

# Virginia State Crime Commission

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## Missing Persons/Search and Rescue Update

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2015

# Missing Persons/Search and Rescue Update

Senate Joint Resolution 64 (SJR 64), patroned by Senator Ryan McDougle, and House Joint Resolution 62 (HJR 62), patroned by Delegate David Albo, were introduced during the Regular Session of the 2014 General Assembly. Both resolutions specifically focused on the current state of readiness of Virginia's law enforcement and search and rescue efforts for rapid and well-coordinated deployment in all missing, endangered, and abducted person cases. Crime Commission staff completed a number of activities to address the resolutions' mandates. Staff recommendations, which were based upon the key findings of the study, focused on (i) reporting and notification, (ii) model policies and practices, (iii) training, (iv) resources, and (v) education and awareness.

A total of twelve recommendations were endorsed by the Crime Commission at its December 2014 meeting. The first four recommendations were combined into an omnibus bill and introduced in both the Virginia Senate and House of Delegates: Senator Ryan McDougle patroned Senate Bill 1184 and Delegate Charniele Herring patroned House Bill 1808 during the 2015 Regular Session of the Virginia General Assembly. Both bills were signed into law by the governor on March 16, 2015, and enacted into law effective July 1, 2015.

**Recommendation 1:** Statutorily require the creation of a Search and Rescue Coordinator position at the Va. Department of Emergency Management (VDEM) under Va. Code § 44-146.18.

The purpose of Recommendation 1 was two-fold. First, it allowed search and rescue to be defined by Code. Second, it gave law enforcement a designated point of contact to request assistance when needed. It was made clear that nothing in the language of the legislation was to be construed as authorizing VDEM to take direct operational responsibilities away from local or state law enforcement in the course of a search mission; nor did it prevent VDEM from acting as the Search Mission Coordinator when requested to do so by local or state law enforcement. It should be noted that the General Assembly provided \$180,000 in funding for this position and additional equipment in a separate budget amendment.

**Recommendation 2:** Statutorily require the creation of a mechanism for receipt of reports for critically missing adults under a proposed new statute: Va. Code § 15.2-1718.2.

During the course of the study, staff discovered that the Code did not address missing persons between the ages of 21-60 or those over 60 who did not meet the cognitive impairment criteria for a "missing senior adult." The desire was to afford the same reporting response to those known to be critically missing regardless of age. This legislation also clarified that there would be no waiting period for law enforcement to accept a critically missing adult report. The new Code section defined what a critically missing adult is and the report to be submitted, which would be the form (SP-67) that is already being used for any missing adult. It should be noted that this legislation did not create a critically missing adult alert system similar to what exists for abducted children (AMBER Alert) or missing senior adults (SENIOR Alert).

**Recommendation 3:** Amend Va. Code § 9.1-102 to require the Va. Department of Criminal Justice Services (DCJS) to establish and publish model policies for missing children, missing adults, and search and rescue efforts.

Staff found that there was no comprehensive, up-to-date model policy on missing persons or search and rescue for Virginia law enforcement. Law enforcement needed guidance for all types of missing person cases and for the management and coordination of any search and rescue efforts occurring within their jurisdiction. DCJS released its *Model Policy on Missing Persons* and its *Model Policy on Search and Rescue* on October 29, 2015.<sup>1</sup>

**Recommendation 4:** Amend Va. Code § 9.1-102 to require DCJS to develop training standards for missing persons and search and rescue.

Staff also found that some of the training standards for this subject needed to be updated. Further, staff discovered that there is very limited training for emergency communication officers, law enforcement recruits, command staff, investigators, and other first responders in regards to search and rescue training. Limited availability of trainings is due to the lack of sufficient staff and resources needed to host the trainings. Fortunately, VDEM, the Virginia State Police and the Virginia Association of Volunteer Rescue Squads have well-established search and rescue training curricula that can easily be modified and adopted by DCJS for Virginia's first responders.

Recommendations 5 and 6 were endorsed by the Crime Commission and funded by the General Assembly.

**Recommendation 5:** Create a Search and Rescue Coordinator position at the Va. State Police (VSP).

The Virginia State Police's Search and Rescue Coordinator is now a full time position that oversees their existing Search and Recovery Team of approximately 20 highly trained search and rescue personnel, coordinates their Tactical Field Force of approximately 300 members for sustainability during searches, supervises VSP search missions and maintains all training records and requests for training. The General Assembly provided funding in the amount of \$180,000 to support this position.

**Recommendation 6:** Increase available resources for search and rescue missions at VDEM and VSP.

In order to provide search and rescue first responders with much needed resources for search missions, funding was included within the \$180,000 allocated to both VDEM and VSP for equipment needs.

Recommendations 7 and 8 were endorsed by the Crime Commission, but were ultimately not funded by the General Assembly.

