

308.00 - MISSING AND EXPLOITED PERSONS UNIT

308.01 Overview

- (1) The Missing and Exploited Persons Unit (MEP Unit) investigates the following:
- a. Neglected and/or abused children.
 - b. Child deaths in cooperation with the Homicide Unit.
 - c. Sexual assaults to children when the suspect is in a Position of Trust, or if the suspect is a family member.
 1. One in a "position of trust" includes, but is not limited to, any person who is a parent or acting in the place of a parent and charged with any of a parent's rights, duties, or responsibilities concerning a child, including a guardian or someone otherwise responsible for the general supervision of a child's welfare, or a person who is charged with any duty or responsibility for the health, education, welfare, or supervision of a child, including foster care, child care, family care, or institutional care, either independently or through another, no matter how brief, at the time of an unlawful act.
 - d. Child Pornography as it pertains to the possession, distribution, and/or manufacturing of photographs.
 - e. Reported runaways.
 - f. Missing persons.
 - g. Kidnappings where the victim is still missing.
 - h. Any investigation where the expertise of the MEP Unit will be useful.

308.02 Call-Out Procedures

- (1) The supervisor in the MEP Unit shall be called to assist in the following situations:
- a. All complaints of sexual assault on a child in which the suspect is in a position of trust, or is a family member, and the offense occurred within the last 72 hours.
 - b. In all physical or sexual abuse cases of children **involving serious bodily injury defined as the victim suffering.**
 1. A substantial risk of death, or
 2. A substantial risk of serious, permanent disfigurement, or
 3. A substantial risk of protracted loss or impairment of the function of any part or organ of the body, or
 4. Breaks, fractures, or burns of the second or third degree.
 - c. In all instances when it is necessary to obtain a search warrant to gather evidence or document a crime scene.
 - d. If officers are unsure how to handle a child abuse, child neglect or sexual assault to a child involving a suspect in a position of trust, the MEP Unit supervisor should be contacted through the Communications Bureau supervisor.
 - e. In all instances in which a child or adult is missing with extenuating circumstances.
 - f. In all instances where a suspect is present and there are allegations, the suspect possesses or has possessed photographs depicting Child Pornography.
- (2) Cases where death has occurred:
- a. In all cases where a child dies as a result of suspicious or criminal circumstances, the MEP Unit Supervisor will be contacted by the Homicide Unit Supervisor.
 - b. Protocols for Investigation where death has occurred, OMS 301.14, Investigation where Death has Occurred, shall be followed.

308.03 Taking Children into Protective Custody

- (1) Police officers must investigate all complaints concerning abused/neglected children to determine their validity. When a child is a victim of child abuse, child neglect or sexual assault, the officer has the responsibility of deciding if the child should be left in the home. Under CRS §19-3-401, the officer has the authority to remove the child whenever the safety or well-being of the child is immediately at issue and there is no other reasonable way to protect the child. If children are taken into protective custody and no adults are present, a copy of a Protective Custody Notice, DPD 140, and/or Request to Appear, DPD 75, must be left at the residence. The children to be protected include, but are not limited to, the following:
- a. Children who are physically, mentally or sexually abused, or who are unduly confined or restricted.
 - b. Children abandoned by their own parents or guardians, and children given to people other than a relative without proper consideration.
 - c. Children without adequate supervision and protection, whose parents are incarcerated.
 - d. Children whose homes are unfit by reasons of neglect or depravity on the part of their parents or guardians.
 - e. Children endangered by being left alone without adequate supervision and protection.
 - f. Children endangered by the use, distribution, or manufacturing of illegal drugs.
- (2) If the child needs placement, call the Denver Human Services Hotline at 720-944-3000 for the location the child will be placed.
- (3) The Denver Department of Human Services is responsible for the location the child will be placed. If the children are placed with relatives, officers must include the relative's contact information on Juvenile Case Summary, DPD 107.
- (4) When a child is **LESS THAN 72 HOURS OLD**, officers are prohibited from taking custody of that child without a court order EXCEPT in the following circumstances:
- a. When a child under 72 hours old is identified by a physician, registered nurse, licensed practical nurse, or physician's assistant engaged in the admissions, care, or treatment of patients as being affected by substance abuse or demonstrating withdrawal symptoms resulting from prenatal drug exposure.
 - b. When the newborn child's parent or parents have been determined by a physician, registered nurse, or qualified mental health professional to meet the criteria specified in C.R.S. §27-10-105, for custody, treatment, and evaluation of mental illness or grave disability.
 - c. When the newborn child is subject to an environment exposing the newborn child to a laboratory for manufacturing controlled substances as defined in C.R.S. §18-18-102(5), which states;
 1. "Controlled substance" means a drug, substance, or immediate precursor included in schedules I through V of Part 2 of C.R.S. §18-18-102, including cocaine, marihuana, and marihuana concentrate.
 - d. If an officer takes custody of a child under any of these circumstances, the officers **MUST** give the parent(s) a copy of a Protective Custody Notice, DPD 140, and/or Request to Appear, DPD 75, which includes their parental rights.
- (5) If the criteria in OMS 308.03(4) a, b, or c are NOT met, a court order is required to take custody of the child. When a court order is required, officers must do the following:
- a. If a social worker with the Denver Department of Human Services is not present, officers will call the Denver Human Services hotline at 720-944-3000, and ask for the on-call Denver Human Services caseworker.
 - b. Advise the caseworker of the circumstances involving the child, and they will call the on-call Juvenile Court Judge for a verbal order.

