



TOWN OF MACEDON POLICE DEPARTMENT

General Order: 455	Effective Date: September 27, 2019
Subject: Missing Persons	
Reference Standards: 40.2, 44.3	
Rescinds:	
Page 1 of 10	Attachments: 1-Alert Activation Regions; 2- Authorization to Publicize; 3- Amber Alert Submission Form; 4-Missing Child/College Student Alert Activation Request; 5- Vulnerable Adult Alert Submission Form

I. Policy

- A. It is the policy of the Macedon Police Department that reports of missing persons brought to the attention of the members of the department be immediately investigated and documented at the scene, and that information be provided to New York State as legally mandated. Information will be assembled and reported on the following:
 1. For any person, regardless of age, reported missing under suspicious circumstances, a report will be taken and the information will be forwarded immediately to eJusticeNY/ NCIC.
 2. Children, college students, vulnerable adults and unidentified persons:
 - a. It is the policy of this agency to immediately and thoroughly investigate all reports of missing children, college students, vulnerable adults and unidentified persons.
 - 1) In addition, this agency holds that every child, college student, vulnerable adult and unidentified person reported as missing will be considered at risk until significant information to the contrary is confirmed.
 - (a) Jurisdictional conflicts are to be avoided when a child, college student, vulnerable adult and unidentified person is reported missing. If a missing child, college student, vulnerable adult and unidentified person either resides in, or was last seen in this jurisdiction, officers of the Macedon Police Department will immediately initiate the required reporting process.
 - 2) If a child, college student, vulnerable adult, or unidentified person resides in this jurisdiction and was last seen in another jurisdiction, but the law enforcement

agency covering that jurisdiction chooses not to take a missing person report, an officer of the Macedon Police Department will initiate the report process and investigative responsibility.

- B. Questions concerning parental custody occasionally arise in relation to missing children reports. It shall be the policy of the Macedon Police Department to accept the report of a missing child even if custody has not formally been established.

- 1) Reporting parties will be encouraged to obtain legal custody as soon as possible.

- (a) Since the safety of the missing child is paramount, members of the Macedon Police Department will open an investigation when it can be shown that the child has been removed without explanation, from his/her usual place of residence.

II. Procedure

- A. The responding officer shall be responsible for the immediate and thorough investigation of all reports of missing persons.
- B. The Sergeant or Chief of Police shall coordinate any continued follow-up investigation including requesting additional investigative resources from the Wayne County Sheriff's Office or the New York State Police as well as services that may be required after return of the missing person such as counseling, Department of Social Services, etc.

III. Definitions

- A. Adult: Any person who is 21 years of age or older and whose absence is contrary to their normal patterns of behavior.
- B. Juvenile: Any person under the age of 21 who is missing and not declared emancipated by the law.
- C. College Student: 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."
- D. Vulnerable Adult: Any person 18 years of age or older who may 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.
- E. Unidentified Person: Any person, living or deceased that has not been identified through investigation. All human remains that have been recovered and not identified are included in this definition.
- F. Unusual circumstances: Refers to a missing child who is thirteen (13) years of age or younger. This age was established by the federal Missing Children Assistance Act, because children of this age group have not established independence from parental control, and do not have the survival skills necessary to protect themselves from exploitation on the streets

IV. Standards for reporting

A. Adults

1. A Missing Person Report for an adult will be taken if any one of the following circumstances exists:
 - a. The person is physically affected to the extent that hospitalization or medication may be required.
 - b. The person is senile, mentally disabled, or cannot reasonably fend for himself/herself.
 - c. The person is a possible victim of an accident or disaster, either natural or man-made.
 - d. The person has indicated intent to commit suicide.
 - e. The person is missing under circumstances with no apparent logic or which may indicate involuntary disappearance.
 - f. The person is an “admitted” status mental patient who is missing from a mental health facility.
 - 1) Mental health facilities and hospitals have agreed to report patients missing only if they are authorizing the police to locate, detain, and return the individual back to their facility/care. The doctor authorizing such return must sign the Missing Person Report as verification of his/her authorization.
 - g. The person is a college student, which includes anyone over the age of 21 years,
 - h. The person is considered a vulnerable adult.

