPS device wasn't able to refresh to provide a location.

Other problems with the Smart Sole GPS unit included false readings produced while using the geo-fencing feature and losing the signal. A detective set up a geo-fencing perimeter at his apartment and received a text message stating that the subject had left the area, even though the individual was still inside his residence. The loss of the GPS signal was also documented when the detective would take the subway to work in the morning. The signal was lost when he entered the station by his home and when he emerged near his office. The GPS signal did not refresh because he was not outside long enough for it to do so. As a result, the GPS device was not able to provide a location for him while he was at his office desk for up to eight hours or more.

Background on Missing Persons Clearinghouse

The Clearinghouse is responsible for providing support to law enforcement agencies handling cases involving children, college students, and vulnerable adults who have gone missing. Clearinghouse staff members have extensive experience in missing person cases and extend their expertise to family members of the missing and to the community through education programs. A critical part of the Clearinghouse mission is coordinating three distinct statewide notifications similar in function to AMBER Alerts.

1. Missing Child Alert: Activated when a child under the age of 21 is missing and he or she is believed to be in danger due to special circumstances, such as a mental impairment or medical condition that places them at risk. Such an alert is often activated when a disappearance does not meet the threshold of a state AMBER Alert.
2. Missing College Student Alert: Activated when a college student of any age is missing and is deemed to be at credible risk of bodily harm or death.
3. Missing Vulnerable Adult Alert: Activated when an individual 18 or older with Alzheimer's, dementia, autism or other cognitive disorder, brain injury or mental disability is reported missing and is at credible risk of harm.

Missing Persons Clearinghouse Project Lifesaver Program

The Clearinghouse announced a partnership between New York and Project Lifesaver International on May 7, 2015, which now provides life-saving equipment and training for 49 law enforcement agencies to assist in missing child searches. Through the Clearinghouse, the state has provided agencies with nearly 600 Project Lifesaver tracking devices at no cost for use by children under 18 who have autism, Down syndrome or another type of cognitive impairment that puts them at risk for wandering or becoming lost. Worn on the wrist or ankle, the transmitters emit a tracking signal that allows a missing child to be located quickly.

A total of 34 emergency response kits – each containing two receivers and 682 personal transmitters — were provided to agencies through an agreement between DCJS and agencies using Project Lifesaver. These agencies received the technology after attending a training session offered across the state in May and June 2015.

Sheriffs' offices in 20 counties and the Nassau County police department each received an emergency response kit containing two receivers and at least 13 personal transmitters for special needs children. The New York City Police Department received an emergency response kit for each of the five counties that agency serves. Sheriffs participated in Broome, Cattaraugus, Chautauqua, Clinton, Essex, Franklin, Fulton, Genesee, Hamilton, Herkimer, Montgomery, Orange, Putnam, Rensselaer, Rockland, Saratoga, Seneca, Sullivan, Washington and Wayne counties.

Additionally, sheriffs' offices that had already partnered with Project Lifesaver received at least 11 transmitters to add to their existing supply in order to assist more children. This includes sheriffs' offices in Albany, Cayuga, Chenango, Columbia, Cortland, Delaware, Erie, Greene, Jefferson, Madison, Niagara, Oneida, Onondaga, Ontario, Oswego, Otsego, Schenectady, Schoharie, Schuyler, St. Lawrence, Steuben, Suffolk, Tompkins, Ulster, Warren, Westchester and Yates counties. Dutchess County and Livingston County already had the program and had a surplus of transmitters. The program is now available in 55 of 62 New York counties.

DJCS purchased Project Lifesaver technology using approximately \$253,000 from its Missing and Exploited Children Special Revenue Fund. New Yorkers may donate to the fund when they file their state income tax forms or anytime during the year. Those contributions must be used exclusively to enhance services provided by the Clearinghouse in connection with cases involving missing children younger than 18 (see, State Finance Law §92-w). All agencies receiving the technology were required to develop written criteria for priority distribution. For example, family income was taken into account.

Project Lifesaver uses radio frequency tracking, which is reliable in both wooded areas and in buildings and is less susceptible to signal blockage. Children enrolled in the program receive either a wrist or ankle bracelet with an individualized tracking signal. If a child goes missing, their caregiver notifies the law enforcement agency that provided the device and a trained emergency team responds. Most individuals who wander are found within a few miles from home and Project Lifesaver has helped reduce search times from hours or days to minutes.

The Clearinghouse coordinated the Project Lifesaver program, which included conducting training of all new agencies receiving the technology and providing a refresher course for those already using the devices. The partner agencies were required to send two representatives to an initial training session and to an annual class. They were also required to actively publicize the availability of the program to encourage enrollment.

Since the program's inception, law enforcement agencies have enrolled 339 children and 289 adults. As of December 31, there were 45 calls for missing children enrolled in the program with 11 of them being safely located using Project Lifesaver equipment. The others were located prior to the arrival of the Project Lifesaver search team. During this same reporting period, there were 51 calls for missing adults with 13 of them being safely located due to the radio frequency tracking technology.

Analysis of Information Coordination

There are two characteristics that should be considered: communication between local law enforcement agencies participating in a child locator program and communication to the public about the availability of public programs.

Coordination of communication between law enforcement is best accomplished when all agencies are utilizing the same child locator system. There are now 55 counties using a radio frequency tracking program administered through the partnership with Project Lifesaver International and law enforcement. Project Lifesaver has a common database that allows partner agencies to share client information within its database. When a child is traveling to another location that also uses the Project Lifesaver Program, the child's information can be shared with the partner agency in that area. The service can be utilized by a family relocating to or traveling on vacation in an area supported by Project Lifesaver. Client database information includes the child's biographical information, family contact information and the individual frequency number. This will allow for a shorter response times by the searching agency if a child goes missing. The program also gives agencies the ability to provide mutual aid.

It is also important to have the ability to communicate the availability of locator programs with parents and guardians of children with developmental disabilities. OPWDD could readily disseminate information about child locator programs, including any available grants or funding.

OPWDD is responsible for coordinating services for more than 130,000 New Yorkers with developmental disabilities, including intellectual disabilities, cerebral palsy, autism spectrum disorders, epilepsy, and other neurological impairments. The agency provides services directly and through a network of approximately 750 nonprofit agencies. About 80 percent of services are provided by the private nonprofits and 20 percent provided by state-run services. OPWDD staff and stakeholders create mechanisms to foster this participation. Among the agency's guiding principles is that it foster collaboration between local and statewide entities to meet the diverse needs of people with developmental disabilities.

As part of this collaborative effort, OPWDD can provide locator tracking information with their network of partner agencies. Both OPWDD and the Clearinghouse can also publicize information about the program on their public websites.

Standard Process in Establishment of a Locator System

The Clearinghouse can provide information to any local governmental agency and other entities interested in establishing a radio frequency locator system through Project Lifesaver. The inquiry can be made via telephone, email or letter to the Clearinghouse.

Synchronizing Locator Systems

GPS and cellular-driven tracking systems are designed to be used by private citizens on an individual basis and would be difficult to synchronize with any other locator system. This system is designed for the caregiver to maintain the tracking device.

The best way to achieve synchronization of child locator systems throughout the state is for law enforcement agencies to use the same system. The RFID system employed by Project Lifesaver International can accomplish this through its standard equipment and shared client database.

Search and Rescue Operations: Law Enforcement Response Procedures

Missing person investigations and searches can be challenging and emotionally charged cases for all involved law enforcement personnel, especially those concerning children with developmental disabilities. The response time and thorough investigation of these cases can often play a crucial role in achieving a positive outcome, especially when the missing child is in serious risk of harm or death. Approximately 20,000 children are reported missing each year in New York. This number substantiates the need for all agencies to have incident pre-planning and resource development which includes putting policies and procedures in place before a critical missing child case occurs. All personnel should be familiar with the policies and procedures and prepared to take immediate action when warranted. Best practices result in best resolutions.

At the request of numerous law enforcement agencies across the state, the Clearinghouse created a comprehensive and broad-based model policy and procedures for missing and unidentified person's investigations. The New York State Missing Persons Clearinghouse Model Policy and Procedures for Missing and Unidentified Person Investigations encompasses the natural progression of a missing person case –from first report to resolution –with tasks that need to be completed by communication personnel, the initial responding officer, investigator or detective and officer in charge. This includes an appropriate response for conducting search and rescue operations involving children with developmental disabilities.

The model policy is available to all law enforcement agencies through the resource library in the eJusticeNY Integrated Justice Portal, a secure database accessible only to law enforcement, or by requesting a copy from the Clearinghouse.

See Appendix C for the complete Model Policy and Procedures for Missing and Unidentified Person Investigations: Section VIII Searchers, page 26.

Law enforcement officers can also access the Find Them web application which is designed to be used by first responders and investigators. The web-based application was developed by the Clearinghouse with the assistance of the state Information Technology Services. Find Them generates a list of suggested tips and resources based on conditions and circumstances selected by officers that are applicable to the case they are handling. For instance, the officer can enter the circumstances of a 9-year-old child with autism who has wandered away from home and the web application will produce guidance along with a list of possible strategies to consider –especially in the initial stages of the investigation.

Recommendation

Considering the goal of the enacted legislation – to protect children with developmental disabilities who may wander or become lost and to have a standardized and coordinated locator tracking system in place throughout the state – the following recommendations are made:

1. Continually encourage the use of programs such as Project Lifesaver, a standard radio frequency tracking system that can be administered by local, county and state law enforcement agencies. Since 55 of the 62 counties within the state currently have this program as a result of a partnership with Project Lifesaver International, the state should consider the feasibility of establishing a standardized method of implementing a child locator tracking system. This will provide a standardization of systems, enhance mutual aid and allow for shared communication via the Project Lifesaver database
2. OPWDD should establish a method to communicate to families and guardians of children with developmental disabilities information about community offered child locator tracking programs. This method may include publicizing the information on their public website and sharing the information with partner agencies. Such prevention measures are critical to the success of the program.
3. The Clearinghouse and other state agencies should refer families and guardians of children with developmental disabilities or other impairments that may cause them to become lost or wander to the child locator tracking programs used in their communities.
4. The Clearinghouse will ensure all law enforcement agencies have received a copy of the model policy for missing and unidentified person investigations.
5. The Clearinghouse will continue to encourage law enforcement agencies to participate in training courses it provides.

Appendix A

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| <p>A 3404 Titone Sarne as SAVINO Financial Services TITLE....Relates to technology systems used , for locating missing children with developmental disabilities 01/22/15referred to mental health 05/05/15reported referred to ways and means 06/02/15reported referred to rules 06/08/15reported 06/08/15rules report cal.86 06/08/15ordered to third reading rules cal.86 : 06/09/15passed assembly 06/09/15delivered to senate 06/09/15REFERRED TO MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES 06/17/15SUBSTITUTED FOR S5932 06/17/15PASSED SENATE 06/17/15RETURNED TO ASSEMBLY 11/10/15delivered to governor 11/20/15signed chap.430</p> | <p>55932 SAVINO Sarne as Titone ON FILE: 06/12/15 Financial Services TITLE....Relates to technology systems used for locating missing children with developmental disabilities 06/12/15 REFERRED TO RULES 06/17/15 ORDERED TO THIRD READING CAL.1753 06/17/15 SUBSTITUTED BY A3404 , A03404 Titone • 01/22/15 referred to mental health 05/05/15 reported referred to ways and means 06/02/15 reported referred to rules 06/08/15 reported 06/08/15 rules report cal.86 06/08/15 ordered to third reading rules cal.86 06/09/15 passed assembly 06/09/15 delivered to senate 06/09/15 REFERRED TO MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES 06/17/15 SUBSTITUTED FOR S5932 06/17/15 PASSED SENATE 06/17/15 RETURNED TO ASSEMBLY 11/10/15 delivered to governor 11/20/15 signed chap.430</p> |
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| Chapter Bill No. | Signed | Date | Effective Date |
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| 430 A3404 | 11/20/2015 | 11/20/2015 | |

STATE OF NEW YORK

2015-20 Regular Sessions

IN ASSEMBLY

January

Introduced by M. of A. **TITONE** rred Committee
 on Mental Health once

AN ACT relating to technology systems locating missing children
 with developmental disabilities

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- Section 1. The legislature hereby finds that the tragedy of Avonte Oquendo who wandered away from his school never to be found alive again highlights the continuing need to find ways to protect children with developmental disabilities. Furthermore, the legislature finds that timing plays a crucial role in preventing wandering incidents and wandering-related deaths of children with autism or other developmental disabilities. Because of this, the legislature finds that coordination of search and rescue protocols that involve locator devices work most effectively when systems are coordinated.
- § 2. The commissioner of the division of criminal justice services, in consultation with the commissioner of the office for people with developmental disabilities, shall review information technology systems used for locating missing children with developmental disabilities including those that have been established by local governments for locating missing persons for the purpose of making recommendations on the creation of a statewide communication program that could be utilized by entities operating such locator systems. Such review shall include but not be limited to:
- a. a survey of all current information technology systems used by local governments including but not limited to global positioning systems, radiotermination technology, telemetry and satellite positioning systems;
 - b. an analysis of appropriate means for coordination of information sharing amongst entities that currently utilize locator systems;

EXPLANATION r in *italics* underscored) is new ter in brackets
[-] is old law to be omitted.

