

**REPORT OF THE
VIRGINIA STATE CRIME COMMISSION**

**Missing Persons and
Search and Rescue
(SJR 64/HJR 62, 2014)**

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



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I. AUTHORITY

The Code of Virginia, § 30-156, authorizes the Virginia State Crime Commission (“Crime Commission”) to study, report, and make recommendations on all areas of public safety and protection. In so doing, the Crime Commission shall endeavor to ascertain the causes of crime and recommend ways to reduce and prevent it, explore and recommend methods of rehabilitation of convicted criminals, study compensation of persons in law enforcement and related fields and study other related matters including apprehension, trial and punishment of criminal offenders.¹ Section 30-158(3) empowers the Crime Commission to conduct studies and gather information and data in order to accomplish its purpose as set forth in § 30-156 ... and formulate its recommendations to the Governor and the General Assembly.

II. EXECUTIVE SUMMARY

Senate Joint Resolution 64, patroned by Senator Ryan McDougle, and House Joint Resolution 62, patroned by Delegate David Albo, were introduced during the Regular Session of the 2014 General Assembly. Both resolutions, which are identical, focused upon the current state of readiness of Virginia’s law enforcement and search and rescue efforts for rapid and well-coordinated deployment in all missing, endangered, and abducted person cases. The resolution specifically mandated the Crime Commission to:

- (i) Examine cases where a well-coordinated, large-scale, rapid search and rescue effort was not deployed... and each endangered or abducted child/person case that did not result in the rescue or recovery of the missing person;
- (ii) Examine cases in which an endangered or abducted person/child did result in the rescue or recovery of the missing person and how the response of the law enforcement agency with jurisdiction was different;
- (iii) Determine how often the search strategies from the Washington Study have been immediately deployed (within hours of the report) in Virginia on endangered and abducted person cases and why those strategies were not deployed immediately in other cases;
- (iv) Consider the time delays in Virginia for engaging the national media and reasons for those delays; and,
- (v) Consider reasons for lack of support from the National Center for Missing and Exploited Children, including situations in which there have been long delays in deployment of missing child information, activation of amber alerts, and provision of support services for families.

The Crime Commission was also directed to examine what needs to be done in order to get improved, large-scale rapid search and rescue coordination efforts; immediate notification to the Virginia Department of Emergency Management (VDEM) when a person is determined to be endangered or abducted; additional resources and staffing needs for VDEM and law enforcement; cross-training between command staff and VDEM’s Search and Rescue Program; support services for the families of missing persons; and, to implement other recommendations the Crime Commission deems necessary.

In order to address the study mandate, Crime Commission staff examined relevant literature, collected available data from state and federal agencies, completed a 50-state statutory review, disseminated surveys to all Virginia law enforcement agencies, reviewed Virginia law enforcement agencies' general orders/policies pertaining to missing children and adults, and participated in a three-day Land Search and Rescue training hosted by the Virginia State Police (VSP). Additionally, staff met with the families of missing persons and numerous federal, state, and local representatives. The resolutions specifically mentioned the cases of Alicia Showalter Reynolds, Morgan Harrington, and Alexis Murphy; however, other on-going cases, including Hannah Graham, were also examined.

Each missing person case is unique. Individuals go missing for a number of reasons, some even voluntarily. Not all cases of missing persons involve a criminal investigation or an actual search and rescue effort. However, it is important to note that any search and rescue mission is an emergency and time is of the essence. Search and rescue missions are built upon a well-established methodology based on both empirical evidence and years of field experience. While search and rescue missions are distinct from any on-going criminal investigation, search efforts are not random and are based on leads developed from the criminal investigation.

Data pertaining to missing persons is available at both the federal and state levels. Crime Commission staff retrieved national data from the FBI's National Crime Information Center (NCIC) and state data from the VSP. In Virginia, all missing person records are entered into the NCIC, as well as the Virginia Criminal Information Network (VCIN). In 2013, 10,946 missing person records were entered into NCIC/VCIN. The vast majority of records, 84%, were for missing children and the remaining 16% of records were for missing adults. Of the missing children records, 94% were classified as runaways between the ages of 12 to 17, consistent with national trends. The classification for abductions and kidnapping was the smallest category for both children and adults, also consistent with national trends. While many records are entered into NCIC/VCIN each year, many more are also cleared or cancelled within the same time period when a subject is located or returns home. As of October 21, 2014, there were 600 *active* missing person cases in Virginia going back to as early as 1973; 367 children and 228 adults, respectively.

The Code of Virginia is silent on missing persons 21 to 60 years of age, as well as those over the age of 60 who do not meet the definition of a "missing senior adult." A legal analysis revealed that the Code of Virginia does provide some guidance on missing persons by defining a "missing child" and a "missing senior adult" under Virginia Code §§ 52-32 and 52-34.4, respectively. Reports for these missing individuals must be submitted to the VSP's Missing Children Clearinghouse within two hours. There is no waiting period for law enforcement to accept missing child and missing senior adult reports. Crime Commission staff recommended that a mechanism be established for the receipt of "critically missing adult" reports similar to the mechanisms for missing children and senior adults. Staff also recommended that the VDEM's Search and Rescue Program be notified of all critically missing adult and children cases. Immediate notification of these reports that could potentially result in a search and rescue effort is vital for awareness and preparedness.

Virginia has several specialized statewide alert systems for certain missing persons, such as the AMBER Alert (for abducted children under the age of 18 or those enrolled in a secondary school, regardless of age) and the Senior Alert (for seniors over the age of 60 who have specific cognitive impairments). However, there are no such alert systems available for missing persons 18 years of age or older who do not meet the definition of either an "abducted child" or a "missing senior adult."

Based upon existing research, survey results, and numerous discussions with subject matter experts, staff made additional recommendations to include: additional resources/equipment for search and rescue missions, creation of model policies and practices, development of training, education/awareness, and additional resources for the families of missing persons. Overall, it was clear that the issue of missing persons/search and rescue needed to be elevated statewide and within both VDEM and the VSP.

The Search and Rescue Program at VDEM has a dual role of 1) providing specialized search and rescue training, at no cost, to all types of first responders; and, 2) carrying out actual search and rescue operations upon request from local jurisdictions. In 2014, VDEM was requested to assist in over 100 search missions and provided training to more than 600 personnel. The Search and Rescue Program is currently staffed by only two individuals, which makes it extremely difficult to provide needed services in both areas of responsibility. For example, if staff members are requested to assist in a search and rescue mission when a training was scheduled, the training may have to be rescheduled or cancelled. In order for VDEM to provide effective training, resources, and assistance to the field, Crime Commission staff recommended that a Search and Rescue Coordinator position be created at VDEM to oversee all search and rescue missions and training between civilian and state agencies, as well as two regional coordinator positions to provide a regional response to missions and training needs. The Code is silent on the search and rescue of missing persons. A designated point of contact at the state level, by Code, could provide law enforcement with a much needed resource to request assistance when needed. Nothing in this Crime Commission recommendation is to be construed as authorizing VDEM to undertake direct operational responsibilities away from local or state law enforcement in the course of search and rescue or missing person cases. Nor does it preclude VDEM from acting as the Search Mission Coordinator when requested to do so by local or state law enforcement.

Similarly, Crime Commission staff recommended that a full-time Search and Rescue Coordinator position be created at the VSP. It should be noted that the role of this Coordinator is distinct from any of the roles or responsibilities of the proposed VDEM Search and Rescue Coordinator. Currently, search and rescue responsibilities are handled by an Area Commander, in addition to routine patrol assignments and other duties. This creates difficulties when the Area Commander is pulled off the road for search and rescue missions/trainings. A full-time Search and Rescue Coordinator would be able to devote full attention to this issue and oversee the currently existing VSP Search and Recovery Team (over 20 highly trained search and rescue personnel), coordinate the Tactical Field Force for search and rescue response (approximately 300 sworn personnel), supervise VSP search and rescue responses, and maintain all training requirements and requests for training. Crime Commission staff also recommended that available resources be increased at the VSP for search and rescue equipment, as responders are responsible for purchasing most of their equipment out-of-pocket, such as safety gear, GPS units, and backpacks. Additional resources are also needed at the VSP's Missing Children Clearinghouse. They currently operate under very limited resources even though their caseload has increased enormously since they were established in the mid-1980s. An additional non-sworn staff position was recommended to effectively meet the Clearinghouse's overall mission, to upload missing adult information to the website consistently, to provide training to law enforcement on missing children, and to provide already-developed prevention programs on child safety and internet safety to children and parents.

Virginia law enforcement needs better guidance and training on how to respond to search and rescue emergencies. There appears to be no comprehensive, up-to-date model policies on missing persons or search and rescue. While accreditation standards require a policy on missing persons, agencies need assistance in creating thorough general orders for adoption. In light of this, Crime

Commission staff recommended that the Department of Criminal Justice Services (DCJS) be required to establish and publish model policies for missing children, missing adults, and search and rescue. Additionally, staff recommended that they, themselves, convene key stakeholders to develop a detailed checklist for first responders who respond to these types of cases in the field. Training standards for law enforcement and dispatchers also need to be reviewed, revised and developed as necessary. Staff recommended that DCJS be required to establish training standards for missing persons, as well as search and rescue. Well-established training curricula for search and rescue exist and can easily be modified and adopted for Virginia's law enforcement and dispatchers. To promote general education and awareness of the topic, it was also recommended that Crime Commission staff coordinate with the Virginia Association of Chiefs of Police and the Virginia Sheriffs' Association. Finally, it was abundantly evident from discussions in the field that families of missing persons do not often have adequate resources or information available to them in these cases. Staff recommended that DCJS be requested to create a family resource guide for missing persons, which should be available online as a reference.

