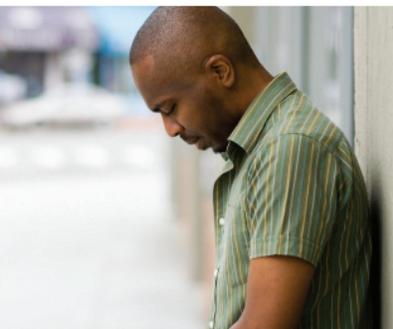


Your Loved One is Missing!



What You Need to Know
and What You Can Do

Washington State Attorney General's Office

ACKNOWLEDGEMENTS

The information contained in this booklet was compiled by members of the *Missing Persons and Unidentified Remains Task Force* chaired by former Attorney General Christine Gregoire in 2004. Attorney General Rob McKenna re-launched this booklet in fall 2007.

The task force would like to thank the following members for their contributions to this booklet.

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YOUR LOVED ONE IS MISSING!!!

WHAT YOU NEED TO KNOW AND WHAT YOU CAN DO

When a loved one is missing for an unexplained reason, it can be the most challenging, difficult and emotional time that anyone could endure. This experience is wrapped in feelings of hopelessness, helplessness, confusion, guilt and uncertainty of what to do and what to expect. This booklet provides the basic information to help explain some of the difficulties you may encounter.

I. HOW DO I REPORT MISSING PERSONS?

TO REPORT A MISSING PERSON:

CALL 911

- Report the missing person to your local law enforcement agency.
- If the officer refuses to take a report, ask for reasons why and ask to speak to a supervisor. (For additional information contact Families & Friends of Missing Persons & Violent Crime Victims at 1-800-346-7555.)

In Washington, thousands of adults are reported missing each year. You may have seen on television or heard that you must wait 24 or even 72 hours to report someone missing. **This is not true. There is no required waiting period.** In fact, the sooner law enforcement has a case the sooner they can get to work in helping you find the missing person. Very few missing adults are victims of foul play or some other criminal act. Most missing persons are found or return home within just a few days. If any foul play is suspected the investigation changes and escalates accordingly.

Being a missing person is not a crime. Adults can be missing if they choose to. They can choose to leave work, ignore friends and even family. Because of this, law enforcement is quite limited in what they can do. Even if law enforcement does locate the person, they can not divulge any private information about that person without specific permission from that person.

Information about your missing loved one may be entered into the national database, National Crime Information Center (NCIC). A report may be taken, but there are specific criterion for missing persons to be entered into NCIC. They can be entered into NCIC only when the missing person has a physical handicap or mental disability, if they are missing involuntarily (kidnapped), if they are a victim of a catastrophe or if they are in some way endangered.

Social Security will not provide a missing person's address but will forward a letter. Call Social Security at 1-800-772-1212 to determine your eligibility for the letter forwarding service and to ascertain if the social security number is active.

II. HOW CAN I HELP?

A. Be an advocate for the missing person.

As a family member or friend of a missing person, you might possess information critical to finding them. In Washington your local Sheriff's Office or Police Department is primarily responsible for receiving and investigating cases involving missing persons. The Washington State Patrol also handles some missing person reports in conjunction with local law enforcement. Again, there is no time limit for which a person must be missing before they can be reported as a MA. Another excellent resource is the National Center for Missing Adults 1-800-690-FIND, www.nmco.org.

B. Friends and family may hold the key.

When you report a person missing, be prepared to provide:

- The missing person's full name, date of birth, and social security number.
- Details of where and when they were last seen or heard from.
- Details of any vehicle that may be involved.
- Any known travel plans or destinations.
- Details of any persons in the company of the missing person.
- A description of what the missing person was wearing.
- A description of any unique physical or speech characteristics.

You can greatly assist law enforcement in their efforts as follows:

- Check with missing person's friends, school, neighbors, relatives, or anyone else who may know of their whereabouts. Ask them to notify you if they hear from or see the missing person.
- When making a report obtain the name, phone number and badge number of the officer who took the report so you can call them to report any additional information that you discover. Ask the officer if they are actually taking a report and if your missing loved one will be entered in the National Crime Information Center (NCIC). Have a current picture of the missing person available, preferably smiling. If the officer does not ask for a picture, offer it to them. If the case is turned over to a detective, work directly with them and share all information you may develop with the detective.
- Keep a log of names, phone numbers and addresses (if known) of everyone you talked to before and after reporting your loved one missing. Note the information received and date of the contact in the event you need to get back to them for additional information.

