



STATE OF NEW HAMPSHIRE
DEPARTMENT OF SAFETY
DIVISION OF STATE POLICE
PROFESSIONAL STANDARDS OF CONDUCT



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CHAPTER 41-M
MISSING PERSONS

41-M.1.0 Discussion:

Reports of missing persons require careful analysis from the moment they are reported. Missing persons incidents have the potential to turn into major criminal cases involving foul play and/or fraud requiring quick and effective action or they may merely be the result of an emancipated adult's desire to escape a sour relationship, in which case the investigating Division member needs to be aware of privacy considerations. Initial processing by Dispatchers and the first contact of investigators is therefore important to ensure that the correct response is made.

Guiding our efforts are requirements of both New Hampshire Revised Statutes Annotated and National Criminal Information Center (NCIC) regulations. Assisting our efforts are the State Police Missing Persons Unit, State Police Forensic Laboratory, NCIC active entries, along with a host of Federal, other state and private agencies dealing with missing persons.

41-M.1.1 Receiving Missing Persons Reports

- A. Upon receiving a missing person or lost child report, either via telephone or in person, the dispatcher shall:
1. Determine the urgency of the report.
 2. Obtain information necessary for a sworn Division member to contact the reporting party.
 3. Dispatch a Division member to contact the reporting party in a timely manner.
- B. There are times when the urgency of the situation, ie. safety of the missing person or the need to prevent a crime, may require that the Dispatcher gather enough information to make an emergency broadcast of an "Attempt to Locate".

1. In such cases, the Dispatcher shall utilize the checklist contained elsewhere in this directive to gather information about the missing person.
 2. The Dispatcher shall confer with a supervisor prior to making any such broadcast.
- C. Dispatchers shall log missing person reports in the Daily Journal to preserve the following information:
1. Date and time of call.
 2. Name, address and telephone number of person making report.
 3. Name, address and date of birth of missing person.
- D. In cases where people are reported as being lost in the woods or on lakes, the New Hampshire Fish & Game Department shall be notified immediately.

41-M.2.1 Investigation of Missing Persons

- A. The Division member assigned should interview the person who initiated the original missing person report. This will allow the Division member to verify that information already obtained and to provide the reporting person the opportunity to relate any further facts that may be of help in determining the whereabouts of the missing person.
1. Obtain the following information on the missing person or lost child;
 - a. Personal information:
 - 1) The last, first and middle name.
 - 2) The date of birth.
 - 3) Age.
 - 4) Present address.
 - b. Personal description:
 - 1) Sex.
 - 2) Race.
 - 3) Weight.
 - 4) Height.
 - 5) Hair color.

- 6) Eye color.
 - 7) Complexion.
 - 8) Build.
 - 9) Hair style & length, mustache or beard.
- c. Whether or not the missing person or lost child was wearing glasses.
- d. Description of clothing, as applicable:
- 1) Dress or suit style & color.
 - 2) Hat style & color.
 - 3) Coat or jacket style & color.
 - 4) Shirt or blouse style & color.
 - 5) Pants or slacks style & color.
 - 6) Shoe style & color.
 - 7) Sweater style & color.
- e. Inquire if the missing person or lost child has ever been fingerprinted for any purpose, and the availability of such inked fingerprint impressions should they be needed as part of the follow up investigation.
- f. Identify medical history and or problems.
- g. The extent of any search already performed by the caller or other parties.
- h. Whether the person has been reported missing on previous occasions.
- i. Time and place at which the missing person was last seen.
- j. Other information that may be useful in locating the person.
- 1) Particular habits or personal interests, places frequented, location of out of town relatives or friend, etc.
 - 2) Factors pertinent to why the person left, ie. fights, domestic disputes abuse, etc.

- k. Relationship of the caller and the person reported missing.
 - l. Location from which the missing person or lost child was reported missing or lost from.
 - m. In the case of juveniles, obtain the name and telephone number of the parent or legal guardian.
2. If available, obtain a photograph of the missing person.
- B. Conduct a preliminary investigation in an attempt to locate the individual. In the event that it becomes apparent that the person cannot be located immediately, a more detailed investigation and search will be required.
- C. **Missing Children:** New Hampshire RSA, Chapter 169-E contains the following important rules:
- 1. "Missing Child" means any person under 16 years of age.
 - 2. Law enforcement agencies must take reports of missing children and must take reasonable and appropriate action to locate the missing child.
 - 3. Unless extraordinary circumstances delay it, an NCIC entry must be made within 12 hours of the making of the report.
 - 4. Upon filing of a missing child report, the law enforcement agency involved shall promptly make a reasonable attempt to notify other law enforcement agencies.
 - 5. Upon request, law enforcement agencies in this state shall cooperate with other law enforcement agencies in their investigations of missing child cases.
 - 6. Dental records must be obtained for children missing for more than 30 days. (A similar requirement exists for adults in NH RSA 611)
 - a. Dental records may be obtained sooner if circumstances warrant.
 - 7. Investigators should refer directly to RSA 169-E for further information.
- D. **NCIC Entry**
- 1. Missing person records may be entered into NCIC if they fall into one of the following categories:
 - a. Disability A person of any age who is missing and under proven physical/mental disability or is senile, thereby subjecting himself/herself or others to personal and immediate danger.

