

FLORIDA HIGHWAY PATROL POLICY MANUAL

	SUBJECT MISSING ENDANGERED PERSONS	POLICY NUMBER 22.08
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22.08.01 PURPOSE

To provide guidance to employees for handling cases involving missing endangered persons.

22.08.02 AUTHORITY

Chapter 937, Florida Statutes

FHP Amber Alert Plan

FDLE Silver Alert Plan

22.08.03 POLICY

It is the policy of the Florida Highway Patrol to assist other agencies in locating and resolving cases involving missing persons. Normally, incidents involving missing endangered persons will be referred to local agencies for reporting. However, should local agencies refuse to investigate and report a missing endangered person incident or other exigent circumstances exist, the Florida Highway Patrol will handle and report the incident.

22.08.04 DEFINITIONS

- A. **AMBER ALERT** – A public/private partnership established to broadcast critical information related to a missing or abducted child that is believed to be in danger.
- B. **MISSING ADULT** – A person 18 years of age or older whose temporary or permanent residence is in, or is believed to be in, this state, whose location has not been determined, and who has been reported as missing to a law enforcement agency.
- C. **MISSING CHILD** – A person younger than 18 years of age whose temporary or permanent residence is in, or is believed to be in, this state, whose location has not been determined, and who has been reported as missing to a law enforcement agency.
- D. **MISSING ENDANGERED PERSON** – Means:
 - 1. A missing child;

2. A missing adult younger than 26 years of age;
 3. A missing adult 26 years of age or older who is suspected by a law enforcement agency of being endangered or the victim of criminal activity; or
 4. A missing adult who meets the criteria for activation of the Silver Alert Plan of the Florida Department of Law Enforcement (FDLE).
- E. **MISSING ENDANGERED PERSON REPORT** – A report prepared on a form prescribed by FDLE for use by the public and law enforcement agencies in reporting information to the Missing Endangered Persons Information Clearinghouse about a missing endangered person.
- F. **MISSING ENDANGERED PERSONS INFORMATION CLEARINGHOUSE** – A central repository of information regarding missing endangered persons which shall be housed at FDLE. Such information shall be collected and disseminated to assist in the location of missing endangered persons.
- G. **FLORIDA'S SILVER ALERT PLAN** – A plan to aid local law enforcement in the rescue or recovery of a missing elderly person who suffers from irreversible deterioration of intellectual faculties.

22.08.005OBJECTIVES

To ensure the appropriate handling of incidents involving missing endangered persons.

22.08.06 PROCEDURES

INITIAL REPORTS OF MISSING ENDANGERED PERSONS

Normally, reports of missing endangered persons will be referred to the local Police Department or Sheriff's Office for handling and entry into Criminal Justice Information System (FCIC/NCIC). However, should local agencies refuse to investigate and report a missing endangered person incident or other exigent circumstances exist, the Florida Highway Patrol will handle and report the incident. If the Amber Alert system is activated, the current Amber Alert protocol will be followed.

- A. Members will immediately notify a supervisor in the event they are called upon to investigate a missing endangered person incident.
- B. The Bureau of Criminal Investigations and Intelligence (BCII) is responsible for investigating all missing endangered person cases initiated by the Division and shall be notified immediately to ensure prompt response and investigation.
- C. When investigating incidents of missing endangered persons the following procedures will be adhered to:
 1. Missing Adults
 - a. A member will be dispatched to the scene.

- b. The following information will be gathered and immediately relayed to the Regional Communications Center (RCC).
- (1) Personal data of the missing person
 - (2) Mental Condition?
 - (a) Despondent?
 - (b) Mental Disorder? (Dementia, Alzheimer's disease)
 - (c) Suicidal?
 - (d) Homicidal?
 - (3) Physical Condition?
 - (a) Known illness? (Long term)
 - (b) Drunk/drugged?
 - (4) First time missing?
 - (5) How long since last seen/accounted for? (Time of last contact?)
 - (6) Any unusual/suspicious circumstances?
 - (7) Pertinent data:
 - (a) Complete physical description.
 - (b) Outstanding features, such as glasses or unusual physical feature
 - (c) Last location observed.
 - (d) Medication being taken.
 - (8) Extra clothing, luggage, money taken?
 - (9) Any friends in the area?
 - (10) In the company of anyone?
 - (11) Known to frequent particular area or location?
 - (12) Vehicle taken?
 - (a) Description?
 - (b) License plate number?
 - (c) Registered owner?
 - (d) Direction of travel?

