

# EAST RANGE POLICE DEPARTMENT

## Response to Reports of Missing and Endangered Persons

MN STAT 299C.51-299C.5655, 390.25 and 626.8454

POLICY  
203

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### I. POLICY

It is the policy of the East Range Police Department to establish guidelines and responsibilities for the consistent response to, and investigation of, all reports of missing and endangered persons as defined in MN STAT Chapter 299C.52, subd. 1 (c) and (d) (“Minnesota Missing Children and Endangered Persons’ Program” referred to as Brandon’s Law).

This policy addresses investigations where the person has been determined to be both missing and endangered and includes all procedures required by MN STAT 299C.52.

The East Range Police Department recognizes there is a critical need for immediate and consistent response to reports of missing and endangered persons. The decisions made and actions taken during the preliminary stages may have a profound effect on the outcome of the case. Therefore, this agency has established the following responsibilities and guidelines for the investigation of missing and endangered persons. All peace officers, employed by this agency, will be informed of and comply with the procedures contained in this Model Policy.

### II. DEFINITIONS

- A. *Missing*** has the meaning given it in MN STAT 299C,52, subd. 1 (d), “The status of a person after a law enforcement agency has received a report of a missing person, has conducted a preliminary investigation, and determined that the person cannot be located”.
- B. *Endangered*** has the meaning given it in MN STAT 299C,52, subd. 1, (c), “A law enforcement official has recorded sufficient evidence that the missing person is at risk of physical injury or death. The following circumstances indicate that a missing person is at risk of physical injury or death:
1. the person is missing as a result of a confirmed abduction or under circumstances that indicate that the person’s disappearance was not voluntary;
  2. the person is missing under known dangerous circumstances;
  3. the person is missing more than 30 days;
  4. the person is under the age of 21 and at least one other factor in this paragraph is applicable;
  5. there is evidence the person is in need of medical attention or prescription medication such that it will have a serious adverse effect on the person’s health if the person does not receive the needed care or medication;
  6. the person does not have a pattern of running away or disappearing;
  7. the person is mentally impaired;

8. there is evidence that the person may have been abducted by a noncustodial parent;
  9. the person has been the subject of past threats or acts of violence;
  10. there is evidence the person is lost in the wilderness, backcountry, or outdoors where survival is precarious and immediate and effective investigation and search and rescue efforts are critical; or
  11. any other factor that the law enforcement agency deems to indicate that the person may be at risk of physical injury or death, including a determination by another law enforcement agency that the person is missing and endangered.
- C. **Child** has the meaning given it in MN STAT 299C,52, subd. 1 (a), “Any person under the age of 18 years or any person certified or known to be mentally incompetent”.
- D. **NCIC** means The National Crime Information Center.
- E. **CJIS** means The Criminal Justice Information System.
- F. **DNA** means “DNA” has the meaning given it in MN STAT 299C,52, subd. 1 (b), Deoxyribonucleic acid from a human biological specimen.

### III. PROCEDURES

This agency will respond according to the following six types of general procedures:

1. Initial Response
2. Initial Investigation
3. Investigation
4. 30 Day Benchmark
5. Prolonged Investigation, and
6. Recovery/ Case Closure

#### A. INITIAL RESPONSE

1. As required by MN STAT 299C.53, subd. 1(a), Law Enforcement shall accept, without delay, any report of a missing person. Law enforcement shall not refuse to accept a missing person report on the basis that:
  - (a) the missing person is an adult;
  - (b) the circumstances do not indicate foul play;
  - (c) the person has been missing for a short amount of time;
  - (d) the person has been missing for a long amount of time;
  - (e) there is no indication that the missing person was in the jurisdiction served by the law enforcement agency at the time of the disappearance;
  - (f) the circumstances suggest that the disappearance may be voluntary;
  - (g) the reporting person does not have personal knowledge of the facts;
  - (h) the reporting person cannot provide all of the information requested by the law enforcement agency;
  - (i) the reporting person lacks a familial or other relationship with the missing person; or
  - (j) for any other reason, except in cases where the law enforcement agency has direct knowledge that the person is, in fact, not missing, and the whereabouts and welfare of the person are known at the time the report is filed.