- b. Endangered A person of any age who is missing under circumstances indicating that his/her physical safety may be in danger.
 - c. Involuntary A person of any age who is missing under circumstances indicating that the disappearance may not have been voluntary, i.e., abduction or kidnapping.
 - d. Catastrophe Victim A person of any age who is missing after a catastrophe.
 - e. Juvenile A person who is missing and declared unemancipated as defined by the laws of his/her state of residence and does not meet any of the entry criteria set forth above.
 - 1) Note that a person is considered unemancipated in New Hampshire until they reach their 18th birthday, even though RSA 169-E considers a missing child to be one under 16 years of age.
2. A record for a missing person who is declared emancipated (age 18 or older in New Hampshire) may be entered in the Missing Person File of NCIC provided that the entering agency has signed documentation in its possession supporting the stated conditions under which the person is declared missing.
 - a. This written documentation will aid in the protection of the individuals right to privacy.
 - b. The documentation must be from a source other than the investigating police agency, such as parent, legal guardian, next of kin, physician, or other authoritative source including friend or neighbor in unusual circumstances.
 3. A record for a missing person who is declared unemancipated (under age 18 in New Hampshire) should be immediately entered into NCIC using one of the above noted appropriate categories.
 - a. The investigator's written report concerning the missing person investigation is sufficient documentation for entering a juvenile into the NCIC Missing Person File.
 4. Initial NCIC entry information for missing persons is included on DSSP 88.
 - a. A completed DSSP 88 shall be submitted with the investigator's report.
 5. Further, more detailed information for NCIC entry shall be gathered using the NCIC Missing Person File Data Collection Entry Guide.

- a. This guide is used to collect information concerning personal descriptors, jewelry description and medical/optical/dental information.
 - b. Investigators should contact the NHSP Missing Persons Unit or Division members with special missing persons training to assist with use of the guide.
6. Information entered into NCIC must be accurate, since part of the system is an automatic comparison with information concerning other NCIC entries on Unidentified Dead Persons or other unidentified persons such as amnesia victims.
 - a. Matching records or a notice of no matches will be automatically sent to entering agencies.

E. State Broadcast

If the missing person is not located after initial and appropriate actions have been taken to do so, the Dispatcher shall be instructed to initiate a "State Broadcast" on all circuits.

F. Use of Fingerprint Identification

1. Based upon the availability of inked fingerprint impressions previously taken and the legibility and clarity of the inked impressions, the Division member may request the Commander of the Investigative Services Bureau to submit the inked impressions to the Federal Bureau of Investigation under the provisions of the missing children's act of 1982.
 - a. The FBI will accept fingerprint cards relating to missing persons provided that they have been properly entered into NCIC.
 - b. The Commander of the Investigative Services Bureau shall insure that the appropriate entry has been made into the NCIC Missing Persons File **prior** to the submission of the fingerprint card to the FBI, Identification Division. The fingerprint card shall be clearly marked with the following information.
 - 1) Agency name and originating agency identifier (i.e. New Hampshire State Police, NHNSP0000)
 - 2) Words "Missing Person" followed by the applicable NCIC entry criteria number as set forth previously.
 - 3) NCIC record number received by the State Police in response to its entry into the NCIC Missing Person File.
 - c. Once properly filled out, the card shall be forwarded to the below

address accompanied by a cover letter which sets forth a summary of the incident and a current description of the missing person/child;

Assistant Director
Federal Bureau of Investigation
U.S. Department of Justice
Washington, DC 20535
Attn: Identification Division

G. Missing Person Flyer

1. Whenever a Division member investigates a missing person he may initiate a Missing Person Flyer whenever circumstances dictate. It will be the responsibility of the Division member to complete the flyer as follows:
 - a. The N.H. State Police Missing Person Flyer form will be utilized. (See Appendix A)
 - b. The information on the flyer will be completed if available:

Missing From Since
Name Age
Date of Birth Race
Sex Hair

Eyes Build
Height Weight
Complexion Nationality
POB (Place of Birth)
FPC (Fingerprint Classification)

[Note: Fingerprint Classification and NCIC Fingerprint Classification can be obtained from the Criminal Records Unit if a criminal record exists.]

Aliases

Scars and Marks

Limits of Return

NCIC (NCIC Number assigned to missing person if applicable; may be obtained from Radio Communications Section if entered in NCIC)

Case (Number to be drawn from the Troop or Unit)

Date

NBR (This number will be assigned by the Operations Bureau. It consists of the year, numerical number and letter designation - W (Wanted) or M (Missing), i.e. 92-001M.

