



SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



Procedure 610 – Missing Persons

Office with Primary Responsibility:	MCC	Effective Date: Prior Revision Date:	July 06, 2016 February 17, 2015
Office(s) with Secondary Responsibilities:	PSC, PNC, TSC, STC	Number of Pages:	4
Forms Referenced in Procedure:	SAPD Form #2-1 SAPD Form #2-3	Related Procedures:	None

.01 INTRODUCTION

This procedure establishes guidelines for reporting missing persons, entering information into the computer system, and the canceling of missing person reports.

.02 POLICY

- A. The San Antonio Police Department investigates all reports of persons who are missing from, who were last seen in, or who are believed to be in the City of San Antonio. The Department's responsibilities include investigations into possible violations of the Texas Penal Code and the Texas Family Code.
- B. The Department also assists citizens in attempting to locate persons who are not missing, but who may be temporarily lost (i.e., motorists from out of town who are following each other and who become lost due to heavy traffic conditions).

.03 DEFINITIONS

- A. "Lost Persons" means those persons temporarily separated from their party or relatives.
- B. "Missing Person" means:
 - 1. A person seventeen (17) years old or younger who has disappeared;
 - 2. A person eighteen (18) years or older whose disappearance appears to be non-voluntary; or
 - 3. An elderly or confused person who has disappeared.
- C. "Mental Health Facility Missing Persons" means a person who is receiving inpatient mental retardation services or court ordered inpatient mental health services in a mental health facility and that person leaves the facility without notifying the facility, or without the facility's consent.

.04 LOST PERSONS

- A. When attempting to locate lost persons, the officer(s) assigned to the call assists the reporting party in locating the person who is lost.
- B. Should it become apparent the person cannot be located without further assistance, the officer notifies a supervisory officer concerning the situation, as a more detailed search of the area may be necessary.
- C. A supervisory officer makes a decision regarding any further disposition of the case.

.05 REPORTING MISSING PERSONS

- A. All reports of missing persons are recorded on SAPD Forms No. 2-1, *Offense Report*, and No. 2-3, *Offense Continuation*.



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- B. Missing person reports are taken immediately with no time lapse or arbitrary waiting period required before reporting an individual missing.
- C. Missing person complaints involving a juvenile seventeen (17) years of age or younger or an elderly or confused adult are taken by a Patrol Division officer in the field. The officer assigned to the call notifies a supervisory officer of the situation, as a search of the area may be necessary.
- D. All other reports of missing persons, except persons missing from the San Antonio State Hospital, are taken, in person, by any of the following:
 - 1. Any Patrol Division officer;
 - 2. A Police Services Agent at any police substation; or
 - 3. The Missing Persons /Juvenile Processing Office.
- E. Reports of persons missing from the San Antonio State Hospital may be called in by telephone to the Missing Persons / Juvenile Processing Office.
- F. A missing persons report is not taken if a person is not missing from or last seen in the City of San Antonio.

.06 AMBER AND SILVER ALERT CRITERIA

- A. Local and regional alerts will be initiated by the Missing Persons/Juvenile Processing office. Request for State Amber Alerts must meet criteria defined by DPS. The Missing Persons/Juvenile Processing Office is responsible for initiating the Amber Alert request to DPS upon meeting the below criteria.
 - 1. Is this child 17 years of age or younger, whose whereabouts are unknown, and whose disappearance has been determined by law enforcement to be unwilling, which poses a credible threat to the child's safety and health; and
 - a. If abducted by a parent or legal guardian, was the abduction in the course of an attempted murder or murder. OR
 - 2. Is this 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:
 - a. Someone unrelated and more than three years older; or
 - b. Another parent or legal guardian who attempted or committed murder at the time of the abduction?
 - 3. Is this child in immediate danger of sexual assault, death, or serious bodily injury?
 - 4. Has a preliminary investigation verified the abduction and eliminated alternative explanations for the child's disappearance?
 - 5. Is sufficient information available to disseminate to the public to help locate the child, a suspect, or the vehicle used in the abduction?
- B. Requests for State Silver Alerts must meet criteria defined by DPS. The Missing Persons/Juvenile Processing Office is responsible for initiating the Silver Alert request to DPS upon meeting the below criteria.
 - 1. Is the missing person 65 years of age or older?