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c. a standardized process to assist local governments and other entities interested in establishing a locator system;

d. a process for synchronizing locator systems throughout the state; and

e. appropriate response procedures by law enforcement when conducting search and rescue operations involving a child with developmental disabilities.

8 § 3. Such review and recommendations made pursuant to section two of
9 this act shall be published in a report and provided to the governor,
10 temporary president of the senate and speaker of the assembly no later
11 than one hundred twenty days following enactment.

12 § 4. The superintendent of the department of financial services, in
13 consultation with the commissioner of the department of health, shall
14 conduct a study to review health insurance coverage of technology
15 systems used for locating children with developmental disabilities when
16 the treating physician or other licensed health care provider deems it
17 necessary for the health and safety of the child. In conducting its
18 study, the department of financial services shall consider whether and
19 to what extent insurance companies in the state currently cover technol-
20 ogy systems used for locating children with developmental disabilities;
21 whether and to what extent coverage of technology systems used for
22 locating children with developmental disabilities would impact premiums;
23 the cost to the state of the new mandate; and to what extent coverage
24 should include rate of use, repair and maintenance, and monthly
25 subscriber fees.

26 § 5. The department of financial services shall consult with relevant
27 stakeholders, including insurance companies, consumer advocacy groups,
28 disability advocacy groups, and any other person or entity such depart-
29 ment deems necessary. Such department shall issue a report of its find-
30 ings as well as its recommendations as to whether insurance coverage of
31 technology systems used for locating children with developmental disa-
32 bilities is feasible, the extent to which such coverage should be
33 provided, and the impact this would have on premiums as well as the cost
34 to the state. Such department shall submit its report to the governor,
35 the temporary president of the senate, the speaker of the assembly, and
36 the chairs of the senate and assembly standing committees on insurance
37 no later than one hundred eighty days following the effective date of
38 this act.

§ 6. This act shall take effect immediately.

**NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)**

BILL NUMBER:

SPONSOR: Titone

TITLE OF BILL: An act relating to technology systems
for locating missing children with developmental disabilities

PURPOSE OR GENERAL IDEA OF BILL

To review information technology systems used for locating children for the purpose of making recommendations on the creation of a statewide communication program. s 1-

SUMMARY OF SPECIFIC PROVISIONS

Section 1 of the bill is the legislative title

Section 2 provides that the commissioner of the division of criminal justice services, in consultation with the commissioner of the office for people with disabilities shall review information technology systems used for locating missing children with disabilities including those that have been established by local governments for locating missing persons for the purpose of making recommendations on the creation of a statewide communication program that could be utilized by entities currently operating or interested in establishing locator systems. The review shall include but not be limited to:

A. a survey of all current information technology systems used by local governments including global, positioning systems, radio termination technology, telemetry and satellite positioning systems;

B. an analysis of appropriate means for coordination of information sharing amongst entities that currently utilize locator systems;

C. a standardized process to assist local governments and other entities interested in establishing a locator system;

a process for synchronizing locator systems throughout the state;

E. appropriate response procedures by law enforcement when conducting search and rescue operations involving a child with developmental disabilities.

Section 3 provides that such review and recommendations shall be published in a report and provided to the governor, temporary president of the senate and speaker of the assembly no later than 120 days after the effective date of this act.

Section provides dependent on the department

cial services, in consultation with the commissioner of the department of health shall conduct a study to review health insurance coverage of technology systems used for locating children with disabilities when the treating physician or licensed health care provider deems it necessary for the health and safety of the child. In conducting the study the department shall consider current coverage for such systems; the impact coverage would have on premiums, the cost to the state; and to what extent coverage should include rate of use, repair and maintenance, and monthly subscriber fees.

Section 5 is the effective date

JUSTIFICATION

The tragedy of Avonte Oquendo who wandered away from his school never be found alive highlights the continuing need to find ways to protect children with disabilities.

Wandering poses a significant danger for children with developmental disabilities including children with autism. Timing plays a critical role in preventing wandering incidents and wandering-related deaths of children with autism or developmental disabilities.

Wandering knows no geographical boundaries. The coordination of search and rescue protocols that involve locator devices work most effectively when systems are coordinated. A statewide communication program would further support and enhance local governments' efforts to locate missing children:-i.

This bill will provide information necessary to make recommendations for the creation of a statewide communication program that could be utilized by entities operating locator systems to facilitate coordination of locating missing children with disabilities.

Additionally it is important to review health insurance coverage of these locator systems when the treating physician or licensed health care provider deems it necessary for the health and safety of the child and ascertain the financial impact of insurance coverage for such systems on the insurance companies, the state and insured.

PRIOR LEGISLATIVE HISTORY

New Bi

FISCAL IMPLICATIONS

Minima

EFFECTIVE DATE

This act shall effect immediately

Appendix B

Child Locator Survey

February 4, 2016

New York State Missing Persons Clearinghouse

The survey was conducted as required by Chapter 430, of the Laws of 2015. The act requires the Division of Criminal Justice Services to complete a survey of all current information technology systems used by local governments including global positioning systems, radio-termination technology, telemetry and satellite positioning systems for the purpose of locating children with developmental disabilities who have gone missing. The survey results are to be included in the Child Locator Report that the Division, in consultation with the Office for People With Developmental Disabilities, will provide to the Governor, temporary president of the senate and speaker of the assembly. The report will include a review and recommendations for a statewide communication program that could be utilized by entities operating such locator systems.

The survey was emailed to 579 law enforcement agencies throughout New York State including police chiefs and county sheriffs. Agencies were requested to complete the survey using the provided hyperlink to a Google Form attached to a Google Drive belonging to the New York State Missing Persons Clearinghouse at the Division of Criminal Justice Services.

Approximately 60 email addresses were returned undeliverable. Of those that did receive the request, 234 completed the survey. The survey consisted of 15 questions about child locator systems.

As a result of the survey, it was found that the majority of police agencies in the state, 90% of respondents, do not have a child locator system in place. Of the 24 who do have a child locator system, 23 use only radio frequency technology exclusively through the Project Lifesaver International program and one respondent, the Niagara County Sheriff's Office, uses a GPS tracking device from TRiLOC Technologies in addition to the Project Lifesaver Program.

Note- ILOC Technologies, owner of TRiLOC Technologies, recently filed for bankruptcy. SafeTracks GPS Canada Inc. has purchased all of the assets and will be carrying on the service although changes to the platform and billing are unknown at this time.

In general, the survey shows that all radio frequency tracking programs in the state are accomplished through the Project Lifesaver International program. Project Lifesaver is a not-for-profit agency that supplies radio frequency tracking equipment to be administered through a governmental agency such as law enforcement.

It should be noted that Project Lifesaver International also has a GPS tracking device, PAL, which is sold directly to caregivers and has a recurring monthly service fee. PAL is not intended to be administered by a governmental agency and the set-up and maintenance of the system is the sole responsibility of the caregiver. The initial cost is \$625 which covers one year of monthly service and a recurring monthly fee of \$30 after that. The provided equipment includes a water resistant wristwatch which has a GSM and GPS technology locator with a lockable strap, a portable receiver, a strap release key, a charger base, and a USA power adaptor

The general consensus of the Project Lifesaver agencies is that it is a cost-effective, reliable tool to use for tracking missing children with developmental disabilities. While the survey concentrates on the use of tracking for children, many of the clients in the Project Lifesaver Program and the TRiLOC GPS program are adults with some type of cognitive impairment such as Alzheimer's disease.

Question 1: Does your agency currently administer a child locator system for children with developmental disabilities?

Response: 24 Yes
210 No

Question 2: If yes, what type of technology is used?

Response: 1 Global Positioning System
24 Radio Frequency
0 Telemetry Tracking
0 Satellite Positioning System
0 Other

Question 3: What is the name of the vendor?

Response: 24 Project Lifesaver International
1 TRiLOC GPS Locator

Question 4: How many children are enrolled?

Response: 172 Project Lifesaver
2 TRiLOC GPS Locator

Question 5: How many searches for missing children in the program have been conducted?

Response: Approximately 32

Question 6: Have there been any unsuccessful searches for children using the locator system?

Response: 0

Question 7: How many missing children in the program were located injured?

Response: 0

Question 8: How many children enrolled in the program were located deceased?

Response: 0

Question 9: How is information about the program communicated to the public?

Response: Responses varied from using social media, attending community events, and working with other county agencies such as the Office for the Aging, Social Service, Department of Health and the local Alzheimer's Association.

- Press releases, Facebook, town website and discussions at Town Board Meetings.
- Program is promoted through department media sources in conjunction with organizations dealing with endangered individual's outlet.
- Public service event, working with Office for the Aging and Alzheimer's Association, presentations and social media.
- Sheriff's website, local law enforcement agency and Department of Social Services awareness/referrals, Sheriff's Community Services Outreach.
- Social Media and the press.
- Talks, presentations to the public, hand out.
- There have been press releases put out by our 911 center the Sheriff's Office also puts out information on the program. Our 911 center are the ones that run the program. Our police officers also explain the program to people that they deal with that may benefit from the program.
- Through brochures, referrals, press releases and trainings conducted with all agencies involved in the program.
- Through media outlets and social media.
- Through school system when they are identified as a person with disabilities.
- Through social media, presentations, working with Office for the Aging, and the Alzheimer's Association, and public relations events.
- We did a press release and news coverage of the program. We do public and private meetings with the family and or the organizations that may be interested in the program.
- We have added the program details to our website and posted it multiple times to our social media outlets. There have been public displays which were covered by media sources.
- We have teamed up with our local ARC who has provided us with a client base. The local media has had some articles regarding the program. We have done some presentations to local groups. Recently people have found out about the program through other people.
- We just started using this system. We held a press conference which was attended by local radio and TV stations and the local newspaper. We followed up with a press release on our website and Facebook page. We bring up the system during our normal community outreach efforts.
- We use the school district administrators, the Office for the Aging and local physicians to get our message out.
- Web page and pamphlets.

- Website, local paper, word of mouth.

Question 10: What are the benefits of using this technology compared to other systems?

Response: In general the responses consistently referred to the reliability of the technology because it does not depend on satellite or cellular signals, the cost effectiveness for the agencies because there is fewer staff needed to respond to a search and the short recovery time when a client goes missing.

