



Kern County Sheriff's Office Policies and Procedures

TITLE: MISSING PERSONS-REPORTING			NO: H 0800 - Missing Persons.doc
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: May 25, 1992	REVIEWED: 02/06/2023	REVISED: 02/06/2023	UPDATED: 02/06/2023

POLICY

Deputy Sheriffs, Dispatchers, Sheriff's Report Technicians, Sheriff's Aides, Community Services Technicians and all other Sheriff's personnel who have reporting responsibilities shall accept any missing person's report, including any telephonic report of missing persons, including runaways, without delay and shall give priority to the handling of these reports over the handling of reports relating to property crimes.

Missing persons' cases shall be handled in accordance with the following procedures:

PROCEDURE A

Initial Response

Sheriff's personnel who take the initial call, by phone or in person, will determine if the call meets the criteria for a missing person (See Definitions). If the call is determined to be a missing person's case, the following procedures will be followed:

- A. Sheriff's personnel will accept any missing person report (PC 14211(a)).
 1. It is the duty of all law enforcement agencies to immediately assist any person who is attempting to make a report of a missing person or runaway.
 2. A report must be accepted regardless of jurisdiction.
 3. Generally, the agency having jurisdiction over the missing person's place of residence has the ultimate investigative responsibility of the missing person's case. However, deputies of this agency may consider initiating an investigation if the missing person was last seen in our jurisdiction, even though the missing person resides in another jurisdiction.
 - It is appropriate to initiate an investigation when the missing person is at risk or when a delay might significantly reduce the possibility of finding the missing person.
- B. Sheriff's personnel will give preference to reports of missing persons and runaway cases.
 1. Deputies, Dispatchers, Sheriff's Report Technicians, Sheriff's Aides, Community Services Technicians or other designated personnel shall give priority to the handling of a missing person or runaway over reports relating to property crimes.

2. The individual taking the report must exercise good judgment and apply reasonableness in following this guideline.
3. Special attention should be given to reports of at-risk missing persons and missing children. The younger the child, the less their survival skills and the greater the risk to their safety.

C. Take the proper course of action for initial response.

1. Deputies or other designated personnel shall interview reporting parties and any witnesses to determine:
 - The type of missing person case.
 - The existence of any suspicious circumstances or indications that the person is at risk.
 - A description of the missing person.
 - Other appropriate action that may be necessary.
2. Based on the circumstances of each report, appropriate action may include:
 - Making a local broadcast. If the person is under twenty-one (21) years of age, or there is evidence the person is at risk, a broadcast must be made without delay.
 - Searching the area.
 - Examining court orders regarding custody matters if the child is a minor under eighteen (18) years of age.
 - Notifying other agencies.
 - Calling a supervisor or investigator to the scene.
 - Securing a recent photograph of the missing person.
 - Following reporting requirements.
 - Utilizing additional resources such as Air Support, K-9, and Search and Rescue.
 - Utilizing ReadyKern, Nextdoor, and Nixle.

NOTE: It is important to remember that a missing person, child or adult, may be the victim of a crime; therefore, a thorough investigation is always necessary. Search and Rescue teams can add to or replace field deputies involved in a search. Refer to Sheriff's Policy and Procedure H-400 Search and Rescue Incidents.

- D. In cases where the missing person is under 21 years of age, or meets the criteria for being at risk, the reporting party will be provided with an "Authorization to Release" form (BCIA 4048, Attachment A) and a notation that the form was provided will be made on the associated report.
1. If the report is being taken in person, the form will be given to the reporting party immediately.
 2. If the report is being taken over the telephone, the form will be mailed to the reporting party without delay.

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- E. The reporting party shall be instructed to take the “Authorization to Release” form to the dentist immediately when the missing person is at risk or is under eighteen (18) years of age and has been missing at least fourteen (14) days; however, nothing prohibits a parent or guardian of a child, reported as missing, from voluntarily submitting these documents. The reporting party or family member shall immediately submit the obtained x-rays and a recent photograph of the missing person to the Sheriff’s Office. In these cases, the investigating deputy or their designee may confer with the Coroner or Medical Examiner and submit the report and dental records to the Department of Justice (DOJ) within twenty-four (24) hours.
1. In the case of missing persons who were not initially classified as “at risk,” if the person is still missing thirty (30) days after the report is made, the form is to be signed by a family member or next of kin and taken to the dentist, physician and surgeon, or medical facility of the missing person. The family member or next of kin should obtain the dental records and/or dental and skeletal x-rays and within ten (10) days submit them to the agency to which the report was made.
- F. When a child is missing under suspicious circumstances or is at risk, the Sheriff’s Office may immediately obtain the dental records by “written declaration” (Attachment B). In such cases, the investigating deputy may immediately confer with the Coroner and submit a report, dental records, and photograph(s) to the DOJ within twenty-four (24) hours.
1. Any peace officer may sign a written declaration to obtain a release of dental records immediately when the missing person is under eighteen (18) years of age, and there is evidence that the missing person is at risk. The deputy or other designated person may immediately confer with the Coroner and may submit the report and dental records within twenty-four (24) hours to the DOJ.

