

Jon Francis Foundation

Information for People Coping With a Missing Person

If you have suffered the misfortune of having someone you know - a friend, relative, neighbor or loved one - go missing, this information will be important and valuable.

At this difficult time, you will likely be highly anxious, distraught, angry, disabled by grief and unable to think clearly and make good decisions. You need information, assistance from law enforcement, responsible for reporting and investigating missing person's cases, and help from private agencies who know the path you are walking.

First, here is the current law in Minnesota:

“Minnesota Missing Persons’ Act.”

- Requires law enforcement to accept missing persons’ reports, without delay.

Missing Persons’ Reports

“A law enforcement agency shall accept **without delay** any report of a missing person. The law enforcement agency shall not refuse to accept a missing person report on the basis that:

- the missing person is an adult;
- the circumstances do not indicate foul play
- the person has been missing for a short amount of time;
- the person has been missing for a long amount of time;
- there is no indication that the missing person was in the jurisdiction served by the law enforcement agency at the time of the disappearance;
- the circumstances suggest that the disappearance may be voluntary;
- the reporting person does not have personal knowledge of the facts;
- the reporting person cannot provide all of the information requested by the law enforcement agency;
- the reporting person lacks a familial or other relationship with the missing person; or
- For any other reason, except in cases where the law enforcement agency has direct knowledge that the person is, in fact, not missing and the exact whereabouts and welfare of the person are known at the time the report is being made.

A law enforcement agency shall accept missing person reports in person. An agency may also accept reports by telephone or other electronic means to the extent such reporting is consistent with the agency's policies or practices.

The local law enforcement agency having jurisdiction over the location where a person has been missing or was last seen has the responsibility to take a missing person report from an interested party. If this location cannot be clearly and easily established, the local law enforcement agency having jurisdiction over the last verified location where the missing person last resided has the responsibility to take the report.”

- Identifies what information law enforcement must seek to ascertain and record about the missing person.
- Provides that the law enforcement agency shall immediately conduct a preliminary investigation to determine if a person is missing and endangered (at risk of injury or death).

Missing Persons’ Investigations

Officers investigating endangered missing persons cases need to be aware that the first two hours of the investigation may be critical to the safety of the person. In such cases, officers shall attempt to have the following accomplished within that two-hour period:

Upon receiving a report of a person believed to be missing, a law enforcement agency shall immediately conduct a preliminary investigation to determine whether the person is missing, and if missing, whether the person is endangered.

The law enforcement agency that takes the report of a missing person shall be the lead law enforcement agency in charge of the missing person investigation and shall continue in that capacity unless another law enforcement agency assumes primary responsibility over the investigation. The lead law enforcement agency shall be entitled to the cooperation of any other law enforcement agency in the state.”

- If the person is initially determined to be missing and endangered, the agency shall immediately consult the Bureau of Criminal Apprehension (BCA) during the preliminary investigation, in recognition of the fact that the first two hours are critical
- Requires statewide notification of law enforcement agencies to aid in the prompt location and return of a missing and endangered person.
- Provides that the law enforcement agency and the Minnesota Bureau of Criminal Apprehension (BCA) shall comply with federal law on missing children cases.
- Immediately enter the complete descriptive and critical information, regarding the missing and endangered person, into the *NCIC Missing Person File –Appropriate NCIC Category.
- Requires that information be provided to family members or person filing the report.

Current Minnesota Law does not provide standards or guidelines for search and rescue operations such as level of effort, duration, or selection and deployment of resources.

What Can You Do?

TEAMWORK

A missing person is too important to be left to one person. A Team Approach, with the family involved, is more productive. You can and should help law enforcement to accomplish its mission.

- You can provide important information to law enforcement to aid in their investigation and entry of information in statewide and national missing person databases, such as Photographs, Dental and Medical Records, Fingerprints and DNA.
- Cooperate with law enforcement by providing information for the missing persons’ report and investigation.
- Remain in contact with law enforcement during the investigation to provide help when asked.