**Recommendation 7:** Create an additional FTE position at the VSP's Missing Children Clearinghouse to assist with responsibilities of training, record keeping, compliance, and technical assistance to law enforcement agencies in reporting missing persons.

The Clearinghouse's caseload has increased enormously since 1985; however, they have been provided with little-to-no additional resources or staffing. An extra position would allow for them to provide additional training in the field, update the missing adult web page more regularly, and to fully implement already-developed prevention programs to school-aged children and their parents.

**Recommendation 8:** Create two regional Search and Rescue Coordinator positions at VDEM to provide a regional response for missions and training needs.

Additional positions would have assisted VDEM in meeting the training demands from the field. Currently, they have to conduct trainings primarily on weekends, since they rely on volunteer adjunct instructors. It is difficult to keep up with the demands of training while still being responsible for responding to search missions.

Recommendations 9, 10, 11 and 12 were handled via letter request.

**Recommendation 9:** Request VSP to examine programmatic efforts to provide immediate notification to VDEM when a critically missing child or adult is entered into VCIN.

Staff wanted to ensure that VDEM was being made aware of all critically missing persons entered into VCIN. VDEM was only receiving monthly summary reports for missing children. Immediate notification of reports that could potentially result in a search and rescue mission is imperative for awareness and preparedness. The categories of missing persons reported to VDEM would be limited to the classifications of "endangered," "involuntary," and "disability," which are the ones that would be most critical for VDEM to be aware. Crime Commission was advised that these programmatic efforts were completed as of April 2015.

**Recommendation 10:** Request Crime Commission staff to facilitate convening DCJS, VDEM, VSP, Virginia Sheriffs' Association (VSA), Virginia Association of Chiefs of Police (VACP), and others to create a detailed checklist for Virginia's first responders.

Staff recognized that a model policy needs to be general enough to apply to all types of law enforcement agencies across the state. However, it was also important that a more detailed checklist be developed and made available to all of Virginia's first responders for guidance. In order to fulfill this recommendation, staff convened a formal work group in May 2015, to further discuss the issue and to identify any gaps where additional guidance to agencies was most needed. The work group was comprised of over 30 representatives with specific knowledge of missing person cases and/or search and rescue efforts. Representatives from the following agencies participated: Association of Public-Safety Communications Officials (APCO), Commonwealth's Attorney's Services Council, DCJS, Federal Bureau of Investigation's Child Abduction Rapid Deployment Team, National Association to PROTECT Children & PROTECT, National Center for Missing and Exploited Children (NCMEC), a search and rescue expert/consultant, Virginia Association of Volunteer Rescue Squads, Virginia Department of Aging and Rehabilitation Services, VDEM and their Search and Rescue Unit, Virginia Department of Juvenile Justice, Virginia Department of Social Services, Virginia law enforcement agencies, the Virginia State Police's Search and Recovery Team, Missing Children Information Clearinghouse, High Technology Crimes Division, and Public Relations Division, the Virginia Victim Assistance Network, and the families of missing or abducted children and adults

The work group developed and approved three checklists and questionnaires to assist law enforcement in incidents possibly requiring a search and rescue effort: *Law Enforcement Hasty*

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*Search Checklist for Missing Person Searches; Law Enforcement Relative Urgency Assessment Tool For Missing Persons; and, Law Enforcement Search and Rescue Questionnaire for Missing Persons.* These documents were also taken into consideration by DCJS when developing the model policies and updated training standards for consistency.<sup>2</sup>

**Recommendation 11:** Request DCJS to create a resource guide for the families of missing persons and make available online.

One concern that staff heard repeatedly in the field was that the families of missing persons do not often have adequate resources or information available to them in these types of cases. Law enforcement also indicated that they would like to have an additional resource to provide to families. The second half of the work group meeting in May 2015 was dedicated to this topic. DCJS published its *Virginia Missing Person Family Resource Guide* in May 2016, which is available on their website.<sup>3</sup>

**Recommendation 12:** Coordinate with VSA and VACP to promote law enforcement awareness. Staff will be presenting at both of their annual training conferences in 2015.

Both Associations kindly afforded staff the opportunity to speak at their annual conferences. Staff presented at the VACP Conference on August 31, 2015, and at the VSA Conference on September 15, 2015. Staff provided an overview of the study, an update on the status of each recommendation, and copies of all three checklists developed by the work group.

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<sup>1</sup> See <http://www.dcjs.virginia.gov/cple/sampleDirectives/> for both model policies.

<sup>2</sup> See Appendix at <http://www.dcjs.virginia.gov/cple/sampleDirectives/> for checklists and questionnaires.

<sup>3</sup> See [https://www.dcjs.virginia.gov/victims/documents/missingpersonsguide\\_brochure.pdf](https://www.dcjs.virginia.gov/victims/documents/missingpersonsguide_brochure.pdf).