

OFFICE OF CHIEF OF POLICE  
OAKLAND POLICE DEPARTMENT

MEMORANDUM

TO: All Personnel

DATE: 15 Dec 09

SUBJECT: Update of Departmental General Order O-6,  
MISSING AND ABDUCTED PERSONS (Rev. 8 Jan 99)

---

The subject order has been revised to update Departmental policy and procedures regarding missing person incidents and to set forth search procedures.

Special Order 7069, California Child Safety Amber Network (31 Jan 03) remains in effect until incorporated into the new DGO O-6.1, California Child Safety Amber Network.

The evaluation coordinator for this order shall be the Youth and Family Services Division Commander, who, without further notice, shall forward the required report to the Chief of Police on or by 15 Jun 10.

The Evaluation Coordinator shall receive, review and document the acceptance or rejection of all comments and/or recommendations received prior to submitting his/her six-month evaluation report.

The Evaluation Coordinator shall forward a copy of the six-month evaluation report, along with the comments/recommendations received, to the Office of Inspector General to be maintained in the appropriate Departmental General Order archive folder.

Personnel shall acknowledge receipt, review, and understanding of this directive in accordance with the provisions of DGO A-1, DEPARTMENTAL PUBLICATIONS.

By order of



Anthony W. Batts  
Chief of Police

Date Signed: 12/15/09



DEPARTMENTAL  
GENERAL  
ORDER

O-6

Index as:

Missing and Abducted Persons

Effective Date:  
15 Dec 09

Evaluation Coordinator:  
YFSD Commander

Evaluation Due Date:  
15 Jun 10

Automatic Revision Cycle:  
3 Years

---

## MISSING AND ABDUCTED PERSONS

The purpose of this order is to establish Departmental policy and procedures regarding missing person incidents and to set forth search procedures.

### I. DEPARTMENTAL POLICY

Penal Code Section 14295(a) states, all local police and sheriffs' departments shall accept any report, including any telephonic report, of a missing person, including runaways, without delay and shall give priority to the handling of these reports over the handling of reports related to crimes involving property. Reporting officers shall complete the missing person/runaway report in accordance with the provisions of Part VI of this order.

**NOTE:** Concerned individuals who are interested in locating uprooted friends or relatives who have lost contact with each other should be referred to employ public and private resources other than OPD.

### II. DEFINITIONS

- A. A missing person is any juvenile or adult who is missing voluntarily or involuntarily under circumstances not conforming to his or her ordinary habits or behavior and who may be in need of assistance. Included in the definition are:
1. Juveniles who are taken away, detained, concealed, enticed away or retained by a parent in violation of Penal Code Sections 277, 278, and 278.5 [PC Section 14213(a)].
  2. Other persons who are abducted or kidnapped by family members, suspects known to them, or strangers.

3. Abducted or kidnapped persons who are subjected to additional crimes, including sexual exploitation.
  4. Runaway juveniles.
  5. Dependent adults, who are defined as persons between the age of 18 and 64 who have physical or mental limitations which restrict their ability to carry out normal activities. Persons between the age of 18 and 64 who have been admitted as inpatients to a 24-hour health facility as defined in Health and Safety Code Sections 1250, 1250.2 and 1250.3 are also defined as dependent adults [PC Section 368(h)].
  6. Lost persons.
  7. Persons missing after catastrophes, such as airplane accidents, fires, floods, etc.
- B. Persons in some of the above categories are regarded as being “at risk” and in need of special attention. PC Section 14213(b) defines those “at risk” to include missing adults or juveniles who are thought to:
1. Be victims of crime or foul play [PC Section 14213(b)(1)].
  2. Be in need of medical attention [PC Section 14213(b)(2)].
  3. Have no pattern of running away or disappearing [PC Section 14213(b)(3)].
  4. Be the victim of parental abduction [PC Section 14213(b)(4)].
  5. Be mentally impaired [PC Section 14213(b)(5)].

