

	Houston Independent School District Police Department Directives	DIRECTIVE: 450-003
		EFFECTIVE DATE: September 5, 2013
	SUBJECT: Missing and Found Persons	REVISED DATE: February 2, 2022

PURPOSE

This directive aims to establish policies pertaining to missing and found persons. This directive applies to all Houston Independent School District Police Department Personnel.

POLICY

Officers shall investigate all reported missing persons and runaways and react according to the danger to the missing persons and runaways. There is no time limit or waiting period prior to initiating an investigation or completing a report.

DEFINITIONS

Missing Adult: A person 17 years of age or older, who for reasons unknown, may have voluntarily become missing from family and friends, or the disappearance is possibly not voluntary.

Elderly Missing Adult: A person 65 years of age or older is missing.

Disabled and Endangered Missing Adult: A person 17 years of age or older who is missing and is physically or mentally impaired or is missing due to suspicious or unusual circumstances.

Missing Child:

- a) A person 12 years of age or younger who is missing;
- b) a person 16 years of age or younger who is missing under suspicious or unusual circumstances; or
- c) a person 16 years of age or younger who is physically or mentally impaired. A child whose whereabouts are unknown to the child's legal custodian, the circumstances of whose absence indicate that:
 1. The child did not voluntarily leave the care and control of the custodian, and the taking of the child was not authorized by law;
 2. The child voluntarily left the care and control of the custodian without the custodian's consent and without intent to return;
 3. The child was taken or retained in violation of the terms of a court order for possession of or access to the child; or

4. The child was taken or retained without the permission of the custodian and with the effect of depriving the custodian of possession of or access to the child unless the taking or retention of the child was prompted by the commission or attempted commission of family violence, as defined by Section 71.004, Family Code, against the child or the actor.

Runaway: A person 13 to 16 who voluntarily left home and is missing.

OFFICER RESPONSIBILITIES

Runaways

When an officer receives a call concerning a runaway, the officer shall ensure that the person is a legitimate runaway. If the runaway is any child between twelve (12) and seventeen (17) and no foul play is suspected, you will contact the on-duty supervisor.

The officer should provide HISD Communications Unit with sufficient information for a general broadcast.

Additionally, the officer shall make every effort to locate the runaway and document their actions in the offense report.

If foul play or any other suspicious circumstances exists, notify an on-duty supervisor.

Obtain a recent photograph of the missing person.

Conduct a search of the immediate area until all efforts to locate the endangered person have been exhausted. (A Consent to Search Form may be necessary).

Missing Juveniles/Adults

When an officer receives a call concerning a missing juvenile, the officer shall immediately notify the on-duty supervisor after gathering sufficient information.

When the missing juvenile is under twelve, the on-duty supervisor shall make the scene and arrange for any resources needed to search the juvenile.

The on-duty supervisor shall contact the HISD Criminal Investigations Unit and provide them with an accurate account of the facts so that a decision can be made as to further action.

The officer shall follow the directions given to the on-duty supervisor and the Criminal Investigations Unit and document the actions along with the detective's name with who they spoke to in the offense report.

The officer shall ensure that all the required information is properly filled out in the victim screen to make a precise entry into NCIC/TCIC and ensure the NIC number is documented in the offense report.

Obtain a recent photograph of the missing person.

Conduct a search of the immediate area until all efforts to locate the endangered person have been exhausted. (A Consent to Search Form may be necessary).

ELDERLY, DISABLED, AND ENDANGERED ADULT OR CHILD

- a) Officers who encounter elderly, disabled, or an endangered adult or child will;
- b) Interview the reportee and witnesses separately.
- c) Obtain the endangered person's age, description, and mental/physical condition.
- d) Determine the circumstances of the disappearance.
- e) Notify an on-duty supervisor of the situation.
- f) Secure and preserve the scene if abduction has occurred or is suspected.
- g) Obtain a recent photograph of the missing person.
- h) Conduct a search of the immediate area until all efforts to locate the endangered person have been exhausted. (A Consent to Search Form may be necessary).
- i) Advise the Communications Unit to broadcast pertinent information regarding the endangered person's description and circumstances surrounding the disappearance.
- j) Advise the reportee to contact the department if the missing person is located.
- k) Complete a report.
- l) Maintain communication with appropriate divisions and other agencies.
- m) Coordinate search and rescue efforts. (Utilize the media, Amber Alert - TRAK system, and disseminate flyers, if necessary).