PROCEDURE B

The following investigative tools can be used to help solve missing persons’ cases; however, these tools are not a substitute for, nor are they a replacement of, Search and Rescue teams.

ReadyKern Activation

The Kern County Sheriff’s Office recognizes that a timely and proper response to the search of missing persons who are deemed at risk is imperative. ReadyKern has the capability to call more than 800 telephones and send nearly 1,700 e-mails within five minutes to a targeted geographic area, thereby greatly assisting in the search for a missing person.

The criteria for use of the ReadyKern system in a missing person investigation are as follows:

- A. Law enforcement confirms a child (17 years of age or younger) has been abducted or a reported mental or physical handicapped person has been abducted, regardless of age.

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- B. Law enforcement believes the circumstances surrounding the abduction indicate that the victim is in imminent danger of serious bodily injury or death. Absent unusual conditions, parental or family abductions will not fit the criteria without indication of imminent danger.
- C. There must be enough descriptive information about the victim, abductor, and suspect's vehicle to believe an immediate broadcast alert to the public will assist in the safe recovery of the victim.

Once the criteria have been met, the Investigator shall:

- A. Notify a supervisor.
- B. The supervisor will notify the Watch Lieutenant (or affected Division Commander) for authorization to use the ReadyKern System.
- C. Once approval has been granted, the investigator will request the Sheriff's Communications Center activate the ReadyKern system.
 - 1. The investigator will determine and notify the Communications Center of the specific geographic area to be notified, i.e. ¼ mile or ½ mile radius, number of square blocks, etc.
 - 2. The Communications Center will initiate the system by creating a customized alert message (using information provided by the investigator) and will disseminate to the specified geographic area.
 - 3. The Communications Center will notify local agencies that ReadyKern is being deployed as appropriate.

NOTE: Refer to Sheriff's Policy and Procedure H-1510 ReadyKern for further details regarding the use of ReadyKern.

Nextdoor

Nextdoor is the private social network for the community we serve. The Sheriff's Office can post messages, polls, or urgent alerts to the neighborhoods in our service area where the information would be relevant. Nexdoor members can reply to messages publicly or privately.

Nixle

Nixle focuses exclusively on public safety and is used by more than 8,000 public safety organizations. Nixle can notify citizens over multiple communication paths, including voice, text messages, email and social media. Nixle proactively manages incident communications before, during and after an event to keep residents safe and informed.

When the missing person is located, or it is determined that the prior notification is no longer helpful, the assigned deputy will contact the Communications Center and request a Ready Kern,

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Nextdoor and/or Nixle cancellation message. Communications Center personnel will then create a cancellation message and disseminate it to the specified geographic area.

PROCEDURE C

Follow-up Investigation

Follow-up investigations will be the responsibility of the detective or other designated personnel within the Kern County Sheriff's Office.

- A. Persons responsible for follow-up investigations shall re-contact the reporting party within thirty (30) days of the initial report to update and develop any additional information. The person handling the case shall also contact any other involved agencies as appropriate.
- B. When an at-risk missing person has not been found within thirty (30) days and no family or next of kin can be located, a written declaration (Attachment B) will be executed. The declaration shall state an active investigation seeking the location of the missing person is being conducted and the dental records and/or dental and skeletal x-rays are necessary in the furtherance of the investigation. The written declaration, signed by a peace officer, is sufficient authority for the dentist to release records and/or x-rays (PC 14212(d) and PC 14212(e)).
- C. Education Code § 49068.6 requires law enforcement to make a written notification and submit a recent photograph (if available) within ten (10) days to the school in which the missing child is enrolled. The school shall "flag" a missing child's record and immediately notify law enforcement of an inquiry or request for the missing child's records.
- D. In any case in which a report is taken concerning a person missing under high-risk circumstances, the assigned detective shall, within no more than 30 days, 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 item belonging to the missing person, if available (Penal Code § 14250(c)(2)).
 1. Such samples shall be collected in a manner prescribed by the (DOJ), using a DOJ model kit.
 2. After 30 days, the reporting deputy or assigned detective shall verify the status of the missing person. If still missing, the DNA sample and a copy of the original report and any supplemental reports shall be sent to the DOJ for testing and inclusion in the DNA database.
 - Definition of "high risk" for DNA purposes (PC 14250 (a)(4)):
 - Missing as a result of stranger abduction.
 - Missing under suspicious circumstances.
 - Missing under unknown circumstances.