(13) Known to have weapons?

- c. Upon receipt of the information from the member on the scene, the RCC will immediately broadcast the information as a **Be On the Look Out (BOLO)** to all on-duty personnel and rebroadcast the BOLO for each subsequent shift for 24 hours, unless the person is located sooner. The information will also be forwarded to all law enforcement agencies in the Florida Crime Information Center (FCIC)/ National Crime Information Center (NCIC) zone in which the incident occurred.
- d. Upon the filing of a credible police report that an adult is missing, the law enforcement agency receiving the report shall, within 2 hours after receipt of the report, transmit the report for inclusion within the FCIC and the NCIC databases.
- e. A search of the area will be conducted. Assistance from other agencies and volunteers may be requested. Searchers should be assigned to specific areas to ensure the effectiveness of the search.
 - (1) A press release, requesting anyone who has information or has seen the missing to person contact the Florida Highway Patrol, should be prepared and distributed to the media as soon as possible.
 - (2) The troop Public Affairs Officer (PAO), if available, should coordinate the release of information.
- f. Critical Points and Considerations
 - (1) The mental condition of the subject is very important. The member should attempt to determine if there are any circumstances which should change the status from a "routine" to an "urgent" missing complaint. Some factors to be evaluated include whether the subject is despondent, suicidal, homicidal, chronically ill, or under the influence of alcohol or drugs at the time of disappearance.
 - (2) The member should inquire as to the possibility of the subject having gone to a friend's home, and whether the person making the report has checked those locations.
- g. An Offense Report (HSMV 60009) will be completed and delivered to the district headquarters as soon as practical, and in all cases, **before the member goes off-duty.**
 - (1) A copy of the report will be given to the RCC so that the information can be entered into the FCIC/NCIC computer.
 - (2) Stations that do not have a communications center will electronically submit a copy of the report to the center serving the county in which the disappearance occurred.

- (3) If available, a recent photograph of the missing endangered person is to be attached to the report.
- h. When a person has been reported missing and has not been located within 30 days after such report, the law enforcement agency conducting the investigation of the missing person shall request the family or next of kin to provide written consent to contact the dentist of the missing person and request that person's dental records, for inclusion in the criminal justice information system (NCIC Dental File) for the purpose of comparing such records to those of unidentified deceased persons..
- i. If a missing adult is not located within 90 days after the missing adult report is filed, the law enforcement agency that accepted the report shall attempt to obtain a biological specimen for DNA analysis from the appropriate family members in addition to obtaining necessary documentation. This does not prevent a law enforcement agency from attempting to obtain necessary information or approved biological specimens for DNA analysis before the expiration of the 90-day period.
- j. Completed reports will be forwarded to the BCII for follow-up as necessary.

2. Missing Children

The Florida Highway Patrol and its employees are committed to the objectives of the **Florida Amber Alert Plan** and will take whatever steps necessary to facilitate the safe and swift location and rescue of abducted or endangered children. To that end, the information found in the Florida Highway Patrol Amber Alert Plan shall be adopted by reference.

Members will immediately notify a supervisor in the event they are called upon to investigate any missing child incident.

FLORIDA AMBER ALERT PLAN

Instructions contained within the Amber Alert Plan as well as those which are applicable below shall be followed whenever a member becomes made aware of a missing or abducted child.

- a. A member will be dispatched to the scene and will complete an Offense Report (HSMV 60009).
- b. The following information will be gathered and immediately relayed to the RCC.
 - (1) Personal data concerning the missing child.
 - (2) First time missing?