2. Dispatch an officer, to the scene, to conduct a preliminary investigation to determine whether the person is missing, and if missing, whether the person is endangered.
3. Obtain interpretive services if necessary.
4. Interview the person who made the initial report, and if the person is a child, the child's parent(s) or guardian(s).
5. Determine when, where, and by whom the missing person was last seen.
6. Interview the individual(s) who last had contact with the person.
7. Obtain a detailed description of the missing person, abductor, vehicles, etc. and ask for recent photo of missing person.
8. Immediately enter the complete descriptive and critical information, regarding the missing and endangered person, into the appropriate category of the NCIC Missing Person File.
  - (a) As required by 42 U.S.C. 5779(a) (Suzanne's Law) law enforcement shall immediately enter missing children less than 21 years of age into the NCIC.
  - (b) As required by MN STAT 299C.53, subd. 1(b), if the person is determined to be missing and endangered, the agency shall immediately enter identifying and descriptive information about the person into the NCIC.
9. Enter complete descriptive information regarding suspects/vehicle in the NCIC system.
10. Request investigative and supervisory assistance.
11. Update additional responding personnel.
12. Communicate known details promptly and as appropriate to other patrol units, local law enforcement agencies, and surrounding law enforcement agencies. If necessary, use The International Justice & Public Safety Network (NLETS), the Minnesota Crime Alert Network, and MNJIS KOPS Alert to alert state, regional and federal law enforcement agencies.
13. Notify the family of the Minnesota Missing/Unidentified Persons Clearinghouse services available.
14. Secure the crime scene and/or last known position of the missing person and attempt to identify and interview persons in the area at the time of the incident.
15. Obtain and protect uncontaminated missing person scent articles for possible use by search canines.
16. Activate protocols for working with the media. (AMBER Alert, Minnesota Crime Alert Network)
17. As required by MN STAT Chapter 299C.53, subd. 1(b), consult with the Minnesota Bureau of Criminal Apprehension if the person is determined to be an endangered missing person. Request assistance as necessary.
18. Implement multi-jurisdictional coordination/mutual aid plan as appropriate such as when:
  - a) the primary agency has limited resources;
  - b) the investigation crosses jurisdictional lines; or
  - c) jurisdictions have pre-established task forces or investigative teams.
19. Based on the preliminary investigation, determine whether or not a physical search is required.

## B. INITIAL INVESTIGATION

Officers conducting the initial investigation of a missing person should take the following investigative actions as applicable:

- (a) Respond to a dispatched call as soon as practicable. Obtain a detailed description of the missing person, as well as a description of any related vehicle and/or abductor.
- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be endangered (Minn. Stat. § 299C.53, Subd. 1(b)). Interviews should be conducted separately, if practicable.
- (c) Consult with the Bureau of Criminal Apprehension (BCA) if the person is determined to be an endangered missing person (Minn. Stat. § 299C.53, Subd. 1(b)).
- (d) Canvass the last known area where the missing person was seen, if known. A search of the location where the incident took place, if known, should also be conducted and a search warrant obtained if necessary.
- (e) Determine when, where, and by whom the missing person was last seen. Interview the person who last had contact with the missing person.
- (f) Notify a supervisor immediately if there is evidence that a missing person is either endangered or may qualify for a public alert, or both (see the Public Alerts Policy).
- (g) Broadcast a "Be on the Look-Out" (BOLO) bulletin if the person is under 18 years of age or there is evidence that the missing person is endangered. The BOLO should be broadcast as soon as practicable, but in no event more than one hour after determining the missing person is under 18 years of age or may be endangered.
- (h) Relay known details to all on-duty personnel as well as other local or surrounding law enforcement agencies using local and state databases.
- (i) Ensure that entries are made into the appropriate missing person networks:
  - a. Immediately, when the missing person is endangered.
  - b. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.
- (j) Collect and/or review:
  - A photograph and fingerprint card of the missing person, if available (Minn. Stat. § 299C.54, Subd. 2).
  - A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
  - Any documents that may assist in the investigation, such as court orders regarding custody.
  - Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (k) When circumstances permit and if appropriate, attempt to determine the missing person's location through their telecommunications carrier.
- (l) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information

