

Subject MISSING STUDENT/PERSON PROTOCOL			Policy Number 10.0
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Reference Standards 42 USC 5779(a), Tex. Code of Crim. Pro. art. 63.002 Tex. Code of Crim. Pro. art. 63.051(5)		Replaces or Amends Policy Number NONE	

10.01 PURPOSE

This policy describes the procedure for acceptance, reporting, documenting and investigating missing persons. State law, as well as federal law under 42 USC 5779(a), specify certain requirements relating to missing persons (Tex. Code of Crim. Pro. art. 63.002 et. seq)

10.02 POLICY

If a member of Coastal Bend College (The College) Community has reason to believe a student is missing, they should contact the CBC District Police Department (CBCPD) or other local law enforcement agencies immediately. Whether or not a student resides on campus, efforts will be made to locate the student to determine his or her location and well-being. These efforts may be aided by collaboration with other local law enforcement agencies.

10.03 DEFINITIONS

10.03.01 Missing Student- A CBC student who resides in either the Benton Hall dormitories or apartments and. Whose absence is contrary to his/her usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include, but are not be limited to:

- .01 A report or suspicion that the missing person may be the victim of foul play.
- .02 The missing student has expressed suicidal thoughts.
- .03 The missing student is drug dependent.
- .04 The missing student is in a life-threatening situation.
- .05 The missing student has been with persons who may endanger the student's welfare.

10.03.02 Missing Person - A person 18 years of age or older who cannot be located and the circumstances surrounding the disappearance are unknown. A missing student may be deemed a missing person at any time.

10.03.03 Child - A person under 18 years of age (For purposes of federal law, a child is considered any person under 21 years of age).

10.03.04 Missing Child - A child whose whereabouts are unknown to the child's legal custodian, the circumstances of which indicate that:

.01 The child did not voluntarily leave the care and control of the custodian, and the taking of the child was not authorized by law.

.02 The child voluntarily left the care and control of his legal custodian without the custodian's consent and without intent to return (e.g., runaway).

.03 The child was taken or retained in violation of the terms of a court order for possession of, or access to, the child (e.g., Interference with Child Custody, Enticing a Child, Harboring a runaway).

10.03.05 High-Risk Missing Person - A person who is missing (Tex. Code of Crim. Pro. art. 63.051(5)):

.01 As a result of an abduction by a stranger; or

.02 Under suspicious or unknown circumstances; or More than **30 days**; or

.03 **Less than 30 days if there is reason** to believe that the child or person is in danger of injury or death.

10.04 ON-CAMPUS MISSING STUDENT PROCEDURE

10.04.01 When an on-campus resident student is reported to be missing, CBCPD will:

.01 Gather all essential information about the person (description, clothes last worn, where the subject might be, who they might be with, vehicle description, etc.). If possible an up to date photograph may be obtained to aid in the search.

.02 Determine if possible the mental status of the missing student and determine if the person may have ideations of suicide or self-harm by interviewing those persons who have been in recent contact with the student.

.03 Determine if possible the existence of any medical condition or immediate need for medication which creates an imminent risk to their safety and well-being.

.04 Determine if there exists any evidence of the possibility of kidnapping, foul play or threat to personal safety of the missing student.

.05 Appropriate campus staff will be notified to aid in the search of the individual.

.06 A quick but thorough search will be conducted of campus.

.07 CBCPD will secure authorization and make a welfare entry into the student's room.

.08 Class schedules will be obtained and a search of classrooms will be conducted.

.09 Issue a timely missing person alert to area law enforcement agencies in accordance with state and federal law and include all pertinent information that could assist in identifying and/or locating the missing student.

.10 Within two hours after the determination that the person or student is missing, the CBCPD officer in charge of the investigation will provide radio communications with as much information as possible to be included in a notification such as a welfare concern, Amber Alert (for minors), **or**

10.04.02 If the above actions are unsuccessful in locating the student or if in the judgment of CBCPD or other investigating law enforcement agency it is likely the person is actually missing, the student will be deemed to be a missing person by either CBCPD or other appropriate local law enforcement officials.

10.04.03 Once the determination is made that the student is missing, the on-duty CBCPD officer will initiate an incident report detailing all information related to the student or other person being reported as missing.