Radio Frequency – Project Lifesaver

- Simplicity of operation. No need for multiple systems being operational to ensure that one system is doing its job.
- This is the only system we have ever had. We do not have consistent cell phone coverage.
- GPS has 'dead zones', more so in remote areas of NYS like Franklin County.
- The radio frequency tracking will always send a signal since the transmitter has its own battery. Other systems are dependent on local electrical power, cell tower signals and satellite information. If one of these components is not functioning it could impede the results of the search. We are currently using Project Lifesaver equipment.
- Rapid response to location will allow for quick recovery of missing/lost child
- Project Lifesaver is superior over other types of tracking technology in many instances because of shortened recovery time, less personnel needed in search, more reliable, and major reduced cost.
Not subject to system interruption, less susceptible to signal blockage, more information during a search.
- Not affected by weather or similar factors that may impede GPS and satellite-based systems.
- Low cost, low maintenance, reliable equipment.
- Radio Frequency Tracking will work indoors.
- Radio Frequency is more reliable than GPS. GPS dependent on satellites.
- The benefit to using this technology is that it's easy to use.
- There appears to be less interference with regards to close relation frequencies or other bystander radio frequencies.
- Less susceptible to signal blockage, cost.
- Easy to maintain the equipment, very easy to install on the clients and affordable to the clients.
- Assist with helping track individuals with need for the program, no concern for environmental issues such as weather to distorting the signal.
- Availability of this technology, training of personnel and ease of use.
- Families feel more secure. There is a quicker recovery.
- We use it for locating wandering children with Autism. We feel it has more range within concrete buildings and mountainous terrain.
- Low cost. Doesn't rely on cell phone connection for operation/tracking.
- Currently using Project Lifesaver. Working with County Office of the Senior Programs and Services and the Office of Mental Health. Radio frequency seems more reliable than other current technologies available.

TRiLOC GPS Locator

- It is very accurate and user friendly.

Question 11: What are any negative aspects of the system?

Response: There were only a few responses in regard to negatives of the system. For Project Lifesaver, the common concern is the limitation of the distance the signal is transmitted.

Radio Frequency – Project Lifesaver

- Limited on distance of signal transmitted.
- If the unit gets wet inside the housing unit, it will start to rust the metal spring and unit.
- Distance in which a signal can be obtained.
- Limited range, outdated technology, limited law enforcement partners when individual goes missing outside of jurisdiction.
- none that we know of
- Equipment requires trained operators to locate the missing. Other systems are capable of allowing family or care givers to locate missing without intervention from the outside.
- Costs per client

TRiLOC GPS Locator

- Battery maintenance.
- GPS/Cellular coverage.

Question 12: What was the initial costs of setting up the program?

Response: Of the 24 agencies responding that have a tracking program, eleven had the start-up costs funded through the DCJS Missing Persons Clearinghouse initiative and nine existing Project Lifesaver agencies were provided additional transmitters to be used for children. DCJS provided one emergency response starter kit to each new agency at a cost of \$3,400 each and an additional eleven transmitters at a cost of \$200 each. Of those agencies that already had Project Lifesaver before the DCJS grant was available, many received funding through various sources such as local a fire department, EMS, Rotary Clubs Kiwanis groups.

Start-up expenses for agencies not initially funded by DCJS:

- \$5,000 for Stony Point Police Department Project Lifesaver
- \$3,200 for Niagara County Sheriff's Office TRiLOC GPS Locator Program (\$400 each unit)
- \$5,000 Oneida County Sheriff's Office Project Lifesaver
- \$7,000 Orangetown Police Department Project Lifesaver
- \$8,500 Oswego County Sheriff's Office Project Lifesaver
- \$4,800 Thompkins County Sheriff's Office Project Lifesaver
- \$4,000 Warren County Sheriff's Office Project Lifesaver
- \$30,000 Westchester County Department of Public Safety Project Lifesaver

Question 13: What is the cost per child per month?

Response: The answers varied depending on how the program is funded in each county. Some agencies have non-profit organizations that fund the ongoing expenses and some sheriffs use other appropriations, such as asset forfeiture revenue to support the monthly expenses. Some agencies do not require a family to pay for the battery and band replacement and others range from \$5.00 to \$25 per occurrence. For Project Lifesaver, the cost of the 60 day battery is .75 each and \$1.25 for the wrist/ankle band that hold the transmitter. The only agency with a GPS program, Niagara County Sheriff's Office, has a \$25 per month fee required by the vendor, TRiLOC which is paid by each individual family.

Question 14: What are the maintenance requirements for the system?

Response: All of the Project Lifesaver agencies responded that the maintenance requirements are minimal. The caregiver is required to conduct a daily battery test of the transmitter which consists of holding a battery tester up to the device and takes only a few seconds. Each transmitter has the battery and band replaced either every 30 days or 60 days depending on the type of battery. Law enforcement conducts a periodic inspection of the locator antenna. Some agencies routinely have patrols drive past a client's residence to make sure all equipment is working correctly; the child's transmitter and the law enforcement's patrol car receiver.

Question 15: Are you able to share client information with other law enforcement agencies?

Response: All of the Project Lifesaver agencies can share client information with other agencies using the Project Lifesaver database. The only program that is not able to share client information is the TRiLOC GPS program administered through the Niagara County Sheriff's Office.

Appendix C

Model Policy and Procedures for Missing and Unidentified Person Investigations



**Missing Persons
Clearinghouse**

New York State Division of Criminal Justice Services
80 South Swan Street, Albany, New York 12110

www.criminaljustice.ny.gov

This model policy has been prepared to assist law enforcement agencies in developing policies and procedures for missing and unidentified person's investigations consistent with New York State statutes and regulations. The information contained in this document is meant to provide guidance and highlight points to consider when drafting a policy to meet the needs of a particular community. This document is not intended to direct policy development nor does it purport to contain the only acceptable practices. It is recommended that each law enforcement agency consult with its own legal advisor prior to adopting or amending a final policy regarding missing and unidentified person's investigations.

PREFACE

Missing person investigations, especially those involving abducted children and vulnerable adults, can be challenging and emotionally charged cases for all law enforcement involved. Often the response time and thorough investigation of these cases can play a crucial role in a positive outcome, especially when the missing person is in serious risk of harm or death. Approximately 20,000 children are reported missing each year in New York State. This number substantiates the need for all agencies to have incident pre-planning and resource development which includes policy and procedures in place before a critical missing person case occurs. All personnel should be familiar with the policy and procedures and prepared to take immediate action when warranted. Best practices result in best resolutions.

At the request of numerous law enforcement agencies across the state, the New York State Division of Criminal Justice Services (NYS DCJS) Missing Person Clearinghouse (MPC), as a support resource for law enforcement dealing with missing children and vulnerable adult cases, has created a Missing and Unidentified Persons Investigations Model Policy and Procedures. This comprehensive and broad based document encompasses many aspects of missing person investigations which can be used as a template for your agencies policy and procedures and also as a training resource.

This model policy and procedures encompasses the natural progression of a missing person case, from the first report to the resolution, with tasks that need to be completed by communication personnel, initial responding officer, investigator/detective and officer in charge, including search techniques, disabled missing persons, international abductions, ancillary procedures, returned/located persons and unidentified persons. In order to make this document more user friendly, numerous hyper-links have been included which will enable personnel to directly access supplemental information/services that can assist in a missing person's investigation. Agencies should remove any portion that is not relevant and add any information that may be unique to the agency or jurisdiction.

We would like to offer our sincere appreciation and gratitude to the NYS Association of Chiefs of Police, the NYS Sheriff's Association, the University at Buffalo Police, and the New York State Police who worked in cooperation with the NYS Division of Criminal Justice Services - Missing Persons Clearinghouse to create the Missing and Unidentified Persons Investigations Model Policy and Procedures.

Electronic copies of the model policy and procedures, along with all forms, publications, presentations and other resources provided by the MPC are available on the eJusticeNY website in the Law Enforcement/Missing Persons Suite. For more information, please contact the Missing Persons Clearinghouse at 800-346-3543 or missingpersons@dcjs.ny.gov.

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I. PURPOSE

The purpose of this policy is to codify this department's procedures concerning missing/unidentified person investigations.

II. POLICY

It is the policy of this agency that all reports of missing persons be given full consideration and attention. It is further the policy of this department to investigate these instances in compliance with [New York State and Federal Statutes Pertaining to Missing Children](#).

Missing/unidentified person investigations pose particularly difficult problems for law enforcement agencies. Missing/unidentified children and vulnerable adult investigations pose even greater danger to the individual and require a swifter, more coordinated response by the law enforcement community, including media outlets. It is imperative that these investigations be given the appropriate degree of priority treatment. The investigation and all ancillary public safety activities must be timely and comprehensive.

All available support services shall be made available to the family of the victim. The victim's family will be kept informed of the progress of the investigation.

This policy will also ensure that any search is conducted utilizing the Incident Command System operating with a unified command structure.

Note: There is no required waiting period for reporting a missing person. A person may be declared "missing" when his or her whereabouts are unknown and unexplainable for a period of time that is regarded by knowledgeable persons as highly unusual or suspicious in consideration of the subject's behavior, patterns, plans, or routines. (NYSLEAP 44.3A)

III. GENERAL PROVISIONS

- A. This policy applies to all investigations of missing and unidentified adults, including vulnerable adults and children, including college students, abducted, abandoned, runaway, or other missing children.
 - 1. Often, missing person investigations are initiated when a person does not arrive at a destination as expected, e.g. juvenile or young adult at a school function, concert, social event, etc.
 - 2. This policy cannot anticipate every potential scenario and establish special procedures for what may be a temporarily overdue person.
 - 3. Officers must be guided by common sense and an evaluation of the facts and circumstances of each instance when undertaking a missing person investigation.
- B. To initiate a successful investigation, the first responding personnel must focus on quickly gathering as much factual information as possible and safeguard potential evidence.

- C. The accurate and comprehensive collection of information and personal descriptors entered in a timely manner into the eJusticeNY Integrated Justice Portal/Division of Criminal Justice Services (DCJS)-National Crime Information Center (NCIC) database generally facilitates a successful resolution to the missing and unidentified person investigation.
- D. Questions concerning parental custody occasionally arise in relation to missing children/adolescent incidents. Even under circumstances where custody issues have not been formally established or resolved, this department will accept and investigate all reports of missing children/adolescents, including cases where it can be shown that the child/children/adolescent(s) have (has) been removed, without explanation, from his/her/their usual place of residence.
 - 1. Reporting persons shall be encouraged to obtain clarification of legal custody as soon as possible to assist in the investigation.
- E. This model policy is in comportment with the [New York State Law Enforcement Accreditation Program \(NYSLEAP\)](#) – Operations Standard 44.3 Missing Persons.

IV. DEFINITIONS & RESOURCES

| Missing Persons Conditions via DCJS eJusticeNY Integrated Portal System | |
|--|--|
| Condition Type | Description |
| Disabled | A person of any age who is missing and under proven physical/mental disability subjecting himself/herself to personal and immediate danger. |
| Disaster Victim | A person of any age who is missing after a catastrophe. |
| Endangered | A person of any age who is missing under circumstances indicating that his/her physical safety may be in danger. |
| Involuntary | A person of any age who is missing under circumstances indicating that the disappearance may not have been voluntary, i.e., abduction or kidnapping. |
| Juvenile | A person under the age of 18 who is missing and not declared emancipated by the law and does not meet the entry criteria set forth in above listed condition types or a missing person between the ages of 18 and under 21 who meet the Missing Person Circumstances of Adult Federally Required Entry. |
| Other | A person age 21 and older not meeting the criteria for entry in any other category who is missing and for whom there is a reasonable concern for his/her safety. |
| Vulnerable Adult | A person 18 years or older who is missing and has a cognitive impairment, mental disability or brain disorder and it is believed the missing individual is at a credible risk of harm. (Because this Missing Person Condition exists only in the eJusticeNY IJ Portal, the record will default to Disabled when uploaded to NCIC.) |
| Disabled | A person of any age who is missing and under proven physical/mental disability subjecting himself/herself to personal and immediate danger. |
| <p>Missing Persons Circumstance via the DCJS eJusticeNY Integrated Portal System <i>The Missing Person Circumstance (MPC) is a conditionally required field for all juvenile entries and provides additional information concerning the nature of the disappearance. MPC field categories include:</i></p> | |
| Circumstance Type | Description |
| Abducted by Non-custodial Parent | Child who is taken or abducted by a parent who does not have court ordered custody. |
| Acquaintance Abduction | Child who is taken or abducted against their will by a person known to the child or family. |
| Adult Federally Required Entry | Title 42, United States code (USC), Section 5779 (a), states that agencies are required to enter records into the NCIC Missing Person File for missing individuals under the age of 21. In order to comply with this federal law (Suzanne's Law) the Missing Person Circumstance of Adult Federally Required Entry is used. |

| | |
|------------------------------|--|
| Circumstances Unknown | A child who is reported missing but there are insufficient facts to determine the circumstances. |
| Familial Abduction | A child who is taken, detained, concealed, enticed away, or retained by a parent/family member or other person at the request of the parent. |
| Lost/Wandered Away | A child who is reported to have strayed or wandered away and whose whereabouts is unknown. |
| Runaway | A child under 18 years of age who is reported missing but has left of their own free will or has been rejected or “thrown away” by their family. |