B. Juveniles

1. A report will be taken on any juvenile reported missing. Although the New York State standard for a juvenile is a person less than 18 years of age, the Macedon Police Department will accept any Missing Person Report for a person under the age of 21, per national standards.
2. A report will be taken for any juvenile who is missing under unusual circumstances and is believed to be one or more of the following:
 - a. Out of the zone of safety for his or her age and developmental stage
 - b. Mentally diminished
 - c. Drug dependent
 - d. A potential victim of foul play or sexual exploitation
 - e. In a life threatening situation

- f. Believed to be with others who could endanger his or her welfare
- g. Absent under circumstances inconsistent with established patterns of behavior

V. Investigation

A. Patrol Officers

1. The officer who is assigned as a first responder to the report of a missing person/child will be responsible to:
 - a. Respond promptly to the scene of the report.
 - b. Interview a parent or person who is making the initial report.
 - c. Immediately advise a supervisor for all reports of missing persons.
 - d. Provide detailed descriptive information to responding units.
 - 1) Recent photographs should be secured and attached to the report.
 - e. Prepare a Standard Incident Report obtaining as much information as possible, while indicating UNK (if unknown) or NA (when information is not available). In circumstances of Custodial Interference, Unlawful Imprisonment, Kidnapping or any other crimes, the incident will be documented on a Standard Incident Report as a crime. The report will be closed out until the victim is located. The same complaint report number (CR#) will be utilized for both reports.
 - f. Additionally for a missing child, verify that the child is in fact missing. First responders should never assume that searches conducted by distraught parents or others have been performed in a thorough manner. Another check of the house or grounds should be made to include places where children could be trapped, asleep or hiding.
 - 1) A search of the home should be conducted even if the child was last seen elsewhere.
 - g. Confirm the child's custody status.
 - h. Identify the circumstances of the disappearance. If "unusual circumstances" exist as defined in Section III-B 1 a, then a heightened level of response is warranted.
 - i. Determine when, where, and by whom the child was last seen and interview the individual(s) who last had contact with the child.
 - j. If an abduction has occurred, obtain a description of the suspected abductor(s) and other pertinent information.
 - k. Obtain any social media and social networking sites (Facebook etc.) and pass codes to such sites, as well as on line screen names when possible.
 - l. If the child has access to cellular devices, obtain wireless telephone number(s) and

carrier/service provider information.

- m. Determine if the child has access to bank accounts or credit cards and obtain account information as to provider, account numbers, and credit limit.
 - n. Check the [NY State DCJS Public Registry of Sex Offenders](#) to determine if any registered sex offenders live in close proximity to the missing person's last known location, residence, school, etc.
 - o. Determine the correct eJusticeNY/NCIC Missing Person File category and ensure that a notification is promptly transmitted.
 - p. Identify and interview everyone at the scene
 - q. Secure and safeguard the area as a potential crime scene
 - r. Immediately follow up or request another unit to investigate any area/address the reporting person has indicated as possible whereabouts of the missing person and document same to include:
 - 1) Missing person's residence
 - 2) Neighborhood search
 - 3) Relatives, friends, associates, school
 - 4) Known hang-outs
 - s. Submit a completed report and a copy of the eJusticeNY Missing Person entry form for review and approval as follows:
 - 1) Immediately for all missing persons with extenuating circumstances.
 - 2) Prior to completion of tour of duty for those instances without extenuating circumstances.
2. Supervisors will:
- a. Respond to the scene of a missing person upon request of reporting officer.
 - b. Obtain a briefing from the first responder and other agency personnel at the scene.
 - c. Determine if additional personnel and resources are needed to assist in the investigation.
 - d. Contact the Chief of Police for coordination assistance if the circumstances indicate that the missing person is endangered, and if so:
 - 1) Establish a command post
 - 2) Request Investigative or other assistance from the Wayne County Sheriff's Office

or the New York State Police if directed by the Chief of Police.