10.04.04 **If there is no on-duty CBCPD officer available, then the reporting responsibility will fall to the local agency of jurisdiction.** Normally the Beeville, Kingsville, Alice, or Pleasanton Police Department will be notified of the missing student/person by college personnel.

10.04.05 Regardless of duty status, the CBC Chief of Police or his designate will be notified by phone of the missing person report.

10.04.06 In the case that another law enforcement agency is taking jurisdiction of the missing student/person, the investigation will be turned

over to the appropriate local law enforcement agency. As stated above, the missing student/person investigation will be turned over to one of the listed local law enforcement agencies. CBCPD will join, as soon as practical, with local law enforcement in continuing to determine the student's whereabouts.

10.04.07 No later than 24 hours after determining a student is missing, CBCPD will meet with Student Services and determine and notify the student's emergency contact.

10.05 OFF-CAMPUS MISSING STUDENTS

If the student is an off-campus resident, appropriate family members or associates will be encouraged to make an official missing person report to the law enforcement agency with jurisdiction. CBCPD will cooperate and aid other law enforcement agencies in all ways prescribed by law.

10.06 AMBER ALERT (*APPLIES ONLY TO PERSONS UNDER 18 YEARS OF AGE*)

An AMBER Alert can only be implemented if **all** of the following criteria are met (Tex. Gov't Code § 411.355 and Tex. Gov't Code § 411.356):

.01 There is reason to believe that a child 17 years of age or younger has been abducted; and

.02 It is believed that the abducted child is in immediate danger of serious bodily injury or death or of becoming the victim of a sexual assault; and

.03 A preliminary investigation has taken place that verifies the abduction and eliminates alternative explanations for the child's disappearance; and

.04 There is sufficient information available to disseminate to the public that could assist in locating the child, a person suspected of abducting the child or a vehicle suspected of being used in the abduction.

10.07 PROCEDURES FOR REGISTRATION OF PREFERRED EMERGENCY CONTACT

10.07.01 No later than 24 hours after determining that a student is missing, CBCPD will notify the student's emergency contact.

10.07.02 For students who are under the age of 18 and not emancipated, the College will contact a custodial parent or guardian.

10.07.03 Prior to checking in to an on-campus housing facility, students over the age of 18, or students who are emancipated, will be given the opportunity to designate an emergency contact who will be contacted in the event the student is reported as missing. An emergency contact will remain in effect until changed or revoked by the student. This contact information is registered confidentially, and will be accessible only to authorized campus officials and law enforcement. It will not be disclosed outside of a missing person investigation.

10.07.04 Emergency contact information will be stored in a student's file in the Student Services Office. A student can update emergency contact information by emailing the Student Services Office.

10.08 Conclusion of Investigation

10.08.01 If located, verification of the student's well-being and intention of returning to the campus is made. If needed, the student will be referred to campus or community resources (counseling, medical, etc.).

10.08.02 Upon closure of a missing person investigation, all parties previously contacted will be advised of the status of the case.

10.08.03 All official alerts will be cancelled as soon as practical.

10.08.04 If the person recovered is 18 years of age or older, the officer's responsibility is to confirm that the person is safe.

10.08.05 Officers shall not divulge the location of a located person 18 years of age or Older if the located person requests his location not be disclosed to anyone unless there is a court order that places that person in the care and custody of another.

10.09 Campus Communication About Missing Students

10.09.01 In cases involving missing persons, law enforcement personnel are best situated to provide information to the media that is designed to elicit public assistance in the search for a missing person.

10.09.02 All communications regarding missing students will be handled by the CBC Chief of Police working in concert with the CBCPD Public Information Officer and outside law enforcement authorities.

10.09.03 All inquiries to the College regarding missing students, or information provided to any individual at the College about a missing student, shall be referred to the CBCPD, who shall refer such inquiries and information to law enforcement authorities.

10.10 Policy Disclosure

At least once a year CBCPD will make students aware of the **CBCPD Missing Student Policy**. This notification shall inform students they have the option to indicate an emergency contact and if they were to be reported missing their emergency contact would be notified within 24 hours.