The Crime Commission reviewed study findings at its November and December meetings and directed staff to draft legislation for several key issues. As a result of the study effort, the Crime Commission unanimously endorsed all of the following twelve recommendations at its December meeting:

Recommendation 1: Statutorily require the creation of a Search and Rescue Coordinator position at the Va. Department of Emergency Management under Va. Code § 44-146.18.

Recommendation 2: Create a Search and Rescue Coordinator position at the Va. State Police.

Recommendation 3: Create an additional FTE position at the Va. State Police's Missing Children Clearinghouse to assist with responsibilities of training, record keeping, compliance, and technical assistance to law enforcement agencies in reporting missing persons.

Recommendation 4: Increase available resources for search and rescue missions at the Va. State Police.

Recommendation 5: Create two regional Search and Rescue Coordinator positions at the Va. Department of Emergency Management to provide a regional response for missions and training needs.

Recommendation 6: Statutorily require the creation of a mechanism for receipt of reports for critically missing adults under proposed new statute, Va. Code § 15.2-1718.2.

Recommendation 7: Amend Va. Code § 9.1-102 to require the Va. Department of Criminal Justice Services to establish and publish model policies for missing children, missing adults, and search and rescue efforts.

Recommendation 8: Amend Va. Code § 9.1-102 to require the Va. Department of Criminal Justice Services to develop training standards for missing persons and search and rescue.

Recommendation 9: Request the Va. State Police to examine programmatic efforts to provide immediate notification to the Va. Department of Emergency Management when a critically missing child or adult is entered into VCIN.

Recommendation 10: Request Crime Commission staff to facilitate convening the Va. Department of Criminal Justice Services, the Va. Department of Emergency Management, Va. State Police, Va. Sheriffs' Association, the Va. Association of Chiefs of Police, and others to create a detailed checklist for Virginia's first responders.

Recommendation 11: Request the Va. Department of Criminal Justice Services to create a family resource guide for missing persons and make available online.

Recommendation 12: Coordinate with the Va. Sheriffs' Association and the Va. Association of Chiefs of Police to promote law enforcement awareness.

Recommendations 1, 6, 7 and 8 were combined into an omnibus bill. The omnibus bill was introduced in both the Virginia Senate and House of Delegates: Senator Ryan McDougle patroned Senate Bill 1184 and Delegate Charniele Herring patroned House Bill 1808 during the 2015 Regular Session of the Virginia General Assembly. Both bills were signed into law by the Governor on March 16, 2015 and are effective as of July 1, 2015.² Two budget amendments relating to Recommendations 1 through 5 to provide additional positions and funding to VDEM and VSP were introduced by Senator McDougle during the 2015 Session. Both of the budget amendments were partially funded to support the creation of search and rescue coordinators for each agency and one-time vehicle and equipment costs, as well as recurring costs for training, travel and materials.³

III. BACKGROUND

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In order to address the study mandate, Crime Commission staff examined relevant literature, collected available data from state and federal agencies, completed a 50-state statutory review, disseminated surveys to all Virginia law enforcement agencies, reviewed Virginia law enforcement agencies' general orders and policies pertaining to missing children and adults, and participated in a three-day Land Search and Rescue training hosted by the Virginia State Police (VSP). Additionally, staff met with the families of missing persons and numerous federal, state, and local representatives.

Recent cases have once again brought attention to the issue of missing persons in Virginia. Both resolutions specifically mentioned the cases of Alicia Showalter Reynolds,⁴ Morgan Harrington,⁵ and Alexis Murphy.⁶ And, although occurring after the resolutions' passage, three additional cases in Virginia brought increased media attention: the abduction and murder of Hannah Graham,⁷ the kidnapping and murder of Kevin Quick,⁸ and the accused abductor Delvin Barnes.⁹ All of these cases are currently on-going investigations. As will be discussed later, there are hundreds of other cases involving missing persons in Virginia.

Introductory Overview¹⁰

Missing person cases vary widely. Individuals can go missing for a variety of reasons; some go missing intentionally while others go missing unintentionally or are taken by force or coercion (i.e., abduction). In general, a "missing person" is when an individual's whereabouts are unknown and knowledgeable persons regard the disappearance as unusual or uncharacteristic. Critical risk factors include when the person is:

- Possibly the subject of foul play or suspicious circumstances;
- Under the age of 13;
- Beyond the "zone of safety" for age and developmental stage;
- Has a disability or mental condition that is potentially life threatening if left unattended;
- In danger to himself or to others;
- In the company of individuals who could endanger the person's welfare;
- Involved in a boating, swimming, or other sporting accident or natural disaster; or,
- Absent in a way that is inconsistent with established patterns of behavior.¹¹

Some missing person cases involve a criminal investigation; some entail an actual, physical search for the person, while others do not. Many situations can lead to individuals becoming missing and require searches, including natural disasters (tornadoes, earthquakes, tsunamis, hurricanes,

flooding, etc.), unnatural disasters (aircraft crashes, building or other structural collapses, terrorism, acts of war, etc.), and other criminal acts (abduction/kidnapping, etc.). The most important point to take away from any search and rescue (SAR) effort is that it is an emergency and time matters. Search and rescue efforts have a clearly established methodology based on empirical evidence and experience in the field.¹² It must be noted that SAR missions are distinct from the criminal investigation; however, SAR missions are based on intelligence and leads received from the criminal investigation and should not be random.

While anyone can go missing, the vast majority of the literature focuses its attention on missing children, primarily in the context of investigating such cases. Many guides and reports exist that focus on investigating missing children in general,¹³ while others focus more specifically upon family/international abductions,¹⁴ infant abductions,¹⁵ or children missing from care,¹⁶ for example. A study specifically mentioned in the resolutions (referred to as the “Washington Study”), although somewhat dated, provides one of the few attempts to capture aggregate trends in missing children homicides.¹⁷ Some of the study’s important findings include:

- Most missing children are found shortly after being reported missing with no evidence of foul play;¹⁸
- Even for children who are taken against their will, the majority return home alive;
- It is a very rare event for a child to be abducted and killed by a stranger;¹⁹ and,
- The first three hours are the most critical in abducted children cases– 74% of abducted children who are murdered are dead within three hours of the abduction.

The report notes the following lessons for law enforcement and parents/guardians:

- Any report of a missing child must be taken seriously;
- The importance of responding quickly with a neighborhood canvass;²⁰
- Parents must ensure that children are appropriately supervised; and,
- Parents must call the police immediately, without delay, if their child goes missing.²¹

There is far less literature relating to adults who go missing. Some of the difficulty with adults is that there is no authority for law enforcement to detain an adult who is safe and of sound mind, has not committed a crime, and presents no danger to themselves; i.e., has decided to voluntarily “go missing.” There are, however, response options for certain populations of adults who go missing that will be discussed later. The remainder of this report focuses upon a number of additional issues, with specific attention to relevant data, legal considerations, and available resources in Virginia.

Relevant Data

Data related to missing persons is available at both the national and state levels. Staff retrieved publicly available information from the FBI for national data and made a request to the VSP for state-level data.

National Data

The FBI’s National Crime Information Center (NCIC) has collected information on missing persons since 1975. The NCIC’s missing person file requires missing persons to be classified into one of the following categories: disability, endangered, involuntary, juvenile, catastrophe, or other. Many

records are entered and/or removed from NCIC each year. For example, in 2013, a total of 627,911 missing person records were entered into NCIC, but an additional 630,990 were cleared or cancelled within the same timeframe.²² Clearances and cancellations are due to the subject being located by law enforcement, returning home, or when a record is deemed invalid. While the total number of active missing person records varies each day, on December 31, 2013, there were 84,136 active missing person records in NCIC:

- 48% (40,581 of 84,136) were for adults 21 years of age and older;
- 40% (33,849 of 84,136) were for juveniles 17 years of age and under; and,
- 12% (9,706 of 84,136) were for children between the ages of 18 to 20.²³

It should be noted that in 2003, federal law extended the age of mandatory missing children record entry to include individuals between the ages of 18-20 years old.²⁴

An “Unidentified Person File,” which came online in 1985, is also maintained by NCIC. The NCIC’s Unidentified Person File contains records of: unidentified deceased persons; persons of any age who are living and unable to determine their identity (i.e., amnesia victim, infant, etc.); and, unidentified catastrophe victims. There were 866 unidentified persons entered into the File in 2013: 73% (632 of 866) were deceased unidentified bodies, 25% (216 of 866) were living but unable to ascertain identity, and 2% (18 of 866) were catastrophe victims.²⁵ When looking at the total number of active cases, as of December 31, 2013, there were a total of 8,045 active unidentified person records in NCIC.²⁶

Virginia Data

In Virginia, all missing person records are entered into the FBI’s NCIC and the Virginia Criminal Information Network (VCIN). In Calendar Year 2013 (CY13), 10,946 missing person records were entered into NCIC. The vast majority, 84% (9,192 of 10,946) were for missing children and another 16% (1,754 of 10,946) were for missing adults in Virginia. The NCIC requires a classification for each missing person. The vast majority of children, 94% (8,677 of 9,192) were classified as “juvenile,” which is the designation for runaways between the ages of 12-17. This is consistent with national data indicating that 96% of all missing children are classified in this category.²⁷ The “involuntary” classification for both children and adults represents situations involving abduction or kidnapping and is the smallest category--less than 1% for each. These percentages are also consistent with national trends, which show that less than 1% of cases involve abduction by a non-custodial parent and less than half a percent involve abduction by a stranger.²⁸ Table 1 illustrates the total number of missing persons reported in Virginia by NCIC category in CY13.

