

Instructor Resource Guide



Analyzing Missing Persons Investigations

Course ID# [####]

Continuing Education Requirement

Created: July 2024

ABSTRACT

During the 88th regular legislative session, HB 2660 and SB 2429 required the Commission to develop a voluntary advanced course on missing children and missing persons. This course satisfies that requirement. This course covers age-specific legislation, reporting requirements, high-risk populations, and statewide alerts. Additionally, this curriculum focuses on the applicability of the content by reviewing high-profile cases.

Instructor Resource Guide:

This is an Instructor Resource Guide (IRG), not a lesson plan. The purpose of the IRG is to outline the minimum state requirements of what must be taught for a course to be considered compliant and receive TCOLE credit. The learning objectives provided in this IRG are the minimum state requirements for the training and must not be changed or altered.

- A qualified instructor **shall** develop the IRG into a lesson plan that meets their organization and student needs and must be kept in a training file for auditing purposes.

Please note: It is the responsibility of the Academy and/or Contractual Training Provider to ensure the IRG is developed into a complete lesson plan based on the requirements outlined in the IRG for a particular topic.

Lesson Plan:

Each organization is charged with creating their own lesson plan for how the organization will disseminate the information in the IRG.

- The IRG is designed to assist the instructor/subject matter expert in developing comprehensive lesson plans. The use of current statistics, best practice models, and scenario-based training should also be included in the lesson plan development. Instructors are encouraged to add additional activities.
- The institutions and instructors will determine how much time is spent on each topic/module, how many/what kind of examples or exercises are used during their presentation, and how in-depth they review each topic in the course they present.
- Any activity that is **suggested** is just that, an example or suggestion, and is not mandated for inclusion.
- Anything that is **required** must be included in the instructor's lesson plan.

Note to Trainers:

It is the responsibility of the Academy and/or Training Coordinator to ensure this curriculum and its materials are kept up to date. Refer to curriculum and legal resources for changes in subject matter or laws relating to this topic as well as the Texas Commission on Law Enforcement website at www.tcole.texas.gov for edits due to course review. Training providers must keep a complete training file on all courses reported for TCOLE credit.

Student Prerequisites:

- Must be a licensed peace officer for a minimum of two (2) years and have taken the Basic Missing and Exploited Persons course #3275 or equivalent.

Instructor Prerequisites:

An instructor must be a subject matter expert in the topic and must have documented knowledge/training/education and provide an instructor's biography that documents subject matter expertise. It is the responsibility of the training academy/training coordinator to select qualified instructors. A TCOLE instructor certification does not certify someone to teach any topic.

- If a documented subject matter expert does not hold a TCOLE instructor certification, the instructor must be approved in writing by the department's training coordinator or chief administrative officer and kept in the training file for the course.

Length of Course:

It is the training coordinator's responsibility to ensure the minimum hours are being met. Students are required to attend all classroom hours as listed in this instructor resource guide, there is no 10% attendance rule. TCOLE Rule 218.1 (C)(4) states that failure to meet the minimum course length may be grounds for denial of training. This course shall be taught the minimum hours that are listed in this guide and the student shall attend the entire class to receive credit.

- 4 hours, minimum.

Assessment:

- Training providers are responsible for creating student assessments and documenting the mastery of all objectives in this course using various testing assessment opportunities.
 - Assessment opportunities include oral or written testing, interaction with instructor and students, case study and scenario, and other means of testing student's application of the skills taught as the instructor or department deems appropriate.
- The minimum passing score shall be 70%.

Unit 1 Missing Children

INSTRUCTOR NOTE: The definition of child varies between different statutes and offenses. Instructors should advise students to review the specific statute applicable to the victim to determine the correct age classification as a child.

1.1 Identify laws surrounding missing children.

- A. Code of Criminal Procedure, Sec. 63.001(1-a): Definition of a child
 - i. Code of Criminal Procedure, Sec. 63.001(3): Definition of a missing child
 - ii. Code of Criminal Procedure, Sec. 63.001(4)
- B. Reporting requirements
 - i. Code of Criminal Procedure, Sec. 63.00905: Law Enforcement Requirements for Report of Missing Child
 - ii. Code of Criminal Procedure, Sec. 63.0091: Law Enforcement Requirements Regarding Reports of Certain Missing Children
 - iii. Code of Criminal Procedure, Sec. 63.0041: Reporting of Attempted Child Abduction
- C. Penal Code, Sec. 25.06: Harboring Runaway Child
- D. Family Code, Sec. 262.104: Taking Possession of a Child in Emergency without a Court Order

1.2 Describe high-risk populations.

INSTRUCTOR NOTE: The instructor is encouraged to include any other high-risk population that applies to the students' service area. Be aware that individuals may belong to more than one high-risk population due to overlapping risk factors.