- (3) How long since last seen/accounted for? (Time of last contact?)
 - (4) Complete physical description including:
 - (a) Outstanding/unusual physical features.
 - (b) Clothing.
 - (c) Unusual dress (costume).
 - (d) Unusual vehicle (wagon, scooter or pedal car)
 - (5) Any known destination?
 - (6) Known to frequent particular area or location?
 - (7) Any friends in the area?
 - (8) In the company of anyone?
 - (9) Any unusual/suspicious circumstances? (Family fight?)
- c. Upon receipt of the information from the member on the scene, the RCC will immediately broadcast the information as a BOLO to all on-duty personnel and rebroadcast the BOLO for each subsequent shift for 24 hours, unless the child is located sooner.
 - d. Upon the filing of a police report that a child is missing, the law enforcement agency receiving the report shall immediately inform all on-duty law enforcement officers of the missing child report, communicate the report to every law enforcement agency having jurisdiction in the county, and within 2 hours after receipt of the report, transmit the report for inclusion within the FCIC and NCIC databases.
 - e. Upon receipt of a recent report of a missing child, a supervisor will be notified immediately. If criminal activity is suspected in the child's disappearance, the use of roadblocks may be instituted. Any use of roadblocks will be coordinated with local agencies.
 - f. A search of the area will be conducted. Assistance from other agencies and volunteers may be requested. Searchers should be assigned specific areas to ensure the effectiveness of the search.
 - (1) A press release, requesting anyone who has information or has seen the child to contact the Florida Highway Patrol, should be prepared and distributed to the media as soon as possible.
 - (2) The troop PAO, if available, should coordinate the release of information.
 - g. Critical Points and Considerations

- (1) Age is an important factor.
 - (a) Extremely young children (toddlers to approximately four or five years old) may be expected to be found within a relatively short distance from the place of occurrence due to the fact that they are usually not physically capable of walking long distances and their “sphere of experience” is somewhat limited.
 - (b) Older children may be expected to travel further, such as to nearby playgrounds or a friend's home.
 - (2) Physical Description.
 - (a) Young children may be expected to have on unusual costumes.
 - (b) Information concerning unusual vehicles, such as a wagon or pedal car, may assist in locating the child.
 - (3) Known Destination/Known to Frequent Particular Place.
 - (a) Extremely young children may be expected to be located within relatively short distances. Potential search sites should include:
 - (i) The residence. Often children will hide inside their own residence. A search by someone other than a parent may locate the child in a place overlooked by the parent.
 - (ii) Playgrounds, recreation areas.
 - (iii) Schools, churches, other public buildings.
 - (iv) Homes of friends, schoolmates.
 - (b) Determine if the child was in the company of anyone at the time of the disappearance (playmate, baby-sitter or non-custodial parent).
 - (4) Determine whether there has been anything out of the ordinary, such as suspicious vehicles or strange persons in the area.
- h. An Offense Report (HSMV 60009) will be completed and delivered to the district headquarters as soon as practical, and in all cases, **before the member goes off-duty.**
- (1) A copy of the report will be given to the RCC so that the information can be entered into the FCIC/NCIC computer.

- (2) Stations that do not have a communications center will electronically submit a copy of the report to the center serving the county in which the disappearance occurred.
 - (3) If available, a recent photograph of the missing child is to be attached to the report.
- i. A Missing Endangered Person Report Form will be completed by the investigating member.
 - j. When a person has been reported missing and has not been located within 30 days after such report, the law enforcement agency conducting the investigation of the missing person shall request the family or next of kin to provide written consent to contact the dentist of the missing person and request that person's dental records, for inclusion in the criminal justice information system (NCIC Dental File) for the purpose of comparing such records to those of unidentified deceased persons..
 - k. If a missing child is not located within 90 days after the report is filed, the law enforcement agency that accepted the report shall attempt to obtain a biological specimen for DNA analysis from the appropriate family members in addition to obtaining necessary documentation. This does not prevent a law enforcement agency from attempting to obtain necessary information or approved biological specimens for DNA analysis before the expiration of the 90-day period.

D. FOLLOW-UP INVESTIGATIONS

The BCII shall be responsible for any follow-up investigation including:

1. Ensuring that all leads as to the missing endangered person's location are investigated.
2. Reviewing the FCIC/NCIC missing endangered person entry and updates for accuracy.
3. Contacting the reporting party within 48 hours of the initial report to determine if any additional information is available.
4. For missing children, contacting the school in which the child was enrolled for additional information and assistance. Contact should be made with the school resource officer, if possible.
5. After 45 days, placing the case on inactive status. The reporting party will be contacted and notified of the status change.
6. After 90 days, attempting to obtain a biological specimen for DNA analysis from the family of the missing endangered person.

