

- I. Policy
- II. Definitions
- III. Missing Persons Procedures
- IV. Missing Child Procedures
- V. Found Children
- VI. Closure/Cancellation
- VII. Abandoned Infants
- VIII. Amber Plan Procedures
- IX. Silver Alerts

I. Policy

The Maryland National Capital Park Police, Montgomery County Division will diligently investigate all reports of missing persons, whether they are adults or children.

II. Definitions

A. Amber Plan Definitions (definitions specific to Amber Plan)

- 1. Abduction - A child is reported to be involuntarily missing from the person(s) having care-taking responsibilities for the child. There is an eyewitness who states that the child was taken by a person or persons for whom there is a physical description, a vehicle description (if one is involved), and a direction of travel from the point last seen. Lacking an eyewitness, there exists articulable evidence that the child's disappearance was not voluntary.
- 2. Child - A person under the age of 18 and the subject of a missing person's report filed, or to be filed, with a law enforcement agency in this State and whose whereabouts are unknown. Child abduction by a non-custodial parent is not a case that would routinely meet MD AMBER plan criteria, unless the investigating agency can articulate a reasonable suspicion that the parent intends to physically harm the child.

B. Silver Alert Definitions (definitions specific to Silver Alerts)

- 1. Caregiver – a parent, spouse, guardian, legal custodian or person responsible for the supervision of another adult.
- 2. Missing Person – an individual whose whereabouts are unknown; who suffers a cognitive impairment including a diagnosis of Alzheimer's disease or dementia to the extent that the individual requires assistance from a caregiver; and whose disappearance poses a credible threat to the health and safety of the individual due to age, health, mental or physical disability, environment or weather conditions as determined by a law enforcement agency.

III. Missing Persons Procedures

- A. When a patrol officer is dispatched to a missing adult call, the officer will:
1. Make personal contact with the complainant.
 2. Conduct a preliminary investigation.
 3. Place a radio lookout with Communications in the following circumstances unless there is reliable information that the adult is outside of Montgomery County.
 - a. The missing adult is senile.
 - b. The missing adult is mentally deficient.
 - c. The missing adult is physically handicapped.
 - d. The missing adult is suicidal.
 - e. There are facts indicating unusual circumstances or suspicious activities.
 4. Advise the complainant that the case will be assigned to Investigative Services (IS). Further advise the complainant that:
 - a. The investigator assigned to the case will contact them.
 - b. They should contact the Park Police if the missing adult returns before the investigator contacts them.
 5. Confer with the shift supervisor regarding investigator notification and sending a Teletype as appropriate.
 6. Write the initial report including, but not limited to:
 - a. Full description - attach a photograph (full face) when available.
 - b. Associates, places frequented threats of violence, etc.
 - c. Whether a radio lookout was made.
 - d. Investigator notification.
 - e. A statement regarding whether or not an NCIC entry was made and the dispatchers name and ID number if applicable.
 7. Determine if an NCIC entry should be made. An NCIC entry can only be made if the missing person falls into one or more of the following categories:
 - a. Disability - a person of any age with a proven physical/mental disability or is senile, thereby subjecting them or others to personal and immediate danger.
 - b. Endangered - a person of any age who is missing under circumstances indicating that their physical safety may be in danger.
 - c. 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. **If child is suspected of being abducted Amber Plan may be instituted (see below ~~Division Directive~~ Amber Plan).**
 - d. Juvenile - a person who is not declared emancipated as defined by the laws of their state of residence and does not meet any of the entry criteria set forth in any of the above categories.
 - e. *Silver Alert – see criteria below*
 - f. Catastrophe Victim - a person of any age who is missing after a catastrophe.