- Get a caller-ID and log all calls, even hang up calls. Get a cell phone so you can be reached when away from home,
- Provide cell phone and land line phone bills belonging to the MA for any calls that may not be routine.
- If the missing person uses a computer, provide the name of the Internet Service Provider to law enforcement.
- Retain personal items of the MA, such as toothbrushes and hair brushes, razors, underwear, eyeglasses, dental molds, retainers, mouth guards, any other item worn frequently by the person, or items that only they have used. Put these items in a paper bag in a secure place.
- Establish the MA's habits. Make a list of places they frequent and check for any sightings of the missing person there.
- If the MA was employed, check with their employer and inquire if the MA has picked up their last paycheck or left employment with direction on where to send their last paycheck.
- Check with the MA's landlord to ascertain any problems that may have occurred at the place of residence. Find out if rent has been paid or if the missing person has given notice to vacate. If the missing person resides in another city or state, ask the local law enforcement agency to stop by and check on their welfare.
- Check with the MA's bank to establish if there has been any activity in the account. Emphasize that you are not interested in the value of the account but need to establish if there has been any activity after a certain date or if the account has been closed and transferred to another location. Provide the name of the bank to law enforcement.
- Provide the name and number of the MA's dentist.
- If the MA is receiving benefits from the State of Washington, check with Department of Social and Health Services (DSHS) to see if any benefits have been used. If the missing person receives food assistance from the State, check if the food card has been used. Again emphasize that your only interest in the account is to establish if there has been any activity in the account. Provide law enforcement with any information regarding DSHS benefits the missing person may be receiving.

C. The process can be frustrating.

Because of our preconception of what the police can or cannot do, we may be angered when we are certain that someone is responsible in the disappearance of our loved one and the police cannot search that person's car or house, and cannot arrest that person regardless of the level of suspicion. Based on both federal and state constitutions and court decisions, someone's home or car or place of business cannot be searched without a search warrant. That often causes a great deal of anxiety and anger on the part of the loved ones left behind who are apt to blame the investigating police officer or the police agency.

III. CAN I HIRE MY OWN INVESTIGATOR?

Yes. If you are considering hiring a private investigator to help locate a missing loved one, check with your attorney for referral. Contact the Better Business Bureau and the Consumer Protection Division of the Attorney Generals Office to find out if any complaints have been made against the private detective. Also check with the Washington State Department of Licensing to make sure their license is current. Ask the detective for references and check them out. It is a good idea to have your lawyer review the contract with the investigator before you sign it or pay any money. Have the contract spell out exactly what services are being purchased. Once you have hired a private investigator, consider notifying all those working on the case. Your private investigator's search activities should be coordinated to the fullest extent possible to avoid costly and time-consuming duplication of services.

IV. CAN LOCAL MEDIA BE USED TO HELP THE INVESTIGATION?

Yes. Check with investigator to make sure that media coverage will not imperil the missing loved one or impede the investigation. Have all posters and flyers approved by law enforcement prior to releasing. Television, radio and magazine coverage may help you find your missing loved one. Contact local and national media with your story. Make sure you have a recent photo and complete description of the missing person including date of birth, date, time, place and circumstances of the disappearance. If the missing person is disabled or elderly and requires medication or medical attention, emphasize that.

If there has been coverage, call the news outlet if a birthday or anniversary has passed without a word from the missing person.

Rewards can be helpful to generate leads and to create a news story. If you are planning to offer a sizeable reward, increase it incrementally to create an additional news story. Don't forget cable stations and the Internet.

You can create a home page devoted to the missing person, link it up to other missing person's pages and post information about your missing person on the web. If the police issue a press release about your missing loved one, press may be more receptive.

If you are successful in obtaining publicity about your MA. there might be some who will call seeking to exploit your situation. Be wary of those who demand money with a promise to find your missing person, including private investigators or psychics or most distressing, those who claim to be holding your missing person for ransom. Report all such information to law enforcement.

One final caveat: If the law enforcement provides a description to the media of your loved one, they might leave some articles of clothing out of the description on purpose in order to eliminate false sightings. Don't call the media and make a correction but check with your detective for an explanation.