Table 1: Total Missing Persons Reported in Virginia by NCIC Category, CY13

NCIC Category	Children	Adults
Disability	61	534
Endangered	160	511
Involuntary	46	15
Juvenile	8,677	n/a
Other	248	694
TOTAL	9,192	1,754

Source: Va. State Police.

Similar to national NCIC data, there are far fewer missing person records that are active in Virginia. As of October 21, 2014, there were just under 600 active missing person records: 367 children (ages 0 to 20) and 228 adults, respectively. Active cases go back as early as 1973.

Virginia Law

The Code of Virginia does provide some guidance on missing persons and provides definitions for missing children and missing senior adults. Table 2 summarizes some of the information that will be discussed in greater detail in the following pages.

Table 2: Virginia Definitional Statutes Related to Missing Persons

Definition	Va. Code	Applies to	Note
Missing Child	§ 52-32	20 years of age and younger.	Federal law mandated that the definition of a missing child, for purposes of missing reports, be extended from 17 years of age to 20 years of age per 42 USC 5779(c).
Missing Senior Adult	§ 52-34.4	Certain persons <u>over</u> the age of 60.	Is limited to those who suffer a cognitive impairment to the extent that the person is unable to care for oneself without assistance from a caregiver, to include a diagnosis of Alzheimer's Disease or dementia.
Abducted Child	§ 52-34.1	17 years of age or younger; or, is currently enrolled in secondary school, regardless of age.	Virginia goes above the requirements of the federal AMBER Alert by extending the coverage to any person enrolled in Virginia secondary school, regardless of age.
AMBER Alert	§§ 52-34.1 and 52-34.3	Those meeting the definition of an "abducted child" and all other specified criteria.	An Alert will only be activated if <u>all</u> criteria are met.
Endangered Missing Child Media Alert	Not defined by Code	Typically limited only to those meeting nearly all of the requirements for an AMBER Alert.	<u>May</u> be issued, at the discretion of the VSP, for cases that meet all of the AMBER Alert criteria except for one.
Senior Alert	§§ 52-34.4 thru 52-34.6	Those meeting the definition of a "missing senior adult."	An Alert will only be activated if <u>all</u> criteria are met.

Source: Va. State Crime Commission.

Per Va. Code § 52-32, a "missing child" is defined as "any person who is under the age of 21 years, whose temporary or permanent residence is in Virginia, or is believed to be in Virginia, whose whereabouts are unknown to any parent, guardian, legal custodian or other person standing in loco parentis of the child, and who has been reported as missing to a law enforcement agency within the Commonwealth." A "missing senior adult" is defined under Va. Code § 52.34.4 as "an adult whose whereabouts are unknown and who is over 60 years of age and suffers a cognitive impairment to the extent that he is unable to provide care to himself without assistance from a caregiver, including a diagnosis of Alzheimer's Disease or dementia, and whose disappearance poses a credible threat as determined by a law enforcement agency to the health and safety of the adult and under such other circumstances as deemed appropriate by the Virginia State Police." Unlike what is often depicted in television, the Virginia Code does specify that there is to be no waiting period for law enforcement to accept a report for a missing child or senior adult.²⁹ However, Virginia law is silent on missing

person reports and waiting periods for those 21 years of age or older that do not meet the definition of either a “missing child” or “missing senior adult.”

All 50 states have a designated Missing Child/Person Clearinghouse. These act as state-based extensions of the national effort to provide training, education, and public information relating to missing and exploited children. Virginia’s Missing Children Information Clearinghouse (Clearinghouse) was established in 1983 and is situated within the VSP. Its powers and duties are outlined under Va. Code § 52-33. The Clearinghouse has many responsibilities such as maintaining a centralized file for missing persons, liaison between NCIC and NCMEC for the exchange of information, disseminating monthly bulletins and emergency flyers of missing children, and providing training to law enforcement and others on reporting missing children and other persons.

When a missing child or senior adult report is made to law enforcement, the report must be submitted within two hours to the Clearinghouse.³⁰ Similarly, law enforcement must immediately notify the Clearinghouse when the child is located.³¹ If the missing person is a child enrolled in school, law enforcement must notify the principal of the school where the missing child is or was most recently enrolled within 24 hours or the next business day.³² The principal, in turn, must indicate (by mark) in the child’s cumulative record that the child has been reported as missing.³³ The mark must be removed from the record when law enforcement notifies that the child has been located.³⁴ If during the time that the child’s record is marked, a request is received from any school or person for copies of the cumulative records and birth certificate of any child, the school being requested to transfer the records shall immediately notify the reporting law enforcement agency of the location of the school or person requesting the information, without alerting the requestor of such report.³⁵ The Superintendent of the State Police must then “immediately initiate an investigation into the circumstances surrounding the request, including a search for any record that may exist showing who has legal custody of the child and for any record that may disclose an allegation of child abuse perpetrated against a member of the child’s family.”³⁶

Alert Systems for Missing Persons

Media is an imperative tool in missing person cases. The media has the ability to deliver information to a large audience quickly. As such, Virginia has implemented several specialized statewide alert systems for missing persons, including the:

- AMBER Alert;
- Endangered Missing Child Media Alert;
- Senior Alert; and,
- Blue Alert.

Each system has very specific criteria that must be met in order for an alert to be broadcasted. The key to these alerts is utilizing the media as a tool in getting information to a large area quickly and to assist law enforcement in their investigations. There are, however, no specific alert systems available for missing persons 18 years of age and older who do not meet the definition of an “abducted child” or a “missing senior adult.”

The AMBER Alert system, which is an acronym for America’s Missing: Broadcast Emergency Response, began as a local effort and quickly became a national initiative in 1996.³⁷ According to NCMEC, 679 children have been safely recovered specifically as a result of an AMBER Alert being issued.³⁸ Virginia established the Virginia AMBER Alert Program in 2003 and required the VSP to develop policies for the creation of uniform standards.³⁹ There is a common misperception that

AMBER Alerts are issued for every child that goes missing. This is not the case, as the AMBER Alert is reserved for the most serious of child abduction cases that meet very specific criteria. Under Va. Code § 52-34.1, an “abducted child” is defined as a child “(i) whose whereabouts are unknown, (ii) who is believed to have been abducted, (iii) who is 17 years of age or younger or is currently enrolled in a secondary school in the Commonwealth, regardless of age, and (iv) whose disappearance poses a credible threat as determined by law enforcement to the safety and health of the child and under such other circumstances as deemed appropriate by the Virginia State Police.” In order for an AMBER Alert to be activated, the following criteria must also be met:

- Law enforcement believes that the child has been abducted;
- Abducted child must be 17 years of age or younger, or is currently enrolled in a secondary school;
- Law enforcement investigation has taken place that verifies abduction or eliminates alternative explanations;
- Sufficient information is available to disseminate to the public that could assist in locating the child, suspect, and/or the suspect’s vehicle; and,
- The Virginia AMBER Alert form authorizing release of information must be signed.

If all of the criteria are not met, a Virginia AMBER Alert will not be issued. However, an Endangered Missing Child Media Alert *may* be issued instead. The Endangered Missing Child Media Alert is not defined by statute, but may be an option for cases that meet all of the AMBER Alert criteria except for one. For instance, if a child was not abducted, but was severely autistic, this Alert could be an option, as seen in the case of Robert Wood, Jr. in Hanover County, Virginia.⁴⁰ The Alert may also be extended to include 18-20 year olds, but only in certain cases at the discretion of the VSP.

The Virginia Senior Alert Program was established in 2007 by statute and requires the VSP to develop policies for the creation of uniform standards.⁴¹ In order for a Senior Alert to be activated, the following criteria must be met:

- The missing senior is over 60 years of age;
- Suffers a cognitive impairment to the extent that he is unable to provide care for himself without assistance from a caregiver;
- Whose disappearance poses a credible threat as determined by law enforcement to the health and safety of the adult;
- Sufficient information is available to disseminate to the public that could assist in locating the missing senior or their vehicle;
- A report must be entered into VCIN and NCIC, and the information reported to the Clearinghouse in the prescribed format; and,
- A photograph must be provided on the prescribed forms or the equivalent.

If all the criteria are not met, a Senior Alert will not be issued; however, information can still be provided to the media.

The Virginia Blue Alert Program was established in 2011 by statute and requires the VSP to develop policies for its implementation.⁴² In order for a Blue Alert to be activated, the following criteria must be met:

- A law enforcement officer was killed or seriously injured and the suspect has not been apprehended and there may be a serious threat to the public; or,

- A law enforcement officer is missing while in the line of duty under circumstances warranting concern for his safety.

The Virginia State Police will confirm either of the above and determine if sufficient evidence is available to disseminate to the public that could assist in the location of the suspect or the missing officer prior to activation. As an example, a Virginia Blue Alert was activated in 2012 for Laurence Stewart, the suspect accused of targeting a woman and two law enforcement officials in a series of pipe bomb incidents in Stafford County and Fredericksburg, Virginia.⁴³

As seen in Table 3, with such strict criteria, very few cases meet the standards for *any* Alert activation even when specifically requested by a law enforcement agency:

Table 3: Total Number of Alerts Requested vs. Activated, CY11-CY14

Type of Alert	CY11		CY12		CY13		CY14	
	Requested	Activated	Requested	Activated	Requested	Activated	Requested	Activated
AMBER Alert	11	2	6	2	5	0	8	5
Endangered Alert	4	2	4	0	3	2	0	0
Senior Alert	10	2	14	9	13	6	11	7
Blue Alert	0	0	1	1	0	0	0	0
TOTAL	25	6	25	12	21	8	19	12

Source: Va. State Police.

