



# *San Diego Community College District Police Department Policy and Procedures*

3.07 MISSING ADULTS

EFF. 10/01/19

## **I. PURPOSE**

This Department procedure establishes guidelines for handling reports of missing adults.

## **II. SCOPE**

This procedure applies to all members of the Department.

## **III. BACKGROUND**

“Missing Persons” is a legal term, defined in Penal Code section 14213, and includes children. This Procedure covers only missing adults.

Although it is not a criminal violation to be a missing adult, Penal Code Section 14205 mandates that law enforcement agencies document such persons through a police report and establish a priority for investigation. There is no minimum time requirement before a report may be taken, and the reporting party may provide information necessary to complete the report either in person or over the telephone. The missing person's report will be taken without delay regardless of jurisdiction.

## **IV. DEFINITIONS**

- A. Missing Person - an individual whose whereabouts are unknown to the reporting party. A missing person includes, but is not limited to, a child who has been taken, detained, concealed, enticed away, or retained by a parent in violation of the law (for example, a non-custodial parent or guardian). It also includes any child who is missing voluntarily or involuntarily, or under circumstances not conforming to his or her ordinary habits or behavior, and who may be in need of assistance.
- B. Missing persons fall into two categories, “at risk” and “not at risk.” The investigating officer should evaluate the facts in each case to determine if the missing person is at risk.

1. "At risk" Missing Person circumstances include, but are not limited to, the following:
  - a. The missing person is the victim of a crime or foul play;
  - b. The missing person is in need of medical attention;
  - c. The missing person has no pattern of running away or disappearing;
  - d. The missing person is mentally impaired and cannot care for his or her own welfare; or,
  - e. An elderly person with Alzheimer's disease or Dementia.
2. Not "At risk" Missing Person
  - a. An escapee or "walk away" from a mental health facility is not considered "at risk" unless he/she is a danger to him/herself or others; and,
  - b. The conservator has the responsibility of filing a Detention Order with the courts, in the case where a conservatee has walked away from a mental health facility and is not considered "at risk."

## V. **PROCEDURES**

- A. A Missing Person Report form (PD-242) shall be completed on ALL PERSONS reported as missing. These reports will be taken without delay, regardless of jurisdiction, including any telephone reports.
  1. Officers contacted in the field by individuals reporting a missing person will take the report at that time.
  2. Telephone reporting can be conducted by an officer if the reporting party is unable to come to a campus or is located outside of the city, county, or state.
- B. Not "At risk" Case Procedures
  1. Patrol officers receiving information on a missing person "not at risk" shall complete a Missing Person Report form (PD-242) and obtain a case number.
  2. College Police Records Division personnel will forward a copy of the Missing

Person Report to the SDPD Adult Missing Persons Unit.

C. “At Risk” Case Procedures

1. If a call is received, the Communications Division dispatcher shall format an incident and dispatch an officer to evaluate. Consideration should be given to contact the SDPD Adult Missing Persons Unit or SDPD Field Lieutenant if information received dictates that turning over the investigation to SDPD units would be more beneficial to the outcome of the investigation and locating the missing adult.
2. After the officer determines that the missing person is “at-risk”, they then must contact SDPD Teletype, who will immediately enter the missing adult information into the Missing Persons System (MPS). Information entered in MPS shall include why the person is believed to be at risk.
3. If the missing person is believed to be in the area around any of the District’s properties and campuses, then an “all units” broadcast will give a description of the missing person.
4. If there are facts to indicate the “at risk” adult has a proven physical or mental disability, has been abducted, and great bodily injury or death is imminent, and the facts support the conclusion that a public notice would be of assistance in locating the “at risk” adult, then an Emergency Alert System (EAS) alert shall be requested by SDPD Communications, pursuant to SDPD Department Procedure 2.05, California Child Safety Amber Network Activation. An EAS alert need not be requested if such notice would compromise the investigation.

D. Reports

1. The Missing Person Report (PD-242) must be as complete and detailed as possible, and should include, if available:
  - a. The reporting party's address and phone number;
  - b. A complete physical, dental, scar, and tattoo description is necessary and could be an aid in identification;
  - c. The missing person's complete name, social security number, address, phone number of their dentist, and any information regarding their social networking accounts (Facebook, email address, etc.); and,

d. In "at risk" cases, it is necessary to obtain a photograph of the missing person. The photograph should be forwarded to the Adult Missing Persons Unit.

2. Records Division personnel will forward a copy of all reports of missing persons to the SDPD Adult Missing Persons Unit.

a. A Courtesy Report will be taken on a missing person who is not a resident of San Diego.

b. A case number will be assigned for "at risk" individuals only.

c. The agency having jurisdiction over the missing person's place of residence has the ultimate responsibility of investigating the case. A copy of the report will be sent to the agency where the person resides.

#### E. Reporting Party's Responsibilities

1. Reports may be taken from family, friends, landlords, employers, or roommates where circumstances warrant.

2. The investigating officer should ensure that the reporting party understands:

a. It is not against the law to be a missing adult;

b. The burden of checking jails, hospitals, friends, banks, Medical Examiner, etc. is the reporting party's responsibility;

c. The location of the missing person will be revealed only if he or she (missing person) so desires;

d. This Department cannot force the return of a missing person;

e. The reporting party must notify this Department or the SDPD's Adult Missing Persons Unit when the missing person is located or their whereabouts are known.

3. Do not suggest or promise the reporting party that this Department will initiate an all-out search.

F. Persons NOT considered bonafide missing, unless extenuating circumstances exist, include:

1. A deserting spouse. A spouse is legally free to come and go as he/she pleases;
2. Fugitives from justice (includes AWOL service personnel);
3. A person who has left a note and/or told someone they are leaving. An exception would be a suicide note; and,
4. A person who simply has not been in touch with the reporting party for an extended period of time, unless extenuating circumstances exist.

#### G. Located Missing Persons and Alzheimer's Disease Patients

1. "At risk" Missing Persons(not escapees or conservatees from hospitals and other facilities)
  - a. Unless the missing person is an "at risk" escapee from a mental health facility or a conservatee, as described in Welfare and Institutions Code, section 7325, the located missing person's whereabouts cannot be divulged to anyone unless the missing person specifically authorizes it. If, however, the missing person is incapacitated, hospitalized, or has died, then the information can be released.
  - b. Generally, the missing person should be advised of the report and released.
  - c. The officer should then notify SDPD Teletype of the contact and submit a cancellation for the missing person's report utilizing the original case number.
2. Found Alzheimer's Disease Patients
  - a. A person suffering from Alzheimer's Disease can easily be frightened when approached in a threatening manner. Great care should be exercised when making initial contact.
  - b. Check the person for a medical alert bracelet. The bracelet will have a coded number and a toll-free telephone number to call. The code number, when given to the operator, will identify the person.
  - c. If the person does not have a bracelet or identification, does not know his/her name or address, and has not been reported as missing, the officer should then request SDPD to respond to take custody of the person.