



KANSAS ATTORNEY GENERAL

Derek Schmidt

Kansas Silver Alert Law Enforcement Policy

120 SW 10th Ave., 2nd Floor • Topeka, KS 66612-1597 • (785) 296-2215

www.ag.ks.gov

KANSAS SILVER ALERT LAW ENFORCEMENT MODEL POLICY

- I. [Insert Law Enforcement Agency name]’s Policy Regarding Silver Alert and Missing At Risk Adults
- II. Purpose
 - a. To emphasize the [Insert Law Enforcement Agency name]’s commitment to locating adults reported missing.
 - b. To provide guidance in determining if the missing adult may be at risk requiring additional action, including issuing a silver alert.
- III. Distribution
 - a. All sworn law enforcement personnel, all volunteers, all records personnel, and all dispatch personnel employed by the [Insert Law Enforcement Agency name].
NOTE: If your agency has dispatch services provided by another agency they should be included in the distribution and consideration should be given to amending your services agreement to include these provisions.
- IV. References
 - a. Silver Alert Protocol established by the Kansas Attorney General.
 - b. [List other related local policies]
- V. Definitions
 - a. At-Risk adult: Any missing adult, and
 1. Information provides a reasonable belief they suffer from dementia, or
 2. Over the age 65, and meet any of the following criteria:
 - i. The person has a reported medical or mental condition that may threaten, or greatly reduce, their ability to make sound reasonable decisions and/or may diminish their ability to survive without assistance, or
 - ii. The person has been determined to be a risk to harm their self.
 - b. Silver Alert: Public notification of a missing at-risk adult as provided in the protocol developed by the Kansas Attorney General and as provided in 2009 SB148.
- VI. Policy
 - a. All complaints of a missing at-risk adult shall be documented in an official report. There is no waiting period for reporting a missing adult.
 - b. Officers shall utilize appropriate resources to attempt to locate the missing at-risk adult.
 - c. Utilize Silver Alert if protocol is met.
 - d. All missing at-risk adults shall be entered into NCIC.
- VII. Procedure
 - a. Officers taking the initial report shall gather all relevant information that might assist in determining the level of risk faced by the missing adult. See attachment A, Investigative Checklist.
 - b. Officers shall document in the report the details of information leading to the belief the missing adult is at risk including the source of that information.

- 1 c. Medical and psychological determinations do not require written documentation
2 from a care provider prior to acting on the report. However, Attachment B,
3 Affidavit of Medical or Psychological Condition of Missing Adult, should be
4 completed absent such written documentation.
 - 5 d. Once a missing adult is determined to be an at-risk adult, the officer shall request
6 additional assistance as determined prudent to locate the missing at-risk adult.
7 This may include, but is not limited to:
 - 8 1. Additional law enforcement personnel, including from other agencies.
 - 9 2. Initiate a silver alert as per Kansas Silver Alert Protocol and Attachment D:
10 Media Activation. Alert the media to request public assistance in locating the
11 missing at-risk adult when adequate information is available and the family
12 does not object to the release of information to the public. Provide the
13 following to the media by telephone, e-mail, or fax:
 - 14 • Name and age of the missing person
 - 15 • Description of individual (height, weight, hair color, other identifying
16 characteristics)
 - 17 • Description of vehicle and clothes
 - 18 • Last known location & possible direction of travel
 - 19 • Most recent picture of the missing person if possible
 - 20 • Other pertinent information
 - 21 • Contact telephone number for the public to call with tips
 - 22 3. Available automated telephone, text messaging, or e-mail alert systems.
 - 23 4. Local civic organizations that may aid in a search.
 - 24 5. Contacting other family members and friends of the missing adult.
 - 25 6. Issuing an Attempt to Locate for the person including available descriptions of
26 the person, their clothing, possible vehicles, and possible direction of travel.
 - 27 7. Enter the information in the Kansas Hot Files.
- 28 VIII. Responsibilities
- 29 a. Dispatcher
 - 30 1. Gather as much information as possible from caller regarding the missing
31 adult's description, last known whereabouts, past history of missing, known
32 medical or psychological conditions that may place them at risk, potential
33 places the missing at-risk adult might go.
 - 34 2. Dispatch an officer as quickly as possible.
 - 35 3. Initiate Silver Alert as per Kansas protocol if requested by officer.
 - 36 4. Enter missing at-risk adult into NCIC and/or Kansas Hot Files as requested.
 - 37 5. Broadcast ATL information as applicable or as requested by the investigating
38 officer(s).
 - 39 b. Initial officer
 - 40 1. Seek out and assess pertinent information to determine the level of risk to the
41 person. (See Attachment A)
 - 42 2. Request additional assistance, as appropriate, to conduct a timely search for
43 the missing at-risk adult. In the event a statewide alert is necessary, contact
44 KBI Communications (See Attachment D).
 - 45 3. Take immediate action to locate missing adult.
 - 46 4. Complete necessary reports.