***NCIC** - The FBI's National Crime Information Center.

After the identifiers have been entered into the searchable databases, verify that the NCIC record has been updated. They have no objection to allowing the family to see the record in order to verify its accuracy. After all, the NCIC record is made up of information **PROVIDED BY THE FAMILY**.

THE IDENTIFIERS:

The family must assist law enforcement in locating, securing, and submitting these records. Ensure that law enforcement take these records and properly submits them into the searchable databases.

PHOTOGRAPHS

Smiling preferred

HOME VIDEOS

Talking preferred

MILITARY RECORDS

Branch of service

Service #

Date of Entry

Date of Discharge

MEDICAL RECORDS AND PROVIDERS

Doctors

Broken bones

Surgeries

X-Rays

There are only three scientifically-acceptable ways to identify someone who is either unwilling or unable to identify themselves: fingerprints, dental records, and DNA. These are the critical minimum records that must be submitted into law enforcement's searchable databases.

FINGERPRINTS

The missing person's fingerprints may be located via a wide variety of sources, including (but not limited to): arrests, employment and background applications, military service, and even through check-cashing facilities and social services.

DENTAL RECORDS AND PROVIDERS

These records are perishable, and **MUST** be obtained as soon as possible!

Order copies – leave original records with dental or medical providers and tell them to “freeze” the file forever. Once obtained, these records must be mailed (or emailed) to the BCA, missing persons' clearinghouse.

The NCIC record must be updated to describe the availability of dental X-rays and charts, and the dental characteristics must be coded for entry into the NCIC record

These dental records (charts and X-rays) should also be entered into The National Dental Image Repository (NDIR), which is available to law enforcement through the FBI's LEO network (Law Enforcement On-line).

DNA (Deoxyribonucleic Acid from a human biological specimen)

The best source of a missing person's DNA is from the missing person himself (or herself) – referred to as a “direct” DNA sample. Missing persons leave their DNA behind on:

- Toothbrush(es)

- Hair Brush (es)
- Shaving razor(s)
- Electric shaver(s)
- Clothing/hats (unwashed)
- Teeth
- Finger/Toe nails
- Medical procedures

If unable to obtain direct DNA samples, “reference” DNA samples should be obtained from blood relatives. The best “reference DNA” would come from the missing person’s identical twin siblings (monozygotic twins) or both biological parents. If one parent is not available, then the available parent (hopefully the mother, because it is the mother that passes down mtDNA) should be sampled, along with as many full siblings as possible.

The sampling procedure is simple; basically a q-tip is swabbed on the inside of the subject’s mouth. Samples should be entered into the Combined DNA Index System (CODIS - FBI). There are only a few DNA labs certified to complete a DNA profile and submit to CODIS (a list of such labs are available on the CODIS website).

DNA samples should be submitted to either the Federal Bureau of Investigation directly, or to the Center for Human Identification at the University of North Texas (Phone: 800-763-3147 - Website: www.hsc.unt.edu/departments/pathology_anatomy/dna/forensic.htm).

On average it will take a period of months for a missing person’s DNA profile to be developed and entered into CODIS. The NCIC record must be updated to describe the availability of a DNA sample in CODIS, including any reference numbers.

Check List.

Use the check list, **Appendix A**, to help you keep track of what needs to be done during this time of distress. Use this to assist law enforcement and search and rescue.

Create a Missing Person Profile.

Complete the missing person profile form in **Appendix B**. Describe the missing person in as much detail as you can. Ask others who may know what you don’t know. This information will be valuable in the investigation and search. Give a copy of the profile to the chief investigator.

People and Organizations Who Can Help.

You are not alone. Others have experienced what you are going through and they have created organizations, foundations and support groups to assist you. Call them. Do not rely on yourself, your friends and family or law enforcement alone to help. See **Appendix C**.

How You Can Help During the Search.

- Cooperate with law enforcement.
- Cooperate with the search and rescue manager.
- Establish a single point of contact with law enforcement and other agencies involved.
- Request meetings to share information and to receive updates on the missing person case.
- Appoint a spokesperson to speak for the family.
- You will be anxious and angry. Do your best to avoid directing your anger and frustration at those who are trying to help.
- See **Appendix D**. for more information on the search and rescue process and your role.