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- Reason to believe person is in danger or deceased.
- Missing more than 30 days.
- Missing less than 30 days at discretion of investigating agency.

PROCEDURE D

Reporting and Notification Requirements

- A. When a report is taken, the investigating deputy must notify and send the report to the law enforcement agency that has jurisdiction of the missing person's residence address and where the missing person was last seen without delay.
- B. In cases 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 police or sheriff's department or departments having jurisdiction of the residence address of the missing person or runaway and of the place where the person was last seen (PEN. 14211(g)).
- C. It may be appropriate to notify the agency having jurisdiction of the missing person's intended destination.
- D. "Without delay" means the person completing the missing person's report will route a copy of that report to the appropriate police agency at the time they submit the report. If the missing person is at risk, the law enforcement agency having jurisdiction will be notified by telephone or teletype prior to the end of the report taker's shift.
- E. If the missing person is under 21 years of age, or there is evidence that the person is at risk, a "Be on the Lookout" bulletin shall be broadcast without delay, within its jurisdiction.
- F. The report shall be submitted to the DOJ by the Records Section.
- G. Information regarding missing persons under 21 years of age or where there is evidence that the missing person is at risk must be entered into the National Crime Information Center (NCIC) missing person's system immediately.
- H. If the Kern County Sheriff's Office is assuming investigative responsibility for the missing person's report, the report taker is responsible for making the NCIC entry.
- I. When the missing person is under 21 years of age, or there is evidence that the person is at risk, Records Section personnel shall send a teletype to the DOJ and the NCIC within two hours after accepting the report (34 USC 41307, 34 USC 41308, PC 14211(e)). To assist the DOJ, the teletype must note if the case involves a person at risk or under 21 years of age.

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PROCEDURE E

Missing Person is Found

- A. When a missing person is found, the investigating deputy or designated person must report this to the Attorney General's Office and other agencies as appropriate.
1. When any person reported missing is found, the deputy, detective, or other designated personnel shall immediately report that information to the Attorney General's Office (PC 14213(a)).
 - When a person reported missing has been found, the "found" report shall be made within twenty-four (24) hours of locating the missing person (PC 14213(b)).
 - When any missing person is found alive or dead, in less than the 24-hour reporting period, and is suspected to have been abducted, the investigating deputy shall submit a report to the Attorney General's Office (PC 14213(c)).
 - If a missing person has been found before they have been reported missing to the Attorney General's Office, the information must still be forwarded to the Attorney General's Office (PC 14213(c)).
 2. The reporting party and other involved agencies shall be notified.
 3. All automated systems entries shall be canceled by the report taker if the report has not yet been forwarded for investigation, or by the detective or other person designated to conduct the follow-up investigation.
 4. Information regarding any found unidentified person, alive or deceased, must be entered into the NCIC unidentified person's file. This shall be done by the person taking the report.
 5. If ReadyKern, Nixle and/or Nextdoor was utilized, a cancellation notification will be distributed by the Communications Center.

DEFINITIONS

AT RISK: Evidence that the person is at risk includes, but is not limited to, evidence or indications of any of the following:

- A. The person missing is the victim of a crime or foul play.
- B. The person missing needs medical attention.
- C. The person missing has no pattern of running away or disappearing.
- D. The person missing may be the victim of parental abduction.

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- E. The person missing is mentally impaired, including cognitively impaired or developmentally disabled.

DENTAL RECORDS: Includes charts, x-rays, or other physically identifying records maintained by a dentist.

DISPATCHER: Any employee of a governmental agency who receives calls for service and/or dispatches deputies or other designated personnel.

OFFICER: Includes any peace officer of a local Police or Sheriff's Office, the California Highway Patrol, or a District Attorney's Office.

OTHER DESIGNATED PERSONNEL: Includes non-sworn employees or volunteers of the Police, Sheriff's Office, the California Highway Patrol, or a District Attorney's office.

MINOR CHILD: Includes any person under the age of eighteen (18) years.

MISSING PERSON: Any adult or child who is reported missing to a law enforcement agency.

- A. An adult remains missing until the individual can be located or is determined to be a voluntary missing adult.

- B. A child remains missing until the child is located.

PARENTAL ABDUCTION: Abduction or concealment of a child by a parent or their agent in violation of current law (refer to P.C. 277, 278, or P.C. 278.5).