- A. Children with disabilities
 - i. Difficulty communicating or use of alternative forms of communication may make it harder for them to express their needs or ask for help.
 - ii. Often rely on caregivers for their daily needs.
 - 1. If caregivers are overwhelmed, children may be more susceptible to wandering or going missing unintentionally.
 - 2. These children are also more susceptible to abuse, which could be a contributing factor for going missing.
 - iii. Certain disabilities can affect a child's understanding of danger or their ability to assess dangerous situations.
- B. Children in foster care
 - i. History of trauma may increase the desire to escape or run away.
 - ii. Foster care placements can change frequently causing a lack of stability and supervision, creating opportunities for children to run away or go missing.

- iii. Placement dissatisfaction may motivate them to run away.
 - iv. May be overlooked or have a lack of support from peers and guardians.
- C. LGBTQ+ youth
- i. Rejection or lack of support from family can lead to strained family relationships which can result in homelessness.
 - ii. Bullying or discrimination from peers and community may increase the likelihood of running away.
 - iii. Mental health issues such as depression, anxiety, or substance abuse make them more vulnerable to risky behaviors or situations where they go missing.
- D. Immigrant children
- i. Language and cultural barriers can make it difficult to navigate unfamiliar places or seek help.
 - ii. They may get separated from their parents or legal guardians, causing an increased risk of going missing.
 - iii. Living in poverty can contribute to unstable living situations, limited supervision, and limited access to resources.

1.3 Recognize statewide alert(s) for missing children

- A. AMBER Alert: America's Missing: Broadcast Emergency Response (AMBER)
- i. Law enforcement may request a local area alert activation if the agency knows a child is missing but has not verified the Amber Alert criteria, and if the chief law enforcement officer of the agency believes that the activation of the alert system is warranted.
 - ii. Criteria for an AMBER Alert:
 1. Is this child 17 years of age or younger, whose whereabouts are unknown, and whose disappearance law enforcement has determined to be unwilling which poses a credible threat to the child's safety and health; and if abducted by a parent or legal guardian, was the abduction in the course of an attempted murder or murder? OR
 2. Is this child 13 years of age or younger, who was taken (willingly or unwillingly) without permission from the care and custody of a parent or legal guardian by:
 3. Someone unrelated and more than three years older OR
 4. Another parent or legal guardian who attempted or committed murder at the time of the abduction?
 5. Is this child in immediate danger of sexual assault, death, or serious bodily injury?
 6. Has a preliminary investigation verified the abduction and eliminated alternative explanations for the child's disappearance?

7. Is sufficient information available to disseminate to the public to help locate the child, a suspect, or the vehicle used in the abduction?
- B. Endangered Missing Persons Alert:
- i. Used in cases of wanderings for persons with an intellectual disability (Autism, Developmental disorders, etc).
 - ii. Criteria for an Endangered Missing Person Alert:
 1. Has the missing person been diagnosed with an Intellectual Disability and/or a Pervasive Developmental Disorder, including Asperger's Disorder, Autistic Disorder, Autism Spectrum Disorder, Childhood Disintegrative Disorder, Rett's Disorder or a Pervasive Developmental Disorder (Not Otherwise Specified)?
 2. If the missing person has been diagnosed with an Intellectual Disability, law enforcement shall require a written diagnosis from a physician or psychologist licensed to practice within Texas, or certified by the Texas Department of Aging and Disability Services and/or Texas Department of State Health Services.
 3. Is it confirmed that an investigation has taken place, verifying that a reasonable explanation for the missing person's disappearance has been ruled out and that the disappearance poses a credible threat to the health and safety of the missing person?
 4. Is the Endangered Missing Persons Alert request being made within 72 hours of the missing person's disappearance?
 5. Is there sufficient information available to disseminate to the public that could assist in locating the missing person? (Highway signs will be activated only if accurate vehicle information is available AND it is confirmed that the missing person was in the vehicle at the time of the disappearance).
 6. Endangered Missing Persons Alert:
 7. Used in cases of wanderings for persons with an intellectual disability (Autism, Developmental disorders, etc).
 - iii. Criteria for an Endangered Missing Person Alert:
 1. Has the missing person been diagnosed with an Intellectual Disability and/or a Pervasive Developmental Disorder, including Asperger's Disorder, Autistic Disorder, Autism Spectrum Disorder, Childhood Disintegrative Disorder, Rett's Disorder or a Pervasive Developmental Disorder (Not Otherwise Specified)?
 2. If the missing person has been diagnosed with an Intellectual Disability, law enforcement shall require a written diagnosis from a physician or psychologist licensed to practice within Texas, or certified by the Texas Department of Aging and Disability Services and/or Texas Department of State Health Services.

