



MEMORANDUM

TO: HONORABLE MAYOR &
CITY COUNCIL

FROM: Susan E. Manheimer
Chief of Police

SUBJECT: OPD Missing Persons Report

DATE: April 7, 2020

City Administrator
Approval

Date April 11, 2020

RECOMMENDATION

Staff Recommends That The City Council And Public Safety Committee Receive An Informational Report From The City Administrator On The Oakland Police Department's Protocol And Related Policies For Responding To Reports Of Missing Persons With An Emphasis On Missing Children And Including In The Report Information On The Number Of Missing Persons Reported, Demographics Of Missing Persons, Actions Taken By OPD, And Resolutions Over The Past Five Years.

EXECUTIVE SUMMARY

The Oakland Police Department (OPD) accepts any report of missing persons or runaways, without delay. OPD has jurisdiction when the missing person or runaway resides in the City of Oakland. This report provides information about the policies that govern OPD's Missing Persons Unit investigations – and recent efforts to update the policies. This report also provides data on missing and abducted persons cases from 2015 through 2019.

BACKGROUND / LEGISLATIVE HISTORY

The Oakland Police Department (OPD) accepts any report of missing persons or runaways, without delay. California Penal Code Section 14211(a) states: "All local police and sheriffs' departments shall accept any report, including any telephonic report, of a missing person, including runaways, without delay and shall give priority to the handling of these reports over the handling of reports related to crimes involving property." OPD Departmental General Order (DGO) O-6 "Missing and Abducted Persons"¹ (see *Attachment A*) governs OPD policy and procedures regarding missing person incidents.

¹ OPD DGOs and other policies can be found online under OPD's Police Data Section of the Department website here: <https://www.oaklandca.gov/resources/oakland-police-department-opd-policies-1>

OPD's Missing Persons Unit (MPU) is responsible for investigating missing and abducted persons cases. This unit is part of the Special Victims Section (SVS) within the Criminal Investigation Division. MPU is staffed with two sworn investigators, one professional staff investigator, and one sergeant. This sergeant is also responsible for supervising the Juvenile Intake Unit.

ANALYSIS AND POLICY ALTERNATIVES

A total of 3,188 new cases were reported to OPD during this period (see Table 1 below) from January 1, 2015 to December 31, 2019. OPD's MPU currently has 88 open cases involving adults who were reported missing from January 1, 2015 through December 31, 2019. These open cases are investigations during which the missing person has not yet been found. A missing person investigation remains open until the MPU has verified their whereabouts.

Of these 3,188 cases, 1,123 involved child custody orders and parental abductions which were investigated in conjunction with the Alameda County District Attorney's Office. Of these, 99 remain open – which means that the custody issue(s) are still being litigated in family court.

OPD as an organization – and the MPU in particular – recognize that each case of a missing or abducted person creates stress and trauma for the person's family and community. SVS investigators utilize a peer support program and additional support resources to aid families in distress. OPD partners with the National Center of Missing and Exploited Children (NCMEC). This organization assists families experiencing the trauma of experiencing a missing child. NCMEC also can be the conduit between the families, law enforcement and resource centers. The association of Missing and Exploited Children's Organization provides services to families of missing children.

Table 1 below provides data (by race) between January 1, 2015 and December 31, 2019.

Table 1: Data on Missing Persons Cases in Oakland: 2015-2019

Race	Case Count	Percentage
African American	1,592	49.9%
Asian	264	8.3%
Hispanic	486	15.2%
Other	147	4.6%
White	699	21.9%
Grand Total	3,188	100.00%

Table 2 below provides data, by race and gender, on the currently open adult missing persons cases (88 total) initiated between January 1, 2015 and December 31, 2019.