Regardless of whether or not an alert is issued, media is still a vital tool in missing person cases. In general, law enforcement agencies reported having a good, cooperative working relationship with the media. Further, the role of social media has proven beneficial to law enforcement agencies, with several reporting the integral role of intelligence gleaned from comments on their agency’s Facebook or other social media sites.

IV. RESOURCES AND COLLABORATION

Much of the study mandate dealt with examining the current state of readiness of law enforcement and other first responders to incidents requiring a SAR response. Staff spent a great deal of time to better understand the resources available in Virginia, as well as the level of collaboration amongst relevant agencies.

There are many resources that Virginia law enforcement may request assistance from in these types of cases. For example:

- Va. Department of Emergency Management’s Search and Rescue Program;
- Va. State Police’s Search and Recovery Team and/or Tactical Field Force;
- Va. Search and Rescue Council;
- Va. Divisional Technical Rescue Teams;

- Va. Department of Game and Inland Fisheries;
- Neighboring or Other Virginia Law Enforcement Agencies;
- Local/Neighboring Fire and Rescue;
- Schools/School Resource Officers;
- Other States' Law Enforcement;
- Local/Regional Child Abduction Recovery Team (CART);
- FBI and other Federal Agencies;
- FEMA Urban Search & Rescue Teams;
- National Center for Missing and Exploited Children (NCMEC);
- Volunteer Search and Rescue Organizations; and,
- Citizen Volunteers.

Additional details on several of these resources are provided below.

Virginia Department of Emergency Management (VDEM)

VDEM's Search and Rescue Program has a dual role of providing specialized search and rescue training, at no cost, to all types of first responders, as well as carrying out actual search and rescue operations upon request from local jurisdictions. VDEM's Search and Rescue Program serves as the liaison between local jurisdictions and assistance from state or federal resources. Currently, only two full-time employees administer this program.

VDEM's Search and Rescue Program completed 101 missions in CY14. Fifty-five of these missions involved a lost or missing person; however, the Program also had other missions involving overdue aircraft and crashes, evidence searches, and responses to distress beacons (aircraft, vessel, vehicle or personal locator). Table 4 illustrates the total number and type of SAR responses by VDEM from CY10-CY14.

Table 4: Total VDEM SAR Missions, CY10-CY14

Search and Rescue Response	2010	2011	2012	2013	2014
Lost/Missing Persons	55	59	59	60	55
<i>Found Alive</i>	42	47	45	43	34
<i>Found Deceased</i>	9	4	10	13	14
<i>Remains Missing</i>	4	8	4	4	7
Cadaver/Evidence	22	20	19	14	21
Distress Beacons	7	2	5	3	1
Missing/Overdue Aircraft	1	1	0	1	2
Known Aircraft Crashes	24	28	24	23	22
TOTAL SEARCH MISSIONS:	109	110	107	101	101

Source: VDEM's Search and Rescue Program.

Additionally, VDEM's Search and Rescue Program classifies their missing person missions by type. Table 5 illustrates the classification of the 50 missing persons included in VDEM's SAR missions as of October 31, 2014. Just over 25% of the missions involved subjects with dementia.

Table 5: VDEM SAR Missions, Missing Persons by Type, 2014*

Subject Type	2014*
Abduction	5
Autism	1
Cave	1
Child	3
Dementia	14
Despondent	7
Hiker	6
Hunter	2
Mental Illness	4
Missing NOS	4
Substance Abuse	1
Water	2
TOTAL	50

Source: VDEM's Search and Rescue Program.*Figures as of October 31, 2014. Note: These figures only apply to the subjects involved in SAR missions coordinated through VDEM.

Finally, VDEM provides specialized SAR training to law enforcement, fire/rescue personnel, EMS, emergency managers, volunteer SAR responders and other first responders who may have a duty to respond to a SAR emergency. The trainings are offered at no cost. The demand for SAR training has increased significantly each year, with classes often reaching full capacity nine months or more in advance. VDEM relies heavily on adjunct instructors who are typically limited to teaching only on the weekends, which can make it difficult for some to attend. Unfortunately, due to these limitations, many potential trainees routinely have to be turned away. Table 6 shows the total number of personnel trained in SAR by VDEM over the past 5 years.

Table 6: Search and Rescue Training Provided by VDEM, CY10-CY14

Number of Personnel Trained in Search and Rescue by VDEM	2010	2011	2012	2013	2014
Total Personnel	479	374	668	785	601

Source: VDEM's Search and Rescue Program.

It should be noted that Virginia law is essentially silent on SAR responsibilities. Other states statutorily designate SAR coordinators or provide language specifying who is responsible for certain SAR services or state-wide plans, including Arizona,⁴⁴ Hawaii,⁴⁵ Idaho,⁴⁶ Kentucky,⁴⁷ Louisiana,⁴⁸ Maine,⁴⁹ Massachusetts,⁵⁰ Missouri,⁵¹ Nevada,⁵² New Mexico,⁵³ New York,⁵⁴ North Dakota,⁵⁵ Oregon,⁵⁶ Pennsylvania,⁵⁷ Utah,⁵⁸ and Washington.⁵⁹

In particular, a director with clearly designated powers and duties would add clarity to SAR responsibilities and would provide law enforcement with a much needed point of contact. Four

other states, including Nevada,⁶⁰ New Mexico,⁶¹ Oregon,⁶² and Washington,⁶³ specifically establish a statewide SAR coordinator by statute.

Virginia State Police

The Virginia State Police also has resources that may be requested in a SAR emergency. In addition to the Clearinghouse resources discussed earlier, the VSP has a specialized Search and Recovery Team with over 20 highly trained members, as well as a Tactical Field Force, which consists of around 300 members. Currently, search and rescue responsibilities are handled by an Area Commander, who also has routine patrol assignments and other duties. This creates difficulties when the Area Commander is pulled off the road for SAR missions and trainings. An additional concern is that VSP's SAR personnel are responsible for purchasing most of their equipment out-of-pocket, such as their safety gear, GPS, and backpacks.

In CY13, the Search and Recovery Team completed 89 recovery operations and assisted 27 other agencies.⁶⁴ The Tactical Field Force, although originally created for a different purpose, has proven to be very beneficial in SAR missions by providing localities with the needed field personnel to assist in SAR operations and by having the ability to remain on-scene for an extended period of time. This large pool of sworn law enforcement adds incredible manpower to a SAR emergency response. Search and rescue volunteers are often limited to providing services on weekends or on a part-time basis. Similarly, local law enforcement is also constrained in that they must continue to respond to all the other calls for service in their jurisdiction.

Search and rescue training is also provided by the VSP. In CY13, 96 SAR-related training assignments were conducted. Additionally, the VSP has an Aviation Unit, bloodhound canine teams and swift water/rope rescue capabilities. In CY13, the Aviation Unit responded to 134 requests for searches, which included searches for missing persons and lost children.⁶⁵ Their bloodhound teams also handled nearly 300 missing person/missing child/suspect tracking requests.⁶⁶

Virginia Search and Rescue Council

The Virginia Department of Emergency Management's Search and Rescue Program works very closely with the Virginia Search and Rescue Council (SAR Council) to coordinate responses to SAR missions. The SAR Council is a non-profit organization consisting of members of state and local government and SAR organizations. The SAR Council helps to coordinate the SAR system in Virginia by providing communication between organizations and helping to arrange personnel, facilities, equipment and training for the effective and coordinated delivery of SAR services.⁶⁷ The SAR Council's resources are initiated upon the direct request of a "responsible agent," such as VDEM's Search and Rescue Program staff or a law enforcement agency. They cannot participate in an incident without this direct request. There are 22 volunteer SAR associations that operate under a MOU with VDEM. Combined, they have 500 active volunteers who must meet or exceed state standards of training. The benefit of having groups meet specific requirements to qualify for a MOU is that it reduces liability, ensures a basic level of performance and expectations, and facilitates cooperation between the multiple organizations. They donate an estimated \$1.2 million worth of services each year. Virginia relies heavily on the efforts of these trained SAR volunteers. However, since they are volunteers, it can be problematic during prolonged search efforts, especially during weekdays when they must report back to their full-time jobs.

National Center for Missing and Exploited Children (NCMEC)

Numerous services are provided to law enforcement and families across the nation by NCMEC, including:

- Team ADAM and Project ALERT;
- Secondary distribution of AMBER Alerts;
- Team HOPE/Family Advocacy Division Services;
- Classroom and online training;
- Reunification assistance;
- Forensic imaging; and,
- Extensive resources made available online.⁶⁸

Team ADAM provides rapid, on-site assistance to law enforcement agencies and families in serious cases of missing children.⁶⁹ Consultants are retired law enforcement professionals with years of experience at the federal, state, and local levels. They will aid in SAR efforts, training, technical support, investigative recommendations and analysis, as well as equipment and resources. The consultants will also coordinate NCMEC's various resources, forensic capabilities, and referrals. According to NCMEC, Team ADAM has deployed 33 times in Virginia since 2003.⁷⁰ Most of the deployments, 73% (24 of 33), were on-site. For instance, Team ADAM consultants were deployed in the Morgan Harrington, Alexis Murphy, and Hannah Graham cases.

Project ALERT is a team consisting of approximately 170 retired law enforcement professionals who volunteer their time and expertise to law enforcement in missing person cases. They can provide technical assistance in long-term investigations, collect biometric information, and provide outreach to law enforcement and communities via training and awareness initiatives.⁷¹

As soon as NCMEC receives an AMBER Alert from the VSP, they will immediately issue a secondary distribution.⁷² According to NCMEC, 20 AMBER Alerts have been issued for 22 children in Virginia between CY05-CY14. All of these AMBER Alerts have been resolved with the children being found or recovered.