3. Is it confirmed that an investigation has taken place, verifying that a reasonable explanation for the missing person's disappearance has been ruled out and that the disappearance poses a credible threat to the health and safety of the missing person?
4. Is the Endangered Missing Persons Alert request being made within 72 hours of the missing person's disappearance?
5. Is there sufficient information available to disseminate to the public that could assist in locating the missing person? (Highway signs will be activated only if accurate vehicle information is available AND it is confirmed that the missing person was in the vehicle at the time of the disappearance).

INSTRUCTOR NOTE: The activity below is specifically developed to allow students a substantial amount of class time to discuss real-life cases and apply the content they have learned. The discussion points are divided into three stages so students can gather case information incrementally and focus on different aspects of the incident which enhances both learning and retention.

It is imperative to elaborate on the discussion takeaways in order to ensure law enforcement-related details are covered and clear to the students. Furthermore, high-profile cases were selected because they have the most information available, considering the varied context in which instructors develop and conduct classes.

REQUIRED ACTIVITY: The instructor must use at least two high-profile missing children cases to allow students to apply prior concepts and critical skills. While the case studies listed below are recommended, the instructor may choose cases more applicable to the students' service area. The additional cases must be high-profile and involve child victims from high-risk populations.

- Case study #1: Morris Case
 - A 15-year-old girl who went missing from a Mavericks game in Dallas.
- Case study #2: TBD
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The instructor may determine the most appropriate format to carry out this activity. Students must be given information on each case by the instructor or have access to research tools. The analysis of each case study should be divided into three stages that build upon each other. Each stage must prompt students to:

Stage 1:

- Identify if the victim is legally a child or an adult.
- Identify applicable penal codes associated with the offenses.

Stage 2:

- Recognize if the victim is from a high-risk population.
- Identify the risk factors associated with that population, if applicable.
- Discuss the impact of these risk factors on the officer's response, considering a trauma-informed approach.

- Determine the type of alert, if applicable.

Stage 3:

- Analyze the successes in how law enforcement handled the case.
- Discuss the failures in how law enforcement handled the case.
- Analyze best practices and lessons learned in the law enforcement's handling of the case.

Unit 2 Missing Adults

2.1 Identify laws surrounding missing adults.

- A. An adult is any person 18 years of age or older.
- B. Code of Criminal Procedure, Sec. 63.001(2): Definition of a missing person
 - i. Code of Criminal Procedure, Sec. 63.001(4)
- C. Reporting requirements
 - i. Code of Criminal Procedure, Sec. 63.009: Law Enforcement Requirements Generally

2.2 Describe high-risk populations

INSTRUCTOR NOTE: The instructor is encouraged to include any other high-risk population that applies to the students' service area. Be aware that individuals may belong to more than one high-risk population due to overlapping risk factors.

- A. Elderly
 - i. May be dependent on assailant for physical and medical care, financial support, and/or transportation.
 - ii. Physical or cognitive conditions, as well as medications, increase their risk to become disoriented and wander.
 - iii. Elders with limited social interaction or who live alone may not have anyone immediately aware if they go missing, delaying reporting and response.
- B. Immigrants
 - i. Language and cultural differences.
 - ii. Social network may avoid or delay reporting due to fear of legal repercussions regarding their immigration status.
- C. LGBTQ+
 - i. Social isolation due to family rejection, discrimination, and harassment.
 - ii. History of mental health challenges or substance abuse can contribute to risky behaviors.
 - iii. LGBTQ+ individuals, particularly transgender people, are at higher risk of being a target of hate crimes.
- D. Persons experiencing homelessness
 - i. Lack of stable housing makes them particularly challenging to locate or monitor.