Table 2: Currently Open OPD Adult Missing Persons Cases

Race	Female	Male	Total	Percentage
African American	22	31	53	60.2%
Asian	1	1	2	2.2%
Hispanic	2	11	13	14.7%
Other	1	1	2	2.2%
White	9	9	18	20.5%
Total	35	53	88	100%

Missing Persons Cases – Investigative Steps

The reporting officer, whenever a person is reported missing, will:

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

The reporting officer will request and or obtain a recent photograph of the missing person, if available, and then take the following steps:

- Conduct a reasonable search of the area and known locations for the missing person;
- If the missing person is under 16 years of age or “at-risk” and is not located, an extensive search may be necessary;
- If the missing person is under 16 years of age or “at-risk” and is not located, the reporting officer shall notify and advise his/her supervisor;
- The supervisor shall evaluate the circumstances and formulate a plan of action, to include additional resources;
- The supervisor shall determine whether to conduct a more extensive search and deploy the additional resources as needed;
- The reporting officer will then call the Juvenile Intake Unit officer and request that the person be entered on the Missing Person Log;
- The reporting officer will also advise the Juvenile Intake Unit officer of the outcome of the preliminary investigation and give a complete description of the missing person and any vehicles involved within 30 minutes of arriving at the scene.

The Juvenile Intake Unit Officer shall maintain a Missing Persons Log of all persons reported missing and the disposition of each incident. They are also responsible for the following:

- Notify the Department of Justice (DOJ) through the National Crime Information Center (NCIC) computer system within four (4) hours;
- Fax the Authorization to Release Dental/Skeletal X-Rays/Photograph of Missing Juvenile to DOJ for missing persons less than 16 years of age within 24 hours.

The assigned missing persons investigator shall follow up on all additional leads in an attempt to locate the missing person to include, but not limited to, the following:

- Prepare a Critical Reach (TRAK) flier and send to appropriate outside agency;

- Ensure a copy of the Critical Reach flier is placed in the MDT Critical Reach folder;
- Provide a copy of the Critical Reach flier to the Oakland Unified School District (OUSD) for missing juveniles within 10 days during the school year;
- Provide the DOJ and outside agencies with copies of Departmental reports, as required;
- Request that the Communications Section broadcast a “be on the lookout” bulletin;
- If the missing person is still not located, the supervisor shall evaluate the circumstances and confer with the on-duty Watch Commander to determine whether an investigative call-out is necessary;
- In the event the on-duty Watch Commander concurs, he/she shall authorize a call to the SVS investigative call-out team (see **Missing Persons Investigations Protocol Checklist – Attachment B** – for details regarding SVS callout team’s investigative strategies).

OPD Missing Persons Policy Update

DGO O-6 “Missing and Abducted Persons” was first published in on December 15, 2009. There have been several changes to relevant California law as well as technology (e.g., social media, online privacy) since that time. Therefore, OPD is currently in the process of updating this policy.

PUBLIC OUTREACH / INTEREST

No public outreach was required in the production of this report.

FISCAL IMPACT

There is no fiscal impact associated with this report.

COORDINATION

OPD did not coordinate with other City departments in the production of this report.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic opportunities associated with this report.

Environmental: There are no environmental opportunities associated with this report.

Race and Equity: OPD’s Special Victims Section and Missing Persons Unit (MPU) are dedicated to investigating missing persons and runaway reports in Oakland. These cases often impact disadvantaged communities at a greater frequency than more advantaged communities in Oakland. Efforts to enhance OPD’s MPU will have a direct impact on communities who experience the frustration of not knowing the whereabouts or welfare of a loved one. Furthermore, all Oakland residents and visitors benefit from efforts to locate missing persons that occur in the City of Oakland or elsewhere.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends that the City Council and Public Safety Committee Receive an Informational Report from The City Administrator On The Oakland Police Department's Protocol And Related Policies For Responding To Reports Of Missing Persons With An Emphasis On Missing Children And Including In The Report Information On The Number Of Missing Persons Reported, Demographics Of Missing Persons, Actions Taken By OPD, And Resolutions Over The Past Five Years.

For questions regarding this report, please contact James Beere, Lieutenant of Police, Criminal Investigation Division, at (510) 238-3641.

Respectfully submitted,

/s/

Susan E. Manheimer
Chief of Police
Oakland Police Department

Reviewed by:
James Bassett, Captain of Police
OPD, Criminal Investigation Division

Bruce Stoffmacher, Management Assistant
OPD, Training Division, Research and Planning

Prepared by:
James Beere, Lieutenant of Police
OPD, Criminal Investigation Division

Attachments (2)

A: Departmental General Order (DGO) O-6 "Missing and Abducted Persons"

B: Missing Persons Investigations Protocol Checklist