Team HOPE provides services to families through referrals.⁷³ Services include telephone support for crisis intervention services, reunification assistance, long-term counseling referrals, and peer-to-peer support. All Team HOPE counselors have been directly impacted by a missing child case. Since 2010, Team HOPE has provided support for 133 new cases involving Virginia families. This figure does not include continuing support to families in long-term or continuing cases (i.e., cases older than 5 years).

Law Enforcement Survey Findings

Crime Commission staff surveyed all Virginia law enforcement agencies and received an excellent response rate of 95% (128 of 135) from all city and county police departments and primary sheriff's offices. Staff received an additional 86 surveys from town, campus and other law enforcement agencies.

According to survey results, 99% (122 of 123) of responding law enforcement agencies indicated they would typically take the lead in investigating missing persons reported within their jurisdiction. They noted that exceptions to taking the lead could include when a person went

missing from a different jurisdiction, when a person resides or was last seen in a different jurisdiction, when a report was initially directed to the VSP, or when the VSP or the FBI take over the lead. Other examples would include if the person went missing while on federal property within a jurisdiction, if a case became overwhelming and the resources available to the local jurisdiction were inadequate, when an investigation went beyond state lines or became international, when there was a conflict of interest (e.g. family member of department employee), or if the search was non-criminal in nature and another department, such as Fire and Rescue, had the lead per jurisdictional agreements.

The vast majority, 93% (115 of 123) of responding law enforcement agencies indicated that they handled at least *one* missing person report in the past 5 years. Some departments may only deal with a handful of reports each year, while others will handle hundreds. According to CY13 VCIN/NCIC data, the number of missing person reports each Virginia law enforcement agency handled varied tremendously, from 0 to 1,094 reports per agency. Some agencies reported that they or their locality had specialized teams or units dedicated to investigating missing persons or completing SAR missions.

The amount of time dedicated to *investigating* each missing person case can vary tremendously. Some cases are resolved within minutes when, for example, a child is immediately found hiding in a closet or playing down the street at a friend's house. Other cases remain active indefinitely and require follow-up until case closure. Likewise, the amount of time dedicated to *searching* for each missing person can vary enormously. The key issue in SAR efforts is sustainability, which is the degree to which an agency can sustain efforts in searching for someone while at the same time meeting the demands of all other responsibilities within their jurisdiction. For instance, some report that "...investigations can burden law enforcement agencies, quickly depleting resources, and emotionally exhausting personnel."⁷⁴ The "fatigue factor" is also a concern for all first responders involved in a long-term search effort, which can be exacerbated without a lack of appropriate training as discussed later.

To illustrate the many resources that can be involved in a search effort, preliminary figures for the resources dedicated to the Hannah Graham case include a minimum of 4,000 individuals dispatched on more than 875 search tasks, 21,000 search hours, more than 94,000 miles driven to and from the search site, 35 days to locate her, and evidence searches conducted for an additional 6 days.⁷⁵ Needless to say, a long-term SAR mission can strain available resources. In response to fiscal concerns, some states, such as Montana⁷⁶ and Wyoming,⁷⁷ have created state-level accounts for funding search and rescue operations. The purpose of these accounts is to help defray the costs of SAR missions and equipment.

Agencies reported varying levels of collaboration with other agencies specifically in regards to missing persons and SAR, as seen in Table 7. Many of the responding local law enforcement agencies reported collaborating with other local and state law enforcement agencies, volunteer SAR organizations, and VDEM's Search and Rescue Program for SAR-related activities in the past five years. Far fewer agencies reported having a memorandum of understanding (MOU) with other agencies for SAR-related activities in their locality. For MOUs with neighboring law enforcement (n=30), many were not detailed or focused upon SAR, but rather mentioned or implied it within the scope of the MOU agreement.

Table 7: Total Number of Law Enforcement Agencies Indicating Collaboration and MOUs with Other Agencies

Agency	Collaborated with in the past 5 years for SAR-related activity	MOU for SAR-related activities in locality
Neighboring Law Enforcement	94	30
Va. State Police	76	4
Volunteer SAR Organizations	74	6
Other Virginia Law Enforcement	66	12
VDEM SAR Program	58	3
NCMEC	55	2
Citizen Volunteers	44	3
Other States' Law Enforcement	42	2
FBI	37	2
Va. Search and Rescue Council	14	0
Local/Regional CART	2	0

Source: Va. State Crime Commission, *Law Enforcement Response to Missing Persons Survey*, 2014.

Model Policies, Training, and Awareness

Some states, including Florida,⁷⁸ Minnesota,⁷⁹ New Hampshire,⁸⁰ New Jersey,⁸¹ Ohio,⁸² Oregon,⁸³ and South Dakota,⁸⁴ have statutorily addressed written policies, guidelines, or best practice protocol requirements for the investigation of missing persons and/or SAR. No such statutory requirement currently exists in Virginia. Crime Commission staff sought to determine the availability of missing person and SAR model policies and training, as well as levels of awareness on the availability of resources.

Model Policies

Before examining the actual policies/general orders of Virginia law enforcement agencies, staff looked at accreditation standards. In Virginia, law enforcement agencies can choose to be nationally accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA) and can also be state-accredited by the Virginia Law Enforcement Professional Standards Commission (VLEPSC). Both law enforcement accreditation bodies, CALEA and VLEPSC, require that the law enforcement agency have a policy for missing persons, though they are silent on what the policy must say.⁸⁵ It should be mentioned that accreditation seeks to establish the best professional practices by prescribing *what* should be included but not *how* agencies should meet or carry out those practices. The “how” is left to the discretion of the individual law enforcement agency. Therefore, accreditation standards, while important, do not provide enough guidance for how law enforcement should respond to missing persons and SAR efforts.

Staff examined the actual policies/general orders of over 100 law enforcement agencies across the state. Some of the general findings from the analysis of submitted policies/general orders include:

- Over half of the policies indicated that no waiting period exists before taking any type of missing person report;
- In addition to Amber and Senior Alerts, some policies mentioned the implementation of other programs, such as *Project Lifesaver* and *A Child is Missing*;⁸⁶
- Only three policies mentioned that officers should determine missing persons' access to records of social media, chat rooms, e-mails, phone records, etc.;
- Only seven policies mentioned providing any type of family liaison or support;
- Only 25 policies even mentioned search and rescue. Of these 25 policies, only 8 entailed a fairly comprehensive general order or plan; and,
- Less than 15 policies mentioned VDEM or the VSP in the context of missing persons and/or SAR.

Finally, staff sought out any available model policies that could give law enforcement better guidance on missing persons and SAR. There were two relevant policies available for purchase from the International Association of Chiefs of Police (IACP)'s National Law Enforcement Policy Center located in Alexandria, VA. Their missing person model policy was created in 1994 and their missing children model policy was created in 2000. Staff obtained a copy of each model policy and it was determined that nearly one-third of the policies/general orders submitted by Virginia law enforcement were modeled after the IACP missing person model policy created 20 years ago in 1994.

NCMEC also provides a very detailed, up-to-date, investigative model policy and checklist; however, it is limited to children only.⁸⁷ There does appear to be guidance and best practices relating to search and rescue offered by the National Association for Search and Rescue that may be of benefit to first responders.⁸⁸

As mentioned earlier, dispatchers/communications officers also play a key role in these cases. Similarly, staff sought out any existing guidance or model policies available. The Association of Public-Safety Communications Officials-International (APCO) and NCMEC recognized that telecommunications personnel needed procedures and best practices to act quickly and decisively when handling calls relating to missing, abducted, runaway and sexually exploited children. In 2015, APCO released an updated standard for public safety telecommunicators to provide guidance in these types of cases.⁸⁹ In addition, a reference guide for telecommunications personnel has been developed for guidance on proper usage of the NCIC to document incidents of missing children.⁹⁰ Again, the resources available appear to be limited to only children.

In 2012, the Virginia Department of Criminal Justice Services (DCJS) published a detailed model policy for missing persons with Alzheimer's and other related dementias.⁹¹ However, they have not published a model policy for any other types of missing children or adults. No model policies appear to exist for search and rescue. Staff consulted with Virginia agencies that had a detailed SAR-related policy/general order to see if they had structured theirs after an existing model. Based upon discussions with representatives from these agencies, most had instead developed their own policies and would sometimes share or borrow ideas from other Virginia law enforcement agencies.

It was clear that most of the current policies/general orders and model policies fail to address technology and other best practices. This is problematic as technology plays a key role in these cases and there may be limited opportunities to collect pertinent information from surveillance videos, social media, and phone records, for example. Law enforcement may not be aware of the

specific procedures needed to request this information or the time constraints on the availability of such information. Additional guidance for law enforcement agencies would be helpful.⁹²

Training

Several states, such as Alabama,⁹³ Minnesota,⁹⁴ New Jersey,⁹⁵ New Mexico,⁹⁶ Ohio,⁹⁷ South Dakota,⁹⁸ and Vermont,⁹⁹ have statutorily addressed the issue of training for law enforcement in missing persons and SAR in various ways. In Virginia, there is no specific statutory requirement for training related to missing persons or SAR. Instead, per Va. Code § 9.1-102, DCJS is required to establish compulsory minimum training standards and has listed the topic of missing persons and SAR as performance objectives for law enforcement and dispatcher training.¹⁰⁰

As mentioned earlier, SAR training for law enforcement recruits, command staff, investigators, and other first responders is limited due to the lack of resources to host numerous trainings. Training is essential to help searchers recognize and avoid some of the more common accidents or injuries which can occur due to factors such as hazardous terrain, low/night-time visibility, weather conditions, or wildlife. Also, responders must avoid becoming separated from the team and becoming lost themselves. Responders must also be able to handle other scenarios including the dangers posed by a dangerous or armed subject. First responders who are not properly trained or who do not have the appropriate equipment to respond can lead to an unnecessarily prolonged search mission, injuries, and a lower probability of success. First responders need to have a minimum set of skills to reduce their risks and increase the probability of success.

