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# INVESTIGATION OF MISSING PERSONS AND DNA COLLECTIONS

## 3160.1 PURPOSE

These procedures provide guidance for the investigation of missing persons, accepting missing persons reports, and DNA collection in support of Missing Persons Policy.

## 3160.2 PROCEDURES

### 3160.2.1 TELEPHONIC REPORTS

A telephone report may be taken from the reporting party, but if the report involves a missing child 12 years of age or younger, or is at risk, as defined in Missing Persons Policy, a police officer shall be dispatched.

### 3160.2.2 MISSING REPORTS FROM JUVENILE GROUP HOMES

When a qualified group home wants to report a missing juvenile, a representative of the group home will contact the Santa Ana Police Department to make a report.

Upon taking the report, the officer shall obtain family and social worker contact information, custody information, photo, and Direct Reference Sample (DRS)-DNA, if available.

### 3160.2.3 PROCESSING MISSING PERSON REPORT FORMS

- (a) The officer shall complete the report (08-Missing Person/Outside Locate Person Report) and CLETS form (07-CLETS Missing Person) on every missing person.
- (b) If the Records Division is closed, the Station Supervisor will route the CLETS form to Communications for input into MUPS.
- (c) Pursuant to California Penal Code §14211(e), upon receipt of CLETS form, Records Division or Communications will input the missing person into MUPS within two hours of receipt of the form.
- (d) Pursuant to California Penal Code §14211(d), if the missing person is under 21 years of age, or there is evidence that the person is at risk, the police department shall broadcast a "Be On the Lookout" bulletin, without delay, within its jurisdiction.

### 3160.2.4 PROCESSING RETURNED/LOCATED MISSING PERSON REPORTS

- (a) The officer shall complete the report (09-Missing Person Supp/Cancel) and CLETS form (08-CLETS Missing Person/Locate Cancel).
- (b) If the initial report is not in TriTech the officer must complete a Legacy Case Supplement, and then a Missing Person Supp/Cancel, and the CLETS form.
- (c) Records Division will clear the missing person from MUPS. If the Records Division is closed, the Station Supervisor will route the CLETS form to Communications for processing.

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### 3160.2.5 DNA COLLECTION

Pursuant to California Penal Code §14250, family members or relatives of a “high risk” missing person may voluntarily provide a DNA sample to law enforcement. This DNA sample will only be used for identification purposes in missing person cases.

1. High Risk Missing Person - A “high risk” missing person is defined as any of the following:
  - A. Abducted by a stranger
  - B. Missing under suspicious or unknown circumstances
  - C. There is reason to believe the missing person is in danger or deceased
  - D. The person has been missing for more than 30 days
2. High Risk Missing Person and DNA Collection – High risk missing person and DNA collection [California Penal Code § 14250 (c)(2)] requires that within 30 days after a report has been made of a person missing under high-risk circumstances, the responsible investigating law enforcement agency shall inform the parents or other appropriate relatives that they may give a voluntary sample for DNA testing or may collect a DNA sample from a personal article belonging to the missing person if available. California Penal Code § 14250 (c)(3) provides that no incentive or coercion shall be used to compel a sample. DNA is to be collected using a Department of Justice Missing Person DNA Collection Kit. Guidelines related to the collection, processing and disposal of DNA samples collected using the Department of Justice Missing Person DNA Collection Kit can be found in California Penal Code § 14250 (c). Some of the requirements include:
  - A. DOJ form #BFS 900 form must be filled out with each kit
  - B. After 30 days from the date the report was filed, law enforcement shall send the sample to the DOJ for DNA testing and inclusion in the DNA database, with a copy of the crime report, and any supplemental information
  - C. The investigating officer must verify the status of the missing person prior to submitting the sample to DOJ for analysis
  - D. DNA can only be used for identification of the deceased's remains
  - E. The DNA donor can request DOJ to destroy their DNA sample
  - F. DNA information is to be kept confidential and can only be disclosed for law enforcement purposes only, except law enforcement can publicly disclose a DNA match of an unidentified person after taking reasonable measures to first notify the family

Santa Ana Police Department Crime Scene Investigators and Missing Person Unit Detectives/ Investigators have access to these kits and have been trained in obtaining DNA samples using these kits.

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### 3160.2.6 COURTESY REPORTS

Pursuant to California Penal Code § 14211(g), in cases where the report is taken by a department other than where the missing person resides, shall, without delay, and in the case of persons under 21 years of age or where there is evidence that the missing person was at risk, within no more than 24 hours, notify, and forward a copy of the report to the proper jurisdiction and of the place where the person was last seen.

### 3160.2.7 MISSING PERSON INVESTIGATIVE CHECKLIST FOR FIRST RESPONDERS

Pursuant to California Penal Code § 13519.07(b), officers shall take the following actions when investigating a missing person:

1. Refer to the "Investigative Checklist for First Responders" when it involves missing/abducted children investigations
2. Refer to the "Investigative Checklist for Law Enforcement when Responding to Missing Children with Special Needs" for incidents involving children with special needs
3. Refer to the "At Risk/Critical Missing Checklist for Patrol" when it involves at risk/critical missing persons and forward checklist to CAP-Missing Persons

All checklists are located on the intranet under "Forms and Resources - Homicide"

### 3160.2.8 GENERAL INVESTIGATION OF MISSING PERSON REPORTS ASSIGNED TO CAP/HOMICIDE - MISSING PERSONS

The detective/investigator shall:

1. Follow the investigative practices outlined in Missing Persons Policy
2. Refer to "[\\boron\CAPMissingPersons](#)" for checklists to utilize for your investigations

### 3160.2.9 CALIFORNIA DOJ VALIDATIONS

When conducting California DOJ validations, the detective/investigator shall do the following:

1. Refer to "[\\boron\CAPMissingPersons](#)" for checklists to utilize for your investigations
2. Verify information on MUPS entry is accurate and update as necessary
3. Complete Validation lists in CJIS