

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 7

March 9, 2021

**SUBJECT: MISSING/FOUND PERSONS – REVISED**

**PURPOSE:** On September 28, 2020, the California State Senate approved Senate Bill (SB) 388, which became effective on January 1, 2021. This Bill mandates that if a missing person has not been found within 30 days and is also determined to be at-risk pursuant to California Penal Code (PC) Section 14215(b), and if the missing person's dental and/or skeletal x-rays and treatment notes have not otherwise been obtained by investigators, the lead investigating agency shall execute a written declaration stating that an active investigation into the missing person's location is being conducted and that the dental or x-rays, or both, and treatment notes, are necessary for the exclusive purpose of furthering the investigation. The declaration shall be taken to the dentist, physician, surgeon or medical facility in order to obtain the release of the dental or skeletal x-rays or both, and treatment notes, to secure those records. Applicable records shall be submitted to the Attorney General's Office to be entered into the Violent Crime Information Center's database. The Attorney General's Office will forward the information to the National Crime Information Center pursuant to 14212(f) PC.

Although the Department's current procedures meet the requirement of SB 388, this Order serves to clarify these procedures in the Department Manual.

**PROCEDURE:** Department Manual Section 4/712.10, *Missing/Found Persons*, has been revised. Attached is the revised Manual Section with the revisions indicated in italics.

**AMENDMENTS:** This Order amends Section 4/712.10 of the Department Manual.

**AUDIT RESPONSIBILITY:** The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.

  
MICHEL R. MOORE  
Chief of Police

Attachment

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**712.10 MISSING/FOUND PERSONS.**

**Employee's Responsibilities.** When any person, resident or non-resident of Los Angeles, is reported missing, the employee conducting the preliminary investigation shall:

- Request advice from the Missing Persons Detail, Detective Support and Vice Division; *and*,
- Complete a Missing/Found Persons Investigation, Form 03.16.00, without delay.

**Note:** Parental abductions shall be accepted as missing persons cases.

**Note:** The California Penal Code requires law enforcement agencies to take missing persons reports (Form 03.16.00) telephonically. However, this should not be done routinely. The reporting person should be requested to make the report at the nearest law enforcement facility unless the reporting person is unable, (i.e., disabled).

**Exception:** With the approval of the Area Juvenile Coordinator, a missing persons report may be taken telephonically when it involves a chronic juvenile runaway or extenuating circumstances are present which would create a severe hardship for the parent or guardian attempting to complete the report. When the Area Juvenile Coordinator is unavailable, approval for completion of the telephonic report shall be obtained from the concerned Juvenile Coordinator's immediate supervisor. When neither the Area Juvenile Coordinator nor the immediate supervisor is available, approval to complete the telephonic report shall be obtained from the concerned Area patrol division watch commander.

The Missing/Found Person Telephone Report, Form 03.16.02, shall only be used by investigative personnel as an interim report while the Missing/Found Persons Investigation, Form 03.16.00, is being processed.

**Resident of Los Angeles.** If the missing person (juvenile or adult) is a City of Los Angeles resident and was last seen outside the City, the employee completing the Missing/Found Persons Investigation, Form 03.16.00, shall immediately notify the outside agency having jurisdiction of the location where the person was last seen and record the name of the person and agency notified in the narrative portion of the report.

Notwithstanding other provisions the employee entering any missing person information into *National Crime Information Center* (NCIC) shall record the NCIC nine digit entry verification number in the "NCIC #" box on the Form 03.16.00.

**Non-Resident of Los Angeles.** When any non-resident of the City of Los Angeles is reported missing, the employee conducting the preliminary investigation shall complete a Missing/Found Persons Investigation, Form 03.16.00, without delay and immediately notify and forward a copy of the report to the outside agency having jurisdiction over the person's residence address and, if applicable, the jurisdiction where the missing person was last seen.

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The employee shall record the name of each person and agency notified in the narrative portion of the report.

**NCIC Information Entry.**

**Officer's Responsibilities.** To ensure that missing person report information is entered into NCIC within a timely manner, officers shall obtain a Division of Records (DR) number within two hours of determining that a Missing/Found Persons Investigation Report, Form 03.16.00, will be completed for any missing person (e.g., juvenile or adult).