### **III. RECEIVING A REPORT OF A MISSING PERSON**

- A. Communications Section Responsibilities
1. Communications Section personnel shall obtain the following from the reporting party:
    - a. The name, address, telephone number and date of birth of the missing person;

- b. The time the reporting party called, the name, address and telephone number of the reporting person; and
    - c. Any pertinent physical descriptors of the missing person.
    - d. Information regarding the potential whereabouts of the missing person.
  - 2. Assign a dispatch priority higher than that which would be assigned to a crime involving property.
- B. When a private person comes to a Police Administration Building or Eastmont Substation to report a missing person, the Patrol Desk Officer shall complete a Missing Person/Runaway Report and, if appropriate, the Authorization to Release Dental/Skeletal X-Rays/Photograph of Missing Juvenile on the back of the form.
- C. In the event an organizational unit receives a telephone call to report a missing person, the telephone call shall be transferred immediately to the Communications Section.

#### IV. REPORTING OFFICER RESPONSIBILITIES

The reporting officer shall:

- A. Determine whether or not the subject meets the definition of a missing person and conduct a preliminary investigation which includes a follow-up on all reasonable leads in an attempt to locate the missing person.

In the event, the report is being received at the PAB or Eastmont Substation, the desk officer shall advise the Communications Section if an officer needs to be dispatched to the scene to complete the preliminary investigation. The dispatched officer is now the reporting officer and a supplemental shall be prepared by the desk officer.

**NOTE:** The desk officer shall request an officer to be dispatched to all cases involving an “at risk” missing person.

- B. Request/obtain a recent photograph of the missing person, if available.

- C. Conduct a reasonable search of the area and known locations for the missing person. If the missing person is **under 16 years of age or “at-risk” and is not located, an extensive search may be necessary (see section V. Extensive Search/ Call-Out Processes)**.
- D. Call the YFSD Intake officer and request that the person be entered on the Missing Person Log.
- E. Advise YFSD of the outcome of the preliminary investigation and give a complete description of the missing person and any vehicles involved within 30 minutes of arriving at the scene.<sup>1</sup>
- F. Ensure the following tasks are completed if the missing person is less than 16 years old or “at risk”:
  - 1. Request that the Communications Section broadcast a “be on the lookout” bulletin (Communications Order - TF-339).
  - 2. Hand carry the report to YFSD.
- G. Advise the reporting party to notify the YFSD Intake Desk (510-238-3641) if the missing person returns or is located.
- H. Advise the Communications Section immediately if the missing person is found or the initial incident information is unfounded or inaccurate.
- I. Complete all required report documentation in accordance with the provisions of Part VI of this order.

## **V. EXTENSIVE SEARCH/ CALL-OUT PROCESSES**

- A. If the missing person is under 16 years of age or “at-risk” and is not located, the reporting officer shall notify and advise his/her supervisor.
  - 1. The supervisor shall evaluate the circumstances and formulate a plan of action, to include additional resources.
  - 2. The supervisor shall determine whether to conduct a more extensive search and deploy the additional resources as needed.

---

<sup>1</sup> The 30 minute reporting requirement is mandated pursuant to 14205 PC and 14206 PC.

3. Refer to General Order O-6.1, *California Child Safety AMBER Network* in applicable child abduction cases.
4. If the missing person is still not located, the supervisor shall evaluate the circumstance and confer with the on-duty Area Lieutenant to determine whether an investigative call-out is necessary.
5. In the event the on-duty Area Lieutenant concurs, he/she shall authorize a call to the YFSD investigative call-out team.
6. **The supervisor shall establish a command post and continue the search efforts as authorized by the on-duty Area Lieutenant.**
  - a. The reporting officer documents the search activity on the appropriate report in chronological order and includes all pertinent data, such as areas searched, equipment used, personnel assigned, and contacts with the public.
  - b. Officers assisting in the search shall complete an Additional Information Report (536-937), documenting starting and ending times, areas searched, and results. Submit completed Additional Information to the reporting officer.
7. The reporting officer shall consolidate all related reports and submit to his/her field supervisor for review.
8. The on-duty Area Lieutenant or Public Information Officer shall ensure that information requests from the press and public are handled.
9. The field supervisor shall review and ensure a copy of all report documentation is forwarded to the on-duty Area Lieutenant.
10. The on-duty Area Lieutenant shall forward a copy of the report documentation to the Bureau of Field Operations Deputy Chief within 48 hours.