- 3) Organize and coordinate search efforts
 - 4) Establish a liaison with the victim family
 - 5) Manage media relations including an AMBER Alert. (see Section VI of this order)
- e. Review any reports for completeness and accuracy. For all missing person reports with extenuating circumstances, approved reports will be immediately forwarded to the on-duty clerk for immediate entry into eJusticeNY/NCIC. If no clerk is available an authorized on-duty officer will make the entry. If an authorized on-duty officer is not available the Wayne County E-911 Center will be requested to make the entry. For those reports without extenuating circumstances, entry into eJusticeNY/NCIC shall be made prior to completion of tour of duty.
3. The on-duty records clerk, authorized on-duty officer or the Wayne County E-911 Center shall:
- a. Enter data from Missing Person Report through the eJusticeNY Portal.
 - 1) Those designated as “immediate” shall be entered as such.
 - 2) Those designated as “48-hour” shall be entered prior to completion of tour of duty.
 - 3) These reports marked as “30-day” shall be entered prior to completion of tour of duty.
 - b. Print the eJusticeNY Missing Person entry form, attach a copy of the report, and place both in the missing person binder in the police clerk’s office.
 - c. Immediately return the report to the appropriate review bin.

VI. AMBER ALERT : America’s Missing: Broadcast Emergency Response

- A. Amber Alert is intended for use in child abduction cases only.
1. The child must be 17 years of age or younger, **and** police must believe that the child is in imminent danger of serious bodily harm or death, either at the hands of another or due to a proven mental or physical disability.
 2. Activation should be requested within the shortest period of time possible following an abduction, but not before a preliminary investigation has been conducted.
- B. Activation:
1. Do not attempt to activate the AMBER ALERT system based strictly on a telephone call. **The abduction must be confirmed.**

2. An eJusticeNY/NCIC missing person entry as involuntary, endangered, or disability is required in activation cases.
 - a. The "Authorization to Publicize" form (see attachment #2) must be completed and signed by a parent or guardian.
3. In some instances, an eJusticeNY/NCIC entry may not be possible prior to an activation request. Likewise, verbal consent to broadcast a child's name may be obtained, but written consent may not be available prior to the activation request. Activations in a qualifying case will not be delayed for lack of the missing person entry or written consent but both should be completed as soon as possible .
4. Once an abduction is confirmed, an "AMBER ALERT Submission Form (see Attachment #3) must be completed and faxed (telephone number attached) or submitted via an eJusticeNY/NCIC teletype message, to the NYSP Communications Section (COMSEC).
 - a. Activation will not occur until the submission form is received.
 - 1) A NYSPIN submission is completed by selecting the "AMBER" form on eJusticeNY terminal.
5. Ensure that a public telephone number is provided for all incoming calls and leads.
6. Contact COMSEC staff at (518) 457-6811 to advise them that a request for activation is being forwarded via fax or eJusticeNY.
7. Once a final activation decision is made COMSEC will re-route the submission for the File 11 with a clear notation that the case is a NYS AMBER ALERT Activation.
8. The department will then generate an eJusticeNY file F11A- formatted abduction message to ensure that other law enforcement agencies are aware of the abduction and related details.
 - a. The AMBER ALERT does not take the place of this message.
 - b. Statewide dissemination and if deemed appropriate, dissemination to adjoining states is required.
 - c. Updates to the original form may be submitted as necessary.
9. Photographs or digital images should be provided to COMSEC as soon as possible for the creation of a transmission of a NYS AMBER ALERT Photo Supplement.
 - a. Digital images should be submitted in a JPEG format.
10. COMSEC will:
 - a. Record and broadcast the audio EAS (Emergency Alert System) message.
 - b. Notify all broadcasters both radio & television.