- 1 5. Request entry of information into NCIC and/or Kansas Hot Files as
- 2 appropriate.
- 3 6. If the person has a cell phone request location information from the cell phone
- 4 company if the criteria are met for such a request.

5 IX. Notification Responsibilities:

- 6 a. If a Silver Alert is issued, even if only at a local level, the incident must be
- 7 reported immediately to the Office of the Attorney General by e-mail to:
- 8 silveralert@ag.ks.gov.
- 9 b. A report of the incident must be submitted to the Office of the Attorney General
- 10 on the following business day. This can be delivered through the following:
- 11 1. By phone at (800) 828-9745
- 12 2. By fax at (785) 296-7796
- 13 3. By e-mail to: silveralert@ag.ks.gov

14 X. Responsibilities when missing at-risk adult is located.

- 15 a. Dispatcher
- 16 1. If person is located by a non-law enforcement person, dispatch an officer to
- 17 confirm information and to gather information for report.
- 18 2. Clear attempt to locates, silver alerts, NCIC entries and Kansas Hot File
- 19 entries when requested by the investigating officer.
- 20 b. Officer
- 21 1. Confirm recovery of missing at-risk adult.
- 22 2. Determine if the missing at-risk adult is in need of medical or psychological
- 23 treatment or evaluation.
- 24 3. Determine if the missing at-risk adult has been the victim of any crime.
- 25 4. Document in the report the circumstances of the person's discovery.
- 26 5. Document in the report the accuracy of the information initially provided to
- 27 assess risk level.
- 28 6. Contact the initial reporting party to alert them the person has been located
- 29 and their condition. *NOTE: If the missing at-risk adult is found in a condition*
- 30 *indicating they are not at risk and does not want the initial reporting party to*
- 31 *know their whereabouts, the officer should only inform the initial reporting*
- 32 *party the person has been located, does not appear to be at risk, and does not*
- 33 *wish their whereabouts to be known.*
- 34 7. Request any Attempt To Locates, Silver Alerts, NCIC entries, or Kansas Hot
- 35 File entries to be cancelled.
- 36 8. Notify all other agencies or persons assisting in the search, and the Attorney
- 37 General's Office (see IX b.) that the missing at-risk adult has been located.
- 38

1 **ATTACHMENT A**
2 **MISSING ADULT CHECKLIST**

- 3
- 4 1. Any information the missing person may be the victim of foul play?
- 5 2. Does the person have a history of being a victim of domestic violence or stalking?
- 6 3. Does the reporting party have a history of being involved in domestic violence or stalking
- 7 with the victim?
- 8 4. Does the person have a history of being reported as a missing person?
- 9 5. Does the person have a history of not returning as expected or leaving unannounced?
- 10 6. What are the possible locations or destinations of the missing adult as perceived by
- 11 family, friends, or the reporting party?
- 12 7. If the person has been missing in the past, where were they located?
- 13 8. Obtain information about potential mode of travel, including vehicle description if
- 14 applicable.
- 15 9. Does the person have any medical or psychological condition rendering them at risk, such
- 16 as Alzheimer's or dementia? If so, complete the affidavit in attachment B if copies of
- 17 medical documentation cannot be immediately provided.
- 18 10. If the person is 65 years of age or older do they have conditions placing them at risk such
- 19 as diabetes, depression, suicidal threats or indicators, lack of life sustaining medicines? If
- 20 so, complete the affidavit in attachment B if copies of medical documentation cannot be
- 21 immediately provided.
- 22 11. Evaluate weather and other conditions that may increase risk level.
- 23 12. Who was the last person the missing adult spoke to and where was the missing adult
- 24 located at the time?
- 25 13. Is there anyone else the missing adult may try to contact?
- 26 14. Has there been any recent traumatic event affecting the missing adult such as death of a
- 27 close relative, job loss, marital difficulties, financial difficulties, or pending legal action?
- 28 15. Does the person have cash or credit cards to assist in travel?
- 29 16. Does the person have a cell phone? If so, what is the number and who is the carrier?
- 30 17. What belongings did the missing adult take with them?
- 31 18. What medical facility would the person go to if they were seeking treatment?
- 32 19. Obtain a recent photo of the missing adult if possible.
- 33 20. Obtain physical description and clothing description.
- 34 21. Determine if the missing at-risk adult's family, care giver or other party responsible for
- 35 the missing adult objects to publicly releasing information to help locate the person. If
- 36 not, complete the form in attachment C.
- 37
- 38
- 39