Definitions and Resources Related to Missing Persons

| TERM | DEFINITION |
|---|--|
| Child Is Missing (ACIM) | <p>A service devoted to assisting law enforcement in the search and early safe recovery efforts of children, the elderly (often with Alzheimer's), disabled persons, and college students via a rapid-response neighborhood alert program utilizing high-tech telephone systems. ACIM will make alert calls (when requested by law enforcement) to the last seen areas, to help find these individuals who can't make rational decisions for themselves. Factors for determining the use of ACIM:</p> <p>Juveniles:</p> <ul style="list-style-type: none"> ➤ The juvenile should be seventeen (17) years old or younger. ➤ The reporting person must be an adult family member, teacher, or another adult who is responsible for the individual. ➤ If the juvenile is a habitual runaway, ACIM will be used if foul play is suspected. <p>Senior Citizens:</p> <ul style="list-style-type: none"> ➤ The person must be sixty-five (65) years of age or older. ➤ ACIM can be used even if an elderly person is a frequent walk-away from a nursing facility. ➤ ACIM can be used for known Alzheimer's patients. <p>Disabled Person</p> <ul style="list-style-type: none"> ➤ There is no age stipulation for a disabled person. ➤ Caution must be used when determining whether a person is truly disabled because there are many definitions of a disabled person. For purposes of ACIM, a disabled person will fall into one of the following categories: ➤ The person has a physical or mental impairment that severely limits self-care. ➤ The person is disoriented or unable to respond to simple questions. ➤ The person is dependent upon life sustaining medication or unconscious. <p>Contact at: 888-875-2246</p> |
| AMBER Alert System | <p>A cooperative effort between law enforcement and the broadcast media in the event of child abduction. Activation of the system provides immediate emergency broadcasts of descriptive information to the public through a multitude of media outlets.</p> |
| Alzheimer's Disease | <p>A progressive, degenerative disease of the brain in which brain cells die and are not replaced. It results in impaired memory, thinking, and behavior.</p> |
| Cognitive Disorder | <p>A mental disability or brain disorder which may include, but are not limited to: dementia, Alzheimer's, Autism, Down-Syndrome, or a person with Schizophrenia who is suicidal or has another life threatening illness.</p> |

| TERM | DEFINITION |
|---|--|
| Dementia | A loss of mental ability severe enough to interfere with normal activities of daily living, lasting more than six months, not present since birth, and not associated with a loss or alteration of consciousness. |
| <u>Family Reference Sample Collection Kit</u> | A standardized collection kit that provides a safe and effective, noninvasive means for obtaining DNA reference samples from appropriate family members of a missing person. Family reference samples are entered into the FBI's Missing Persons DNA Database Program for comparative purposes. To obtain kit send request via email: forensics@dcjs.ny.gov |
| <u>FIND THEM</u> | <p>The New York State Missing Person Clearinghouse created this mobile device-friendly web application to assist law enforcement officers with the investigation and search for a missing person.</p> <p>Designed to be used by first responders and investigators, the web app generates a list of suggested tips and resources, based on conditions and circumstances selected by officers that are applicable to the case they are handling.</p> <p>http://www.criminaljustice.ny.gov/missing/findthem/</p> |
| High Risk Missing Person | <p>Refers to a missing child who is:</p> <ul style="list-style-type: none"> ➤ 13 years of age or younger. <u>or</u>– ➤ Believed to be one or more of the items noted below: ➤ Out of the zone of safety for his or her age, developmental stage, and/or physical condition. ➤ Mentally diminished. ➤ Drug dependent, including both prescription and illicit substances. ➤ A potential victim of foul play or sexual exploitation. ➤ In a life-threatening situation. ➤ Believed to be with others who could endanger his or her welfare. ➤ Is absent under circumstances inconsistent with established patterns of behavior. <u>or</u> - ➤ Whose disappearance involves circumstances that would cause a reasonable person to conclude that the missing person is considered endangered; ➤ Any other factor that may indicate, in the judgment of the department that the missing person may be at risk. |
| Lead Law Enforcement Agency | The law enforcement agency with primary responsibility for investigating a missing or unidentified person case. |

| TERM | DEFINITION |
|--|---|
| LOCATER - Lost Child Alert Technology Resource | <p>A web-based poster-creation program that provides law enforcement agencies with access to create and distribute their own posters to include Missing Children, Missing Adults, AMBER Alert, Wanted, Crime Alert, and other additional titles. The program allows agencies to distribute posters electronically and transmit the information to other agencies, media outlets, and the general public via Email distribution. Law enforcement agencies are also provided access to LOCATER WebMail to use to communicate with all LOCATER users nationwide.</p> <p>Phone: 1-877-446-2632 ext. 6389 or email:locaterhelpdesk@ncmec.org</p> |
| Long Term Missing Person | <p>Any person that has remained the subject of a missing person investigation for over thirty (30) days.</p> |
| Long Term Unidentified Person | <p>Any person, living or deceased that has not been identified through investigation for over thirty (30) days. All human remains that have been recovered and not identified are included in this definition.</p> |
| Missing Adult | <p>A person who is 18 years of age or older and whose absence is contrary to their normal patterns of behavior.</p> |
| Missing Child Missing Child with Developmental Disabilities | <p>Any person under the age of eighteen years missing from his or her normal and ordinary place of residence and whose whereabouts cannot be determined by a person responsible for the child's care and any child known to have been taken, enticed or concealed from the custody of his or her lawful guardian by a person who has no legal right to do so.</p> <p>Any person under the age of eighteen years who has intellectual disabilities including but not limited to; cerebral palsy, Down syndrome, autism spectrum disorders, and other neurological impairments.</p> |
| Missing College Student | <p>Any person under 21 or a college student of any age who is a "student of an institution (college or university) who resides in a facility owned or operated by such institution and who is reported as missing from his or her residence."</p> |
| Missing Child/College Student Alert | <p>When a missing child or college student is deemed to be endangered, but the case does not meet AMBER Alert activation criteria, an alternative alert system is available. Missing Child/College Student Alert is a cooperative effort between law enforcement and the broadcast media in the event of child abduction. Activation of the system provides immediate emergency broadcasts of descriptive information to the public through a multitude of media outlets.</p> <p>Requests for a <i>Missing Child/College Student Alert</i> are made via the eJustice Portal at the time of entry. Contact the NYS DCJS Missing Persons Clearinghouse at 800-346-3543 to review case details.</p> |

| TERM | DEFINITION |
|---|--|
| <u>Missing Vulnerable Adult</u> | A person 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. |
| <u>Missing Vulnerable Adult Alert</u> | <p>Modeled after the AMBER Alert program, a Missing Vulnerable Adult Alert is an emergency system in which law enforcement can broadcast regional or statewide alerts for missing adults 18 years or older who have a cognitive disorder, mental disability or brain disorder and law enforcement has deemed there is a credible risk of harm to such missing individual. Activation of the system provides immediate emergency broadcasts of descriptive information to the public through a multitude of media outlets, including activation of highway signs when there is known vehicle information</p> <p>Requests for a <i>Missing Vulnerable Adult Alert</i> are made via the eJustice Portal at the time of entry. Contact the NYS DCJS Missing Persons Clearinghouse at 800-346-3543 to review case details.</p> |
| <u>NamUs - National Missing and Unidentified Persons System</u> | <p>A national centralized repository and resource center for missing persons and unidentified decedent records. NamUs is a free online system that can be searched by medical examiners, coroners, law enforcement officials and the general public from all over the country in hopes of resolving these cases.</p> <p>Phone: 1-855-626-7000 or email: questions@findthemissing.org</p> |
| <u>National Center for Missing and Exploited Children – NCMEC</u> | Located in Alexandria, Virginia and provides technical assistance to investigators; provides a 24-hour hotline to receive reports and sightings of missing children; a worldwide CyberTipline for on-line reporting of the sexual exploitation of children; nationwide distribution of photographs and descriptions of missing children; preparation of age-enhanced photographs of long-term missing children; and analysis of case information and leads. (1-800-THE-LOST) |
| <u>New York State Division of Criminal Justice Service (DCJS) – Missing Persons Clearinghouse</u> | Responsible for providing assistance to law enforcement agencies and left behind family members handling cases involving children, college students and vulnerable adults who have gone missing. The Clearinghouse administers Missing Child/College Student Alerts and Vulnerable Adults Alerts in addition to providing case management assistance including publicizing photos and information of non-urgent missing child/college student and vulnerable adult cases. The MPC has a 24-hour toll free hotline. (1-800-346-354). |

| TERM | DEFINITION |
|---|--|
| <u>New York State Federation of Search and Rescue</u> | A nationally recognized, not-for-profit organization consisting of independent search and rescue teams that make themselves available to any official agency to assist in searches for lost or missing persons in New York State or the northeast. To contact the Federation of Search and Rescue Teams call our toll-free emergency activation phone number: 866-6NY-WSAR (1-866-669-9727). |
| <u>New York State Police - Special Victims Unit (SVU)</u> | Serves as the lead agency in the NYS AMBER Alert Program, 24 hour contact can be made through COMSEC 518-457-6811 . |
| <u>TEAM Adam</u> | <p>Team Adam provides rapid, on-site assistance to law enforcement agencies and families in cases of missing, abducted, and exploited children. Its members are retired law-enforcement professionals with years of investigative experience at the federal, state, and local level.</p> <p>Team Adam Consultants rapidly deploy to sites where cases are unfolding, providing on-the-ground technical assistance and connecting local law enforcement with a national network of resources.</p> <p>Team Adam's unique access to the National Center for Missing & Exploited Children resources, coupled with their years of command post and multi-jurisdictional law enforcement experience, very often provides small or medium-sized departments with the tools they need to handle complex, media-intensive cases.</p> <p>Phone: 1-800-843-5678</p> |
| Runaway | <p>Definition:</p> <ul style="list-style-type: none"> • Under age 18 • Absent from legal residence without consent of parents or legal guardian • NYS Exec Law sec.532-a(1) |
| <u>Project Lifesaver International</u> | Locates and rescues missing persons through proven radio technology and a specially trained search and rescue team. Clients that are enrolled in the Project Lifesaver program wear a personalized wristband that emits a tracking signal. Phone: 772-446-1271 |
| <u>Safe Return Program</u> | A nationwide identification, support, and enrollment program working at the community level which assists in the safe return of individuals with Alzheimer's or a related dementia who wander and become lost. Phone: 1-800-625-3780 |
| Unidentified Deceased Persons Remains | Human remains that have been discovered while conducting a death investigation in which the identity of the human remains are currently unknown. |

| TERM | DEFINITION |
|------------------------------|---|
| <p><u>VICAP</u></p> | <p>The New York State Violent Crime Analysis Program (NYS VICAP) is administered by the New York State Police, Bureau of Criminal Investigation, and Forensic Investigation Support Services Section.</p> <p>NYS VICAP is a computer-assisted program that operates in conjunction with the Federal Violent Criminal Apprehension Program (VICAP) administered by the Federal Bureau of Investigation.</p> <p>NYS VICAP and VICAP have been developed as investigative aids for all law enforcement agencies. They link similar patterns of crime from among all reported cases in the government's database. This is accomplished by analyzing all relevant details of crime including: victimology, modus operandi, offender information or suspect description, physical or forensic evidence and suspect behavior exhibited before, during or after the crime.</p> <p>When apparent similarities or patterns are determined to exist between cases, the submitting agencies can be notified and the case investigators put in contact with each other.</p> <p>The Executive Law (Section 221-b) requires all NYS law enforcement agencies investigating a missing person case, where circumstances indicate a strong possibility of foul play, to submit a written report of the same to the NYS ViCAP within 30 days of the beginning of such investigation.</p> <p>NYS VICAP also provides assistance with homicide, unidentified remains and sexual assault cases.</p> <p>NYS VICAP 800-445-2500 (law enforcement only) or 518-464-7144 nysvicap@troopers.ny.gov.</p> |
| <p>Zone of Safety</p> | <p>Represents an area in which a missing person is known to frequent; feels a sense of comfort, and is not believed to be exposed to any unusual risk.</p> <ol style="list-style-type: none"> 1. Each person's zone of safety is specific to that individual, based upon his/her normal lifestyle and areas where the person feels a sense of belonging/comfort. 2. While department personnel (first responders and investigators) will ultimately determine the zone of safety and base their response on it, they shall seek and take into consideration input from the people who are familiar with the missing person's habits/lifestyle to assist in making a determination as to what an appropriate zone of safety is for the missing person in the particular case at hand. |

| TERM | DEFINITION |
|---------------------|---|
| \$M- Message | A non-unique Missing Person Notification. A \$.M. administrative message is sent to the ORI initiating a missing person non-unique identifier inquiry. After NCIC has processed the inquiry, negative and positive notifications will be transmitted by DCJS/NCIC to the ORI. |