- c. Notify the transportation authority in affected areas(s) for highway and facility sign activations, and the New York State Lottery for activation of scrolling screens on ticket machines.
- d. Notify the U.S. Border Patrol and Canadian Customs.
- e. Redirect abduction messages statewide.
- f. Transmit a "LOCATOR" poster upon receipt of photographs.
- g. Request interstate activation if applicable.
- h. Broadcast or transmit an updated activation message upon receipt of new information.
- i. Broadcast or transmit a cancellation message if child is recovered within the 8 hour activation period.

C. AMBER ALERT recovery and/or closure

- 1. In the event that the child is recovered or the case is determined to no longer qualify (i.e. false report or determined to be custodial situation), immediately notify COMSEC in writing by fax so that a cancellation can be broadcast.
 - a. Cancellations will be broadcast only if requested within eight hours of the original activation request.
 - b. After the 8 hour activation period, cancellations should be handled via normal media notification by our agency.

VII. Missing Child/ College Student Alert

- A. A Missing Child/College Student Alert is intended only for a missing child/college student when such missing child or college student is deemed to be endangered, **but** the case does not meet AMBER Alert activation criteria.
 - 1. Police must believe the missing child/college student is endangered.
 - 2. Activation should be requested within the shortest period of time possible, but not before a preliminary investigation has been conducted.
- B. A Missing Child/College Student Alert is a cooperative effort between law enforcement and the broadcast media, in the event of missing child/college student alert is activated.
 - 1. 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.
 - 2. Requests for a Missing Child/College Student Alert are made via the eJusticeNY Portal at the time of entry. Contact the NYS DCJS Missing Persons Clearinghouse at **1-800-346-3543** to review case details. (See Attachment #4)

VIII. Missing Vulnerable Adult Alert

- A. A Missing Vulnerable Adult Alert is intended for missing adults that are deemed to be endangered or vulnerable.
- B. A Missing Vulnerable Adult Alert is a cooperative effort between law enforcement and the broadcast media in the event of missing vulnerable adult.
 - 1. 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.
 - 2. Requests for a Missing Vulnerable Adult Alert are made via the eJusticeNY Portal at the time of entry. Contact the NYS DCJS Missing Persons Clearinghouse at **1- 800-346-3543** to review case details. (See Attachment #5)

IX. Recovery and/or case closure

- A. Reporting officers shall:
 - 1. Complete a supplemental narrative in the original SJS report upon receiving a confirmed cancellation of a missing person utilizing the original CR #, including victim's name, age, and date of return.
 - a. In cases involving missing children, the officer will personally verify the safe return of the missing person.
 - b. There is limited authority to require persons 18 years of age and older to return home unless certain conditions exist, such as an outstanding PINS warrant, or a physical or mental incapacity.
 - c. If the child is a runaway, the officer will conduct an interview with the child alone. The questions should include:
 - 1) Why did you leave?
 - 2) With whom did you stay?
 - 3) Did anyone encourage you to leave?
 - 4) How did you survive?
 - 5) Why did you return?
 - 6) Is it safe for you to return home?
 - 7) Will you run away again?
 - 8) Name one thing that needs to change for you to not run away again?

2. Complete a supplemental narrative to the original Standard Incident Report.
- B. The officer, records clerk, or Wayne County E-911 Center personnel shall:
- a. Immediately send a cancellation message via eJusticeNY /NCIC
 - b. Provide a copy of the cancellation entry to the investigative officer
 - c. Update the missing person log binder with copy of the cancellation
2. Supervisors shall:
- a. Receive and review all reports from reporting officers.

By Order of the Chief of Police

John P. Colella

John P. Colella (Sep 30, 2019)

John P. Colella

Chief of Police

Dated this 27th day of September, 2019