## **VI. REPORT DOCUMENTATION**

### **A. Missing Person/Runaway Report (TF-974)**

The reporting officer shall complete a Missing Person/Runaway Report as a paper report (and not electronically in field base reporting) and the Authorization to Release Dental/Skeletal X-Rays/Photograph of Missing Juvenile or Adult (on the back) in accordance with the provisions of Report Writing Manual Insert G-1 under the following circumstances:

1. Whenever an Oakland or non-Oakland resident was last seen in Oakland, and there is no indication that he or she is the victim of a crime.
2. Whenever an Oakland resident was last seen or heard from outside Oakland and does not appear to be the victim of a crime.
3. Whenever a non-Oakland resident was not last seen or heard from in Oakland, but the reporting party contacts the Oakland Police Department.

### **B. Crime Report (536-933), Suspect Report (536-934) and Additional Information Report (536-937)**

1. A Crime Report shall be completed whenever an Oakland or non-Oakland resident missing person may be the victim of Kidnapping (207 PC), Child Abduction (278 PC) or similar crimes in Oakland.
2. Suspect Reports and Additional Information Reports shall be completed, if required.

### **C. Outside Agency Report (TF-757)**

An Outside Agency Report shall be completed whenever a resident or nonresident missing person may be the victim of a crime outside Oakland.

## **VII. YOUTH AND FAMILY SERVICES DIVISION**

### **A. Intake Desk Officer shall:**

1. Maintain a Missing Persons Log of all persons reported missing and the disposition of each incident.

2. Notify the Department of Justice (DOJ) through the National Crime Information Center (NCIC) computer system within four (4) hours [14205(b) PC].
  3. In the event a missing person is under the age of 16 and “at risk,” the YFSD Intake Officer shall notify the appropriate outside agency(ies) that persons residing in **and** last seen in their jurisdictions have been reported to this Department as missing. Fax the report to the outside agency [14205(c) PC].
  4. Check with the Coroners Office for missing persons less than 16 years of age within 24 hours [14206(a)(2) PC].
  5. Fax the Authorization to Release Dental/Skeletal X-Rays/Photograph of Missing Juvenile to DOJ for missing persons less than 16 years of age within 24 hrs [14206(a)(2) PC].
  6. If the missing person is a runaway and has two (2) previously reported runaway incidents within the current school year, the Intake Officer shall complete a High Risk Victim Referral form (YFSD Form-04) and submit to YFSD-SVU.
- B. The assigned YFSD investigating officer shall follow up on all additional leads in an attempt to locate the missing person to include, but not limited to the following:
1. Prepare a Critical Reach (TRAK) flier and send to appropriate outside agency.
  2. Ensure a copy of the Critical Reach flier is placed in the MDT Critical Reach folder.
  3. Provide a copy of the Critical Reach flier to the Oakland Unified School District (OUSD) for missing juveniles within 10 days during the school year (Education Code 49068.6).
  4. Submit an Authorization to Release Dental/Skeletal X-Rays/Photograph of Missing Juvenile for “at risk” adults and missing persons less than 18 who are not “at risk” to DOJ within 14 days and missing persons over 16 years of age who are not “at risk” within 45 days [14206(a)(2) and 14206(b) PC].



