



**2-93 CHILD ABDUCTION AND MISSING CHILD INVESTIGATIONS**

**Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):**

A. Related SOP(s)

None

B. Form(s)

PD 1385 Crime Scene Canvass & Witness Information Form

C. Other Resource(s)

- NMSA 1978, § 29-15-2 Definitions
- NMSA 1978, § 30-4-1 Kidnapping
- NMSA 1978, § 30-4-4 Custodial Interference; Penalties
- NMSA 1978, § 40-10C-2 Definitions

D. Rescinded Special Order(s)

None

**2-93-1 Purpose**

The purpose of this policy is to provide standards for Albuquerque Police Department (Department) personnel when responding to and investigating cases involving child abductions and missing children. It is also the purpose of this policy to establish the Department's standards for issuing AMBER Alerts.

**2-93-2 Policy**

It is the policy of the Department to respond in a timely and appropriate manner to thoroughly investigate reports of a missing child in order to determine if the missing child has been abducted or kidnapped.

**N/A 2-93-3 Definitions**

A. Abducted Child

A child who is seventeen (17) years old or younger who has been taken, detained, concealed, or enticed away by a person(s) who does not have custodial rights to the child.

B. Abduction



The wrongful removal or wrongful retention of a person. The action of taking away of a person by persuasion, fraud, or force, consistent with NMSA 1978 § 40-10C-2 A.

C. AMBER Alert

A declaration by the authorized requester that an abduction has occurred and that notifications and broadcasts be made pursuant to the AMBER alert notification plan, consistent with NMSA 1978, § 29-15A-2.

D. Custodial Interference

Consists of any person having a right to custody of a child, who takes, detains, conceals or entices away or fails to return that child without good cause and with the intent to deprive permanently or for a protracted time from another person also having a right to custody of that child, consistent with NMSA 1978, § 30-4-4B.

E. Kidnapping

1. The unlawful taking, restraining, transporting, or confining of a person, by force, intimidation or deception, with intent:

- a. That the victim be held for ransom;
- b. That the victim be held as a hostage or shield and confined against their will;
- c. That the victim be held to service against the victim's will; or
- d. To inflict death, physical injury, or a sexual offense on the victim.

F. Missing Child

A child who is under the age of eighteen (18) years, who is not emancipated, and whose whereabouts are unknown to a parent, guardian, or responsible party, consistent with NMSA 1978, § 29-15-2B.

G. Unlawful Interference with Custody

Consists of any person, not having a right to custody, maliciously taking, detaining, concealing, enticing away, or failing to return any child with the intent to detain or conceal permanently or for a protracted time that child from any person having a right to custody of that child, consistent with NMSA 1978, § 30-4-4C.

H. Wrongful Removal

The taking of a child whereby taking the child breaches rights of custody or visitation given or recognized pursuant to the law of this state, consistent with NMSA 1978, § 40-10C-2J..

I. Wrongful Retention



The keeping or concealing of a child, which keeping or concealing breaches rights of custody or visitation given or recognized pursuant to the law of this state, consistent with NMSA 1978, § 40-10C-2-A.

**5 2-93-4 Procedures**

**A. Investigations of Child Abduction, Kidnapping, or Missing Child Cases**

**1. The responding officer shall:**

- a. Interview the parent/guardian making the report;
- b. Conduct a thorough search of the immediate area;
- c. Obtain a description and current photograph of the child;
- d. Advise the Emergency Communications Center (ECC) of the information received, including the last known location and have ECC broadcast this information on all Talk Groups;
- e. Ensure the Real Time Crime Center (RTCC) completes a New Mexico Children, Youth, and Families Department (CYFD) portal check;
- f. Request an additional officer to secure any scene that may be of evidentiary value if the location is other than the home or location where the officer was dispatched;
- g. Interview potential witnesses at the scene, including children;
- h. Ensure the on-scene supervisor is notified of pertinent information;
- i. Stay on-scene to ensure the integrity of all potential evidence and obtain any new information when made available;
- j. Create a Uniform Incident Report as soon as practical;
- k. Tag all officer recordings of evidentiary value into evidence; and
- l. Upon determining that the child is missing or abducted, contact the Records Division to ensure the child is entered into the National Crime Information Center (NCIC) within two (2) hours from the time the incident was created in the Computer-Aided Dispatch (CAD) system.