Survey results emphasized that Virginia law enforcement desired more training in responding to missing persons and SAR. In fact, 87% (100 of 115) of responding agencies indicated that there is a need for all law enforcement officers (recruits, in-service, command staff) to receive additional training. In addition to VDEM and VSP, training for SAR is also made available by the Virginia Association of Volunteer Rescue Squads, Inc. It is promising that all of the available SAR training courses in Virginia are based on the same curriculum, so all first responders are trained uniformly across the state.

In regards to law enforcement response to missing children, NCMEC has developed a comprehensive guide to investigation and case management,¹⁰¹ as well as specialized checklists addressing abducted children,¹⁰² runaway/unsupervised children,¹⁰³ and children with special needs.¹⁰⁴

Families of Missing Persons

There is a profound impact on family, friends and the overall community when a child or adult goes missing. It is critical that families of missing persons are made aware of the resources available to them. For instance, detailed guidelines and checklists have been developed that address exactly what families should expect or do in the event their child goes missing, including their role in any search effort, their partnership with law enforcement and the media, and other personal considerations.¹⁰⁵ Additional guidance has also been published to support the siblings of children that go missing.¹⁰⁶

One concern that Crime Commission staff kept hearing in the field continuously was that the families of missing persons in Virginia are not provided with adequate resources and information.

Based on survey findings, responding law enforcement agencies reported making various types of resources available to the families of missing persons:

- 89 agencies reported referring families to local Victim/Witness Assistance;
- 60 agencies reported referring families to NCMEC/Team HOPE; and,
- 29 agencies reported referring families to local non-profit organizations.

Law enforcement agencies also reported referring families to local departments of social services, local churches or ministries, juvenile intake, and stress management teams. While all of these agencies can provide help, guidance, and comfort to families, it would be helpful if existing guidelines and/or checklists were modified and adopted specifically for the needs of Virginia families and made readily available.

V. SUMMARY AND RECOMMENDATIONS

Senate Joint Resolution 64, patroned by Senator Ryan McDougle, and House Joint Resolution 62, introduced by Delegate David Albo, were patroned during the Regular Session of the 2014 General Assembly. Both resolutions, which are identical, focused upon the current state of readiness of Virginia's law enforcement and Search and Rescue efforts for rapid and well-coordinated deployment in all missing, endangered, and abducted person cases.

In order to address the study mandate, Crime Commission staff examined relevant literature, collected available data from relevant agencies, completed a 50 state statutory review, disseminated surveys to all law enforcement agencies, reviewed law enforcement's general orders/policies pertaining to missing children and adults, and participated in a three-day Land Search and Rescue training. Additionally, staff met with the families of missing persons and numerous federal, state, and local representatives.

Each missing person case is unique. Individuals go missing for a number of reasons, some even voluntarily. Not all cases of missing persons involve a criminal investigation or an actual search and rescue effort. However, it is important to note that any search and rescue mission is an emergency and time is of the essence. Search and rescue missions are built upon a well-established methodology based on both empirical evidence and years of field experience. While search and rescue missions are distinct from any on-going criminal investigation, search efforts are not random and are based on leads developed from the criminal investigation.

Based on the findings, staff made a number of recommendations related to reporting and notification. It was abundantly clear that some action needed to be taken to address missing persons that do not meet the definitions of a "missing child," "abducted child," or "missing senior adult." As such, staff recommended that a mechanism be established in the Code of Virginia for receipt of critically missing adult reports. A new Code section could define what a critically missing adult is and the report to be submitted.¹⁰⁷ Specifically, a "critically missing adult" would be defined as "any missing adult 21 years of age or older whose disappearance indicates a credible threat to the health and safety of the adult as determined by a law enforcement agency and under such other circumstances as deemed appropriate after consideration of all known circumstances." The proposed Code section would also make clear that there would be no waiting period for accepting a critically missing adult report by law enforcement and that the report would need to be immediately entered into NCIC and VCIN and forwarded to the VSP's Clearinghouse within two hours, similar to what is mandated for missing children and senior adults.

Staff also recommended that VDEM's Search and Rescue Program be notified of all critically missing adult and children cases. Currently, VDEM only receives a monthly aggregate report of missing children. Immediate notification of reports that could potentially result in a search and rescue mission is vital for awareness and preparedness. There are a few ways such notification could be accomplished. Kentucky, for instance, requires that the local SAR coordinator of each political subdivision notify their Division of Emergency Management of all SAR missions.¹⁰⁸ In Virginia, however, since all missing person reports from local law enforcement are eventually entered into VCIN, the VSP could readily provide this type of notification to VDEM. Consequently, the VSP was requested, by letter, to examine programmatic efforts to provide immediate notification to VDEM when a critically missing child or adult is entered into VCIN.¹⁰⁹ The Crime Commission was advised that this action was completed by the VSP as of April 17, 2015.

Finally, additional resources are needed at the VSP's Clearinghouse. Their caseload has increased enormously since they were established in the mid-1980s, and they have been provided with little-to-no additional resources or staffing. An additional non-sworn staff position, at a minimum, is recommended to effectively meet the Clearinghouse's overall mission, to upload missing adult information to the website consistently, to provide training to law enforcement on missing children, and to provide already developed prevention programs such as the *Prevent 25 Campaign* for child safety and *NetSMARTZ* training for internet safety to school-aged children and parents.

It was clear that the issue of SAR and missing persons needed to be elevated statewide and within both VDEM and the VSP. In order for VDEM to provide effective training, resources and assistance to the field, it was recommended that a Search and Rescue Coordinator position be created at VDEM. A director with clearly designated powers and duties would add clarity to SAR responsibilities and provide law enforcement with a much needed point of contact.

Further, VDEM's Search and Rescue Program is currently staffed by only two persons, each of whom has dual responsibilities of SAR training and response to SAR missions. It can be very difficult for them to provide needed services in both areas. For instance, it is difficult for the staff to be involved in a prolonged or multiple search efforts without impacting scheduled trainings. As such, it was recommended that two regional coordinator positions be established in VDEM's Search and Rescue Program to provide a regional response to missions and training needs.

Similarly, it was recommended that a full-time Search and Rescue Coordinator position be created at the VSP. It should be noted that the role of this Coordinator will be distinct from any of the roles or responsibilities of the proposed VDEM Search and Rescue Coordinator. Currently, search and rescue responsibilities are handled by an Area Commander, in addition to routine patrol assignments and other duties. This creates difficulties when the Area Commander is pulled off the road for search and rescue missions or trainings. A full-time Search and Rescue Coordinator would be able to devote full attention to this issue and oversee the currently existing VSP Search and Recovery Team, coordinate the Tactical Field Force for search and rescue response, supervise VSP search and rescue responses, and maintain all training requirements and requests for training. It was also recommended that available resources be increased at the VSP for search and rescue equipment as responders are responsible for purchasing almost all of their own SAR gear, including back packs, radios, GPS devices, mapping technology, rain gear, compasses, safety gear, command tents, chainsaws, and generators, for example. SAR responders need to have better resources provided to them before going into the field.

Virginia law enforcement needs better guidance and training on how to respond to search and rescue emergencies. There appears to be no comprehensive, up-to-date model policies on missing persons or search and rescue. While accreditation standards require a policy on missing persons, agencies need assistance in creating thorough general orders for adoption. In light of this, staff recommended that DCJS establish and publish model policies for missing children, missing adults, and search and rescue. Recognizing that a model policy is something that needs to be general enough to apply to all types of law enforcement agencies across the state, staff felt it was important that a more detailed checklist be developed and made available to Virginia's first responders, including dispatchers, responding officers, supervisors and investigators, to provide additional guidance in these types of cases. Training standards for law enforcement and dispatchers also need to be reviewed, revised and developed as necessary. Staff recommended that DCJS be statutorily required to establish training standards for missing persons, as well as search and rescue. Well-established training curricula for search and rescue exist and can easily be modified and adopted for Virginia's law enforcement and dispatchers. To promote general education and awareness of the topic, it was also recommended that Crime Commission staff coordinate with the Virginia Association of Chiefs of Police and the Virginia Sheriffs' Association. Finally, it was abundantly evident from discussions in the field that families of missing persons do not often have adequate resources or information available to them. Staff recommended that DCJS be requested to create a family resource guide for missing persons, which should be available online as a reference.

Crime Commission staff recommendations, which were based upon the key findings of their study, focused upon reporting and notification, model policies and practices, training, resources, and education. The Crime Commission reviewed study findings at its November and December meetings and directed staff to draft legislation for several key issues. As a result of the study effort, the Crime Commission unanimously endorsed all of the following twelve recommendations at its December meeting:

Recommendation 1: Statutorily require the creation of a Search and Rescue Coordinator position at the Va. Department of Emergency Management under Va. Code § 44-146.18.

Recommendation 2: Create a Search and Rescue Coordinator position at the Va. State Police.

Recommendation 3: Create an additional FTE position at the Va. State Police's Missing Children Clearinghouse to assist with responsibilities of training, record keeping, compliance, and technical assistance to law enforcement agencies in reporting missing persons.

Recommendation 4: Increase available resources for search and rescue missions at the Va. State Police.

Recommendation 5: Create two regional Search and Rescue Coordinator positions at the Va. Department of Emergency Management to provide a regional response for missions and training needs.

Recommendation 6: Statutorily require the creation of a mechanism for receipt of reports for critically missing adults under proposed new statute, Va. Code § 15.2-1718.2.