ATTACHMENT B
AFFIDAVIT OF MEDICAL OR PSYCHOLOGICAL CONDITION OF MISSING ADULT

Name of reported missing at-risk adult:

I, _____, have knowledge that the above adult is missing and has the following conditions which I believe puts their safety at risk:

_____ Has been medically diagnosed as having Alzheimer's, dementia, or _____, which I believe puts their safety at risk.

_____ Is age 65 or older and:

_____ Has recently displayed evidence of limited mental capacity, which I believe puts their safety at risk. (Explain below.)

_____ Requires life sustaining medications or treatment, which I believe they do not currently have access to. (Explain below.)

_____ Has displayed or communicated a desire to cause harm to their self. (Explain below.)

Additional explanation:

I affirm the above information is true to the best of my knowledge.

Signature of person providing information

Printed name of person providing information

Address of person providing information

Phone number(s) of person providing information

Date: _____ Time: _____ Officer: _____

1 **ATTACHMENT C**
2 **REQUEST TO RELEASE INFORMATION**

3
4 Name of reported missing adult: _____
5

6
7 I, _____, am a relative, care giver, guardian,
8 or power of attorney of the above adult and I have reason to believe the person named above is
9 missing. I furthermore request and authorize the [Insert Law Enforcement Agency name] to release
10 relevant information to the public to assist in locating the person named above.
11
12

13 _____
14 Signature of person making request

15 _____
16 Printed name of person making request

17 _____
18 Relationship to missing adult

19 _____
20 Address of person making request

21 _____
22 Phone number(s) of person making request

23 Date: _____ Time: _____ Officer: _____
24

1 **ATTACHMENT D**
 2 **MEDIA ACTIVATION**

3
 4 **I. Initial Contact**

5
 6 The method for handling the tips and inquiries called in to the phone number once the Silver
 7 Alert is activated must be in place prior to contacting the media. The procedures for this are as
 8 follows: [Insert Agency Procedures Here].
 9

10 Local Media: Upon determination by local law enforcement that a Silver Alert is warranted,
 11 communication with local media becomes time sensitive. It is important that the family of the
 12 missing person understands and supports the release of information to the public prior to release
 13 to the media.

- 14 • **Radio and Television** –Both radio and television stations may have regular newscasts
 15 that can broadcast the information, or if they are airing a live program, may be able to
 16 include the Silver Alert. At their discretion, television stations might scroll information
 17 at the bottom of the screen. Most radio and television stations have active web sites that
 18 can be updated as well.
- 19 • **Newspapers**– Newspapers maintain web sites that are often updated throughout the day,
 20 and may be helpful with Silver Alerts.

21
 22 The following media contact information can be used for local media activation:
 23

MEDIA NAME	DURING BUSINESS HOURS	AFTER HOURS
	PHONE AND E-MAIL	PHONE AND E-MAIL
TELEVISION STATIONS:		
RADIO STATIONS:		
NEWSPAPERS:		

1 Statewide Media: Upon determination that statewide media is necessary for the search, contact
2 KBI Communications.
3

4 Keeping in mind the alert is voluntary on the part of the media, provide the following to the
5 media by telephone, e-mail, or fax:

- 6 • Name and age of the missing person
- 7 • Description of individual (height, weight, hair color, other identifying characteristics)
- 8 • Description of vehicle and clothes
- 9 • Last known location and possible direction of travel
- 10 • Most recent picture of the missing person if possible
- 11 • Other pertinent information
- 12 • Contact telephone number for the public to call with tips

13
14 **II. Continuing Contact.**

15
16 Provide frequent updates in the first few hours to the media, keeping the family informed. This
17 will lessen the calls from media to the local law enforcement agency. It is acceptable to select
18 specific times to provide updates. For example, advise the media that a fax/email will be sent
19 each hour, or that they can call each hour at a specific time. Policies and protocols will differ
20 from local agency to agency.
21

22 Provide a method for reporters to verify information gathered during normal newsroom
23 operations or who have legitimate news questions or even information obtained independently.
24

25 **III. Deactivation Contact**

26
27 Contact the media immediately when the person is located so media can notify the public and
28 cease the alert.