- c. Officers will fill out a Juvenile Case Summary, DPD 107, giving the circumstances of the call, the name of the social worker contacted, and the name of the judge giving the verbal order. A copy of the Juvenile Case Summary, DPD 107, will be left with the hospital or facility that has care of the newborn child.
 - d. If an officer takes custody of a child under any of these circumstances, the officers MUST give the parent(s) a copy of Protective Custody Notice, DPD 140, and/or Request to Appear, DPD 75, which includes their parental rights.
- (6) To comply with the Colorado Childrens Code C.R.S. §19-1-126, Compliance with the Federal “Indian Child Welfare Act”, whenever a child is an American Indian and the child is being removed from the home, officers must:
- a. Notify the Denver Department of Human Services hotline of the child’s ethnicity, and if known, the Indian tribe the child belongs to;
 - b. Serve the parents with a request to appear on Protective Custody Notice, DPD 140, and/or Request to Appear, DPD 75, to the Family Crisis Center for the next business day at 0900 hours. This form also includes their parental rights, and must be given to the parent or guardian of the child;
 - c. If officers are unsure of the child’s ethnicity, the Denver Department of Human Services will make that determination after the child is placed, and will determine whether they are affiliated with an Indian tribe.
- (7) Social workers with the Denver Department of Human Services do not have the authority to remove children from a home without a court order. Officers called to assist the Denver Department of Human Services will adhere to the law under C.R.S. §19-3-401, which states: “whenever the safety or well-being of the child is immediately at issue the officer must remove the child from the environment.”
- a. In order to take a child into protective custody, the social worker must provide information to show that the safety or well-being of the child is immediately at issue, and the officer must include this information on Juvenile Case Summary, DPD 107.
 - b. The authority to remove a child can be based on the information given by the Denver Human Services worker, and may include the history of the family known by the social worker.
 - c. Ultimately, the decision to place the children is up to the officer, but consideration should be given to all the circumstances surrounding the incident.
 - d. In situations where the officer is unsure what actions to take, the MEP Unit Supervisor should be contacted through the Communications Bureau supervisor.
- (8) When a child is placed into protective custody, officers must check the box “protective custody” on the front of the Juvenile Case Summary, DPD 107.
- a. When children are placed into protective custody, the location of the children shall not be disclosed to persons other than law enforcement or Social Services personnel. Parents will be referred to the MEP Unit.

308.04 Patrol Procedures for Child Abuse, Child Neglect, and Sexual Assault to a Child by a Person in a Position of Trust or a family member

- (1) Officers who are called by the Denver Department of Human Services hotline shall call the hotline back at 720-944-3000 and detail the outcome of the call. The Denver Human Services hotline is staffed 24 hours a day, 7 days a week.
- (2) In all cases when officers are called concerning neglected, abandoned, abused, or sexually abused children, and children are present, the officer shall complete a Juvenile Case Summary, DPD 107, irrespective to the call being founded or unfounded. Should children not be present and there is no information identifying who the children are, the officer shall complete a letter on an Inter-Departmental Correspondence, DPD 200, to the MEP Unit. Additionally, in cases where the call is founded, the officer shall do the following:
 - a. In cases of sexual assault on a child when the suspect is in a position of trust or is a family member, the victim should not be interviewed unless it is necessary. A statement should be obtained from the witness or witnesses the victim reported the sexual abuse to.

- b. In all cases of reported sexual abuse, physical abuse or neglect, officers must obtain statements from all witnesses, including other officers.
- c. Determine if the victim needs medical care, and if so, an ambulance will be called to the scene.
- d. If the victim has injuries, photographs need to be taken. This can be done by the crime lab, or if the crime lab is unavailable, with a digital camera. If a digital camera is used, the disk should be placed into the Property Bureau. When taking photographs of a child and their injuries, officers should consider whether making the child disrobe would be traumatic for the child. Officers should consider calling an ambulance, or taking the child to a medical facility to assist in taking photographs.
- e. Determine if the child can stay in the home or if the child needs placement. Refer to OMS 308.03, Taking Children into Protective Custody.
- f. Serve a request to appear to all persons involved, including the victim, on a Protective Custody Notice, DPD 140, and/or Request to Appear, DPD 75, to the Family Crisis Center.
 1. All requests to appear are to be done Monday through Friday, excluding holidays, at 0900 hours.
 2. In cases of sexual abuse, the suspect must also be given a separate Request to Appear, DPD 75, and the time must be changed to 1030 hours.
 3. If no adults are present, officers must leave a copy of Protective Custody Notice, DPD 140, and/or Request to Appear, DPD 75, at the residence. Officers must use a Request to Appear, DPD 140, because it also gives the parents and/or guardians their parental rights required by the Colorado Childs Code, CRS §19-3-402.
- g. **DO NOT** complete a General Offense report, DPD 250, unless the suspect is being jailed. Officers **shall not arrest** a person for the charge of Child Abuse or Sexual Assault on a Child by a Person in a Position of Trust, without the prior approval of their supervisor, or a supervisor or detective assigned to the MEP Unit. If extenuating circumstances exist that the arrest of the suspect is needed to ensure the officers or publics safety, officers should arrest the suspect, then notify the MEP Unit supervisor through the Communications Bureau.
- h. For cases involving child abuse and neglect, all information on the lower front page of the Juvenile Case Summary, DPD 107, shall be completed, to include all information regarding suspects.

308.05 Paperwork Distribution for Child Abuse, Child Neglect, and Sexual Assault to a Child by a Person in a Position of Trust or Family Member

- (1) The documents related to investigations of child abuse, child neglect, or sexual assault on a child involving a suspect in a position of trust, shall be distributed as follows:
- a. The original copy of the Juvenile Case Summary, DPD 107, shall be sent to Juvenile Intake Unit.
 - b. One copy of the Juvenile Case Summary, DPD 107, along with the original statements, and a copy of the Protective Custody Notice, DPD 140, and/or Request to Appear, DPD 75, shall be **HAND CARRIED** to the MEP Unit or, if the MEP Unit is closed, to the Records Section.
 - c. One copy of the Juvenile Case Summary, DPD 107, along with one copy of the Request to Appear, DPD 75, and Protective Custody Notice, DPD 140, shall be sent to Denver Human Services through inter-departmental mail.
 - d. If the child is placed at a facility, one copy of the Juvenile Case Summary, DPD 107, shall be left with the facility. Any facility that houses children taken into protective custody will not take the child without a copy of the Juvenile Case Summary, DPD 107. The facility should also be given the original copy of the Protective Custody Notice, DPD 140, and/or Request to Appear, DPD 75.
 - e. If the child is hospitalized and a hold is placed on the child for Denver Human Services, one copy of the Juvenile Case Summary, DPD 107, must be given to the hospital. The officer must notify the Denver Human Services hotline at 720-944-3000 if a hold is placed on a child who is hospitalized.

- f. When a child is placed into protective custody, officers must check the box “protective custody” on the front of the Juvenile Case Summary, DPD 107.
 - 1. When children are placed into protective custody the location of the children shall not be disclosed to persons other than law enforcement or Social Services personnel. Parents will be referred to the MEP Unit.