Recommendation 7: Amend Va. Code § 9.1-102 to require the Va. Department of Criminal Justice Services to establish and publish model policies for missing children, missing adults, and search and rescue efforts.

Recommendation 8: Amend Va. Code § 9.1-102 to require the Va. Department of Criminal Justice Services to develop training standards for missing persons and search and rescue.

Recommendation 9: Request the Va. State Police to examine programmatic efforts to provide immediate notification to the Va. Department of Emergency Management when a critically missing child or adult is entered into VCIN.

Recommendation 10: Request Crime Commission staff to facilitate convening the Va. Department of Criminal Justice Services, the Va. Department of Emergency Management, Va. State Police, Va. Sheriffs' Association, the Va. Association of Chiefs of Police, and others to create a detailed checklist for Virginia's first responders.

Recommendation 11: Request the Va. Department of Criminal Justice Services to create a family resource guide for missing persons and make available online.

Recommendation 12: Coordinate with the Va. Sheriffs' Association and the Va. Association of Chiefs of Police to promote law enforcement awareness.

Recommendations 1, 6, 7 and 8 were combined into an omnibus bill. The omnibus bill was introduced in both the Virginia Senate and House of Delegates: Senator Ryan McDougle patroned Senate Bill 1184 and Delegate Charniele Herring patroned House Bill 1808 during the 2015 Regular Session of the Virginia General Assembly. Both bills were signed into law by the Governor on March 16, 2015 and are effective as of July 1, 2015.¹¹⁰ Two budget amendments relating to Recommendations 1 through 5 to provide additional positions and funding to VDEM and VSP were introduced by Senator McDougle during the 2015 Session. Both of the budget amendments were partially funded to support the creation of search and rescue coordinators for each agency and one-time vehicle and equipment costs, as well as recurring costs for training, travel and materials.

VI. ACKNOWLEDGEMENTS

The Virginia State Crime Commission extends its appreciation to the following agencies and organizations for their assistance and cooperation on this study:

Families of Missing Children and Adults

National Center for Missing and Exploited Children

Virginia Association of Chiefs of Police

Virginia Association of Volunteer Rescue Squads, Inc.

Virginia Department of Criminal Justice Services

Virginia Department of Education

Virginia Department of Emergency Management

Virginia Department of Emergency Management's Search and Rescue Program Unit

Virginia Law Enforcement Agencies

Virginia Search and Rescue Council

Virginia Sheriffs' Association

Virginia State Police

Virginia State Police's Missing Children Information Clearinghouse

Virginia State Police's Search and Recovery Team

¹ VA. CODE ANN § 30-156 (2009).

² 2015 Va. Acts. ch. 223, 205.

³ Budget amendment item 394 (#1c) and item 414 (#3c).

⁴ Alicia Showalter Reynolds was a 25 year old graduate student from Baltimore, MD, who disappeared on March 2, 1996, while traveling to meet her mother in Charlottesville, VA. Her vehicle was found later that day in Culpeper, VA. Her remains were discovered May 7, 1996, approximately 15 miles from where she disappeared.

⁵ Morgan Harrington was a 20 year old Virginia Tech student who disappeared while attending a concert at the University of Virginia on October 17, 2009. Her remains were later discovered on January 26, 2010, approximately 10 miles from the John Paul Jones Arena.

⁶ Alexis Murphy was a 17 year old Nelson County, VA, resident who disappeared on August 3, 2013. Her body has not yet been found; however, physical evidence led to the arrest and conviction of Randy Taylor for her murder.

⁷ Hannah Graham was an 18 year old University of Virginia student who was last seen at the Downtown Mall in Charlottesville, VA, on September 13, 2014. Her body was later discovered on October 18, 2014, at an abandoned property in Albemarle County, VA. Jesse Matthew has been charged with her murder and is awaiting trial.

⁸ Kevin Quick was a 45 year old Nelson County, VA, resident and Waynesboro Police Reserve Unit captain who was kidnapped and murdered on or around January 31, 2014. His body was later discovered in Goochland County, VA. Daniel Mathis, Shantai Shelton, Mersadies Shelton, and Travis Bell have been charged in connection with the murder. A mistrial was declared on May 12, 2015 and a new trial date will be set for 2016.

⁹ Delvin Barnes was accused of kidnapping a 16 year old Richmond City, VA, girl in October 2014, who was later found in Charles City County, VA, after she escaped. He was also accused of kidnapping 22 year old, Carlesha Freeland-Gaither in Philadelphia on November 2, 2014, who was later found alive by law enforcement on November 5, 2014, in Maryland.

¹⁰ While this section does not serve as an exhaustive discussion, it acts as a starting point to guide the reader in the direction of additional information that may be of interest.

¹¹ See, for example, NCMEC. (2011). *Missing and abducted children: A law-enforcement guide to case investigation and program management*, 4th ed. U.S. Dept. of Justice, Office of Juvenile Justice and Delinquency Prevention retrieved from http://www.missingkids.com/en_US/publications/NC74.pdf.

¹² Numerous guides exist that attempt to outline the best approaches and strategies in various types of SAR missions. See, for example, Koester, R.J. (2008). *Lost person behavior: A search and rescue guide on where to look-for land, air, and water*. Charlottesville, VA: dbS Productions, LLC.

¹³ *Supra* note 11. Also, see for example, Sprague, D.F. (2013). *Investigating missing children cases: A guide for first responders and investigators*. Boca Raton, FL: Taylor & Francis Group, LLC/CRC Press.

¹⁴ NCMEC. (2009). *Family abduction: Prevention and response, 6th ed.* Washington, D.C.: U.S. Dept. of Justice, Office of Juvenile Justice and Delinquency Prevention. Retrieved from http://www.missingkids.com/en_US/publications/NC75.pdf; For additional information on the response to the problem of international child abduction, refer to the *Hague Convention on the Civil Aspects of International Child Abduction*.

¹⁵ NCMEC. (2014). *For healthcare professionals: Guidelines on prevention of and response to infant abductions, 10th ed.* Washington, D.C.: U.S. Dept. of Justice, Office of Juvenile Justice and Delinquency Prevention. Retrieved from http://www.missingkids.com/en_US/publications/NC05.pdf.

¹⁶ NCMEC. (2005). *Children missing from care: The law-enforcement response.* Washington, D.C.: U.S. Dept. of Justice, Office of Juvenile Justice and Delinquency Prevention. Retrieved from <http://isp.idaho.gov/BCI/documents/ChildMissingFromCareLawEnforcementresponse.pdf>.

¹⁷ Gregoire, C.O., & U.S. Dept. of Justice. (May 1997). *Case management for missing children homicide investigation.* Washington, D.C.: U.S. Dept. of Justice, Office of Juvenile Justice and Delinquency Prevention. Note: This study only looked at abducted children under the age of 18, who were subsequently murdered by a non-familial member.

¹⁸ This finding is supported by the current body of literature, as well as the observations of law enforcement and other first responders.

¹⁹ This finding is also supported by additional literature and data. See, for example, Finkelhor, D., Hammer, H., & Sedlak, A.J. (2002). *Nonfamily abducted children: National estimates and characteristics.* Washington, D.C.: U.S. Dept. of Justice, Office of Juvenile Justice and Delinquency Prevention who note that, “During the study year, there were an estimated 115 stereotypical kidnappings, defined as abductions perpetrated by a stranger or slight acquaintance and involving a child who was transported 50 or more miles, detained overnight, held for ransom or with the intent to keep the child permanently, or killed.” Retrieved from <https://www.ncjrs.gov/pdffiles1/ojjdp/196467.pdf>.

²⁰ This finding is also supported by additional literature. See, for example, Douglas, A. (2012). The neighborhood canvass and child abduction investigations. *FBI Law Enforcement Bulletin*, Washington, D.C.: U.S. Dept. of Justice, Federal Bureau of Investigation who notes that, “A prompt, thorough, and well-executed neighborhood canvass can make all the difference in an abduction case and, thus, between life and death for a child.”

²¹ The report found that most parents wait two hours before contacting law enforcement, which is problematic since in the most serious cases, the child is murdered within three hours. A follow-up to the *Washington Study* also underscores that it is clear that parents must call the police immediately whenever their child is unaccounted for. See, Brown, K.M., Keppel, R.D., Weis, J.G., & Skeen, M.E. (2006). *Investigative case management for missing children homicides: Report II.* Washington, D.C.: Washington Office of the Attorney General & the U.S. Departments of Justice, Office of Juvenile Justice and Delinquency Prevention.

²² NCIC Missing Person and Unidentified Person Statistics for 2013. Retrieved from <http://www.fbi.gov/about-us/cjis/ncic/ncic-missing-person-and-unidentified-person-statistics-for-2013>.

²³ *Id.* Note: Active records are retained indefinitely until they have been cleared or otherwise removed from the NCIC.

²⁴ 42 USC 5779(c).

²⁵ *Supra* note 22.

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ Va. Code § 15.2-1718 for missing children and Va. Code § 15.2-1718.1 for missing senior adults.

³⁰ *Id.*

³¹ Va. Code § 52-34.

³² Va. Code § 52-31.1.

³³ Va. Code § 22.1-288.1; A “mark” shall mean an electronic or other indicator that (i) is readily apparent on the student’s record and (ii) will immediately alert any school personnel that the record is that of a missing child.

³⁴ *Id.*

³⁵ *Id.*

³⁶ Va. Code § 52-31.1.

³⁷ The AMBER Alert plan was named after Amber Hagerman, a 9 year old who was abducted while riding her bike and later murdered in 1996. At that point in time, there was no system in place to disseminate any information to the local area even though a witness to the abduction was able to provide a description. The Dallas/Fort Worth

Association of Radio Managers and law enforcement decided to jointly develop a warning system that eventually evolved into what is currently known as an AMBER Alert.