7. Inactive files are to be reviewed and the reporting person contacted every 30 days. Updates will be made to the case file as needed.
8. Completing a supplement to the original report upon location of the missing person and verifying that the FCIC/NCIC missing endangered person entry has been cancelled. The Missing Endangered Persons Information Clearinghouse shall also be contacted. Upon the filing of this supplement the case will be considered closed.
9. Missing person cases will be reassigned immediately, if the original reporting member is no longer available due to promotion, transfer or other reason.

E. CASE FILES

1. A case file will contain the original Offense Report, any witness statements, and any other pertinent information.
2. The case file is to be reviewed by a supervisor for accuracy and completeness and to ensure that the procedures outlined in this policy have been followed.
3. Case files will be maintained in the BCII Central Records Repository. The files may be maintained in a single file drawer. However, missing children files are to be kept separate from the missing adult files. In addition, active, inactive, and closed case files should be separated.

F. ASSISTANCE AND COOPERATION WITH OTHER AGENCIES

1. Members on the scene where a missing endangered person report is being taken shall obtain a detailed description of the missing person and relay that information to the RCC. The description should include the clothing the person was last known to be wearing, where the person was last seen, any vehicle that the person may be using, and other pertinent information. If criminal activity is suspected in the disappearance, the member shall consult with the agency taking the missing person report before broadcasting any information over the radio.
2. Reports of missing persons received by communications personnel from other agencies will be broadcast as a BOLO immediately and repeated for each subsequent shift for 24 hours, unless the person is located sooner.
3. Upon receipt of a recent report of a missing child, a supervisor in the area in which the child was last seen will be notified immediately. If criminal activity is suspected in the child's disappearance, the use of roadblocks may be instituted. Any use of roadblocks will be coordinated with local agencies.
4. Upon a request for assistance from another agency, Division resources, such as personnel, aircraft, and canines, may be used to search for missing persons.

5. Upon request, members will assist the Missing Clearinghouse within the Department of Law Enforcement in the dissemination of information on missing children.
6. When person flyers or posters are received in a Division station, they shall be posted in an area frequented by members. Flyers and bulletins may also be reproduced in sufficient quantity so that each member receives a copy. Flyers and posters, not containing confidential information, will also be posted in areas open to the general public.
7. Members will assist with the dissemination of flyers and posters to other public agencies and appropriate public concerns.

G. LOCATION OF MISSING ENDANGERED PERSONS

1. Upon locating a person who has been reported missing, the locating member shall:
 - a. Ensure the safety of the subject, requesting medical assistance if necessary.
 - b. Notify the RCC.
 - c. Arrange for returning the missing person to the appropriate parent, guardian or agency.
 - d. Complete an Offense or Arrest Report concerning the incident.
2. The RCC Manager/Duty Officer Supervisor will ensure that communications personnel notify the originating agency in order to have the person's name removed from FCIC/NCIC and to the FDLE Missing Endangered Persons clearinghouse.

FLORIDA SILVER ALERT PLAN

Instructions contained within the Florida Silver Alert Plan as well as those which are applicable below shall be followed whenever a member becomes made aware of a missing person who suffers from an irreversible deterioration of intellectual faculties.

H. FLORIDA'S SILVER ALERT PLAN

The Florida Silver Alert is used to locate missing persons suffering from an irreversible deterioration of intellectual faculties. The Florida Silver Alert Plan outlines two levels of Silver Alert activation: Local and State. Local and State Silver Alerts engage the public in the search for the missing person and provide a standardized and coordinated community response.

The Florida Highway Patrol and its employees are committed to the objectives of the Florida's Silver Alert Plan and will take whatever steps necessary to facilitate the safe and swift location and rescue of missing persons.

Members will immediately notify a supervisor in the event they are called upon to investigate any missing persons meeting the Silver Alert Plan criteria.

1. Local Silver Alert Criteria

Although each agency may have their own criteria for activation of a Local Silver Alert, the Florida Silver Alert Support Committee recommends that agencies use the below criteria as a guideline when issuing a Local Silver Alert:

- a. The person is 60 years and older; or,
- b. The person is 18-59 and law enforcement has determined the missing person lacks the capacity to consent and that a Local Silver Alert may be the only possible way to rescue the missing person.
- c. The person has an irreversible deterioration of intellectual faculties (e.g. Alzheimer's disease or dementia) that has been verified by law enforcement.