308.06 Child Pornography

- (1) When officers respond to cases involving photographs or paper copies of child pornography, the following shall be completed:
 - a. Retrieve all evidence relating to the child pornography and get a statement from the complainant detailing how the evidence came into their possession.
 - b. If the evidence is developed photographs or photograph negatives, retrieve the envelope that was submitted to the company for developing, and place it into the Property Bureau.
 - c. Place the evidence showing the child pornography into the Property Bureau, in a paper envelope, sealing it with evidence tape.
 - d. Send any original statements, along with a letter on an Inter-Departmental Correspondence, DPD 200 detailing the circumstances, to the MEP Unit.
 - e. The possession of child pornography is illegal. The company providing the evidence to police is forbidden from keeping any evidence depicting child pornography.
 - f. If the suspect is present, the MEP Unit supervisor shall be contacted through the Communications Bureau supervisor.
 - g. In unusual circumstances or situations that are not clearly covered by procedure, the officer will request the presence of a supervisor. The supervisor is encouraged to call the MEP Unit or the on-call MEP Unit supervisor for advice or assistance.

308.06(.55) Drug Endangered Children (DEC)

- (1) Definitions
 - a. DEC refers to children who:
 - 1. Are under eighteen (18) years of age.
 - 2. Suffer physical, emotional or mental harm, or neglect from direct or indirect exposure to illegal drugs or alcohol.
 - 3. Live in a house where illegal drugs are used and/or manufactured.
 - 4. Ingest or inhale illegal drugs in the home.
 - 5. Are exposed to the toxic chemicals of home drug labs.
 - 6. Are infants exposed to illegal drugs in utero.
 - 7. Suffer physical abuse and neglect because of their caretaker’s substance abuse.
 - b. “Controlled substance” means a drug, substance, or immediate precursor included in schedules I through V of Part 2 of C.R.S. §18-18-102, including cocaine, marihuana, and marihuana concentrate.
 - c. “Clandestine Laboratory” is defined as a scene having hazardous chemicals, glassware, fertilizers, seeds, molds or spores used to manufacture or grow controlled substances.
- (2) Patrol response
 - a. When officers arrest a suspect for possession or sale of a controlled substance and a child is present and the suspect is the guardian or parent of the child, officers shall determine if the child is safe. Refer to OMS 308.03.

1. If it is determined the child is not safe, officers shall call the Denver Department of Human Services Hotline at 720-944-3700, for placement of the child. The Emergency Response Worker will determine where the child will be placed. Officers should never place children away from their parent or legal guardian without consent from the Denver Department of Human Services.
 2. Officers shall complete a Juvenile Case Summary, DPD 107, and distribute it in accordance with OMS 308.05, Paperwork Distribution.
 3. A copy of the Juvenile Case Summary, DPD 107, will be included in the paperwork sent to the Vice/Narcotics Bureau.
- b. When officers arrest a suspect for possession or sale of a controlled substance and there is an indication that the suspect is a legal guardian or parent of a child and that child may be in danger because of the illegal drugs involved, officers shall:
1. Notify the Denver Department of Human Services Hotline at 720-944-3000 regarding the circumstances of the arrest and any concerns for the child.
 2. Include the notification to the Denver Department of Human Services in their statement.
- c. When officers find evidence of a Clandestine Laboratory as defined in OMS 308.06(1)c., officers shall immediately notify the on-call Vice/Narcotics Bureau supervisor:
1. If children are involved, Vice/Narcotics Bureau personnel will assist in completing the Juvenile Case Summary, DPD 107, on the children involved.
 2. Vice/Narcotics Bureau personnel will contact the Denver Human Services Emergency Response Team to assist with placement of the children.
- d. Officers are encouraged to call the on-call Vice/Narcotics supervisor in situations where illegal drugs are present and children may be involved.

308.07 Overview of Missing Adults, Missing Children, and Runaways

(1) Policy

- a. Missing person or runaway reports are taken of people who reside within the City and County of Denver, or if there is credible information indicating the missing adult or juvenile was last believed to be within the City and County of Denver.
- b. There is no waiting period for the purposes of reporting a missing person. Missing person cases where extenuating circumstances exist, as described in OMS 308.07(2)c, Definitions, shall be investigated immediately.
- c. At the scene of an adult or child missing with extenuating circumstances defined in OMS 308.07(2) c, the ranking member of the Investigation Division who may be present shall be in complete charge of the incident without regard to the rank of officers present from other divisions. Under such circumstances, the senior representative of the Investigation Division will establish liaison with the command post or uniformed command officer at the scene and make all requests for assistance from the Patrol Division through the command post or through the regular chain of command of that division, as appropriate.

(2) Definitions

- b. Missing Person
 1. Any child eleven (11) years of age or younger whose whereabouts cannot be determined.
 2. Any child who is twelve (12) years of age, but not yet eighteen (18) years of age and who is not considered a runaway.
 3. Any person eighteen (18) years of age or older whose whereabouts cannot be determined and the absence is a significant deviation from normal behavior patterns and cannot be explained.

4. Any walk-away from an institution including but not limited to: hospitals, nursing home, group home, or care facility. A walk-away is any person who leaves on his or her own volition, but does not have the authority to do so.
- c. Runaway
1. Any child who is twelve (12) years of age but not yet eighteen (18) years of age will be considered a runaway when the disappearance is the result of the child's actions.
- d. Extenuating Circumstances
1. Any circumstance, which subject a missing person to be at risk or suggest that foul play exists.
 2. When extenuating circumstances exist, a missing persons report is required whenever any person is reported missing from a location within the City and County of Denver.
 3. Extenuating circumstances include but are not limited to the following:
 - a. Age: A person under the age of twelve (12) or a person who is elderly*;
 1. *An elderly person is a person who has a diminished ability due to an age-related malady, disability, or memory loss.
 - b. Disability: A person of any age who is missing and who has a physical or mental disability, which subjects that person or others to personal danger. This includes, but is not limited to the inability to communicate due to language disability or language difference and Missing Civilly or Criminally Committed Mental Patients as outlined in OMS 308.09.
 - c. Endangered: A person of any age who is missing under circumstances which indicate the missing person may be in danger. This includes in the company of another person who is considered dangerous, exposure to a dangerous environment or when sexual exploitation exists or is reasonably believed and any instance where the missing person is reasonably believed to be a victim of foul play.
 - d. Involuntary: A person of any age who is missing under any circumstances, which indicate the disappearance may not have been voluntary.
 - e. Catastrophe Victim: A person of any age who is missing after a catastrophe or natural disaster.
 - f. The absence is a significant deviation from established patterns of behavior and cannot be explained.
 - g. Criminal Kidnapping, the missing person has been abducted by someone other than a parent. For procedures to follow in Parental Kidnapping, see: OMS 308.14(3).