³⁸ NCMEC (2014). *2013 AMBER Alert report: Analysis of AMBER Alert cases in 2013*. Retrieved from http://www.missingkids.com/en_US/documents/2013AMBERAlertReport.pdf.

³⁹ Va. Code §§ 52-34.2 and 52-34.3; For standards see, *Virginia Amber Alert Plan*. Retrieved from http://www.vaamberalert.com/VA_Amber_Alert_Plan.pdf.

⁴⁰ See, for example, http://www.huffingtonpost.com/2011/10/28/robert-wood-jr-missing-au_n_1064811.html; For standards see, *Virginia Amber Alert Plan*. Retrieved from http://www.vaamberalert.com/VA_Amber_Alert_Plan.pdf.

⁴¹ Va. Code §§ 52-34.5 and 52-34.6; For standards see, *Virginia's "Senior Alert" Plan*. Retrieved from http://www.vasenioralert.com/UserGuide/VA_Senior_Alert_LawEnforcement_User_Guide_7-1-2007.pdf.

⁴² Va. Code §§ 52-34.8 and 52-34.9.

⁴³ See, for example, http://www.huffingtonpost.com/2012/11/05/laurence-stewart-ii-suspe_n_2076278.html.

⁴⁴ A.R.S. § 11-441(C) (2014).

⁴⁵ HRS § 28-121 (c3) (2013).

⁴⁶ Idaho Code § 46-1006(6g-i) (2014).

⁴⁷ KRS § 39F.090 (2013).

⁴⁸ La. R.S. 29:650 (2013).

⁴⁹ 37-B M.R.S §§ 183 and 850 (2013).

⁵⁰ ALM GL ch. 40, § 4J(b) (2014).

⁵¹ §§ 41.960 and 41.962 R.S.Mo. (2014).

⁵² Nev. Rev. Stat. Ann. § 414.210 (2014).

⁵³ N.M. Stat. Ann. § 24-15A-4-6 (2013).

⁵⁴ NY CLS Exec § 156-g (2014).

⁵⁵ N.D. Cent. Code, § 37-17.1-28 (2014).

⁵⁶ ORS § 404.100 (2013).

⁵⁷ 35 P.S. § 2140.204 (2014).

⁵⁸ Utah Code Ann. § 17-22-2 (2014).

⁵⁹ Rev. Code Wash. (ARCW) § 38.52.030(8) (2013).

⁶⁰ Nev. Rev. Stat. Ann. § 414.210 (2014).

⁶¹ N.M. Stat. Ann. § 24-15A-4-6 (2013).

⁶² ORS § 404.100 (2013).

⁶³ Rev. Code Wash. (ARCW) § 38.52.030(8) (2013).

⁶⁴ Virginia State Police, *Facts and Figures Report, 2013*. Retrieved from http://www.vsp.state.va.us/downloads/Annual_Report_Facts_Figures/Update-%202013%20Facts%20and%20Figures1.pdf.

⁶⁵ Id.

⁶⁶ Id.

⁶⁷ See the Virginia Search and Rescue Council website at: <http://vasar.bdsarco.org/>.

⁶⁸ See the NCMEC website at <http://www.missingkids.com/home> for additional information.

⁶⁹ See <http://www.missingkids.com/TeamAdam>.

⁷⁰ Overall, according to NCMEC, Team Adam has been deployed more than 800 times across the nation since 2003.

⁷¹ See <http://www.missingkids.com/ProjectALERT>.

⁷² The secondary distribution is subject to the federal AMBER alert definition. As such, NCMEC will only issue the alert if the child is 17 years of age or younger even though Virginia extends its definition to include any person enrolled in secondary school, regardless of age.

⁷³ See <http://www.missingkids.com/TeamHOPE>.

⁷⁴ Lord, W.D., Boudraux, M.C., & Lanning, K.V. (2001). Investigating potential child abduction cases. *FBI Law Enforcement Bulletin*, p.10.

⁷⁵ Preliminary figures provided by VDEM's Search and Rescue Program.

⁷⁶ 10-3-801, MCA (2013).

⁷⁷ Wyo. Stat. § 19-13-301 (2014).

⁷⁸ Fla. Stat. § 937.021(1) (2014).

⁷⁹ Minn. Stat. § 299C.5655 (2014).

⁸⁰ RSA 7:6-a (2014).

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- ⁸¹ N.J. Stat. § 52:17B-221 (2014).
- ⁸² ORC Ann. 2901.41 (2014).
- ⁸³ ORS § 146.177 (2013).
- ⁸⁴ S.D. Codified Laws § 23-3-18.1 (2014).
- ⁸⁵ Relevant CALEA accreditation standards include 41.2.5, 41.2.6, and 6.2.5. Relevant VLEPSC standards include ADM.25.10 and OPR.05.01.
- ⁸⁶ *Project Lifesaver* is a program used to assist those who care for persons with diseases such as Alzheimer's, dementia or autism. Those at risk wear a transmitter bracelet that emits a constant pulsing radio signal. Local emergency teams are trained in how to communicate with the persons once they are found. The average rescue time is 30 minutes. *A Child is Missing* is a non-profit alert and recovery center that assists law enforcement in the initial hours of a search. One of the resources they can provide is placing calls with recorded messages to residents in the area, as well as the utilization of detailed satellite imaging.
- ⁸⁷ NCMEC, *Law-enforcement policy and procedures for reports of missing and abducted children- A model*. (Last revised October 2011). Retrieved from http://www.missingkids.com/en_US/documents/Model_Policy_Child.pdf.
- ⁸⁸ See, <http://www.nasar.org/>.
- ⁸⁹ APCO. (2010). *Standard for public safety telecommunicators when responding to calls of missing, abducted, and sexually exploited children*. Note: The standard was authored by NCMEC's Missing Kids & 9-1-1 Readiness Project Executive Committee. Retrieved from http://www.missingkids.com/en_US/documents/911standards.pdf.
- ⁹⁰ NCMEC (2012). *Effective use of the National Crime Information Center Database with missing-child incidents: A reference guide for public-safety telecommunications personnel*. Retrieved from http://www.missingkids.com/en_US/archive/documents/NCICGuide.pdf.
- ⁹¹ DCJS Model Policy 2-42. Retrieved from <http://www.dcjs.virginia.gov/cple/sampleDirectives/index.cfm>.
- ⁹² See, Collins, J.J., Powers, L.L., McCalla, M.E., Ringwalt, C.L., & Lucas, R.M. (1993). *Law enforcement policies and practices regarding missing children and homeless youth*. Washington, D.C.: U.S. Dept. of Justice, Office of Juvenile Justice and Delinquency Prevention. This was a significant study that found detailed, written law enforcement agency policies for responding to missing child cases were associated with more proactive investigations. They noted the need for clearly defined roles and responsibilities to avoid duplicative efforts or missing critical information. Retrieved from <https://www.ncjrs.gov/pdffiles1/Digitization/145644NCJRS.pdf>.
- ⁹³ Code of Ala. § 26-19-4 (2014).
- ⁹⁴ Minn. Stat. § 299C.55 (2014).
- ⁹⁵ N.J. Stat. § 52:17B-9.8 (2014).
- ⁹⁶ N.M. Stat. Ann. § 24-15A-5 (2013).
- ⁹⁷ ORC Ann. 109.741 (2014).
- ⁹⁸ S.D. Codified Laws § 23-3-18.1 (2014).
- ⁹⁹ 20 V.S.A. § 2365a (2013).
- ¹⁰⁰ Virginia DCJS, *Virginia Criminal Justice Training Reference Manual*, Retrieved from <http://www.dcjs.virginia.gov/standardsTraining/compulsoryMinimumTraining/cjsmanual-LAW.pdf>.
- ¹⁰¹ NCMEC (2011). *Missing and abducted children: A law-enforcement guide to case investigation and program management*, 4th ed. Retrieved from https://secure.missingkids.com/en_US/publications/NC74.pdf.
- ¹⁰² NCMEC (2011). *Investigative checklist for first responders*. Retrieved from http://www.missingkids.com/en_US/publications/NC88.pdf.
- ¹⁰³ NCMEC (2011). *Investigative checklist for law enforcement when helping unsupervised and runaway children*. Retrieved from http://www.missingkids.com/en_US/publications/NC03.pdf.
- ¹⁰⁴ NCMEC (2012). *Investigative checklist for law enforcement when responding to missing children with special needs*. Retrieved from http://www.missingkids.com/en_US/publications/SpecialNeeds_Checklist.pdf; See also, NCMEC (2012). *Missing children with special needs lost-person questionnaire*. Retrieved from http://mecptraining.org/wp-content/uploads/SpecialNeeds_Questionnaire.pdf.
- ¹⁰⁵ See, for example, U.S. Dept. of Justice (2010). *When your child goes missing: A family survival guide*, 4th ed. Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. Retrieved from http://www.missingkids.com/en_US/publications/PDF6A.pdf; See also, *Missing-child, Emergency response, Quick reference guide for families*. Retrieved from http://www.missingkids.com/en_US/publications/NC198.pdf.
- ¹⁰⁶ U.S. Dep't of Justice (2005). *What about me? Coping with the abduction of a brother or sister*. Washington, D.C.: Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.
- ¹⁰⁷ The form would be the SP-67, the Va. State Police form that is already used for any missing adult.
- ¹⁰⁸ KRS § 39F.090 (2013).

¹⁰⁹ Critically missing would be defined as including the NCIC categories of “endangered,” “involuntary,” and “disability.”

¹¹⁰ 2015 Va. Acts. ch. 223, 205.