**2. The on-scene supervisor shall:**

- a. Ensure that proper personnel are in place to carry out a proper and thorough investigation;
  - i. The on-scene supervisor shall immediately assign a records keeper, who shall keep accurate records of all investigative steps taken.
  - ii. The on-scene supervisor shall immediately assign personnel to begin a canvass of the neighborhood, using a standardized canvass form.
- b. Organize and coordinate an immediate search of the area surrounding the missing child's home and/or place where the child was last seen;
- c. Establish a command post;
- d. Contact and brief a Child Exploitation Detail (CED) Detective;
- e. Ensure that the primary officer has entered the child into NCIC;
- f. Ensure the Public Information Officer (PIO), the chain of command, and Duty Chief are notified; and



- g. Ensure that Supplemental Reports are written by all responding personnel.
3. The CED Detective shall:
- a. If an investigation meets the criteria of an AMBER Alert, have the primary responsibility with the issuance of an AMBER Alert and for operating the phone bank;
    - i. The appropriate investigating unit will assist with investigatory tasks in coordination with the CED Supervisor. Upon locating the missing child, the appropriate investigating unit will take case responsibility for the criminal investigation.
  - b. Ensure they are briefed by Department personnel at the scene;
  - c. Verify the accuracy of all descriptive information;
  - d. Obtain a brief history of family dynamics, including:
    - i. Information from the Crime Scene Canvass and Witness Information Form; and
    - ii. Any available records from CYFD, Department Records Division, family doctor(s), hospital, and school.
  - e. Update descriptive information;
  - f. Conduct follow-up interviews with reporting parent/guardian and all possible witnesses and suspects; and
  - g. Respond to requests for assistance from other agencies, as deemed necessary by the CED Supervisor.
4. The CED Supervisor shall:
- a. Respond personally to the scene of any investigations of abduction or kidnapping being investigated by a Missing Persons Unit Detective;
  - b. After being briefed, assess the situation to determine the appropriate level of response;
  - c. If the on-call Missing Persons Unit Supervisor concludes a high probability exists that the child was abducted and is in danger of bodily harm or death, the CED Supervisor shall contact the New Mexico Department of Public Safety AMBER Alert Clearinghouse to activate the AMBER Alert and ensure contact is made with New Mexico State Police (NMSP) and 770 News Radio KKOB who then disseminates the information by using the emergency alert system;
  - d. Confirm the child is entered into NCIC;
  - e. Assume responsibility for command post operation;
  - f. Notify appropriate investigative unit for the criminal investigation;
  - g. Keep the Criminal Investigations/Scientific Evidence Division Commander informed of all aspects of the investigation;
  - h. Ensure that all AMBER Alerts are issued based on the Department of Justice, Office of Justice Programs, and AMBER Alert recommended criteria as follows:
    - i. Law enforcement personnel have a reasonable belief that a child has been abducted.
    - ii. The child must be seventeen (17) years of age or younger;



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- iii. There must be specific information concerning the abductor and/or child, which would prove useful to the public in hopes of recovering the child;
- iv. There must be a reason to believe the child is in imminent danger of bodily harm or death; and/or
- v. The child must be entered into NCIC as abducted.
- i. Make the final decision to complete an AMBER Alert.

REDLINED



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NMSA 1978, § 29-15-2 Definitions

NMSA 1978, § 30-4-1 Kidnapping

NMSA 1978, § 30-4-4 Custodial Interference; Penalties

NMSA 1978, § 40-10C-2 Definitions

D. Rescinded Special Order(s)

None

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- g. Interview potential witnesses at the scene, including children;
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- f. Ensure the Public Information Officer (PIO), the chain of command, and Duty Chief are notified; and
  - g. Ensure that Supplemental Reports are written by all responding personnel.
3. The CED Detective shall:
- a. If an investigation meets the criteria of an AMBER Alert, have the primary responsibility with the issuance of an AMBER Alert and for operating the phone bank;
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