308.08 Reporting Missing Adults

- (1) The initial report of a missing adult is a non-crime report and is considered "information only".
 - a. In some instances, missing adults are found to be victims of homicide, suicide or kidnapping. All reports of missing persons shall be considered serious during the initial reporting phase.
- (2) Reports on Missing Persons will be taken under the following circumstances:
 - a. The missing persons is a resident of the City and County of Denver, or
 - b. There is credible information indicating that the missing person was last believed to be within the City and County of Denver.
- (3) An adult (eighteen (18) years of age or older), may be reported missing via telephone or in person.
- (4) When requested by a complainant, a car will be dispatched to the complainant's location to take the initial report.
- (5) When gathering the information, either in person or by phone, an interview will be conducted with the complainant to determine if extenuating circumstances exist.

- a. If extenuating circumstances exist, as described in OMS 308.07(2) c, Definitions:
 - 1. The Communications Bureau will be notified and a description of the missing person will be broadcast.
 - 2. The on-call MEP Unit Supervisor will be notified.
 - b. If extenuating circumstances do not exist, the original General Offense report, DPD 250, will be sent to the MEP Unit.
- [(6) Missing Person reports taken in the field will be completed on a General Offense report, DPD 250:
- a. The title will be "Missing Person".
 - b. Location of Occurrence will be the last known location.
 - c. Time and date of occurrence will be the last time and date seen.
 - d. The missing person shall be listed as the victim.
 - 1. Include name, DOB, height, weight, hair, and eye color.
 - 2. Include Social Security Number and vehicle information.
 - 3. List any distinguishing information in the narrative.
 - e. The reporting person shall be the complainant.
 - f. Circumstances surrounding the missing person will be detailed in the narrative of the report.
 - g. The complainant must sign the report form.
 - h. If available, have the complainant provide a photograph of the missing person.
 - i. This report shall not be processed through the Records Section. The original will be sent to the MEP Unit.
 - j. The MEP Unit detective will gather any additional information.
- [k. On all missing persons reports, a CCIC/NCIC Wanted/Missing Person, DPD 110/252, will be completed by a MEP Unit detective or, if extenuating circumstances exist, by the on-call MEP Unit Supervisor or Detective.
- (7) The MEP Unit detectives will enter and maintain information about missing persons on the MEP Unit database.
- (8) All reports of a missing person will be assigned to a MEP Unit detective for follow-up investigation.
- (9) Missing Senior Citizens Alerts will be issued through the Crimes Against Persons Bureau MEP Unit at the direction of the Commander of the Crimes Against Persons Bureau or their designee.
- a. The following criteria must be met before MEP Unit personnel may consider issuing the alert:
 - 1. The missing person is sixty (60) years of age or older whose whereabouts are unknown.
 - 2. A missing person lives in the state of Colorado or was last known to be in Colorado.
 - 3. The missing person must have a verified mental condition that poses a credible threat to the safety or health of the person.

308.09 Missing Civilly or Criminally Committed Mental Patients

- (1) For a report to be taken by this Department, the missing or walk away person must have left a facility located in the City and County of Denver.
- (2) Persons wishing to report a civilly committed missing person or walk away will be directed to the MEP Unit during normal business hours or to the Juvenile Intake Unit after normal business hours. The report can be made in person or by telephone.
 - a. The MEP Unit will place a "locate only" pickup on the person.

- b. Persons wanted on a "locate only" pickup as walkways or runaways from a civil mental health commitment will not be arrested unless they are wanted on a warrant or are arrested on probable cause for a criminal offense.
 - c. If the person for whom the "locate only" pickup has been placed voluntarily and he agrees to be returned to the facility from which he walked or ran away, he will be transported to that facility. If the officer is unsure if the person was placed in the facility on a voluntary basis, the facility should be contacted.
 - d. A Mental Health Hold will not be placed unless the person for whom the "locate only" pickup has been placed exhibits behavior that establishes the need for a Mental Health Hold.
 - e. A Street Check Card, DPD 305, will be made whenever a person is contacted who is the object of the "locate only" pickup issued for walk away or runaway from a civil commitment. The Street Check Card and brief correspondence stating the disposition of the party will be sent by inter-department mail to the MEP Unit. The MEP Unit will cancel the pickup.
- (3) Persons wishing to report a criminally committed missing person or walk away will be directed to the MEP Unit during normal business hours, 7:00 a.m. to 3:00 p.m.

308.10 Located Missing Persons

- (1) A missing person pickup, local or national, is not a warrant and the person cannot be arrested for being sought as a missing person.
 - a. Missing persons who are physically or mentally handicapped will be handled in accordance with the procedures found in OMS 104.30, Processing the Mentally Ill.
- (2) Officers contacting a person listed as missing will:
 - a. Determine if the person is acting under his own free will.
 - b. Document how the person was identified and the circumstances of the contact in a letter to the MEP Unit.
 - c. Advise the person that a missing persons report has been filed and inform the person which agency placed the pickup.
 - d. Complete a Street Check Card, DPD 305, on the missing person and include it with the letter sent to the MEP Unit. Include Street Check cards for any other person in the company of the missing person.
 - e. If a missing person is arrested for a crime, the procedures in OMS 308.10(2) a., b., c., and d. still apply.
 - f. Any persons or agency requesting information about police contact with missing persons shall be referred to the MEP Unit during normal business hours.