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2. 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).
3. Is it confirmed that an investigation has taken place verifying that the senior citizen's disappearance is due to his/her impaired mental condition, and alternative reasons for the senior citizen's disappearance have been ruled out?
4. Is the Silver Alert request within 72 hours of the senior citizen's disappearance?
5. 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).

.07 ENTERING MISSING PERSON INFORMATION INTO THE COMPUTER SYSTEM

All reports of missing persons seventeen (17) years of age or younger, elderly, confused, or whose disappearance is under suspicious circumstances are immediately called into the Missing Persons / Juvenile Processing Office for entry into the T.C.I.C. and N.C.I.C. computer system.

.08 SUSPECTED CRIMINAL OFFENSES

- A. When there is reasonable suspicion that the circumstances of the missing report involves a possible criminal offense, the Missing Persons / Juvenile Processing Office will immediately contact the respective follow up unit (or NCID after normal business hours) and provide the unit with the available information. If a criminal investigation is open or will be opened, the Missing Persons / Juvenile Processing Office personnel will take direction from the follow up unit.
 1. To ensure that the integrity of a criminal investigation is not compromised, the Missing Persons / Juvenile Processing Office will closely coordinate any investigation actions with the follow up unit.
 2. If it is determined by the follow up unit that a criminal offense has not been committed, the Missing Persons / Juvenile Processing Office will continue its investigation pursuant to their SOP.
 3. If further information is obtained by the Missing Persons / Juvenile Processing Office that would tend to show that a criminal offense has occurred, the information will be forwarded to the follow up unit for subsequent review.

.09 CANCELING MISSING PERSON REPORTS

- A. The cancellation of a missing person report is recorded on SAPD Form 2, *Incident Report*.
 1. A report of a missing adult is canceled when the reporting person requests the cancellation, the missing person is located by SAPD, or when the missing adult is located by another jurisdiction and notification of the location is forwarded to the San Antonio Police Department.
 2. A report of a missing juvenile is canceled only when the missing juvenile is in the custody of a law enforcement agency or the juvenile's parent/guardian.



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- B. When a missing person returns or is located, the officer taking the subsequent report cancels the missing person search by notifying the Missing Persons / Juvenile Processing Office as soon as possible.

- C. When a missing person from a mental health facility is located, the officer will notify the appropriate mental health facility of the patient's location. If the patient is a danger to himself or others, or if the appropriate mental health facility requests the patient be returned, the patient is transported to the appropriate mental health facility. If the officer does not know which mental health facility the patient belongs to, the officer will call the Missing Persons / Juvenile Processing Office for further assistance.

- D. When a missing juvenile seventeen (17) years of age or younger is located, the officer will notify the Parent / guardian, advising the juvenile was located. The juvenile will be taken into custody by the officer and transported to the parent/guardian.
 - 1. If the officer is unable to locate the parent/guardian, the officer will transport the juvenile to the Missing Persons / Juvenile Processing Office for assistance with placement.
 - 2. The officer shall notify the Missing Persons/Juvenile Processing Office so they can clear the missing from the system.

- E. When an out of county/state juvenile **under** seventeen (17) years of age is located, the officer will:
 - 1. Contact the TLETS channel in Communications and provide the necessary information for a message to be sent to the entering agency;
 - 2. Upon receipt of a positive confirmation the officer will transport the juvenile to the Missing Person / Juvenile Processing Office;
 - a. Officers need to get a copy of the confirmation to include with their paperwork at Bexar County Juvenile Detention.
 - 3. Upon completion at the Missing Persons/Juvenile Processing Office the officer will transport the juvenile to Bexar County Juvenile Detention.

- F. When an out of county/state juvenile seventeen (17) years of age is located the officer will:
 - 1. Contact the TLETS channel in Communications and provide the necessary information for a message to be sent to the entering agency;
 - 2. Upon receipt of a positive confirmation the officer will contact Bexar County Juvenile Detention and ask if they will accept the juvenile;
 - a. Officers need to get a copy of the confirmation to include with their paperwork at Bexar County Juvenile Detention.
 - 3. If Bexar County Juvenile Detention will **not** accept the juvenile, the officer will contact the Missing Persons/Juvenile Processing Office for assistance with finding placement.

.010 INFORMATION AND REQUESTS ABOUT MISSING PERSONS

All information received on reported missing persons and any requests for information on missing persons thought to be in the City of San Antonio are forwarded to the Missing Person / Juvenile Processing Office.