

Brandon's Law/Federal requirements

For more complete information refer to:

MSS§ 299C.51-299C.5655

Law Enforcement Model Policy & Procedures for Reports of Missing Persons

The following is a list of requirements as defined in Brandon's Law:

- Accept without delay **any** report of a missing person
 - Conduct preliminary investigation to determine whether the person is missing
 - If missing, determine whether the person is endangered as defined in statute (see back)

- **Missing and endangered**
 - Immediately enter identifying and descriptive information into NCIC, include vehicle information, known aliases, additional dates of birth
 - Immediately consult with the BCA by calling 651-793-7000
 - Promptly notify all appropriate law enforcement agencies (county, regional, statewide, other states where appropriate).
Notification tools:
 - Crime alert
 - KOPS alert
 - Nlets administrative message
 - Police radio broadcast/alert

- **Under 21 years of age, regardless of determination**
 - Immediately enter identifying and descriptive information into NCIC, include vehicle information, known aliases, additional dates of birth

- **Information gathering requirements**
 - Obtain recent photo of individual to aide in locating/identifying
 - Use of a DL photo allowed under 171.07 Subd 1a.(2)
 - Enter photo into NCIC Missing Person Entry
 - Missing for 30 days collect:
 - DNA samples
 - Dental information and x-rays
 - Additional photos
 - Fingerprints
 - Review case file to determine whether additional information indicates person is endangered
 - If determined to be endangered, change status in NCIC

Definitions

Missing means the status of a person after a law enforcement agency that has received a report of a missing person has conducted a preliminary investigation and determined that the person cannot be located.

Endangered means that a law enforcement official has received sufficient evidence that the missing person is at risk of physical injury or death. The following circumstances indicate that a missing person is at risk of physical injury or death:

- The person is missing as a result of a confirmed abduction or under circumstances that indicate that the person's disappearance was not voluntary
- The person is missing under known dangerous circumstances
- The person is missing more than 30 days
- The person is under the age of 21 and at least one other factor in this paragraph is applicable
- There is evidence the person is in need of medical attention or prescription medication such that it will have a serious adverse effect on the person's health if the person does not receive the needed care or medication
- The person does not have a pattern of running away or disappearing
- The person is mentally impaired
- There is evidence that the person may have been abducted by a noncustodial parent
- The person has been the subject of past threats or acts of violence
- There is evidence the person is lost in the wilderness, backcountry, or outdoors where survival is precarious and immediate and effective investigation and search and rescue efforts are critical
- Any other factor that the law enforcement agency deems to indicate that the person may be at risk of physical injury or death, including a determination by another law enforcement agency that the person is missing and endangered

Resources:

BCA Missing Persons Clearinghouse - 651-793-7000 email: bca.missing-persons@state.mn.us

- Offline searches
- NCIC questions for missing person entries
- Entry assistance for images into NCIC
- Report form/data collection guides/DNA kits/missing person-crime alert assistance

National Center for Missing and Exploited Children (NCMEC)

www.ncmec.org

1-800-843-5678 (800-THE-LOST)

1-800-690-3463 (800-690-FIND)

NamUs – National Missing and Unidentified Persons System

www.namus.gov

National Runaway Switchboard (NRS)

1-800-786-2929 (800-RUNAWAY)

www.1800runaway.org