- relates to an endangered missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.
- (m) A missing person's report has to be completed anytime a NCIC number is created. The report must be turned in even if the person returns.
  - (n) If a child runs after they have been recovered, an updated report with a new ICR number, NCIC number, run date, and time and details must be completed. A copy of the old report with the new information added/updated is acceptable, however, the original report must still be turned in.
  - (o) Multiple runs from the same location will each require a separate ICR and separate NCIC number.
  - (p) Instruct the communications center to enter the person in NCIC as missing; within two (2) hours of receiving the call from dispatch (U.S. Code, Title 42, Section 5781)

### **C. CONTINUING INVESTIGATION**

1. Begin setting up the Command Post/Operation Base away from the person's residence. Know the specific responsibilities of the Command Post Supervisor, Media Specialist, Search Coordinator, Investigative Coordinator, Communication Officer, Support Unit Coordinator, and two liaison officers (one at the command post and one at the victim's residence). The role of the liaison at the home will include facilitating support and advocacy for the family.
2. Establish the ability to "trap and trace" all incoming calls. Consider setting up a separate telephone line or cellular telephone for agency use and follow up on all leads.
3. Compile a list of known sex offenders in the region.
4. In cases of infant abduction, investigate claims of home births made in the area.
5. In cases involving children, obtain child protective agency records for reports of child abuse.
6. Review records for previous incidents related to the missing person and prior police activity in the area, including prowlers, indecent exposure, attempted abductions, etc.
7. Obtain the missing person's medical and dental records, fingerprints and DNA when practical or within 30 days.
8. Create a Missing Persons' Profile with detailed information obtained from interviews and records from family and friends describing the missing person's health, relationships, personality, problems, life experiences, plans, equipment, etc.
9. Update the NCIC file, as necessary with any additional information, regarding the missing person, suspect(s) and vehicle(s).
10. Interview delivery personnel, employees of gas, water, electric and cable companies, taxi drivers, post office personnel, sanitation workers, etc.
11. For persons' under the age of 21, contact the National Center for Missing and Exploited Children (NCMEC) for photo dissemination and other case assistance.
12. Determine if outside help is needed and utilize local, state and federal resources related to specialized investigative needs, including:
  - a) Available Search and Rescue (SAR) resources
  - b) Investigative Resources
  - c) Interpretive Services
  - d) Telephone Services (traps, traces, triangulation, etc.)
  - e) Media Assistance (Local and National)

13. Secure electronic communication information such as the missing person's cell phone number, email address(s) and social networking site information.
14. Appoint an officer who shall be responsible to communicate with the family/reporting party or their designee and who will be the primary point of contact for the family/reporting party or designee. Provide contact information and the family information packet (if available) to the family/reporting party or designee.
15. Provide general information to the family/reporting party or designee about the handling of the missing person case or about intended efforts in the case to the extent that the law enforcement agency determines that disclosure would not adversely affect the ability to locate or protect the missing person or to apprehend or prosecute any person(s) criminally in the disappearance.

### **C. AMBER ALERT AND JUVENILES – UP TO 17 YOA**

Juveniles are to be entered into the system immediately, not to exceed two hours, upon receiving the minimum data required for entry into NCIC. The two hour clock shall begin at the time the minimum data required is received. The agency must be able to document the time.

For cases involving missing children, the officer shall comply with federal laws regarding the reporting and investigation of missing children cases (Minn. Stat. § 299C.53 Subd. 4).

An AMBER ALERT may be activated if the following criteria are met:

1. A child 17 years of age or younger is abducted;
2. There is reason to believe the victim is in immediate danger of physical injury, or physical or sexual abuse, and
3. There is information available to disseminate to the general public which could assist with the safe recovery of the victim and/or the apprehension of the suspect.