**Note:** The information is entered into NCIC by Area records personnel when the DR number is obtained.

If unable to return to the Area station within two hours, officers shall contact the Records Unit of the Area of occurrence and obtain the DR number by telephone. If the Records Unit of the Area of occurrence is not available, officers shall obtain a DR number from a Records Unit of an Area within the geographic bureau. If the DR number is obtained by telephone, officers shall document the DR number, the File Control Number, and the NCIC number (all of which will be provided by Area records personnel) on the Missing/Found Persons Investigation Report.

Upon returning to the Area station, officers shall obtain and attach the NCIC printout to the Missing/Found Persons Investigation Report. The completed report, along with the NCIC printout, shall then be submitted to the Area watch commander for approval.

**Geographic Area Records Personnel Responsibilities.** When obtaining a DR number for a Missing/Found Persons Investigation Report, Area records personnel should note the age of the missing person. Information regarding any missing person under the age of 21 shall be entered as a juvenile, solely for the purpose of the entry of information into NCIC. An "A" (adult) shall only be entered in the "REPORT TYPE" field for missing persons age 21 or older.

**Note:** The investigative procedures and responsibilities for missing persons investigations have not changed. Although the information for any missing person between the ages of 18 and 20 is entered into NCIC as a juvenile, the missing person investigation shall continue to be the responsibility of the Missing Persons Unit (MPU), Detective Support and Vice Division (DSVD), which is responsible for investigating all missing adults. Missing juvenile cases shall not be closed and reentered into the Missing and Unidentified Persons System/NCIC or the Detective Case Tracking System as an adult missing due to the missing juvenile reaching 18 years of age, and shall no longer be transferred to the MPU, DSVD. The concerned Area detectives shall retain investigative responsibility for all missing juvenile cases, even after the missing juvenile reaches 18 years of age. The case shall not be closed or cancelled until the missing juvenile/person has been found.

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**Child Abduction and/or Missing Child-Investigating.** As a reminder, it is Department policy to accept all missing and child abduction reports. The California Penal Code (PC) Sections dealing with child abductions are listed as follows:

- Legal Definitions, 277 PC;
- Abduction Without Right of Custody, 278 PC;
- Abduction by One Parent Against the Other Parent, 278.5 PC;
- Prevention of Unlawful Flight and Return of an Abducted Child, 279.6 PC; and,
- Jurisdictional Issues, 279 PC/784.5 PC.

The procedures for using the Emergency School Notification Missing or Abducted Child Alert Form, are specifically described in CEC 49068.6(a) which reads:

"Any law enforcement agency responsible for the investigation of a missing child shall inform the school district, other local educational agency, or private school, in which the child is enrolled, that the child is missing. The notice shall be in writing, shall include a photograph of the child if a photograph is available, and shall be given within 10 days of the child's disappearance."

The school is further required to place the notification form in front of each child's school attendance record when reported missing.

**Officer's Responsibilities.** Officers investigating a child abduction and/or missing child investigation shall:

- Ensure that the missing juvenile investigation is not separated from the child abduction investigation. The Major Assault Crimes investigator shall maintain control of the entire child abduction and missing child investigation;
- Notify the school within ten days of the child's disappearance by completing the Emergency Notification Missing or Abducted Child Alert Form, and when available, attach a current photograph of the child. When time allows, the notification should be made in person when school personnel can be properly instructed on the notification process. When the child is located, the investigating officer shall notify the child's school and cause the immediate removal of the Emergency Notification Missing or Abducted Child Alert Form from the school attendance record;

**Note:** Pursuant to CEC 49068.6(a), the school is required to notify the reporting law enforcement agency when they receive a record inquiry or request from any person or entity for the missing child.

- Contact the reporting party to determine if further investigation is warranted;
- Ensure that the missing person information is removed from NCIC when a disposition is made on the missing child investigation;

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- In cases where the Department of Justice (DOJ) has been notified of the missing child investigation and a disposition is made, DOJ shall be advised of the disposition within 24 hours; and,
- The Emergency School Notification Missing or Abducted Child Alert Form, shall be maintained in the Detective Case Package.

**Juvenile or 'At Risk' Missing Person.** When the missing person is a juvenile under 16 years of age or any person, regardless of age, who is considered "At Risk," the employee receiving the report shall:

- Cause a police unit to be dispatched;
- Cause a Citywide crime broadcast to be made;
- Complete a Missing/Found Person Investigation, Form 03.16.00, without delay;
- Secure recent photo of missing person;
- Obtain a DR number from the Area Records Unit; and,
- Request a supervisor.