RUNAWAY: Any minor classified as a voluntary missing.

STRANGER ABDUCTION: Abduction or concealment of an adult or minor child by a person other than a parent or guardian.

UNKNOWN MISSING: Cases in which there are insufficient facts to determine the missing person's disposition or the circumstances by which they became missing.

REFERENCE CHART

Refer to Attachment C for a California DOJ reporting reference chart.

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AUTHORIZATION TO RELEASE DENTAL/SKELETAL X-RAYS/TREATMENT NOTES/PHOTOGRAPH OF MISSING JUVENILE

NAME OF MISSING JUVENILE	
REPORTING AGENCY AND CASE NUMBER	REPORTING PARTY

Under California Penal Code Section 14212, the family or next-of-kin of any person under the age of 18 years who is reported missing and has not been located within thirty (30) days may authorize the release of the dental or skeletal X-rays, or both, and treatment notes and a recent photograph of the missing juvenile. This release form **shall** be taken to the dentist, physician and surgeon, or medical facility of the missing person to obtain the release of the dental or skeletal X-rays and treatment notes. The dental or skeletal X-rays, or both, **shall** be released to the person presenting this request. The person to whom the records are released **shall**, within ten (10) days, bring those records to the police or sheriff's department or other law enforcement agency having jurisdiction over the investigation.

If your missing juvenile is found, please notify the law enforcement agency **immediately**.

AUTHORIZATION

I am a family member, next-of-kin, or law enforcement official investigating the disappearance of the above-named missing juvenile and I hereby authorize the release of all dental or skeletal X-rays and treatment notes to assist law enforcement agencies in locating the above-named missing juvenile. I also consent to the release of the above-named missing juvenile's photograph, physical description, and circumstances surrounding the disappearance. This information may be used by the Department of Justice for inclusion in missing children bulletins and posters which will be distributed throughout California to law enforcement agencies, elementary and secondary schools, state buildings, appropriate roadside rest areas, and other parties determined appropriate by the Department of Justice to assist in locating the missing juvenile, including the Attorney General's Website at <https://oag.ca.gov/>.

NAME OF DENTIST			
ADDRESS			
CITY	STATE	ZIP	TELEPHONE NUMBER
NAME OF PHYSICIAN, SURGEON OR MEDICAL FACILITY			
ADDRESS			
CITY	STATE	ZIP	TELEPHONE NUMBER
SIGNATURE OF FAMILY MEMBER OR LAW ENFORCEMENT OFFICIAL			
PRINTED NAME OF FAMILY MEMBER OR LAW ENFORCEMENT OFFICIAL			
RELATIONSHIP TO MISSING JUVENILE		DATE	
ADDRESS			
CITY	STATE	ZIP	TELEPHONE NUMBER



AUTHORIZATION TO RELEASE DENTAL/SKELETAL X-RAYS AND TREATMENT NOTES OF MISSING ADULT

NAME OF MISSING ADULT	
REPORTING AGENCY AND CASE NUMBER	REPORTING PARTY

Under California Penal Code Section 14212, the family or next-of-kin of any person reported missing and has not been located within thirty (30) days may authorize the release of the dental or skeletal X-rays, or both, and treatment notes of the person reported missing. This release form **shall** be taken to the dentist, physician and surgeon, or medical facility of the missing person to obtain the release of the dental or skeletal X-rays and treatment notes. The dental or skeletal X-rays, or both, and treatment notes **shall** be released to the person presenting this request. The person to whom the records are released **shall**, within ten (10) days, bring those records to the police or sheriff's department or other law enforcement agency having jurisdiction over the investigation.

If your missing adult is found, please notify the law enforcement agency **immediately**.

AUTHORIZATION

I am a family member, next-of-kin, or law enforcement official investigating the disappearance of the above-named missing adult and I hereby authorize the release of all dental or skeletal X-rays and treatment notes to assist law enforcement agencies in locating the above-named missing adult. I also consent to the release of the above-named missing adult's photograph, physical description, and circumstances surrounding the disappearance. This information may be used by the Department of Justice for inclusion in missing person bulletins and posters which will be distributed throughout California to law enforcement agencies, state buildings, appropriate roadside rest areas, and other parties determined appropriate by the Department of Justice to assist in locating the missing person, including the Attorney General's Website at <https://oag.ca.gov/>.