FOUND PERSONS

Found Adult

If an officer finds a person who is elderly or an adult that is confused or intellectually disabled, the officer will:

- a) Contact the Communications Unit to determine if the found person has been reported missing.
- b) Coordinate with personnel from the Criminal Investigations Unit to locate and contact a responsible person (e.g., relative or caregiver) to whom the found person may be released.
- c) Have an on-duty supervisor make the scene if no responsible person can be located or if the found person refuses to be transported.
- d) The HISD Police Department will request additional officers from outside agencies if the missing adult is reported under special circumstances.

Found Juvenile or Child

If an officer finds a juvenile or child, the officer will:

- a) Contact the Communications Unit to determine if the found person has been reported missing.
- b) Coordinate with personnel from the Criminal Investigations Unit to locate and contact a responsible person (e.g., relative or caregiver) to whom the found person may be released.
- c) Have an on-duty supervisor make the scene if no responsible person can be located or if the found person refuses to be transported.
- d) Juveniles and children will be transported in accordance with state laws. If a child safety seat is used, employees will also follow the seat's instructions and safety procedures set forth by the manufacturer.

SPECIAL EMPHASIS

Art. 63.009. LAW ENFORCEMENT REQUIREMENTS.

Local law enforcement agencies, on receiving a report of a missing child or a missing person, shall:

- a) If the subject of the report is a child and the well-being of the child is in danger or if the subject of the report is a person who is known by the agency to have or is reported to have chronic dementia, including Alzheimer's dementia, whether caused by illness, brain defect, or brain injury, immediately start an investigation to determine the present location of the child or person;
- b) If the subject of the report is a child or person other than a child or person described by Subdivision (1), start an investigation with due diligence in order to determine the present location of the child or person;

- c) Immediately, but not later than two hours after receiving the report, enter the name of the child or person into the clearinghouse, the national crime information center missing person file if the child or person meets the center's criteria, and the Alzheimer's Association Safe Return crisis number, if applicable, with all available identifying features such as dental records, fingerprints, other physical characteristics, and a description of the clothing worn when last seen, and all available information describing any person reasonably believed to have taken or retained the missing child or missing person; and
- d) Inform the person who filed the report of the missing child or missing person that the information will be entered into the clearinghouse, the national crime information center missing person file, and the Alzheimer's Association Safe Return crisis number, if applicable.
- e) A local law enforcement agency, on receiving a report of a child missing under the circumstances described by Article 63.001(3)(D) for not less than 48 hours, shall immediately make a reasonable effort to locate the child and determine the well-being of the child. On determining the location of the child, if the agency has reason to believe that the child is a victim of abuse or neglect as defined by Section 261.001, Family Code, the agency:
 - 1. shall notify the Department of Family and Protective Services; and
 - 2. may take possession of the child under Subchapter B, Chapter 262

The Department of Family and Protective Services, on receiving notice under Subsection (a-1), may initiate an investigation into the allegation of abuse or neglect under Section 261.301, Family Code, and take possession of the child under Chapter 262, Family Code.

- f) Information not immediately available shall be obtained by the agency and entered into the clearinghouse and the national crime information center file as a supplement to the original entry as soon as possible.
- g) All Texas law enforcement agencies are required to enter information about all unidentified bodies into the clearinghouse and the national crime information center unidentified person file. A law enforcement agency shall, not later than the 10th working day after the date the death is reported to the agency, enter all available identifying features of the unidentified body (fingerprints, dental records, any unusual physical characteristics, and a description of the clothing found on the body) into the clearinghouse and the national crime information center file. If an information entry into the national crime information center file results in an automatic entry of the information into the clearinghouse, the law enforcement agency is not required to make a direct entry of that information into the clearinghouse.