When all of these conditions are met, the Chief of Police or designee, contacts the Minnesota Bureau of Criminal Apprehension at 1-800-832-6446. The BCA will need descriptive information about the child and the abductor. The BCA activates the MN Crime Alert Network (MCAN) and works in conjunction with the Duty Officer from Emergency Management to activate the alert over the State Emergency Alert System (EAS). The duty officer activates the EAS which immediately delivers the information to all participating radio and television stations. Stations are requested to broadcast the information every fifteen minutes for the first two hours, then every half hour for the next three hours. THE BCA must be immediately notified of the recovery of the child in order to cancel the AMBER ALERT.

**\*\*\*MISSING FOR OVER 30 DAYS\*\*\***

If the person remains missing after 30 days from entry into NCIC the local law enforcement agency will be contacted by the BCA Missing and Unidentified Persons Clearinghouse to request the following information (if not already received):

- (a) DNA samples from family members and, if possible, from the missing person.
- (b) Dental information and x-rays.
- (c) Additional photographs and video that may aid the investigation or identification.
- (d) Fingerprints.
- (e) Other specific identifying information.

This information will be entered into the appropriate databases by BCA Clearinghouse personnel. If the person is still missing after 30 days, review the case file to determine whether any additional information received on the missing person indicates that the person is endangered and update the record in NCIC to reflect the status change.

**E. PROLONGED INVESTIGATION**

1. Develop a profile of the possible abductor.
2. Consider the use of a truth verification device for parents, spouse, and other key individuals.
3. Re-read all reports and transcripts of interviews, revisit the crime scene, review all photographs and videotapes, re-interview key individuals and re-examine all physical evidence collected.
4. Review all potential witness/suspect information obtained in the initial investigation and consider background checks on anyone of interest identified in the investigation.
5. Periodically check pertinent sources of information about the missing person for any activity such as phone, bank, internet or credit card activity.
6. Develop a time-line and other visual exhibits.
7. Critique the results of the on-going investigation with appropriate investigative resources.
8. Arrange for periodic media coverage.
9. Consider utilizing rewards and crime-stoppers programs.
10. Update NCIC Missing Person File information, as necessary.
11. Re-contact the National Center for Missing and Exploited Children (NCMEC) for age progression assistance.
12. Maintain contact with the family and/or the reporting party or designee as appropriate.

## **F. RECOVERY/CASE CLOSURE**

### **1. Alive**

- (a)** Verify that the located person is the reported missing person.
- (b)** If appropriate, arrange for a comprehensive physical examination of the victim.
- (c)** Conduct a careful interview of the person, document the results of the interview, and involve all appropriate agencies.
- (d)** Notify the family/reporting party that the missing person has been located. (In adult cases, if the located adult permits the disclosure of their whereabouts and contact information, the family/reporting party may be informed of this information.
- (e)** Dependent on the circumstances of the disappearance, consider the need for reunification assistance, intervention, counseling or other services for either the missing person or family/reporting party.
- (f)** Cancel alerts (Minnesota Crime Alert, AMBER Alert, etc), remove case from NCIC (as required by MN STAT 299C.53. subd 2) and other information systems and remove posters and other publications from circulation.
- (g)** Perform constructive post-case critique. Re-assess the procedures used and update the department's policy and procedures as appropriate.

### **2. Deceased**

- (a)** Secure the crime scene.
- (b)** Contact coroner, medical examiner or forensic anthropologist to arrange for body recovery and examination.
- (c)** Collect and preserve any evidence at the scene.
- (d)** Depending upon the circumstances, consider the need for intervention, counseling or other services for the family/reporting party or designee.
- (e)** Cancel alerts and remove case from NCIC and other information systems, remove posters and other publications from circulation.
- (f)** Perform constructive post-case critique. Re-assess the procedures used and update the department's policy and procedures as appropriate.

## **IV. REFERENCES AND REVISIONS**

### **A. REFERENCES**

- 1.** Duluth Police Department Policy 317
- 2.** Post Model Policy

### **B. REVISIONS**

- 1.** 04/19/2016 – Initial Policy
- 2.** 03/10/2025– ERPSB Approval Date