V. ARE THEY REALLY MISSING?

Every person can voluntarily absent themselves and become missing. **There is no crime against being missing, and if a person is voluntarily missing, they are entitled to their privacy.** You will need to help law enforcement understand if in your case, the “missing” is not voluntary and they have been forcibly taken.

There are several factors that will influence the reporting officer’s determination of whether the missing is voluntary. Some of those are:

1. Have they failed to perform an important task? (i.e., pick-up children from babysitter, loved one from work)
2. Do they suffer from any mental or cognitive impairment?
3. Do they have a history of being “missing”?
4. Are they having relationship problems?
5. Are they having financial problems?
6. Have they been despondent or depressed?
7. Are any of their personal belongings missing? (i.e., clothing or toiletries)
8. Have they recently suffered the loss of a loved one, or the end of a long term relationship?
9. Is their car missing?
10. Is their wallet missing?
11. Are they having difficulties at work or school?
12. Did they take necessary prescriptions?
13. Have they drained their bank account?

VI. EMOTIONAL REACTIONS WHEN SOMEONE YOU LOVE IS MISSING

When a disappearance occurs, everything changes. The emotions of those who are left behind range from: sadness, guilt, hurt, anger, depression, hopelessness, apathy, rage, hysteria, to a lack of appetite and sleep. Nightmares, panic attacks, anxiety, lethargy, thoughts of harming self and others, and lack of concentration, are also common.

It is not uncommon for those left behind to fall into deep depressions, lose their jobs, and have uncommon behavior changes. They are dealing with a situation which is at the very highest stress level possible. A medical doctor should be contacted; consulting a therapist immediately is also advisable.

The emotions you are feeling are natural and have a great impact on your life, immediately and in the long term. You will feel a great deal of anxiety about the safety of remaining family members. It is prudent to let your family members know about your whereabouts at all times and urge other family members to do the same. Explain to your teenage children that your objective is not to control them but to assure their safety. Often teenagers are apt to rebel under new restrictions. This may be necessary for a number of years, even after your loved one is located.

Your focus may be so much on your missing loved one that other family members may feel neglected, and sometimes they are. Take time to pay attention to them to avoid resentment on their part.

As a family member or friend of a missing person, you may find your health situation changes, and your employment and financial situation may be in jeopardy due to lost days at work. Your quality of life and relationships may suffer and you may be consumed by emotions that are unfamiliar to you.

Some of these emotional responses are denial, emotional withdrawal, helplessness, hopelessness, numbness, sadness, shock, tension, worry, intense anger, blame, confusion and depression, fear and guilt. In the face of adversity some of these emotions are expected.

VII. HOW CAN I TAKE CARE OF MYSELF?

First and foremost, stick to your normal routine.

There are resources that are available to you during this traumatic time:

Talk to other people – your family, your clergy, and your friends. Do not cut yourself off from supportive relationships. And take care of yourself. If you are unable to eat due to stress, take multiple vitamins and drink high protein drinks.

Check with your doctor – you may experience symptoms of stress such as heart palpitations, high blood pressure, increased sweating, migraine, difficulty concentrating, startle responses, sleep disturbance, tremors, chills, chest pains and a myriad of other body problems. Your doctor can help you with these symptoms.

Look to support organizations -- Connect with organizations specific to supporting missing person clients. They have been there and know what you are experiencing. Community-based missing person advocacy organizations recognize that your experience is complex and confusing, and they can help you through this challenging and traumatic time.

Often your friends and acquaintances may become weary hearing about your problem. Consider joining the *Families & Friends* missing persons support group. If time has passed with no results, you may be reassured that others also share your experience and discussing your emotions and feelings with them may provide a measure of relief during the time your loved one is missing. Call 1-800-346-7555 for more information. It takes courage, determination and the help of family, friends and trusted organizations to help you make it through. **You are not alone.**

VIII. WHAT IS HIPAA AND WHAT ROLE DOES IT PLAY IN FINDING A MISSING PERSON?

The Health Insurance Portability and Accountability Act (HIPAA) was passed by Congress to address many healthcare issues. HIPAA's Privacy Rule establishes patient privacy rights and controls through standards for how to use and protect patient information.

This privacy rule essentially prohibits using or disclosing protected health information except as the rule stipulates. It is intended to protect the rights of consumers and provide ways for the consumer to authorize the access to private medical information. Protected Health Information or "PHI" is any health information that could potentially identify an individual and that information is maintained or transmitted in any form.

Exceptions permitted to this rule include individual consents or authorizations and certain public health or public policy goals.