V. GENERAL INVESTIGATIVE STANDARDS

- A. Due to the potential complexity and diverse nature of missing and unidentified person investigations, this type of incident demands swift and effective action by this department.
1. The key to success is the rapid development of information to disclose the circumstances under which the person is missing or unidentified to determine whether foul play or suspicions are in evidence. This facilitates an efficient, logical approach to the investigation.
 2. The potential for tragedy demands that supervisors continually monitor the progress of these investigations and be ever vigilant to take command of the situation if the need arises.
- B. Immediately upon receiving a report of a missing person or unidentified person, a patrol unit shall be assigned and a preliminary investigation shall be conducted.
1. There is no requirement that the reporting person wait for any period of time to report the missing/unidentified person.
 2. Missing persons can be reported in any municipality, regardless of where the missing person permanently resides or where the missing person was last confirmed to have been.
- C. No missing person report will be denied on the basis that:
1. The missing person is an adult;
 2. The circumstances do not indicate foul play;
 3. The circumstances suggest that the disappearance may be voluntary;
 4. The missing person is a visitor to this jurisdiction;
 5. The reporting person cannot provide all of the information requested;
 6. The reporting person lacks a familial or other relationship with the missing person; or
 7. For any other reason, except where there is direct knowledge that the person is in fact not missing and the exact whereabouts and welfare of the missing person are known at the time the report is being made.

- D. Communications personnel shall ensure that the following minimum steps are taken:
1. Obtain basic facts, details, and a brief description of the missing person/child and abductor, if applicable;
 2. If possible, ascertain what type of footwear the subject was wearing. This can aid in identifying shoe prints that might belong to the missing subject.
 3. Dispatch a patrol unit to the caller's location to conduct a preliminary investigation;
 - a. If the caller is at a place other than the location from which the subject is missing, an additional patrol unit shall be dispatched to the place last seen. After dispatching the appropriate units, communications personnel should continue to collect additional information for relay to responding units.
 4. Search past history logs for previous incidents related to activity in the area, paying special attention to reports of prowlers, lewdness, attempted abduction, etc. Make responding units aware of this information;
 5. Broadcast all known details to patrol units. Expand the notification to surrounding communities, counties, or states as the need arises including, but not limited to possible abductor information, where applicable;
 - a. If the missing person is considered an at risk or emergency situation, a critical responsibility of the call-taker is to obtain sufficient information from the reporting party when the initial call is received and to broadcast a radio message that:
 - i. Alerts other officers about the circumstances of the person's disappearance; and
 - ii. Includes information as to the person's height, weight, hair and eye color and clothing, as well as the location where the person was last seen.
 6. Make the necessary, timely notifications;
 7. Run a Computerized Criminal History (CCH), and a Department of Motor Vehicle (DMV) Inquiry on the Missing Person (obtain photo), and attach all results to the NCIC Missing Person's Entry;
 8. Enter the Missing Person into the DCJS/NCIC databases via the eJusticeNY IJ Portal system as quickly as possible. If the complete personal details are not known, make the initial NCIC entry and then modify the entry as additional details are developed (NYSLEAP 44.3B). Update computer and database entries as needed;
 9. Depending on the circumstances of the investigation, consider notification to the media through the designated Public Information Officer;

10. Depending on the circumstances of the investigation, disseminate a LOCATER poster.
 11. Depending on the circumstances of the investigation it may qualify for an alert.
 - a. AMBER Alert - contact the New York State Police –COMSEC at 518-457-6811;
 - b. Missing Child Alert – contact the New York State Division of Criminal Justice Services (DCJS) Missing Persons Clearinghouse at 1-800-346-3543;
 - c. Missing College Student Alert – contact the New York State Division of Criminal Justice Services (DCJS) Missing Persons Clearinghouse at 1-800-346-3543;
 - d. Vulnerable Adult Alert – contact the New York State Division of Criminal Justice Services (DCJS) Missing Persons Clearinghouse at 1-800-346-3543; (NYSLEAP 44.3C)
- E. The _____ Police Department will remain the lead law enforcement agency in charge of the investigation unless another law enforcement agency assumes primary responsibility over the investigation. Included in this investigation is the responsibility for completing all report forms, populating and updating all appropriate databases, and coordinating any initial search.
- F. The Officer in Charge (OIC) shall be notified of a preliminary missing person investigation. OIC's shall respond to all missing children investigations involving children 12 years of age or younger or when the initial officer determines that there is criminal involvement or supervisory presence is otherwise needed. Missing person investigations shall be given high priority and shall not be considered routine.
- G. Initial responding officer's responsibilities include:
1. Promptly respond to the scene and thoroughly investigate the case. Activate Mobile Video Recorder or body camera if available, to record any evidence relating to the missing persons investigation (possible suspects or vehicles in the area).
 2. Interview the reporting person.
 - a. If more than one reporting person is present, interviews should be conducted separately.
 - b. Verify that the person is, in fact, missing.
 - c. Determine if this may be a high risk missing person and if there is a potential crime scene area and or potential witnesses.
 3. Obtain information needed for the DCJS/NCIC entry, as listed in the [Missing Persons Data Collection Guide](#) including a possible abductor(s) and provide it without delay to communications:

- a. Refer to the DCJS [FIND THEM](#) web application for suggested tips and resources.
4. If the missing person is a juvenile or college student, the following information may prove useful:
 - a. Parental custody status; examine court orders regarding current custody matters, if applicable. If considering an AMBER Alert immediately contact the NYSP COMSEC at (518) 457-6811, or for a Missing Child Alert, or Missing College Student Alert, contact the DCJS Missing Persons Clearinghouse at 1-800-346-3543;
 - b. Friends names and addresses;
 - c. On-line screen names;
 - d. Facebook® and other social networking access;
 - e. Access to credit card information;
 - f. Access to vehicles;
 - g. Wireless telephone number(s) and carrier;
 - h. Access to bankbooks, bank account(s);
 - H. Ensure that everyone at the scene is identified and interviewed separately and properly record the information. Note name, address, email address(es) and phone numbers of each person. Determine relationship to the missing person and ask where they believe the missing person may be. Obtain information of potential associates to aid in future investigation.
 1. Interview the parent(s)/person making the initial report and utilize the [Search Urgency Chart](#) to determine whether or not the missing person qualifies as at risk/emergency situation.
 2. Confirm the child's custody status, if relevant.
 - I. Identify the circumstances of the disappearance. Determine when, where, and by whom the missing person was last seen. Interview the individual(s) who had last contact with the missing person. Develop a list of known family members, friends, classmates, co-workers, and associates for interviews.
 - J. If a child or person with diminished mental capacity is involved, identify a zone of safety commensurate with their age and developmental stage. If the child/person was out of this safety zone, ascertain potential reasons.
 1. Utilize the [Search Urgency Chart](#) to help determine whether or not the missing person can be classified as high risk.

- K. Relay detailed descriptive information necessary for the investigation to communications for broadcast to all patrols and applicable law enforcement entities.
- L. Ensure available photo(s) are relayed to communications for inclusion in the DCJS/NCIC missing person's entry, the creation of a LOCATER bulletin, or AMBER Alert, Missing Child Alert, Missing College Student Alert, or Missing Vulnerable Adult Alert as appropriate.
- M. Contact the fire department or any law enforcement agency with water rescue capabilities if there is suspicion that the missing person may have been swept away in a river or was last seen in or near a body of water.
- N. Request additional personnel and resources if circumstances require.
- O. Consideration should be given to immediately requesting investigative personnel to the scene and implementing the Incident Command System. The NYSP Special Victims Unit may be contacted to provide investigative guidance and resources.
- P. Treat the area as a potential crime scene.
- Q. Check the [NY State DCJS Public Registry of Sex Offenders](#) to determine if any registered offenders live in close proximity to the missing person's last known location, residence, school, etc.
 - 1. If there is a positive response, investigate including an in person check/interview.
 - 2. If the initial officer cannot leave the incident scene, notify a supervisor so that another officer/detective can be assigned to conduct these tasks.
- R. Utilize a crime scene entry/exit log, when necessary.
- S. Request voluntary assistance from the family or reporting party in obtaining items of investigatory value belonging to the missing person.
 - 1. Obtain consent to search, when applicable, including consent for electronic databases/devices, where applicable;
 - 2. Consider obtaining personal items that contain the missing person's scent for utilization of search dogs. Place scent articles in a clean, paper bag;
 - 3. Attempt to obtain personal electronic devices (cell phones or cell phone numbers for tracking purposes, computers for online resources such as screen names or email sources, digital cameras, electronic storage devices, etc.);
 - 4. Gather as many documents as possible to assist with follow-up investigation. Banking records, mail, cell phone records, etc. should be collected, when possible. Utilize consent forms or court orders, as necessary.
- T. When applicable, obtain items that would likely contain the missing person's DNA; such as a toothbrush, hairbrush, or clothing. Seal and protect the scene, when

necessary, for potential subsequent search efforts by qualified crime scene technicians.

- U. Determine if any of the missing person's personal items are known to be missing from the area/scene.
- V. Maintain scene integrity until relieved by investigative or supervisory personnel. Thoroughly brief relieving personnel, advising of all investigative steps taken to point and noted documentation.
- W. Complete all reports and forms prior to reporting off duty.
- X. Investigator / Detective responsibilities include:
 1. Obtain briefing from first responding officer and other on-scene personnel.
 2. Verify the accuracy of all descriptive information and other details developed during the preliminary investigation. Ensure the missing person has been entered into all appropriate databases (DCJS/NCIC via the e-JusticeNY IJ Portal). Additionally, include a photo of the missing person, suspect information and photo as well as vehicle information and photo if applicable.
 3. Obtain a brief, recent history of family dynamics or relationship dynamics which apply to the missing person.
 4. Correct and investigate the reasons for conflicting information offered by witnesses and other involved individuals.
 5. Update descriptive information and maintain communications with personnel, as warranted.
 6. Review and evaluate all available information and evidence requested.
 7. Develop an investigational plan; implement effective case management and initiate appropriate supplemental investigative actions.
 8. Canvas the neighborhood; expand where necessary.
 9. Determine what additional resources and specialized services are required.
 10. Contact the NYSP Special Victims Unit or the NYS Missing Persons Clearinghouse for assistance and resources, when necessary.
 11. Check the [NY State DCJS Public Registry of Sex Offenders](#) to determine if any registered offenders live in close proximity to the missing person's last known location, residence, school, etc.
 - a. If there is a positive response, investigate including an in person check/interview.