5. Provide the DOJ and outside agencies with copies of Departmental reports, as required.
6. Check with the Coroner’s Office, within 14 days, for missing persons less than 16 years of age and those deemed “at risk” and within 45 days for missing persons older than 16 years of age not “at risk” [14206(b) PC].
7. Advise missing person’s next of kin they may provide a DNA sample within 30 days [14250(c)(2) PC].
8. Advise DOJ via NCIC when missing persons are found (removal from MUPS). DOJ notification shall be made within 24 hours for a missing person less than 12 years of age or “at risk” when found [14207(a) and 14207(b) PC].
9. Remove the Critical Reach flier from the MDT Critical Reach folder when missing person is found.
10. If the missing person is a runaway and has two (2) previous runaway incidents within the current school year, the Intake Officer shall complete a High Risk Referral form and submit to YFSD-SVU.

C. The chart below facilitates missing persons investigators to determine the appropriate law enforcement agency responsible for conducting the follow-up investigation.

<b>Residential Status</b>	<b>Responsible Agency</b>
Missing person resides in Oakland, was last seen in Oakland, and reported to Oakland	Oakland
Missing person resides in Oakland, was last seen outside Oakland, and reported to Oakland	Oakland
Missing person resides in Oakland, was last seen outside Oakland, but reported to agency outside Oakland	Oakland
Missing person does not reside in Oakland, was last seen in Oakland, and reported to Oakland	Jurisdiction where missing person resides
Missing person does not reside in Oakland, was not seen in Oakland, but was reported to Oakland	Jurisdiction where missing person resides

**VIII. OTHER INVESTIGATING UNITS**

- A. Organizational units assigned to investigate crimes in which victims are abducted or kidnapped shall provide YFSD with information required to complete their responsibilities in Part III, A, 1, a-d.
- B. Investigating units shall comply with deadlines in Part XII for abduction and kidnap cases assigned to them.

**IX. RECORDS DIVISION**

- A. Reports involving kidnappings and abductions (except child abductions 278 PC) shall be detailed to the Criminal Investigation Division (CID).
- B. All other reports shall be detailed to YFSD, including:
  - 1. Reports of child abductions (278 PC).
  - 2. Missing Persons/Runaway Reports.
  - 3. Outside Agency Reports involving missing persons.
- C. Copies of all kidnapping and abduction reports detailed to CID shall be forwarded to YFSD.

**X. SUMMARY OF DEPARTMENTAL RESPONSIBILITIES UNDER PENAL CODE SECTION 14200 et. Seq.**

Persons At Risk	Persons Under 16	Other MP's	Departmental Responsibilities/Tasks	Responsible Unit
X	X	X	Immediately accept and record information, including telephone information	Communications Section or Patrol Desk Officer
X	X	X	Assign dispatch priority higher than priority for property crimes.	Communications Section
X	X	X	Notify YFSD Intake Officer for inclusion on the Missing person log	Reporting officer
X	X		Immediately broadcast a "be on the lookout bulletin."	Communications Section, as requested by responding or desk officer

Persons At Risk	Persons Under 16	Other MP's	Departmental Responsibilities/Tasks	Responsible Unit
X	X		Notify the DOJ via NCIC electronically within four (4) hrs.	YFSD: Upon receiving telephone information from responding or desk officer.
X	X		Within 24 hrs., notify agencies with jurisdictions over MP's residence and place last seen, if different from OPD, and forward copies of written reports to the agencies.	YFSD: Notification/ Investigating Unit and send copies of report.
		X	As soon as possible, same as step 5.	Same as above
X			For juveniles at risk, obtain dental / skeletal / X-rays, if any, and photograph, confer with coroner and send X-rays, photo, and report to DOJ within 24 hrs. of conferring with the coroner.  Adults obtain within 14 days	Investigating Unit
	X		If juvenile under 12 has been missing for 14 days, same as step 7.	Same as above.
		X	If MP is missing for 30 days, obtain dental/skeletal X-rays, if any. If still missing after 45 days. confer with coroner and send X-rays, photos and report to DOJ.	Investigating Unit
X	X		When MP is found, report to DOJ within 24 hrs.	Investigating Unit
		X	When MP is found, report to DOJ immediately (as close to 24 hrs. as possible).	Investigating Unit

By order of



Anthony W. Batts  
Chief of Police

Date Signed: 12/9/09