2. Distribution of Missing Person Flyers
 - a. A copy shall be sent to:
 - 1) The NHSP Missing Persons Unit,

- 2) Each troop station,
 - 3) Headquarters Communications and
 - 4) NHSP Operations Bureau.
- b. Other flyers may be distributed as the Division member sees fit.
3. Troop stations will maintain the Wanted and Missing Person Flyers in a loose-leaf binder. When the wanted persons or missing persons have been located, the flyers shall be destroyed and the Commander of the Investigative Services Bureau notified.

H. Use of Dental Records

After 30 days have elapsed from the time any person was last seen (or was reported missing to the State Police), and the person has not been located or accounted for, the Commander of the Investigative Services Bureau shall insure the provisions set forth in NH RSA 611:33 are complied with by obtaining written consent from the next of kin in the case of an adult missing, or from the legal parent or guardian in the case of a missing juvenile, for the missing person's dentist to release any dental records and X-rays to the New Hampshire State Police.

1. Division members shall request the assistance of the NHSP Missing Persons Unit or other members specially trained in Missing Person Investigation to utilize The Unidentified Dead / Missing Persons Dental Record Form (DSSP 126).
2. The missing persons dental record will be submitted to the New Hampshire State Police Forensic Laboratory for retention and comparison with the dental records of unidentified dead.
3. Any information on possible matches between unidentified dead and missing persons dental records will be forwarded by the Forensic Laboratory to the State Medical Examiner and to the investigating agency or Division member who submitted the dental records.
4. If a missing person whose dental information is on file at the Division of State Police is found, the Forensic Laboratory will be notified by the investigating Division member and the dental records will be returned to the Dentist who relinquished them or otherwise disposed of in accordance with RSA 611:35.

I. Use of Media in Missing Persons Cases

Notification of the General Public through any of the news media can be valuable in locating a missing person.

1. A decision to use such facilities shall be made by the Troop or

Division Commander after consultation with the family of the missing person.

J. Division members assigned to a missing person case shall frequently report the status of the case to the person who initiated the report.

41-M.2.1 When Missing Persons are Found

- A. Whenever a missing person is located, Division members shall insure that medical attention is provided, if needed.
- B. Division members locating a missing person shall interview that person to answer the following questions:
 - 1. Was the person was voluntarily missing?
 - 2. If the person is an adult, not under any sort of guardianship and was voluntarily missing, does the person want the reporting party told where they are or have been?
 - a. If the above conditions exist and the missing person does not want the notifying party informed of his whereabouts, then no such notification shall be made.
 - 1) The notifying party shall be told that the person was found and does not want his location revealed.
 - 3. Where has the person been?
 - 4. Who were that person's companions during the period of time he or she was in a missing status?
 - 5. What are the exact circumstances as to why they were missing?
 - 6. What means of transportation, if any, were used during their missing status?
 - 7. Is there any other pertinent information regarding the missing person's activities during this period of time.
- C. It shall be the responsibility of the Division member locating the missing person to file a report detailing the aforementioned information along with the circumstances surrounding the finding of that person.
 - 1. Particular difficulties encountered, for example, reluctance or refusal to return home, should be noted.
- D. In the case of consenting adults, Division members shall notify the party who originally reported the missing person.

E. When Missing Juveniles are Found

When a juvenile missing person is found, the Troop Supervisor shall be notified and he shall arrange for the child to be taken home or for the parents/guardians to pick-up the child. If the distance is great and the parents/guardians are unable to pay for transportation, Greyhound/Trailways/Vermont Transit Bus Corporations may be able to help with their "Operation: Home Free" and "Let's Find Them" programs as described below.

1. Notification to Department of Destination.

- a. The Division member shall contact the local law enforcement agency of the jurisdiction where the juvenile's parent/guardian reside.
- b. The Division member will request that the Department of destination:
 1. Verify the exact location of the parent/guardian.
 2. Make a reasonable determination that the alleged parent/guardian are in fact the parent/guardian of the juvenile in custody.
 3. Make a reasonable determination as to the financial capability of the parent/guardian to provide transportation for the juvenile.
 - a) If parents/guardians are able to pay, but are unwilling to pay, Greyhound/Trailways/Vermont Transit may refuse free transportation
 4. Make a reasonable determination as to the relative stability of the parent/guardian juvenile relationship.
 5. Make certain that a missing person report is on file and that a copy is forwarded to the New Hampshire State Police.
 6. Cancel any NCIC or local missing person report.
 - a) NCIC entries should not be cancelled until the Juvenile is returned to parents or guardians.
 7. Make arrangements for the Department of destination to accompany the parent/guardian to meet the juvenile/runaway at the bus station or other agreed upon pick up point.
 8. Have the parent/guardian sign the parental release form (Appendix B) and forward the original to the agency holding

the juvenile.