- ii. History of mental health challenges can contribute to risky behaviors.
- iii. Exposure to health and safety risks, such as violence, substance abuse, and harsh weather conditions, can lead to accidents and misconduct from others.

2.3 Recognize statewide alerts for missing adults

A. Silver Alert:

- i. Used in cases of wanderings for people with dementia, including those with Alzheimer's.
- ii. Criteria for a Silver Alert:
 1. Is the missing person 65 years of age or older or been diagnosed with Alzheimer's Disease?
 2. Does the senior citizen have a diagnosed impaired mental condition, and does the senior citizen's disappearance pose a credible threat to the senior citizen's health and safety? (Law enforcement shall require the family or legal guardian of the missing senior citizen to provide documentation from a medical or mental health professional of the senior citizen's condition).
 3. Is it confirmed that an investigation has taken place verifying that the senior citizen's disappearance is due to his/her impaired mental condition, and alternative reasons for the senior citizen's disappearance have been ruled out?
 4. Is the Silver Alert request within 72 hours of the senior citizen's disappearance?
 5. Is there sufficient information available to disseminate to the public that could assist in locating the senior citizen?
 6. Note: A physician's letterhead, indicating the impaired mental condition, date of diagnosis, patient's name, with physician's signature is recommended to satisfy the documentation requirement.

B. CLEAR Alert:

- i. Designed to close the gap between missing children and senior citizens.
- ii. The CLEAR alert assists law enforcement in locating and rescuing missing, kidnapped or abducted adults or adults who are in immediate danger of injury or death, as well as aid in locating any potential suspects.
- iii. Criteria for a CLEAR Alert:
 1. Is the individual 18 to 64 years of age, whose whereabouts are unknown?
 2. Has a preliminary investigation verified the adult is in imminent danger of bodily injury or death or is the disappearance involuntary such as an abduction or kidnapping?
 3. Is the clear alert request within 72 hours of the individual's disappearance?

4. Is sufficient information available to disseminate to the public to help locate the individual, a suspect, or the vehicle used in the incident?

C. Camo Alert:

- i. Designed to notify the public of a missing current or former member of the United States armed forces, including the National Guard or a reserve or auxiliary unit of any branch of the armed forces.
- ii. Criteria for a Camo Alert:
 1. Verification from the Texas Department of Public Safety that the missing military member is registered for the camo alert program.
 2. Confirmation the individual reported missing is a current or former member of the United States armed forces, including the National Guard or a reserve or auxiliary unit of any branch of the armed forces and that the individual's location is unknown.
 3. Confirmation the missing person suffers from a mental illness, including post-traumatic stress disorder or a traumatic brain injury.
 4. Confirmation the disappearance poses a credible threat to the military member's health and safety or the health and safety of another.
 5. Note: A physician's or psychologist's letterhead, indicating the impaired mental condition, date of diagnosis, patient's name, with physician's signature is recommended to satisfy the documentation requirement.

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REQUIRED ACTIVITY: The instructor must use at least two high-profile missing adult cases to allow students to apply prior concepts and critical skills. While the case studies listed below are recommended, the instructor may choose cases more applicable to the students' service area. The additional cases must be high-profile and involve adult victims from high-risk populations.

- Case Study #1: Vanessa Guillen
 - An adult female Army soldier who went missing while at Fort Cavazos, in Killeen.
- Case Study #2: TBD

The instructor may determine the most appropriate format to carry out this activity. Students must be given information on each case by the instructor or have access to research tools. The

analysis of each case study should be divided into three stages that build upon each other. Each stage must prompt students to:

Stage 1:

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- Identify applicable penal codes associated with the offenses.

Stage 2:

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- Discuss the impact of these risk factors on the officer's response, considering a trauma-informed approach.
- Determine the type of alert, if applicable.

Stage 3:

- Analyze the successes in how law enforcement handled the case.
- Discuss the failures in how law enforcement handled the case.
- Analyze best practices and lessons learned in the law enforcement's handling of the case.