308.11 Reporting Missing or Runaway Juveniles

- (1) Reports on Missing or Runaway Juveniles will be taken under the following circumstances;
 - a. The juvenile is a resident of the City and County of Denver, or
 - b. There is credible information indicating that the juvenile was last believed to be within the City and County of Denver.
- (2) When reporting a missing child or runaway twelve to seventeen (12-17) years of age, a parent, guardian, or other interested person must sign a Request for Apprehension of a Runaway Child, DPD 100.
 - a. All missing child or runaway complaints will be taken in person, with the exception of facilities registered with the MEP Unit. A car will be dispatched to the location of the complainant to take the report
 - b. Officers will complete the runaway and complainant information on a Request for Apprehension of a Runaway Child, DPD 100. One copy of DPD 100 will be left with the complainant.

- c. The completed report will be faxed to the Juvenile Intake Bureau. Once the report is faxed, officers shall call the Juvenile Intake Bureau to verify the receipt of the report.
 - d. The original report along with a photograph of the missing or runaway juvenile will be sent via inter-departmental mail to the MEP Unit.
 - e. Juvenile Intake personnel will complete the NCIC pickup, CCIC/NCIC Wanted/Missing Person, DPD 110/252, and bring this, with a copy of a Request for Apprehension of a Runaway Child, DPD 100, to NCIC.
 - f. MEP Unit detectives are responsible for all follow-up investigations involving all reported runaways or missing children.
 - g. Under unusual or extenuating circumstances, as described in OMS 308.07(2), Definitions, the supervisor at the scene shall contact the MEP Unit or the on-call MEP Unit Supervisor.
 - h. Runaway children being reported by a treatment/care facility registered with the MEP Unit, can follow the procedure listed under OMS 308.11(6).
- (3) When the child being reported as missing under extenuating circumstances, as described in OMS 308.07(2) c, officers should refer to OMS 308.16, Denver Police Department Missing or Abducted Child Response. The MEP Unit Supervisor should be contacted through the Communications Bureau Supervisor.
- (4) If a juvenile runs away from foster care to his own home, police officers do not have the legal authority to remove the juvenile from his own home unless the juvenile is in immediate danger, refer to OMS 308.03, Taking Children into Protective Custody. If the juvenile is not in immediate danger, officers shall:
- a. Contact the on-call social worker through the Denver Human Services Hotline at 720-944-3000. If the Denver Department of Human Services has been awarded custody of the juvenile, the social worker can respond to the officers' location and take custody of the juvenile;
 - 1. If the Denver Department of Human Services has not been awarded custody, they must get a verbal or written order from a Denver Judge to take the juvenile out of the home. Once this is done officers can attempt to pick up the juvenile.
 - b. If the juvenile is picked up with the verbal or written order from a judge, officers shall complete a Juvenile Case Summary, DPD 107, and distribute according to OMS 308.05, Paperwork Distribution.
- (5) When a married person under eighteen (18) years of age is being reported missing by his or her spouse, it shall be handled as an adult missing person case. The reporting spouse must respond to the MEP Unit and bring proof that the marriage exists. Should Extenuating Circumstances exist as described in OMS 308.07(2), Definitions; the on-call MEP Unit Supervisor will be contacted.
- (6) Treatment/care facilities registered with the MEP Unit reporting runaway children may follow this procedure:
- a. Treatment/care facility personnel can make a report of a runaway child in person or, if they are registered with the MEP Unit, by telephone.
 - b. Treatment/care facility personnel registered with the MEP Unit, can report runaway children by contacting the Juvenile Intake Unit.
 - c. The police department representative will complete a CCIC/NCIC Wanted/Missing Person, DPD 110/252, to generate a runaway case report, providing a case number to the treatment/care facility representative.
 - d. The treatment/care facility representative will complete a Request for Apprehension of a Runaway Child form, DPD 100. Once completed, this form will be faxed to the police department representative who will ensure completion of the document. Upon confirmation of receipt of the CCIC/NCIC Wanted/Missing Person, DPD 110/252, the runaway child will be entered onto the NCIC/CCIC system.
 - e. If the child is believed to be missing under extenuating circumstances as defined under OMS 308.16(3), Definitions, the on-duty or on-call MEP Unit Supervisor will be notified.

308.12 Located Missing or Runaway Juveniles

- (1) When a runaway or missing juvenile is located, they will be processed in accordance with OMS 403.01(8), Located Missing or Runaway Juveniles.

308.13 Juvenile Bench Warrants, WRITS OF ASSISTANCE, Probation Violation Warrants, or Other Warrants

- (1) Juvenile Bench Warrants issued by Denver Juvenile Court are entered into CCIC/NCIC by the MEP Unit.
- a. A copy of the Juvenile Case Summary, DPD 107, will be sent to the MEP Unit via inter-department mail for juveniles arrested pursuant to Denver Juvenile Court bench warrants only.
- (2) Writs of Assistance are court orders issued for the apprehension of a juvenile. They are issued upon application by the Department of Social Services. They require a law enforcement officer to take a juvenile into custody. Denver County Writs of Assistance are entered into CCIC/NCIC by the MEP Unit.
- a. The Intake Juvenile Probation Officer will be contacted to determine the placement for a juvenile apprehended pursuant to a Writ of Assistance.
- b. The apprehending officer(s) will not be required to notify a parent or guardian.
- c. A copy of the Juvenile Case Summary, DPD 107, will be sent to the MEP Unit if the Writ of Assistance was issued by Denver Juvenile Court.
- d. A copy of the Writ of Assistance must accompany the juvenile to the place of detention or shelter.
- (3) Probation Violation warrants are entered into CCIC/NCIC without the involvement of the MEP Unit.
- a. The intake Juvenile Probation Officer will notify the parent or guardian of a juvenile arrested pursuant to a probation violation warrant issued by Denver Juvenile Court.
- b. CCIC/NCIC will notify the agency initiating the warrant when a juvenile is arrested pursuant to a probation violation warrant issued by another jurisdiction.
- (4) Persons eighteen (18) years of age or older arrested on warrants issued while the person was a juvenile will be placed in the Pre-Arrestment Detention Facility

308.14 Kidnapping Cases

- (1) Investigations of all kidnapping cases where the victim is still missing will be investigated by the MEP Unit.
- (2) If the victim of the kidnapping is a child, officers should refer to OMS 308.15, Denver Police Department Missing or Abducted Child Response. The MEP Unit supervisor should be contacted immediately through the Communications Bureau.
- (3) Child custody disputes, parental kidnapping
- a. If an officer is present with a child and the disputing parties, and:
1. One party has obtained a restraining order against the other party, the officer will be guided by OMS 104.35 - Enforcement of Restraining Orders as the first course of action.
 2. If the welfare of the child is not endangered, the child will be left with the person who was awarded custody through a Colorado Court or a court of another state.
 3. If officers determine that the welfare of a child in their presence is in immediate danger, they will refer to OMS 308.03, Taking Children into Protective Custody, and complete the necessary paperwork.
- b. In any circumstance where the child is not present and the allegation is parental kidnapping, a preliminary investigation will be conducted.