- h) If a local law enforcement agency investigating a report of a missing child or missing person obtains a warrant for the arrest of a person for taking or retaining the missing child or missing person, the local law enforcement agency shall immediately enter the name and other descriptive information of the person into the national crime information center wanted person file if the person meets the center's criteria. The local law enforcement agency shall also enter all available identifying features, including dental records, fingerprints, and other physical characteristics of the missing child or missing person. The information shall be cross-referenced with the information in the national crime information center missing person file.
- i) A local law enforcement agency that has access to the national crime information center database shall cooperate with other law enforcement agencies in entering or retrieving information from the national crime information center database.
- j) Immediately after returning a missing child or missing person or the identification of an unidentified body, the local law enforcement agency having jurisdiction of the investigation shall cancel the entry in the national crime information center database.
- k) On determining the location of a child under Subsection (a)(1) or (2), other than a child who is subject to the continuing jurisdiction of a district court, an officer shall take possession of the child and shall deliver or arrange for the delivery of the child to a person entitled to possession of the child. If the person entitled to possession of the child is not immediately available, the law enforcement officer shall deliver the child to the Department of Protective and Regulatory Services.

AMBER ALERT CRITERIA

An Amber Alert or a child abduction emergency alert is a message distributed by a child abduction alert system to ask the public for help in finding abducted children. Responding officers shall ask the following questions when responding to an incident involving a missing child;

- a) Is this child 17 years of age or younger, whose whereabouts are unknown, and whose disappearance law enforcement has determined to be unwilling and poses a credible threat to the child's safety and health, and if abducted by a parent?
- b) Is the child 13 years of age or younger, who was taken (willingly or unwillingly) without permission from the care and custody of a parent or legal guardian by:
 - 1. Someone unrelated and more than three years older, or

2. Another parent or legal guardian who attempted or committed murder at the time of the abduction?
- c) Is this child in immediate danger of sexual assault, death, or serious bodily injury?
- d) Has a preliminary investigation verified the abduction and eliminated alternative explanations for the child's disappearance?
- e) Is sufficient information available to disseminate to the public to help locate the child, a suspect, or the vehicle used in the abduction?

SILVER ALERT CRITERIA

In response to legislation enacted September 1, 2007, the Texas Department of Public Safety (DPS) implemented the Texas Silver Alert Network to assist law enforcement in recovering missing elderly Texans statewide. On occasion, HISD Police Officers will respond to scenes or come across citizens reporting a missing elderly person.

Responding officers shall ask the following questions when responding to an incident involving a senior citizen call;

- a) Is the missing person 65 years of age or older or been diagnosed with Alzheimer's Disease?
- b) Does the senior citizen have a diagnosed impaired mental condition, and does the senior citizen's disappearance pose a credible threat to the senior citizen's health and safety? (Law enforcement shall require the family or legal guardian of the missing senior citizen to provide documentation from a medical or mental health professional of the senior citizen's condition).
- c) Is it confirmed that an investigation has taken place verifying that the senior citizen's disappearance is due to their impaired mental condition, and alternative reasons for the senior citizen's disappearance have been ruled out?
- d) Is the Silver Alert request within 72 hours of the senior citizen's disappearance?
- e) Is there sufficient information available to disseminate to the public that could assist in locating the senior citizen? Highway signs will be activated only if accurate vehicle information is available AND it is confirmed that the senior citizen was driving the vehicle at the time of the disappearance.

DISPOSITION

Officers will advise the Criminal Investigations Unit regarding the disposition of all found juveniles, children, or adults. When officers believe that releasing a found person would not be in the person's best interests (e.g., due to their infirmities or the

fact that they are a danger to themselves or others), they should be transported to a hospital for medical evaluation.

Approved By


Pedro Lopez Jr., Chief of Police