-
- B. NCIC regulations mandate that a signed statement be provided to the police department taking the report to aid in the protection of the missing person's right to privacy. The completed and signed form will be submitted along with the missing person report.
 - C. If the missing person does not fit into any of the entry categories, no NCIC entry will be made. A statement in the report will indicate that no entry was made (for example - The subject does not meet the entry criteria for NCIC, therefore, no computer entry was made).
 - D. The investigation section will review the report and assign the case for follow-up investigation in compliance with the section's standard operating procedures.
 - E. The investigator assigned follow-up responsibility will re-evaluate the NCIC entry criteria and determine whether or not an entry is appropriate. If an entry had not been made at the time of the initial reporting of the missing person and it is determined by the investigator that an entry is called for, the investigator will complete the necessary forms and have the complainant sign the form.
- IV. Missing Children Procedures
- A. All reports of anyone under the age of eighteen (18) years of age missing from home under the provisions of Family Law 9-401 or 402 will be entitled Missing Children, so the necessary provisions of the law may be met.
 - B. Missing Child means a person who is:
 - 1. Under the age of eighteen (18) years; and
 - 2. The subject of a missing person's report filed with a law enforcement agency in their state and whose whereabouts are unknown.
 - C. On receipt of a report regarding a missing child, the officer shall make personal contact with the complainant and immediately determine if:
 - 1. The missing child has not been the subject of a prior missing person (runaway) report.
 - 2. The missing child suffers from a mental or physical handicap or illness.
 - 3. The disappearance of the missing child is of a suspicious or dangerous nature.
 - 4. The person filing the report of a missing child has reason to believe that the missing child may have been abducted.
 - 5. The missing child has ever previously been the subject of a child abuse report filed with the state or local law enforcement agency.
 - 6. The missing child is under fourteen (14) years of age.
 - D. Upon conclusion by the officer that any of the above conditions exists, the officer shall immediately:
 - 1. Initiate appropriate intensive search procedures. Search procedures shall include but not be limited to:
 - a. Thorough check of home.
 - b. Search of immediate area.
 - c. Check youth congregating locations.
 - d. Contact friends and/or relatives.

2. When extensive search procedures become necessary the shift commander shall be notified.
 3. Notify the on duty or on call investigator.
 4. As soon as practical but no later than the end of tour:
 - a. Notify Communications and provide NCIC and MILES computer information
 - b. Complete all reports and initiate appropriate Teletypes.
 5. Enlist the aid of other law enforcement agencies, as determined by the Watch Commander.
 6. Advise the complainant that;
 - a. The case will be assigned to the Investigative Services (IS).
 - b. Advise complainant to contact communications if the child should return home before the IS contacts them.
- E. If the conditions specified in Section IV, C, of this directive do not exist, the officer shall immediately:
1. Attempt to determine the circumstances surrounding the disappearance of the missing child, and
 2. Follow procedures set out in Section IV. D. 4 and 6.
- F. Communications will enter NCIC and MILES and provide radio broadcast information regarding missing children as soon as possible.
- G. The Records Section is responsible for sending a copy of all missing children reports and supplements to the State Clearinghouse for Missing Children.
- H. It is the responsibility of the Investigative Services to investigate missing children.
- V. Found Children
- A. When officers locates an unidentified or missing child.
1. Officers will contact Communications and request a check to determine if child has been reported missing. If child has been reported missing follow procedures for closure/cancellation.
 2. Officers will request Fire Rescue to respond to determine if medical attention is necessary. If medical attention is deemed necessary, have child transported to hospital and contact Montgomery County Child Protective Services.

3. If child has not been reported missing, officers will:
 - a. Have Communications contact Montgomery County Child Protective Services, if they have not already.
 - b. If medical attention is not necessary, the child will be transported to Headquarters where the Watch Commander/Shift Supervisor will assign an employee to supervise minor children in the Division's care.
 - (1) This employee will be responsible for the safety and well-being of the child and will locate a responsible person to accept custody of child.
 - (2) Employees assigned to supervise children will attend to the needs of the child to the extent necessary to ensure the safety and comfort of the child.
- B. If circumstances surrounding the found child are of a suspicious or dangerous nature notify Montgomery County Child Protective Services to determine to whom the child may be released.
- C. Children may only be released to the following:
 1. An authorized representative of the Montgomery County Child Protective Services.
 2. A representative of another law enforcement agency.
 3. A parent or legal guardian of child after proof of identity has been verified.

VI. Closure/Cancellation

- A. The officer closing the case will:
 1. Verify the return and the identity of the missing person. (If the missing person is found in another jurisdiction, the officer can have the police department in that jurisdiction make the verification).
 2. Write a supplemental report including, but not limited to, the following:
 - a. Location where the subject was found.
 - b. Subject's physical and mental condition.
 - c. How identity was verified.
 - d. Synopsis of any criminal charges contemplated.
 3. Cancel any teletypes, lookouts, or NCIC entries.
 4. Notify the appropriate investigator.
 5. Advise original complainant of the relevant details of the case and the subject's location. Officers are cautioned in this regard that every case presents different problems and that discretion will be exercised where appropriate in furnishing information.
 - a. If it develops that the missing person has been the subject of foul play or