1. Officers will attempt to locate the child and return the child to the party who was awarded custody.
 2. If the child is not found and there is no indication the child may be endangered, a General Offense report, DPD 250, will not be made, but the officer will send statements from the complainant and any witnesses and statements from the officers to the MEP Unit via inter-department mail. All parties should be order in to the MEP Unit the next day at 0900 hours.
 3. **If there is any indication** that the child is in danger or that the child may be taken out of state, the MEP Supervisor shall be contacted through the Communications Bureau. Officers should then refer to OMS 308.16, Denver Police Department Missing or Abducted Child Response.
- c. In unusual circumstances or situations that are not clearly covered by procedure, the officer will request the presence of a supervisor. The supervisor is encouraged to call the MEP Unit or the on-call MEP Unit supervisor for advice or assistance.

308.15 Utilization of the Media in Dissemination of Missing Person Information

(1) The Public Information Office (PIO) of the Denver Police Department, in concert with the MEP Unit, utilizes the electronic media, radio and television, to immediately broadcast information about missing, endangered or abducted children. Media release can be activated for endangered or abducted adults as well. Media releases will assist in generating community awareness in a short period of time. The Commander of the Crimes Against Persons Bureau or their designee will represent the Denver Police Department for media activation purposes.

(2) Criteria

- a. The Missing Child is under twelve (12) years of age.
- b. An investigation has occurred and verification of the disappearance/abduction is verified.
- c. The Missing Person is believed to be in danger of serious harm or death.
- d. The missing child or adult is believed to have a proven mental or physical disability and/or condition that requires immediate attention.
- e. Extenuating Circumstances exist as described in OMS 308.07(2), Definitions.
- f. Evidence exists to indicate that the missing child was abducted
- g. Evidence exists that an adult was abducted.
- h. Sufficient information is available to disseminate to the public that could assist in locating the missing person, suspect, or suspect vehicle.

(3) Activation

- a. The procedures outlined in OMS 308.08, Reporting Missing Adults, and OMS 308.11, Reporting Missing or Runaway Juveniles, will be followed.
- b. When the criteria outlined in OMS 308.15(2) is met, the Commander of the Crimes Against Persons Bureau or his designee will contact the Public Information Office of the Denver Police Department.
- c. The Public Information Office representative will facilitate the release of all pertinent missing person information to the media outlets.
- d. Information release will be facilitated through broadcast fax and/or broadcast e-mail from the Public Information Office to the media outlets.
- e. The Colorado Bureau of Investigation will be notified by the MEP Unit prior to releasing information to the media on incidents that meet the criteria outlined in OMS 308.16C5, Amber Alerts, or OMS 308.08(9), Senior Citizens Alerts.

(4) Amber Alerts

- a. All Amber Alerts will be issued through Crimes Against Persons Bureau, MEP Unit, at the direction of the Commander of the Crimes Against Persons Bureau or his designee

b. Refer to OMS 308.16(5)c5 for Amber Alert Criteria.]

(5) Cancellation

a. The Commander of the Crimes Against Persons Bureau or his designee is responsible for cancellation of an alert.

308.16 Denver Police Department Missing or Abducted Child Response

(1) Purpose

The purpose of this policy is to establish responsibilities and guidelines regarding the Denver Police Department's response to reports of missing or abducted children, and will be used in conjunction with Denver Police Department's OMS 308.07, Overview of Missing Adults and Runaways, and OMS 308.11, Reporting Missing or Runaway Juveniles.

(2) Policy

It shall be the policy of the Denver Police Department to thoroughly investigate all reports of missing or abducted children in the City and County of Denver. In addition, this agency holds that every child reported as missing with extenuating circumstances will be considered "at risk" until information to the contrary is received.

At the scene of a child missing with extenuating circumstances defined under OMS 308.16(3), the ranking member of the Investigation Division who may be present shall be in complete charge of the incident without regard to the rank of officers present from other divisions. Under such circumstances, the senior representative of the Investigation Division will establish liaison with the command post or uniformed command officer at the scene and make all requests for assistance from the Patrol Division through the command post or through the regular chain of command of that division, as appropriate.

(3) Definitions

a. Extenuating circumstances:

1. A missing child who is under the age of twelve (12)
2. A child whose disappearance involves circumstances that would cause a reasonable person to conclude that the child should be considered at risk.
3. A child who has a medical condition, physical disability, or mental disability which subjects them or others to personal danger
4. A missing child who is believed to be:
 - a. Out of the zone of safety for his or her age and developmental stage.
 - b. A potential victim of foul play or sexual exploitation.
 - c. With adults who could endanger him or her.
 - d. Missing under any circumstance that indicates the disappearance may not have been voluntary.

(4) Determination of Extenuating Circumstances

- a. If it is determined that extenuating circumstances do not exist, and the child is classified as a runaway, defined as "any child who is twelve (12) years of age, but not yet eighteen (18) years of age and the disappearance is the result of the child's actions" [OMS 308.07(2)b.], standard reporting guidelines for runaway children will apply. The responding officer will assist the reporting party in locating and returning the child if they know the child's whereabouts.
- b. If it is determined the child is missing under "extenuating circumstances", the following procedures will be apply. The search for a missing child is a cooperative effort involving the Communications Bureau, the Patrol Division and the Investigative Division. Every missing child requires different types of investigative techniques depending on the circumstances. This procedure should be used in cases of missing children, but not every item may be used, depending on the circumstances. This policy is to be used as a guideline in a missing child case. The main goal of any search for a missing child is the safe recovery of that child.