2. Local Silver Alert Activation Steps

Although each agency may have their own policy or requirements for activation of a Local Silver Alert, the Florida Silver Alert Support Committee recommends that local law enforcement agencies complete the following steps:

- a. Conduct a preliminary investigation in which the agency has concluded that the disappearance poses a credible threat to the person's welfare and safety.
- b. Enter the missing person into the FCIC and issue a local BOLO.
 - (1) Per FHP Policy, The investigating member shall notify the RCC to have pertinent information entered into FCIC/NCIC.
 - (2) In addition, a FHP supervisor must authorize a Silver Alert Activation.
- c. Contact media outlets in the area and/or surrounding jurisdictions.

Per FHP Policy, the troop PAO, if available, should coordinate the release of information.

Once the person has been recovered, contact the local memory disorder clinic or provide the family with information regarding services and assistance.

3. State Silver Alert Criteria

For persons with dementia who go missing in a vehicle with an identified tag, a State Silver Alert may be issued. In these cases, the FDLE

Missing Endangered Persons Information Clearing House (MEPIC) can assist with the illumination of dynamic message signs in your area. State Silver Alerts can only be issued for cases meeting the criteria below:

- a. The person must be 60 years and older; or,
- b. The person must be 18-59 and law enforcement has determined the missing person lacks the capacity to consent and that the use of dynamic message signs may be the only possible way to rescue the missing person.
- c. The person must have an irreversible deterioration of intellectual faculties (e.g. Alzheimer's disease or dementia) that has been verified by law enforcement.
- d. The person must be traveling by motor vehicle with an identified license plate number or other vehicle information that has been verified by law enforcement.

4. State Silver Alert Activation Steps

- a. The local law enforcement agency must enter the missing person into FCIC/NCIC.

Per FHP Policy, The investigating member shall notify the RCC to have pertinent information entered into FCIC/NCIC.

- b. The local law enforcement agency must notify media outlets in their area and/or surrounding jurisdictions.

Per FHP Policy, the troop PAO, if available, should coordinate the release of information.

- c. The local law enforcement agency must issue a statewide BOLO.
- d. Once the above steps have been completed, the local law enforcement agency may request a State Silver Alert by calling the FDLE Missing Endangered Persons Information Clearinghouse (MEPIC) at 1-888-356-4774.

Per FHP Policy, An FHP supervisor must authorize a request for a State Silver Alert Activation.

- e. The FDLE will ensure that the information is broadcast through dynamic highway message signs and via email through the Department of Elder Affairs listserv and other resources.

5. Once the individual is located, the Silver Alert must be cancelled. FDLE and Media Alert must be notified immediately.

6. An Offense/Incident Report (HSMV 60009) will be completed and delivered to the district headquarters as soon as practical, and in all cases, **before the member goes off-duty.**

The appropriate RCC will be provided a copy of the report so that the information can be entered into FCIC/NCIC.

I. FLORIDA BLUE ALERT NOTIFICATION SYSTEM (Code Blue/Blue Alert)

1. The Florida Blue Alert Notification System utilizes the same technologies employed by the Amber Alert Plan to notify the public and law enforcement agencies of critical information when a law enforcement officer is killed, suffered serious bodily injury, or is missing while in the line of duty and the suspect, who is considered to pose an imminent threat to the public, is still at large.
2. In some of these cases, additional information is available for broadcast such as a detailed description of the suspect's vehicle or other means of escape, and/or the license plate of the suspect's vehicle.
3. Under the Blue Alert Plan, FDLE, in conjunction with FHP and the FDOT would immediately broadcast important information about the offender when this information would help prevent further harm or assist in the apprehension of the suspect.
4. A Blue Alert is disseminated to the public through the Emergency Alert System by broadcasting the alert on television, radio, and dynamic message signs located along the state's highways.
5. Member's becoming aware of any situation which meets the criteria (Officer killed, seriously injured or missing) of activating a Florida Blue Alert shall immediately notify the appropriate RCC.
6. Appropriate communications center personnel shall activate (or cancel) the Blue Alert as dictated in their standard operating procedures.