- has been located either deceased or in severely deteriorated physical or mental condition, personal contact will be made with the complainant.
- b. In cases involving missing juveniles located outside Montgomery County, NCIC entries can only be canceled upon their return to this jurisdiction. To accomplish this, officers will inform the guardian to contact the Investigative Services when they return so the NCIC entry can be canceled. Exceptions may be made when the juvenile's location and condition are verified by another police agency and the legal guardian grants permission for the child to remain at that location.
6. Return any photographs in police possession to owner.
 7. If a missing child returns home and no foul play is suspected, the missing child can be canceled as stated above in this section, and only the appropriate supplemental report is required. In the event the missing child is determined to be a runaway, the officer arresting a runaway juvenile will write the appropriate supplemental and arrest reports.

VII. Abandoned Infants

- A. Maryland law provides that any person may leave an unharmed newborn with a responsible adult within three days of the infant's birth. These individuals are immune from criminal prosecution and civil liabilities.
- B. In order to facilitate the law, the state has provided Safe Havens. Safe Havens are designed to provide readily accessible places for individuals to leave unharmed infants less than 72 hours old with a responsible adult at
 1. Montgomery County Hospitals
 2. Local Police or
 3. State Police.
- C. The law provides that a birth mother or a willing adult may drop off infants any time a Safe Haven.
- D. If an infant is turned over to the Park Police:
 1. Officers are to confirm that the birth mother doesn't express an intent to return for the newborn.
 2. Officers will ask for basic medical information to include birth date and time.
 3. Officers may ask the mother for her identification. However, the mother is not required to provide any information, including her name.
 3. Communications will contact Montgomery County Child Protective Services.
 4. The infant will be transported to the nearest hospital for a medical evaluation.

VIII. Amber Plan Procedures

- A. *The Maryland State Police (MSP) only upon requests made by law enforcement will activate the MD AMBER Plan Statewide.*
- B. *Watch Commanders or designee must confirm with the officer on the scene, investigative staff or other personnel with knowledge that all of the following criteria exists.*
 1. *Law Enforcement personnel have verified that a child has been abducted.*

-
2. *Law Enforcement personnel believe the circumstances surrounding the abduction indicate the child is in serious danger of bodily harm or death.*
 3. *There is enough descriptive information about the child, abductor and/or suspect's vehicle to believe an immediate broadcast alert would help.*
 4. *The abductor and/or child are likely to still be in the broadcast area.*
 5. *Upon meeting all of the above criteria, the Watch Commander or designee will advise Communications to contact MSP at 410-653-4200 or 800-525-5555 (in State only).*
- C. *After the abduction has been confirmed, MSP will enter the necessary information onto the AMBER Plan web site and disseminate the look out information to media contacts for broadcast.*
- D. *Activation Review - As soon as practical after the activation of a Maryland AMBER Alert, the Maryland Amber Plan Coordinating Council members will meet with Division personnel to review the implementation of the Amber Plan and address any deficiencies. The Coordinating law enforcement agency may invite other individuals to participate in the review process.*
- IX. *Silver Alerts – Alerts public safety agencies and the general public in instances of an adult, suffering certain cognitive impairments, who has been reported missing.*
- A. *Criteria for Silver Alert – Only law enforcement may request the issuance of a Silver Alert. Law Enforcement agencies making such a request must first determine that the following criterion exists:*
1. *The missing person is at least 60 years of age, AND*
 2. *The missing person suffers a cognitive impairment, including a diagnosis of Alzheimer's disease or dementia, AND*
 3. *The missing person's disappearance poses a credible threat to the health and safety of the individual, AND*
 4. *The missing person is traveling in vehicle and there is enough descriptive information about the missing person and the vehicle for law enforcement to issue and alert, AND*
 5. *The investigating agency has already activated a local or regional alert by contacting media outlets in their jurisdiction, AND*
 6. *The missing person has been entered into the National Crime Information Center (NCIC).*
- B. *Upon meeting all of the above criteria, the Watch Commander or designee will advise Communications to contact MSP. Contact may be made by:
Telephone: 410-653-4200 or 800-525-5555 (in state only)*

- C. *The caregiver or person filing a report regarding a missing person will be notified to contact the law enforcement agency with which the report was filed and the Department of State police if the missing person who was the subject of the report is located.*

- D. *Upon notification to the Division, the Watch Commander/OIC will contact the State Police to report the missing person has been located.*

**Approved Park Police Document
Signed Original on File**

End of Directive