Because of the privacy provisions of HIPAA, many health care providers may be reluctant or refuse to make PHI available to law enforcement, even if it is sought to aid in a missing person investigation.

IX. MISSING PERSON DATABASES

National Database: When a report is taken, your missing person is entered into the National Crime Information Center (NCIC). The FBI manages NCIC. Currently the FBI has no database dedicated only to missing adults.

The Washington State Patrol maintains the WSP Missing Children Clearinghouse. The Missing Children Clearinghouse receives a monthly report from NCIC that includes information on all missing persons reported to the Clearinghouse. The report includes information from requests made for assistance in locating a missing adult.

The National Center for Missing Adults: 1-800-690-FIND, www.nmco.org.

The National Center tracks **only** the missing adults that are referred directly to them.

WSP Missing Children Clearinghouse: 1-800-543-5678.

Local Database: The Washington Crime Information Center (WACIC) is a shared database used by law enforcement to enter missing/unidentified person cases. The database can be queried in various ways to generate candidate lists for comparison purposes.

The Washington State Patrol maintains the Missing/Unidentified Person Unit (MUPU). MUPU maintains a database of dental information that is used in a similar manner to WACIC and allows law enforcement access to information based on dentition.

These databases are not accessible to the general public and are maintained for investigation by law enforcement personnel.

X. METHODS OF IDENTIFICATION

Obviously the worst case scenario involving a missing person is that they will be found deceased. If the body is found without identification or decomposition has rendered visual identification impossible, the medical examiner or coroner will list the individual as “unidentified.” The ability to identify the unidentified is dependent on information obtained from friends and family. But there are several tests available to aid in the identification.

A. DNA. The advantages of DNA comparison for identification purposes is that often (although not always) DNA can be obtained from only partial remains. The main disadvantage is that, contrary to what is often portrayed on television, testing DNA remains time and cost prohibitive. It is often a method of last resort in the identification process. Do not assume DNA is the answer. When comparing unidentified remains to the DNA of suspected family members, for example, the results are often not statistically strong enough to provide a positive identification. The best opportunity for positive identification by DNA is to compare the DNA of unidentified remains to the DNA of the missing person. It is therefore critical to preserve any source of missing person DNA (hairbrush, tooth brush, razor). Find out if the missing person has had any medical tests recently that might provide sources of DNA (blood tests, Pap smear, blood donation) and work to secure those samples.

B. Fingerprints: Only useful if the missing person was printed while alive and fingerprints can be obtained from the unidentified body. If the missing person was not officially printed while alive, retain any object belonging to the missing person that might contain fingerprints.

C. Dental x-rays: A fast and reliable method of positive identification provided the recovered remains include dentition. If x-rays are not available, provide information regarding any records from the dentist including dental casts, charting, or photographs.

D. Body x-rays: Positive identification is possible by comparing x-rays of ANY PART of the body. Find out if the missing person has ever visited a hospital or had any x-rays taken. This includes a CAT scan (often taken in cases of suspected head injury). Keep in mind that hospitals and physicians usually only retain x-rays seven years. If the missing person had x-rays close to seven year prior, it becomes critical to secure those x-rays and prevent their destruction. DO NOT wait until an unidentified body is found as it might be too late.

E. Other useful information for identification or exclusion

1. Photos: A photo of the missing person smiling allows comparison of the front teeth and a straight-on photo of the head allows superimposition with a skull.
2. Scars, marks, tattoos: Provide a description, and picture if possible, of any unique body markings, tattoos, or scars. If the missing person is a female, has she had any children? If the missing person is a male, is he circumcised?
3. Missing organs/appendages: Report any removed organs (appendectomy, hysterectomy) or missing fingers/toes.

RESOURCES:

Families & Friends of Missing Persons & Violent Crime Victims: 1-800-346-7555.
www.fnfvcv.org

National Center for Missing Adults at 1-800-690-FIND, www.nmco.org.

The Doe Network: 1-800-642-0024, www.doenetwork.org

National Center for Missing and Exploited Children: 1-800-THE-LOST,
www.missingkids.com

Operation Lookout: 1-800-782-SEEK, www.operationlookout.org

Salvation Army: 1-800-698-7728. This is an excellent resource if your missing person is homeless.

Washington State Clearinghouse, Susan Miller, 1-800-543-5678

Alzheimer's Association, 1-800-272-3900