2. Programs offered by Greyhound/Trailways/Vermont Transit Bus Corporations.

a. "Operation: Home Free" Free, one-way transportation home will be provided when the following criteria are met:

- 1) The Juvenile is between the ages of 12 and 17 inclusive.
- 2) The Juvenile has voluntarily turned himself into the police, identified him/her self as a runaway and is voluntarily returning home.
- 3) The Juvenile's status as a runaway/missing person has been verified by a police or court agency.
- 4) The request for the free transportation is being made by the police.

b. "Let's Find Them" is a program whereby Greyhound/Trailways/Vermont Transit will provide free round-trip transportation to parents/guardians to go where the runaway/missing juvenile has been found so they can accompany them home. Use of this program would be appropriate for the return of juveniles under 12 years of age or who otherwise should not be allowed to travel alone.

- 1) Requests for this program must be coordinated through the "National Center for Missing and Exploited Children", Tel # 1-800-843-5678.

c. Obtaining Bus Tickets:

- 1) The Division member shall obtain supervisory approval to proceed with obtaining bus transportation for the juvenile runaway.
- 2) The Division member shall complete the ticket purchase form at the Trailways Bus Station. One copy of the form shall be retained by the Division member and submitted with an appropriate report.
- 3) Although not part of Greyhound / Trailways / Vermont Transit corporate policy, it may be possible that local bus depots may make use of a receipt for transferring custody of the juvenile. Follow local company policy in such cases, but make sure that a copy of this receipt with original signatures is obtained and submitted with reports.

3. Notification from Department of Destination
 - a. Upon arrival of the juvenile/runaway at the final destination, the Department of destination should notify the New Hampshire State Police of the time of arrival and condition of the juvenile.
- F. In the case of juveniles who are persistent runaways, in cases where juveniles do not want to voluntarily return home or in cases where parents/legal guardians refuse to pick up or arrange transportation, the investigator should be aware they may be dealing with a case of a Neglected Child or a Child in Need of Services (CHINS) and should proceed accordingly.
- G. Division members locating a missing person shall immediately notify the dispatcher on duty who shall:
 1. Make an entry in the Daily Journal to record the following information:
 2. Date and time of discovery of the missing person.
 3. Missing person's name and date of birth.
 4. Location missing person found at.
 5. Disposition of local person, i.e. taken into custody or released, brought to treatment facility or returned home, etc.
 6. Status of notification to NCIC entering agency or reporting individual, if a NHSP case.
 2. Remove the Missing Persons' Flyer on file.
 3. Making the appropriate NCIC cancelation.
- H. The original NHSP investigator shall be notified and shall ensure all locations he/she sent Missing Persons' Flyers to are notified to destroy same.

**CHAPTER 41-M
MISSING PERSONS**

APPENDIX A

Missing Person Flyer

NEW HAMPSHIRE STATE POLICE
MISSING PERSON

Missing from _____ Since _____

NAME _____

AGE _____ DOB _____

RACE _____ SEX _____

HAIR _____ EYES _____

HEIGHT _____ WEIGHT _____

BUILD _____ COMPLEXION _____

NATIONALITY _____

POB _____

FPC _____

NCICFPC _____

ALIASES _____

SCARS AND MARKS _____

LIMITS OF RETURN _____

NCIC _____

COLONEL GARY R. SLOPER
DIRECTOR
TEL. (603) 271-3636

CASE _____
DATE _____
NBR _____

**CHAPTER 41-M
MISSING PERSONS**

APPENDIX B

**NEW HAMPSHIRE STATE POLICE
PARENTAL RELEASE FORM**

**NEW HAMPSHIRE STATE POLICE
PARENTAL RELEASE FORM**

Case Number: _____

I certify that I am the parent / legal guardian of _____ . I have been
(NAME OF CHILD)

informed that _____ has been located in _____ .
(NAME OF CHILD) (CITY/TOWN/STATE)

I desire that _____ be provide a free ticket home on _____ .
(NAME OF CHILD) (BUS COMPANY)

I agree to meet the bus as it arrives. I under stand that _____ will be travelling
(NAME OF CHILD)

voluntarily, alone and without supervision on _____ . I agree that neither
(BUS COMPANY)

_____ nor the _____ are acting as guardians of
(AGENCY AT ORIGIN) (DESTINATION AGENCY)

_____. I further agree that neither agency is liable for the protection, safety,

well being or arrival of _____ while travelling home on _____ .

NAME / PARENT GUARDIAN

ADDRESS

SIGNATURE PARENT / GUARDIAN

DATE

NAME REQUESTING OFFICER

TITLE, RANK & AGENCY

SIGNATURE OF OFFICER

DATE