



Policy Number: 312 – Missing Persons
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Approved By: Denis Otterness, Chief of Police

312.1 PURPOSE AND SCOPE

This purpose of this policy is to provide guidance for members of the Montana State University Billings Police Department's response to reported missing persons.

312.1.1 DEFINITIONS

Definitions related to this policy include:

At risk - Includes persons who:

- a. Are 13 years of age or younger.
- b. Regardless of age, are believed or determined to be experiencing one or more of the following circumstances:
 1. Out of the zone of safety for his/her chronological age and developmental stage
 2. Mentally or behaviorally disabled
 3. Drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening
 4. Absent from home for more than 24 hours before being reported to law enforcement as missing
 5. In a life-threatening situation
 6. In the company of others who could endanger his/her welfare
 7. Absent in a way that is inconsistent with established patterns of behavior and cannot be readily explained. Most children have an established and reasonably predictable routine
 8. Involved in a situation that would cause a reasonable person to conclude the person should be considered at risk

Missing person - Any person who is reported missing to law enforcement when that person's location is unknown. This includes missing children who are under 21 years of age (§ 44-2-502, MCA).

Missing person networks - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC) and the Montana Missing Persons Clearinghouse (MMPC).

312.2 POLICY

The Montana State University Billings Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. Priority shall be given to missing person cases.

312.3 ACCEPTANCE OF REPORTS

Any officer encountering an individual who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction.

University students, faculty, and staff can report missing person(s) to the University Police, the Dean of Student Engagement, or the Associate Dean of Student Engagement. All university officials should immediately report suspected missing person(s) to the University Police Department.

312.3.1 Reporting Requirements

Consistent with Montana Code Annotated (MCA) 44-2-408, this Department will ensure the following as it relates to all reports of Missing Persons:

- a. All law enforcement authorities in the State shall accept, without delay, a report of a missing person unless there are extenuating circumstances, including:
 1. The law enforcement authority knows the location of the person reported missing;
 2. The law enforcement authority confirms the safe status of the person reported missing;
 3. The law enforcement authority confirms that another law enforcement authority has or will accept a missing person report for the person; or
 4. Other circumstances documented by the law enforcement authority.
- b. All missing person reports must be entered into the database of the National Crime Information Center (NCIC) of the United States Department of Justice within:
 1. 2 hours of receipt for persons under 21 years of age; or
 2. 8 hours of receipt for persons 21 years of age or older.
- c. Entry into NCIC should be coordinated through Billings Police Department Support Services staff.
- d. If a missing person is not located within 30 days of being reported missing, the law enforcement authority that took the report shall ensure a complete and

accurate record of information is compiled for the missing person, including a photograph if one is available.

312.4 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.
- 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 at risk.
- c. If it is determined the person is a missing person, notify the Police Chief or Assistant Chief of Police.
- d. If the missing person is determined to be a student, officers should obtain assistance from the Dean of Student Engagement, the Associate Dean of Student Engagement, or the Registrar's Office to obtain contact and emergency contact information.
- e. If the missing student is determined to be a University resident the investigating officer should ensure contact is made with the missing student's confidential contact. Confidential contact information is provided by students when they complete a University housing application. Confidential contact information provided by students will **only** be accessible to authorized University officials and will not be disclosed, except to law enforcement officers in furtherance of an official investigation.
- f. If it is determined that the missing student is under 18 years of age and not emancipated, the University Police Department, or their appointed designee, must notify a custodial parent/guardian in addition to the student's confidential contact. Consistent with policy section 312.3.1, if the missing person report (student) is confirmed, the University Police Department will attempt to notify a parent, legal guardian, or any other designated contact within 2 hours if the missing student is under 21 years of age and with 8 hours if the missing student is over 21 years of age.
- g. Ensure that entries are made into the appropriate missing person networks (i.e. NCIC), as outlined below, through coordination with the Billings Police Department.
- h. Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
- i. When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.
- j. 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 at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.
- k. Continue with the investigation and associated database entries even when custodial interference is suspected as the reason for a child being missing (§ 45-5-304, MCA; § 44-2-504, MCA).
- l. Contact the Billings Police Department shift commander for investigative assistance, when appropriate.

312.5 REPORT PROCEDURES AND ROUTING

Officers should complete all missing person reports and forms promptly and advise a supervisor, when applicable, as soon as a missing person report is completed.

312.6 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, officers shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies, and refer the case for additional investigation if warranted.

Officers should ensure that, upon receipt of information that a missing person has been located, the following occurs:

- a. Notification is made to the Montana Department of Justice (§ 44-2-401, MCA).
- b. University officials are contacted, when applicable.
- c. The missing child's school is notified, when applicable.
- d. The Billings Police Department, when applicable, and City/County Dispatch are made aware to ensure appropriate entries are made/removed in the corresponding missing persons networks (e.g. NCIC, MMPC).
- e. Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.