(5) Procedures

- a. The Communications Bureau
 1. Missing children that fall under “extenuating circumstances” will be dispatched as priority one or two.
 2. Immediately dispatch an officer to the scene of the report and notify a district supervisor.
 3. Transmit the appropriate information to all channels. *A critical responsibility of the call taker is to obtain sufficient information from the reporting party and immediately air information detailing the circumstances of the child's disappearance. If there is an indication the child has been kidnapped, surrounding jurisdictions should be notified. Basic information should include the child's height, weight, hair and eye color, clothing description, and the location where the child was last seen. If the child has been abducted, the information about the possible abductor must be aired with special emphasis on the description of the suspect and vehicle used as well as direction of travel. Information regarding any prior call should be obtained and relayed to the officer responding. If possible, information can be gathered by the call taker on any prior complaints in the area the child was taken from that might have investigative value. Particular attention should be given to complaints involving enticement of children, attempted kidnappings, suspicious persons and public indecency.*
- b. The Patrol Response
 1. Respond promptly to scene of the report.
 2. Interview family member/person who made report and identify the circumstances of the disappearance.
 3. **If the officer determines there are “extenuating circumstances”, the MEP Unit supervisor will be contacted through the Communications Bureau. Time is essential when investigating a missing child. The officer needs to quickly identify the circumstances of the child's disappearance to determine if a call out is necessary.**
 4. Confirm that the child is in fact missing. **Search the child's house;** even if the child was reported missing from a different location, and the house has already been searched. *Officers should never assume that searches have been performed in a thorough manner. Officers should search the house and surrounding area, paying attention to places a child could be trapped, sleeping, or hiding. Special attention should be given to refrigerators, freezers, fold out couches, and vehicles, including the trunk of the vehicle.*
 5. If there are “extenuating circumstances”, a district supervisor shall respond to the scene.
 6. Obtain a detailed description of the missing child and/or suspect and vehicle and have information aired citywide and to surrounding jurisdictions. If circumstances indicate a non-family abduction, information should be given out statewide.
 7. If the child has been abducted from a Denver hospital, consider setting a perimeter around the hospital to reduce possible escape routes for the suspect. Immediately notify the Communications Bureau to have the Missing and Exploited Persons Unit (MEP Unit) supervisor contacted.
 8. Give the child's and/or suspect's information to RTD, local cab companies, and any other private or city entities whose mobility may assist in locating the child and/or suspect.
 9. Verify the child's custody status and whether or not custody issues could play a part in the physical location of the child.
 10. Gather a list of all family members who are not at the scene. This includes family members the reporting parties contacted but are not on scene.
 11. Determine when, where, and by whom the missing child was last seen.
 12. Secure videotapes/photographs of the missing child and/or the suspect.

13. Seal/protect scene where child was taken from.
 14. Consider assigning personnel inside the child's home to monitor incoming calls.
 15. Complete neighborhood survey, separating witnesses who are critical to the investigation for interviews.
 16. Determine if the child had access to the internet, and advise responding detectives.
 17. Determine if the child has access to a cell telephone, and advise responding detectives.
 18. Determine if a grid search for the child is necessary and if so coordinate search with investigative personnel. Treat areas of interest as potential crime scenes.
 19. Determine if surveillance or security cameras in the vicinity may have captured information about the child's disappearance, and advise responding detectives.
 20. Complete required reports and make required notifications.
- c. Crimes Against Persons Response
1. When a child is missing under the guidelines of "extenuating circumstances" and the MEP Unit supervisor is contacted, a determination will be made whether a call out should be made. If detectives are called out, a minimum of one detective from the Missing and Exploited Persons Unit (MEP Unit) will be called, and additional personnel will be evaluated with regard to the following circumstances:
 - a. The circumstances surrounding the disappearance, which include but are not limited to, the verification of a non-family abduction.
 - b. The activation of the Amber Alert System.
 - c. The age of the child.
 - d. The mental capacity of the child.
 - e. Any evidence that indicates the child is in immediate danger.
 - f. The amount of time the child has been missing.
 - g. The number of witnesses that need to be interviewed.
 2. Once a call out is initiated, the Crimes Against Persons (CAP) commander will be notified of the circumstances surrounding the disappearance and the number of personnel that have been called out.
 3. When members of MEP Unit arrive, they will meet with the patrol supervisor to obtain the facts of the case and determine what additional steps need to be taken by the patrol division.
 4. MEP Unit personnel, who respond to the scene, will investigate the child's disappearance using sound investigative techniques. The MEP Unit supervisor will go through the Missing Child Investigations Checklist to ensure that all steps pertinent to the investigation have been made.
 5. Amber Alerts will be issued through the Crimes Against Persons Bureau MEP Unit at the direction of the Commander of the Crimes Against Persons Bureau or their designee. Detectives must quickly determine if the disappearance falls under the criteria for an Amber Alert. If it does, the information on the disappearance should immediately be given to the Colorado Bureau of Investigations.
 - a. Amber Alert criteria
 1. The child must be at seventeen (17) years of age or younger.
 2. The child must be in immediate danger of serious bodily harm or death.
 3. There must be enough descriptive information to believe a broadcast will assist or help in the recovery.
 6. Along with the ongoing investigation, if an Amber Alert is issued the following shall **IMMEDIATELY** take effect:

- a. Personnel will be assigned to answer telephones in the Crimes Against Persons Bureau.
 - b. Lead sheets will be completed on all calls and reviewed by a supervisor, who will assign personnel to investigate pertinent leads on the case.
 - c. A determination will be made by the Crimes Against Person Commander, or their designee if the command post will be brought to the scene of the disappearance. If the command post is used, it will be set up away from the parents' home and away from the media.
 - d. The Public Information Officer (PIO) will be notified and respond to the scene. The PIO will set up a staging area for the media that is away from the crime scene, the command post, and the victim's home.
7. Use of canines for missing/abducted persons investigations:
- a. Front Range Rescue Dogs Search Teams may be called out in the following instances:
 1. The search for missing children.
 2. The search for missing elderly persons with diminished ability due to an age related malady, disability, or memory loss.
 3. The search for special needs person of any age with a physical or mental disability, which subjects that person to danger.
 - b. A member of the MEP Unit will determine the need for the Front Range Rescue Dogs Search Team after considering the following:
 1. The amount of time the person has been missing.
 2. The circumstances surrounding the incident.
 3. Whether the incident is related to a criminal event.
 - c. If the incident fits the criteria for the use of Front Range Rescue Dogs Search Team, the MEP Unit detective will:
 1. Contact a K-9 Unit or Metro Swat supervisor to determine if a Denver Police Department K-9 would be feasible for the search.
 2. If Metro Swat K-9s are not suitable for the search, the Communications Center supervisor will be contacted to check the availability of a Front Range Rescue Dog and Search Team.
 - d. The Communications Bureau will be responsible for the following:
 1. Once a request has been made, the Communications Center supervisor will verify that a Metro Swat supervisor has been contacted and a department K-9 will not respond.
 2. Call the Boulder County Sheriff's Office Dispatch Center, 303-441-4444, and request a Front Range Rescue Dogs Search Team trailing dog.
 3. Supply the call taker the name and phone number for the MEP Unit detective on-scene. The MEP Unit detective will be contacted by the on-call representative and/or the responding team member from Front Range Rescue Dogs.
 4. If a team is available, an estimated time of arrival will be requested.
 - e. Front Range Rescue Dogs (FRRD) Search Teams consist of one handler, one dog, and one operational support member:
 1. FRRD teams will be accompanied by a minimum of one uniformed Denver Police Officer.
 2. FRRD handlers or support members will not be left unescorted at any time during the search.

3. If during the search it is determined that a crime has occurred or a suspected crime scene is discovered, the search will stop immediately. Denver Police Department personnel will secure the scene and notify the MEP Unit detective on scene.

d. Missing Child Investigative Checklist

Note: This is to be used by members of Crimes Against Persons Bureau when they are called out on a report of a missing or abducted child. Not every item in this list may be used depending on the circumstances. This is to be used as a guideline in cases of missing children.

1. Verify that the child is in fact missing. When MEP Unit detectives arrive, they will search the house, even if patrol officers have already done a search. Be aware that a small child can fit into a very small space. Detectives should pay particular attention to fold out couches that are inside the home and other areas where the child's breathing may be restricted.
2. Verify a missing child's custody status. Identify legal guardians.
3. Determine if the case fits the criteria for an Amber Alert. If it does, detectives must contact CBI to issue the Amber Alert. This should be done as quickly as possible.
4. Document the crime scene on child abductions to include videotaping where the child was taken from.
5. Obtain a photograph of the victim and create flyers for distribution through the National Center for Missing and Abducted Children's Locater program.
6. Consider the need for a telephone hotline. This is required if an Amber Alert is issued.
7. Contact the National Center for Missing and Exploited Children.
8. Assign a scribe.
9. Ensure that the description of the missing person has been broadcast to Denver and surrounding law enforcement jurisdictions.
10. Notify the media and other city agencies as appropriate. The PIO should be utilized for release of information to the media. Due to their mobility, bus and taxicab companies should be notified as well.
11. Have the child put on NCIC.
12. For a missing child, identify their "zone of safety" with consideration of their age and developmental stage.
13. Search the victim's house and room for leads.
14. Determine if the child had access to a computer that is hooked up to the internet. If so, check the computer for any leads.
15. Document the crime scene or the location where the victim was last known to be.
16. Interview reporting parties and the victim's family. If necessary polygraph personnel can be utilized in the investigation.
17. Interview the individuals who were last in contact with or who last saw the victim.
18. Interview all other parties who may have information regarding the victim.
19. Police department personnel should remain with the parents or reporting parties at all times that there is an active search for the victim. Notes should be taken of all statements made by these persons. Patrol division officers may be utilized for this, but should remain close to the reporting parties to hear any conversation.
20. Determine if the family has had parties to the house who are out of the ordinary. For example, repairmen or other workers.
21. If there is no one else at the victim's home or at the victim's parent's home, an officer should be assigned to intercept all telephone calls. Recording equipment should be considered

22. Check cars in the area and have the trunks of the cars opened.
23. Consider the use of volunteers to assist in the search. The use of volunteers should be carefully considered because of the possibility of crime scene contamination. A possibility also exists that a suspect may want to be part of the search. The use of volunteers must be approved by the CAP commander and coordinated by MEP Unit personnel.
24. Ensure all leads are being recorded and followed up on as appropriate.
25. Document the perimeter of any search and consider modification of this perimeter.
26. Conduct a neighborhood survey. Officers conducting this should additionally document all license plates in the neighborhood. MEP UNIT detectives will research these license plates.
27. Establish a command post if necessary. This should be located away from the victim's home. A separate media staging area can be established as well, which should be away from both the command post and the home.
28. Contact air support (Air 1) for searches that involve large areas.
29. Search dogs may be considered if appropriate.
30. Consider the use of ITN (Intrado Target Notification) to contact homes near where the child was missing from.
31. Conduct records research/criminal history searches on all involved persons.
32. Retrieve all prior information on the family from the Department of Social Services, 720-944-3000.
33. If there is any indication the child may have been kidnapped, retrieve a copy of all registered sex offenders who live/work in the area the child was last seen.
34. Contact all family or friends of the child and the child's family, who are not on scene. This includes parties the family has already contacted, but are not present.
35. If appropriate, contact Denver Public Schools to obtain contact information for students who go to school with the victim.
36. Consider retrieving medical and dental records for later use.
37. Consider getting a sample of the child's hair for DNA purposes.
38. The commander of CAP will determine what further investigative steps will be completed after all leads have been exhausted.

e. Recovery of the Child/Reunification with the Family

1. MEP Unit personnel will be responsible for notifying the appropriate agencies when the child is recovered and canceling the NCIC pickup, CCIC/NCIC Wanted/Missing Person, DPD 110/252.
2. When a child is recovered officers should not question the child and the MEP Unit detective will respond to the location of the recovery.
3. The child should be interviewed by MEP Unit personnel who are trained in the forensic style of interview. If information from the child is immediately necessary, this should be done by the MEP Unit detective.
4. Be aware of evidence that may be on the child and/or the child's clothing.
5. The release of the child to the family will be done by MEP Unit personnel. Family members should not be taken to the scene of the recovery.
6. MEP Unit personnel will consider contacting the Denver Department of Human Services in assisting with placement of the child and/or reunification with the family.
7. MEP Unit personnel will consider calling the Victim's Assistance Unit to assist the family with services.