- Y. Conduct a thorough supplemental investigation with accurate documentation.
- Z. The OIC shall become the Incident Commander until relieved by a higher authority. The OIC's responsibilities are as follows:
1. Respond in a timely manner to the scene. If busy with other assignments, consider making the missing person investigation a priority.
 2. Conduct a debriefing of the first responding officer, investigators, and other agency personnel at the scene. Obtain pertinent written reports.
 3. Determine if additional personnel are needed to assist in the investigation.
 4. Ensure that all required resources, equipment, and assistance necessary to conduct an efficient investigation have been requested and expedite their availability.
 5. Determine whether the person reported missing is to be designated a high risk missing person.
 - a. If the initial determination of a person reported missing does not warrant designation of that person as high risk, it shall not preclude a later determination, based on further investigation or the discovery of additional information, that the missing person is high risk.
 - b. If a missing person is classified as high risk, this status will be maintained until information to the contrary is obtained and confirmed.
 - c. If a missing person is classified as high risk, immediately expand the investigation to encompass the use of all available resources and activating emergency interagency response procedures including AMBER, Missing Child, Missing College Student or Vulnerable Adult Alerts, when warranted.
 - d. Upon a determination that a missing person investigation involves a high risk missing child, the NYSP Special Victims Unit shall be contacted to determine whether the circumstances warrant a cooperative effort.
 - e. If it is determined that a cooperative effort is warranted, the NYSP Missing Special Victims Unit shall coordinate the deployment of additional State Police resources in support of the investigation.
 6. The OIC shall ensure that during an investigation involving a high risk missing person all law enforcement agencies in the State, and if necessary, law enforcement agencies in adjacent states that may aid in the prompt location and safe return of the high risk missing person are promptly notified and provided with as much descriptive information as possible.
 7. When warranted, notify and activate the local and County Office of Emergency Management (OEM); establish a command post.

8. Ensure that all required notifications are made; designate a public information officer to manage media relations, when warranted.
 9. Utilize media outlets to assist in search efforts, when necessary, throughout the duration of the case.
 10. Ensure that all policies and procedures are in compliance.
 11. Establish and maintain liaison with the missing person's family and other involved public safety agencies.
 12. Conduct a criminal history check on any principal suspects and participants in the investigation, where applicable.
 13. Be available to make any decisions or determinations as they develop.
 14. Maintain communications with appropriate personnel.
- AA. If a person is developmentally disabled or emotionally disturbed, they may have difficulty communicating with others about their needs, their identity, or their address. The disability may place the person in danger of harm.
1. Mentally impaired may also include adults suffering from Alzheimer's.
 2. When a child is developmentally disabled or emotionally disabled, they may also have difficulty communicating with others about their needs, their identity, or their address. A mentally impaired child may be in danger of exploitation or other harm.
 3. If the missing person is not located during the current shift all available information shall be given to the relieving shift until the person is found.
- BB. If a missing person, such as a college student, is reported to this department and the person being reported missing does not permanently reside in this jurisdiction, then the assigned detective/investigator shall ensure that a copy of the investigative report and DCJS/NCIC Missing Person's Entry are sent to:
1. The law enforcement agency that has jurisdiction over the missing person's resident address; and
 2. All law enforcement agencies having jurisdiction of the missing person's intended destination(s), if applicable.

VI. REPORTING PROCEDURES

- A. Without delay, the investigating officer shall prepare the necessary reports and complete appropriate forms made necessary by the investigation. These reports and forms include, but are not limited to:
1. Missing Persons Report;

2. Initial investigative report;
3. Missing Persons Report Form for DCJS/NCIC Record Entry;
 - a. Complete this form, including determination of the applicable DCJS/NCIC Missing Person File category (i.e., disability, endangered, involuntary, , juvenile, other, vulnerable adult,) and ensure that entry into the DCJS/NCIC database is promptly completed.
 - b. Missing persons must meet appropriate criteria for entry into DCJS/NCIC and written authorization is required from a person with appropriate authority in order to authorize the entry into DCJS/NCIC.
4. Appropriate supplemental investigative reports.

VII. ANCILLARY PROCEDURES – MISSING PERSONS

- A. All obtained information shall be forwarded to communications who shall ensure its entry into all appropriate databases. Under no circumstances shall the entry of this information be delayed.
- B. The person making the report, a family member, or any other person in a position to assist in the investigation shall be provided with the following:
 - 1. General information about the handling of the investigation or about intended efforts to the extent determined that disclosure would not adversely affect the ability to locate or protect the missing person or to apprehend or prosecute any person criminally involved in the disappearance;
 - 2. Information advising the person that if the person remains missing they should contact this agency with additional information and materials that will aid in locating the missing person, such as credit or debit card and banking transactions and cell phone use;
 - 3. In those cases where DNA samples are requested, they are to be submitted on a voluntary basis and shall be used solely to help locate or identify the missing person and shall not be used for any other purpose.
 - 4. If the person reported missing is a juvenile (age 17 or under), the person filing the report shall be provided with contact information for the NYS Missing Persons Clearinghouse and National Center for Missing and Exploited Children.
 - 5. Follow up contact with family members shall be maintained throughout the investigation.
- C. If the missing person remains missing for 30 days, and the additional information and material mentioned below has not been received, the assigned detective shall attempt to obtain:
 - 1. DNA samples from biological family members and, if possible, from the missing person along with any needed documentation, including any consent forms, required for the use of State or Federal DNA databases;
 - a. Mechanics for submission of DNA samples:
 - i. Once the article(s) has been properly documented, personnel shall utilize the Personal / Direct Reference Sample Evidence Registration Form.
 - ii. Contact appropriate biological family member(s) to ascertain if they are willing to provide a reference DNA sample for comparison purposes in the National Missing Persons Program federal database (CODIS MP) maintained by the Federal Bureau of Investigation. Such DNA samples are provided on a voluntary basis and shall be used solely to help locate or identify the missing person and shall not be used for any other purpose.

- iii. Personnel shall utilize the Family Reference Sample Collection Kit to obtain DNA samples. Personnel shall strictly adhere to the instructions as put forth in the collection kit. Kits may be obtained by contacting the [NYS Division of Criminal Justice Services, Forensic Services.](#)
- iv. Upon completion of the DNA sample submission process, the assigned investigator shall modify the existing NCIC missing person/ unidentified person entry to include that a DNA sample pertaining to the investigation is available for comparison. Location of the sample and corresponding CODIS MP identification number should be included in this modified entry.

v. Reference Sample Priority Sequence:

Personal Item(s) from missing person

(Direct Reference Sample Evidence Registration Form)

- (1) Toothbrush
- (2) Clothing
- (3) Hairbrush
- (4) Any item capable of furnishing a DNA profile

Nuclear Family Members of Missing Person (Family

Reference Sample Collection Kit)

- (1) Biological Brother or Sister of Missing Person
- (2) Biological Parents of Missing Person
- (3) Biological Children of Missing Person

Maternal Biological Relatives of Missing Person

(Family Reference Sample Collection Kit)

- (1) Aunts / Uncles of Missing Person (Maternal Side Only)
- (2) Cousins (Maternal Side Only)
- (3) Half-Sisters / Half-Brothers (Maternal Side Only)

- 2. Dental information and x-rays, and an authorization to release dental or skeletal x-rays of the missing person. The resulting profile shall be coded and entered into NCIC by modification of the existing record.
- 3. Any additional photographs of the missing person that may aid the investigation or identification. It is not required to obtain written authorization before releasing publicly any photograph that would aid in the investigation or identification of the missing person; and
- 4. Fingerprints - The resulting profile shall be coded and entered into NCIC by modification of the existing record.

- D. Information relevant to the Federal Bureau of Investigation's Violent Criminal Apprehension Program (VICAP) shall be entered as soon as possible.
- E. When kidnapping, abduction or interstate flight is suspected, the Federal Bureau of Investigation shall be notified and be kept informed of all developments.
- F. The [New York State AMBER Alert Plan](#) can be activated when an investigating law enforcement agency has reasonable cause to believe that:
1. An abduction of a child (under the age of 18) has occurred, and
 2. The child is believed to be in danger of serious bodily harm or death, either due to the actions of another or due to a proven mental or physical condition.
 3. Even if formal activation criteria have been met, activation may be impractical if available information is not specific enough and/or an extended period of time passed since the disappearance.
 - a. For example, an AMBER Alert specifying involvement of a white van (without a license plate number) could actually hinder an investigation by causing the public to inundate police agencies with possible sightings.
 4. Note that "Reasonable Cause to Believe" means that from eyewitness accounts, OR by eliminating other possibilities, your investigation leads you to believe that a child has been abducted.
 5. Familial abductions qualify only if a child is endangered by the actions of the abducting family member.
 6. Contact the NYSP Communications Section (COMSEC) 518-457-6811 to determine if a case may qualify for an AMBER Alert.
 7. Whenever an AMBER Alert request does not meet activation criteria, requesting agencies are referred to other NYSP investigative resources and to the [NYS DCJS Missing Persons Clearinghouse](#) (MPC) for possible issuance of a Missing Child or Missing College Student Alert.
- G. In the case of a family abduction, investigators must consider the complexity of the circumstances of the reported abduction (*e.g., the manner in which it was committed and whether violence, threat of violence, a deadly weapon, or other dangerous behavior or circumstance was involved*), as well as any available background information about the abductor and his/her relationship to the child and any history of prior abductions, custody disputes, domestic violence or child abuse. Furthermore, when assessing the totality of the known circumstances, law enforcement officials responding to a report of a family abduction may need to consider the possibility that the person reporting the abduction has a motive to overstate the risk of physical harm posed to the child in order, for example, to gain an advantage in ongoing or contemplated matrimonial or custody rights litigation.

- H. In family abduction cases, investigators should consider the following specific circumstances, when information about these circumstances is available:
1. Whether any threats of harm to the child were made by the abductor at any time before the abduction, or during the course of the abduction (including implied threats such as "if I can't have custody, then no one will");
 2. Any past history of violence by the abductor directed against the child, or abuse or neglect of the child, or any other child;
 3. Whether violence or threat of violence was used in committing the abduction, and whether force was used or directed against the child (*e.g.*, the child resisted or tried to escape), or put the child at immediate risk of harm, even if the force was directed against another (*e.g.*, the use or threatened use of a firearm or other weapon; assault by auto, motor vehicle eluding or reckless driving, etc.);
 4. Whether there is a family history of domestic violence or child abuse, or a history of custody disputes or past abductions;
 5. Whether the abductor has a past history of violence or weapons offenses;
 6. Whether the abductor is believed to be armed;
 7. Whether the abductor is believed to be under the influence of alcohol or drugs;
 8. Whether the abductor has a history of alcohol or other substance abuse;
 9. Whether the abductor has a history of mental illness;
 10. Whether the abductor was acting irrationally (*e.g.*, uncontrolled rage, desperation, or panic);
 11. Whether the child and/or abductor have pre-existing medical and/or health conditions, which, if unmonitored and/or untreated, could impact on the welfare of the child;
 12. Any other facts or circumstances that suggest that the abductor might intentionally or unintentionally harm the child, or expose the child to a dangerous situation.
- I. The AMBER Alert Activation Guide will help identify and document the facts used to determine whether it is appropriate to activate an AMBER Alert.
- J. Officers may subscribe to [Wireless AMBER Alerts](#) or [NYAlert](#) in order to receive a text message when an AMBER Alert has been issued.

- K. The New York State Division of Criminal Justice Services – Missing Persons Clearinghouse (MPC) also implements the Vulnerable Adult Alert Plan.
1. Each of the following criteria shall be met before a Missing Vulnerable Adult Alert may be issued:
 - a. The missing person must be 18 years of age or older who has a cognitive disorder, mental disability or brain disorder.
 - b. Cognitive disorder, mental disability or brain disorder may include dementia, Alzheimer's, Autism, Down-Syndrome, or a person with Schizophrenia who is suicidal or has another life threatening illness. Suicide risk without the existence of a cognitive disorder, mental disability or brain disorder does not qualify. Depression does not qualify unless the person is suicidal or has another life threatening illness.
 - c. Law enforcement has determined that there is a credible risk of harm to such missing individual.
 - d. The Missing Vulnerable Adult must be entered into DCJS/NCIC as a Vulnerable Adult.
 2. Upon belief that a person may fit the criteria for activating a Missing Vulnerable Adult Alert request case assistance via the eJustice Portal at the time of entry or when modifying an entry. Once assistance has been requested call the DCJS Missing Persons Clearinghouse at 1-800-346-3543 option #1 and a determination will be made as to whether a Missing Vulnerable Alert will be broadcast.
 3. The DCJS Missing Persons Clearinghouse, upon request, shall provide assistance to the lead law enforcement agency in the investigation of any Missing Vulnerable Alert investigation.