**Note:** "At Risk" includes but is not limited to a missing person regardless of age that is the victim of foul play or a crime; is in need of medical attention; has not demonstrated a pattern of running away; is the victim of parental abduction; or is mentally impaired.

The employee conducting the preliminary investigation shall be responsible for the disposition of the call unless specifically relieved by his/her watch commander.

**Supervisor's Responsibilities.** Supervisors assigned to a Missing Juvenile incident shall consider the following:

**Immediate Search.** Supervisors shall ensure an immediate search of the premises and surrounding neighborhood is made when a missing juvenile is under the age of 12 years or when other circumstances indicate the necessity of a search. Supervisors shall determine the necessity of a search when a juvenile is at least 12 years old, but under the age of 16.

**Large Scale Search.** When circumstances indicate the need for an immediate, large scale, organized search for a missing juvenile, the supervisor shall ensure the watch commander of the responsible Area is notified.

**Detailed Log.** Supervisors shall ensure a detailed log of police activities be maintained by the field unit assigned the call whenever the juvenile is under the age of 16 years, or when other circumstances indicate the necessity for its completion.

**Watch Commander's Responsibilities.** The watch commander, Area of occurrence, shall decide how often missing juvenile broadcasts shall be made over police radios and shall cause Communications Division to be notified.

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When notified by a supervisor of the need for a large-scale search, the watch commander shall notify the:

- Area Commanding Officer;
- Watch supervisor, Department Command Post, Department Operations Center (DOC); and,
- Concerned geographic investigative division.

The watch commander, Area of occurrence, shall ensure that the reported information is transmitted by Area records personnel to the NCIC Missing Person System and the DOJ within two hours of determining that a Missing/Found Persons Investigation Report will be completed and that the information for missing persons under the age of 21 is entered as a juvenile.

The Specialized Report Distribution Unit, Records and Identification Division, shall, following the acceptance of the report, transmit the report information to NCIC on persons under 21 years of age and persons "At Risk" when Area computer facilities are not in operation.

**Investigating Officer's Responsibilities.** Officers conducting a missing person investigation shall:

- Upon receipt of a Missing/Found Persons Investigation, Form 03.16.00, contact the reporting party to determine if further investigation is warranted;
- Contact the involved outside agencies, if any, to determine investigative responsibility; and,
- Ensure that the missing person information is removed from NCIC when a disposition is made on the missing person investigation, and in those cases where DOJ has been notified, advise DOJ of the disposition within 24 hours.

**Dental/Skeletal Records.** When an officer assigned a missing *person* investigation determines that the *person* is missing under suspicious circumstances, or when *the person* is missing at least 14 days, the officer shall:

- *Provide the family member or reporting person with the Authorization to Release Dental/Skeletal X-Rays/Treatment Notes/Photograph, California DOJ Form BCIA 4048 (DOJ Release Form, located in E-forms on the Department's Local Area Network) to complete, and instruct the concerned family member to obtain the dental/skeletal records, treatment notes and a recent photograph of the missing person and return them immediately to the officer; and,*
- *Upon receipt of the dental/skeletal records and treatment notes, confer with the coroner.*

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*Note: If the family member or reporting person refuses or is otherwise unable to complete the DOJ Release Form and/or obtain the dental/skeletal records and treatment notes within 30 days from the time the person is missing, the investigating officer shall complete the form and obtain the dental/skeletal x-rays and treatment notes.*

**Forwarding of Dental/Skeletal Records.** When the missing person's dental/skeletal *x-rays, treatment notes* and photograph have been obtained, the investigating officer shall so indicate on the Missing/Found Persons Investigation, Form 03.16.00, and forward a copy of the Form 03.16.00 and the original of the dental/skeletal *x-rays, treatment notes* and the photograph within 24 hours to:

Department of Justice  
Bureau of Criminal Statistics and Special Services  
Missing/Unidentified Persons System  
Post Office Box 903417  
Sacramento, CA 94203-4170

The concerned officer shall also maintain the *DOJ Release Form* in the detective's case package.

**Detective Support and Vice Division's Responsibility.** Detective Support and Vice Division shall be responsible for completing the appropriate notifications when advised by an outside agency that a resident of the City of Los Angeles has been reported missing.