NAME OF DENTIST			
ADDRESS			
CITY	STATE	ZIP	TELEPHONE NUMBER
NAME OF PHYSICIAN, SURGEON OR MEDICAL FACILITY			
ADDRESS			
CITY	STATE	ZIP	TELEPHONE NUMBER
SIGNATURE OF FAMILY MEMBER OR LAW ENFORCEMENT OFFICIAL			
PRINTED NAME OF FAMILY MEMBER OR LAW ENFORCEMENT OFFICIAL			
RELATIONSHIP TO MISSING ADULT		DATE	
ADDRESS			
CITY	STATE	ZIP	TELEPHONE NUMBER



1350 Norris Road
Bakersfield, California 93308-2231

Declaration of Authority for Seizure of Dental/Medical Records

Missing Person's Name _____

Agency Case Number _____

I hereby declare that the above-mentioned person has been reported missing and that no family or next of kin exist or can be located. There is presently an active investigation being conducted seeking the location of a missing person, and Dental / Medical X-rays, related charts and records are necessary for the exclusive purpose of furthering the investigation.

These records are hereby requested to be produced by:

Physician's name _____

Address _____

City _____ Phone _____

This form, signed by a peace officer, is sufficient authority for the dental / medical doctor to release the missing person's records pursuant to the express provisions of Section 14212 of the California Penal Code.

Name of Officer _____ Title/Rank _____

Division _____ Phone _____

Signature of Duly Sworn Peace Officer

Date



California Department of Justice Missing and Unidentified Persons Section

Reporting Reference Chart

All local police and sheriffs' departments shall accept any report of a missing person (MP) without delay, per Penal Code (PC) § 14211(a). Additional requirements/guidelines are below. As you read the chart from left to right, report types are listed by age group, and note the applicable code section: PC, Education Code (EC), or federal statute (U.S.C.).

Required Action MP Age	"Be On the Look-Out" Bulletin	Initial Entry into the DOJ Missing Person System (MPS)	Copy of MP Report Forwarded to Appropriate Jurisdiction	Obtain Dental and/or Skeletal X-Rays and Treatment Notes	Initial Coroner Check	MP Report with Photograph and X-rays Submitted to DOJ ²	Written Notice Submitted to School	DNA - Advise Family of Right to Submit Sample ³	Validate and Update MPS Record
At Risk ¹ (Any Age)	Without Delay <i>PC § 14211(d)</i>	Within 2 Hours <i>PC § 14211(e)</i>	Within 24 Hours <i>PC § 14211(g)</i>	At 30 days <i>PC § 14212(d)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	If a child, within 10 Days <i>EC § 49068.6</i>	Within 30 Days <i>PC § 14250(c)(2)</i>	Within 60 days <i>NCIC Guidelines</i>
Ages 0 to 15	Without Delay <i>PC § 14211(d)</i>	Within 2 Hours <i>PC § 14211(e)</i>	Within 24 Hours <i>PC § 14211(g)</i>	Within 60 Days <i>PC § 14211(f)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	Within 10 Days <i>EC § 49068.6</i>	Recommended After 30 days	Within 60 days <i>NCIC Guidelines</i>
Ages 16 to 17	Without Delay <i>PC § 14211(d)</i>	Within 2 Hours <i>PC § 14211(e)</i>	Within 24 Hours <i>PC § 14211(g)</i>	Within 60 Days <i>PC § 14211(f)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	Within 10 Days <i>EC § 49068.6</i>	Recommended After 30 days	Within 60 days <i>NCIC Guidelines</i>
Ages 18 to 20	Without Delay <i>PC § 14211(d)</i>	Within 2 Hours <i>PC § 14211(e)</i>	Within 24 Hours <i>PC § 14211(g)</i>	Within 60 Days <i>PC § 14211(f)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	Not Applicable	Recommended After 30 days	Within 60 days <i>NCIC Guidelines</i>
Ages 21 and over	Law Enforcement Discretion	Without Unreasonable Delay	Within 24 Hours <i>PC § 14211(g)</i>	Within 60 Days <i>PC § 14211(f)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	Not Applicable	Recommended After 30 days	Within 60 days <i>NCIC Guidelines</i>

- Per PC § 14215(b), "at risk" means there is evidence of, or there are indications of, any of the following: (1) is a victim of a crime or foul play, (2) is in need of medical attention, (3) has no pattern of running away or disappearing, (4) may be the victim of a parental abduction, or (5) is mentally impaired, including cognitively impaired or developmentally disabled.
- Per Health & Safety Code § 102870, the DOJ shall act as a repository for dental examination records of missing and unidentified person and will compare the records for the purposes of identification.
- Per PC § 14250(a)(4), for the purpose of DNA collection, a high-risk missing person is anyone missing as a result of a stranger abduction, suspicious circumstances, unknown circumstances, there is reason to assume the person is in danger or deceased, and that the person has been missing for more than 30 days or less in the discretion of the investigating agency.