VIII. SEARCH PROCEDURES

A. Depending on the age of the missing person and other factors that are learned during the preliminary investigation, a course of action may include a targeted area search, if warranted.

1. An adult who is missing, under circumstances that are not criminal or potentially life threatening may not necessarily require an area search. An adult who has been diagnosed with Alzheimer's disease, dementia, or who is missing from an assisted care facility may require an area search.
2. Law enforcement officers should understand that standard grid-style searches may not be useful with a vulnerable missing person who suffers from a cognitive brain disorder, including, but not limited to Alzheimer's, dementia, and autism. Instead, officers should determine if the person left by car or on foot.

If by car, officers should:

- a. Ascertain or approximate the amount of fuel in the vehicle and construct a search radius using this information. If the fuel cannot be approximated, begin a routine search with a 5-mile radius using available officers and volunteers.
- b. Notify adjacent counties.
- c. Initiate credit card and/or bank inquiries to determine if and where purchases have been made since the person was last seen.
- d. Determine if vehicle is GPS enabled or if the driver is in possession of a cell phone that can be pinged.

If on foot, officers should:

- a. Begin with a hasty search covering the general area where the person was last seen.
- b. Conduct a thorough foot search with a 1.5-mile radius using available officers and volunteers.
- c. Search areas of thick vegetation, near bodies of water, and near highways; areas that have cover (natural or man-made), and residential yards. Special attention should be paid to areas such as culverts, drainage areas, wooded transitional areas between housing developments, etc.
- d. Consider obscure hiding locations: junkyards, drainage trenches, building roofs, abandoned buildings and vehicles, commercial ventilation systems/ducts, etc.
- e. Canvass area businesses and other easily accessible buildings including surveillance videos if available.

- f. Expand radius as time and weather dictate.

B. Search/Rescue considerations:

- a. Searches involving children with developmental disabilities should elevate the response as they may be at a higher risk of death or serious injury. Searches should utilize the 5W Approach along with other search procedures delineated in this policy.
 - i. Who: (Basics)
 - a. Typical appearance;
 - b. Special markings, physical attributes;
 - c. Diagnosis, level of severity;
 - d. Preferred form of communication;
 - e. Level of communication;
 - f. Cognitive age;
 - g. Identifiable behaviors (“He always flaps his hands” or “She always walks on her toes”);
 - h. Medical ID or other wearable ID;
 - i. Tracking device (type, frequency number);
 - j. Would the child respond to his/her name if called?
 - ii. What:
 - a. What are their interests?
 - b. What do they like?
 - c. What do they fear?
 - d. What is their favorite music, food, places, people, phrases, tv show, game, iPad app?
 - e. What would draw them towards us?
 - f. What would drive them away from us?
 - iii. Where:
 - a. Where has the child wandered from before?
 - b. Where did the child go before?
 - c. Where is the child likely to go now?
 - d. Where are the local hazards?
 - i. Identify and search them.
 - iv. When:
 - a. When did the child wander before?
 - b. How many times has the child wandered?
 - c. How was the child found?
 - v. Water:
 - a. Is there a specific water source the child is attracted to?
 - b. Where is that water source?
 - c. Are there water sources locally (ponds, lakes, retention ponds, or swimming pools)?
 - d. Where are they?
 - e. Does the child know how to swim?

- b. Searchers should be aware that vulnerable missing persons will likely not respond to their name being called. Missing persons may perceive that they are “in trouble” and further hide or seclude themselves.
 - c. If the person is located, those having initial contact with the person should do the following:
 - i. Use low, calm voices and short, simple sentences or questions.
 - ii. Clearly identify themselves and explain what they are doing.
 - iii. Ask permission before touching.
 - iv. Use simple instructions and positive reinforcement.
 - v. Allow plenty of time for the person to respond.
 - vi. Limit volume of radios and curtail the use of lights and sirens, if possible and practical, as this may further agitate the person.
 - vii. Provide medical assistance as needed.
3. Depending upon the circumstances, initial response choices should include a site search, an immediate cursory search by early responders, confinement techniques, such as perimeter patrols.
- B. Supervisors shall evaluate the investigation and undertake any other reasonable actions to increase or narrow the scope of any search that may be undertaken.
- C. The _____ Police Department will maintain primary responsibility for coordination of the search for missing persons reported in their jurisdiction.
- D. The supervisory officer on the scene shall consider the totality of the circumstances in regard to initiating an extensive search (e.g., contacting other agencies for assistance with the search).
- E. The supervisor shall contact the on-duty detective and have him/her respond to the command post for briefing. The detective/investigating officer will collect any and all evidence pertinent to the case. Possible types of evidence to be collected include, but are limited to:
- 1. Photos of the scene;
 - 2. Photos of the victim;
 - 3. Lifting of latent fingerprints;
 - 4. Hair and fiber evidence;
 - 5. Interior and exterior drawings;
 - 6. Bodily fluids;

7. Any type of physical evidence;
 8. FBI/Department of Justice (DOJ) resources;
 9. Clothing;
 10. All vehicles in area noted and their registration numbers records.
- F. The designated Incident Commander (IC) shall organize and coordinate search efforts. (This task should be delegated to a search coordinator while the supervisor can remain available to manage the overall operation.)
1. If an extensive search is to be conducted, the OIC will establish a command post. All operations will be directed through the command post. The Incident Command System (ICS) will be utilized to operate the command post. **(NOTE:** The command post should be close enough to the center of activity to facilitate control and coordination, but sufficiently apart to allow a free exchange of ideas among responders and as to not interfere with the use of a K-9 unit.)
 2. All responding personnel who will assist with the search or report for any other reason in this matter, will meet at the staging area. They will receive their direction from the staging manager.
 3. If any evidence is found during the search, the officer directing the search shall contact the command post.
 4. Assign a liaison between the family of the missing person (or other reporting party) and the department's search operation.
 5. Assign one (1) person to document the search activities and to complete a written report of the incident. Use a Neighborhood Canvass Log as necessary.
 6. The place last seen should be treated as a crime scene with access controlled to prevent contamination. This is especially important if search dogs are to be used. Should the disappearance be determined to be the result of abduction, it is equally important to prevent the destruction of evidence.
 7. Create a log to log in and log out all personnel who respond to the staging area for assignment.
 8. Even with a large number of searchers, one cannot search everywhere. Therefore, develop areas of probability (where the lost person is most likely to be.) These areas of probability are developed by considering such things as an estimation of how far the subject may have traveled from the place last seen; information about the lost person and the circumstances under which he/she became lost. The manner in which a person is traveling (on foot, bike, wheelchair, etc.) must be considered. The ability of the missing person to get to an area and the ability of the searchers to check an area (wells, swamps, sewer lines, etc.) will help in the supervisor's decision on where to concentrate efforts and what type of support units (dive team, boat, dogs, helicopter) will be needed to aid in the search.

9. Give due consideration to the activation of the AMBER Alert, Missing Child/College Student, or the Vulnerable Adult Alert system, A Child is Missing, Reverse 911, the local cable access channel and other immediate community notification methods.
 10. Search for one (1) hour. If the lost subject is not located, request additional resources.
- G. As a first step, a complete search of the subject's residence (or last known location) should be performed. All storage areas, cellars, attics and out buildings should be thoroughly searched, as well as any attractive hiding places (e.g., under beds) and any potentially hazardous locations (e.g., swimming pools, ponds, storm drains, culverts, etc.) in the immediate area. All motor vehicles in the area should be searched, including the passenger compartment and trunk. A consent or search warrant may be necessary.
- H. If a search of the immediate area proves unsuccessful, an immediate cursory search should be considered as the next step. When conducting an immediate cursory search, the primary object is to quickly check the most logical and reasonable locations where the subject might be found. Searchers should check roads and trails leading from the place where the subject was last seen. In searching for children, nearby attractions such as playgrounds, stores or parks should be searched.
- I. If the time frame, terrain and available resources permit (including, but not limited to the Fire Department, Community Emergency Response Team (C.E.R.T.), local rescue squad and other volunteers), confinement techniques should be used at this point. When utilizing such strategy, personnel are to be assigned to stationary positions around the perimeter of the search areas. These units are to be alert to the subject exiting the search area.
1. All personnel who are designated to search shall complete a Searcher Log.
- J. Once a decision has been made to utilize K-9 search teams:
1. While the K-9 Search Team is in route:
 - a. Keep the number of people authorized in the area to the minimum necessary to conduct the initial investigation.
 - b. If it is necessary to keep a vehicle engine running, park the vehicle a distance away. Exhaust fumes destroy human scent and affect the dog's sense of smell.
 - c. Obtain and isolate available articles for scent tracking. This is clothing that the person has recently worn. It is preferable to use clothing that would have been worn close to the body (i.e., underwear). If clothing is not available, then determine where the person sleeps. Sheets and pillowcases can be used. Do not handle or permit anyone else to handle the scented article. The K-9 handler will make a decision regarding the use of items for scent

purposes. If the scented article has to be obtained from a distant location, the handler will give instruction on the proper handling of the item to prevent contamination.

- d. If the only scented article available is a vehicle, advise all on-scene personnel to stay out of the vehicle. Dogs will take the last freshest scent. If anyone sits in the vehicle, it will greatly impede the dog's capabilities.
2. Upon arrival of the K-9 search team:
 - a. Have an officer available to assist the handler and the dog. Have the handler log in using the Search Log.
 - b. Upon arrival, have all known information ready for the handler (e.g., footwear, photographs, clothing, starting point, etc.)
 - c. Have the officer or person who last saw the subject at the scene for possible questioning.
 - d. Advise the handler of the areas you have searched.

K. Grid Searches

1. Grid searches require substantial staffing to effectively and efficiently cover an area with a high probability of detecting the subject. Therefore, the use of grid or line searching should be considered after other early response techniques have proven unproductive. This does not preclude the mustering of personnel to conduct a grid search while other search resources (e.g., K-9 search teams) are en route or are conducting other search activities.
2. The necessary staffing for grid searching is normally drawn from volunteer organizations (e.g., NYS Forest Rangers, fire departments, rescue squads, C.E.R.T Teams, NYS Federation of Search and Rescue, National Guard, Civil Air Patrol and interested individuals). The Incident Commander is responsible for the assignment, control and logistical support of the volunteers.
3. All personnel involved in a search must be accounted for and documented on a log.
4. When a decision has been made to utilize a grid search, a suitable staging area must be selected. Factors to consider in selecting a staging area include:
 - a. The staging area must be large enough to accommodate a large number of searchers and their vehicles.
 - b. The staging area should be in the proximity of the search area.
 - c. The staging area should be readily accessible to responding units.
 - d. There should be availability of land based communications.

- e. There should be availability of water and toilet facilities.
 - f. An individual assigned by the Incident Commander shall act as the staging officer. The staging officer shall establish check-in procedures, respond to requests for resources and keep the Incident Commander informed of the status of resources in the staging area.
5. In order to realize maximum performance from a grid search, volunteers must be apportioned into manageable teams with assigned leadership, communications capability (i.e., portable radio) and an assigned well-defined search area.
6. Basic guidelines for grid searches include:
- a. All searchers should be dressed properly for the weather and terrain.
 - b. All searchers will work with an assigned team, with assigned team leadership. Each team will consist of a designated police officer and a fixed number of volunteers.
 - c. Searchers should not just look – they should see! The individual searchers should be clue conscious. Discovery of a footprint or other clue can change the direction of a search and increase the probability of locating the victim. Each team leader will be responsible to explain this to team members.
 - d. Searchers should keep talking on line to a minimum. Constant chatter amongst searches makes it difficult for team leaders to relay directions and the victim might not be heard if he/she were to call out.
 - e. Each assigned search area should be well-defined, utilizing nature (i.e., streams, ridges) or man-made (roads, trails) marks for base lines.
 - f. Search personnel should be well briefed. Include the victim description, clothing and habits. Searchers should be made aware of their duties and responsibilities by the Incident Commander or team leader.
 - g. After their assigned area has been thoroughly searched, the search team shall report back to the staging area for debriefing, account for search personnel, equipment and possible reassignment.
 - h. Miscellaneous search resources such as underwater recovery, aircraft and building collapse teams should be requested as the situation dictates.
 - i. All personnel will be logged out when their assignment is complete.

L. Secondary Responses

1. Secondary responses include tracking units, grid search techniques or a request for other miscellaneous specialty resources. Once the OIC has made a decision to move into a secondary response stage, a member of the command staff shall be notified.

2. If the on-scene commander/supervisor determines that an extensive secondary search is required, additional resources may be called in from outside the agency. Again, for overall coordination purposes, requests for additional resources should be channeled through the respective Office of Emergency Management. Resources include, but are not limited to:
 - a. Fire Department personnel;
 - b. First Aid Squad personnel;
 - c. Underwater recovery resources;
 - d. Air resources (e.g., New York State Police, FBI);
 - e. Building collapse teams: [NYS Office of Fire Prevention and Control](#)
3. An extensive secondary search will usually utilize a grid or line search technique. These search techniques will require rather extensive personnel resources that can be supplemented through the inclusion of the agencies mentioned above. Current topical maps should be utilized to plot the search areas/responsibilities. These maps can be obtained via [Pictometry](#) and [Google Earth](#).
4. The implementation of a secondary search will require notification to the local and county office of emergency management.
5. If a secondary search is to be conducted, the on-scene commander will establish a command post and implement the Incident Command System.
6. Each search area should be well-defined and divided by utilizing natural barriers (i.e., streams, ridges), as well as manmade landmarks/barriers (i.e., roads, buildings) for base lines. Again, use of available technology such as Pictometry or Google Earth can enhance the efficiency/coordination of searches.
7. Search personnel shall be well-briefed.
8. After an assigned area has been thoroughly searched, the search team will report back to the command post for debriefing, accounting of search team personnel/equipment and reassignment/dismissal.

M. Termination of Search Activities

1. If the missing person is located, it is the responsibility of the Incident Commander to ensure that all search resources in use or en route are notified and/or accounted for. The Incident Commander is also responsible for making certain that any necessary follow-up investigation is completed.
2. If the missing person is not located, the Incident Commander shall consult with the next level of command, along with the Chief of Police, before any decision is made to suspend the search. A decision to suspend the search shall be based upon the following criteria:

- a. The probability of the subject's arrival;
 - b. The probability that the subject was within the search area;
 - c. The quality (thoroughness) of the search effort;
 - d. The element of risk to searchers;
 - e. The environmental conditions; and
 - f. The continued viability of search resources or depletion of search resources.
3. The designated liaison to the family shall make the notification to any relatives of the subject that the search has been suspended.
 4. Following the suspension of an unsuccessful search, the Operations Division Commander shall review and assign the case to the appropriate personnel for further investigation.

IX. RETURNED / LOCATED MISSING PERSON

- A. Communications personnel must be continually aware of incoming e-JusticeNY IJ Portal messages, including but not limited to all \$Messages, \$M-Match, \$N-No Match, \$Locate, Hit Confirmations, LOCATER Alerts, etc. Communications personnel shall ensure that every teletype message is scanned for these messages and that action is taken on all pertinent messages.
- B. Reported Missing in this jurisdiction -Returned/Located in another jurisdiction.
 1. Upon the return of a person reported missing by this department, a patrol unit shall be assigned to verify the return and to obtain any supplemental information that may be helpful.
 - a. Medical and/or interventional assistance shall be offered, if indicated and appropriate.
 - b. The supplemental information includes, but is not limited to: physical appearance, reported physical condition, where they were, why they were missing, etc.
 - c. The return, with supplemental information, must be documented on an investigation/supplemental report.
 - d. Arrange for the return of any missing child/adolescent who is not wanted on a warrant or other law violations to their parent/guardian.
 2. Communications personnel shall ensure that the DCJS/NCIC database entry is cleared or canceled with the appropriate code, depending upon the circumstances.

| Code | Description |
|------|--|
| I | Missing person record determined to be invalid or no longer sought. |
| Q | Missing person recovered, arrested, non-victim. |
| S | Missing person recovered, arrested, victim of criminal activity or exploitation while missing. |
| T | Missing person recovered deceased. |
| P | Missing person recovered, not arrested, non-victim. |
| R | Missing person recovered, not arrested, victim of criminal activity or exploitation while missing. |
| U | Missing person voluntarily returned home. |

3. All teletypes and supplemental files/documents must be filed with the investigation report.

C. Reported Missing by Outside Agency-Located in our jurisdiction:

1. Upon locating a missing person reported missing from another jurisdiction, a patrol unit must be assigned or may likely be already involved in the investigation. The locate incident, along with any other supplemental information must be documented on an investigation report.
2. Communications personnel shall ensure that the appropriate Hit Confirmation Request and Locate Message are sent to the originating agency. (The originating agency is responsible for clearing the DCJS/NCIC database record).
3. All teletypes and supplemental files/documents must be filed with the investigation report.
4. The originating agency is responsible for advising this agency as to the ultimate disposition of the located missing person. The shift supervisor shall make the determination whether to provide additional assistance to that agency which could include detaining the person, transporting the person to their residence, hospital, or to the originating agency.
5. Depending upon the circumstances, it may be necessary to take the returned missing person into protective custody. This is essentially the case involving runaway juveniles.
 - a. Two officers should normally be assigned to stay with a located runaway juvenile while in custody.
 - b. A detective may need to be notified or recalled.
 - c. It may be necessary to notify CPS in the event that the juvenile's return to their home or normal place of abode is delayed or impractical. Examples include:
 - i. Runaways from out-of-state;

- ii. Inability to contact family;
- iii. Juvenile claims to have been sexually assaulted by a family member;
- iv. Juvenile claims to have run away from abusive parent/family, etc.

D. Reported Missing in our jurisdiction- Located by Outside Agency:

1. An outside agency that locates a person reported missing by this department will normally send a Hit Confirmation Request and a Locate Message to this agency.
2. Communications personnel should be continually cognizant of incoming messages and LOCATE Alerts.
3. Upon receiving a Hit Confirmation Request and/or the Locate Message, communications personnel shall ensure that the missing person record is verified and a Hit Confirmation Response is generated within the stipulated time mandated by DCJS/NCIC.
4. A telephone call to the locating agency is permitted to supplement the Hit Confirmation Response, but shall not be placed instead of the required DCJS/NCIC response. The telephone call can be used to obtain or provide supplemental information to assist in the investigation.
5. Once confirmed, communications personnel shall ensure that the NCIC database record is cleared with the appropriate NCIC code. Communications personnel shall also ensure that an NCIC Cancel Missing Persons Message is broadcast immediately after the NCIC transaction.
6. This agency is responsible for determining the ultimate disposition of the former missing person. In almost all cases, the family member who had originally reported the person missing will make the decision.
 - a. Agency personnel shall ensure that a family member is immediately notified of the returned person and given all pertinent information necessary for them to make a decision regarding the future status of the former missing person.
 - b. This agency will offer all reasonable assistance to the family in reclaiming the person. This policy could not possibly provide detailed guidance to address every possible scenario. Common sense and good judgment will guide this department's action.
7. Depending on the circumstances of the original disappearance and subsequent finding of the missing person, it may be necessary to recall a detective to assist in the investigation.
8. Communications personnel shall ensure that an incident/supplemental report detailing the located missing person including any supplemental information is completed. All supplemental files and teletypes shall be attached to the investigation report.

- E. If an AMBER, Missing Child, Missing College Student or Vulnerable Alert has been initiated, the attending supervisor shall make immediate notification to the New York State Police –SVU, COMSEC or the Division of Criminal Justice Services - Missing Persons Clearinghouse advising them to cancel the AMBER, Missing Child, Missing College Student or Vulnerable Alert.
- F. Cancel any LOCATER poster activation.
- G. Notify and/or update all other investigative resources and have them modify their databases, NCMEC, etc.

X. PARENTAL ABDUCTION OUT OF THE UNITED STATES

- A. The potential for a parent to take a child out of the United States poses unusual and perplexing problems for law enforcement that may invoke international treaties.
 - 1. Reporting persons shall be encouraged to obtain clarification of legal custody as soon as possible to assist in the investigation.
 - 2. The international Hague Abduction Convention (see definitions under U.S. Department of State) only deals with abducted children who are age 15 or younger. Additionally [INTERPOL](#) and New York State Intelligence Center (NYSIC) may also provide assistance.
- B. If the parent removing the child/children from the United States is recognized as a bona fide custodial parent, there will ordinarily be no underlying criminal act and the reporting person will need to seek civil and/or diplomatic remedies through the appropriate court and/or foreign embassy or consulate.
 - 1. Reporting persons should be referred to the appropriate family court with jurisdiction and the United States Department of State.
 - 2. Municipal police officers lack the statutory authority to serve and execute civil process in these custodial matters and have no jurisdiction. Non custodial parent(s) who remove their children from the United States may be charged with a criminal act if the facts result in probable cause, specifically [NYS Penal Law 135.50](#) CUSTODIAL INTERFERENCE IN THE FIRST DEGREE.
- C. There are several Federal laws that can be applied, see <http://www.state.gov/documents/organization/86818.pdf> (page 12).
- D. If a non custodial parent abducts a child (children) and there is evidence to suggest that the abductor intends to leave the country, the initial responding officer shall consider:
 - 1. Immediate notification to a supervisor who shall make the determination to whether to contact an on-call detective.
 - 2. Notification to the District Attorney's Office to make them aware of the incident.

3. Contact to area airports, train stations, bus depots, and other potential areas of departure to determine if the non custodial parent is on any passenger manifests.
 4. Contact to the NYSP to see if an AMBER Alert can be broadcast.
 5. Cause notification to the appropriate law enforcement agencies such as Port Authority of NY/NJ Police Department, US Customs and Border Patrol, etc.
 6. Contact to the NYS Missing Persons Clearinghouse and the National Center for Missing & Exploited Children for assistance.
- E. If a non custodial parent abducts a child (children) and it is determined that they have left the United States:
1. Immediately notify a supervisor who shall make the determination to whether to contact an on-call detective.
 2. Contact the District Attorney's Office to make them aware of the incident.
 3. Cause notification to the appropriate governmental agencies such as the,- Federal Bureau of Investigation, United States Department of State, etc.
 4. Contact to the National Center for Missing & Exploited Children for international assistance.
 5. Because of treaty obligations, US Department of State actions or remedies may supersede any local criminal investigation.
 6. Because of Federal and international laws, the FBI may supersede any local criminal investigation.

XI. UNIDENTIFIED PERSONS

- A. These procedures are not intended to replace prudent investigative techniques employed to identify an unidentified living person such as a walk away from an assisted care facility. Instead, these procedures will supplement existing investigative processes.
- B. Unidentified persons may be living or dead, adult or juvenile. The investigating officer should obtain as much individual identifying characteristics as possible concerning the unidentified person.
- C. The communications supervisor or most senior telecommunicator on duty shall ensure that the individual identifying characteristics are entered into the DCJS/NCIC Unidentified Persons File as soon as they become available. Communications center personnel must be continually aware of any \$Messages.
- D. Unidentified Deceased Investigative Guidelines:
 1. After performing any death scene investigation, the human remains shall be delivered to the appropriate state or county medical examiner.

2. Personnel shall not dispose of or engage in actions that will materially affect the unidentified human remains before the appropriate medical examiner obtains:
 - a. Samples suitable for DNA identification archiving
 - b. Photographs of the unidentified human remains
 - c. All other appropriate steps for identification have been exhausted
 3. Unidentified human remains shall not be cremated.
 4. Data relevant for the DCJS/NCIC Unidentified Deceased entries will be entered by this department as the lead law enforcement agency.
 5. DNA profiles and information shall be entered into the National DNA Index System (NDIS/CODIS/CODIS MP) within five business days after the completion of the DNA analysis.
 6. Information sought by the Violent Criminal Apprehension Program (VICAP) database as soon as practicable.
 7. Conduct a search of the [NamUs](#) database to determine if there is a possible match. If there are no matches then enter the unidentified deceased information into [NamUs](#).
- E. Once a previously unidentified person is identified, the DCJS/NCIC database must be cleared using the appropriate code. A NCIC Cancel Unidentified Persons Message must be broadcast immediately following the NCIC database transaction noting the identification.