

The Missing Persons in the Republic of Croatia

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Abstract Safety is a basic need, a precondition for normal living and development of an individual and the social community as a whole. Disappearance of a person in the modern society is a first-class security issue. That is also the reason to pay significant attention to this important social event, through academic and professional literature as well as the scientific and developmental research, which should analyse the structure of the missing persons, determine various individual indicators of risk and danger, as well as to connect the events related to the disappearance to various crimes, regardless if they include the victims or the perpetrators. Speaking on the police search study, especially in relation to the missing persons, it must be pointed out that it is based on causistics, giving the impression that it is strictly an empirical activity. Our goal is to give the study on the police search for missing persons a scientific content, to raise it above the pure story telling of individual successful or unsuccessful actions and their epilogues. We will there use quantitative and qualitative scientific methods in order to make our study on the search for the missing persons applicable and verifiable in the police practice. In order to introduce the readers with the social occurrence of disappearance of the missing persons in the Republic of Croatia, we will present in the article the short overview of the previous completed researches and analyses and the preliminary announcement regarding the future research that would already start in 2013.

Keywords Missing Person, Search, Police, Republic of Croatia

Introduction

The continual growth of the number of the reported missing persons has taken more interest of the public, as well as the police, whose work in this area is increasing. There were 1771 missing persons in 2007, 1753 in 2008, 1773 in 2009, 1704 in 2010, 1.774 in 2011, and 1928 missing persons were reported in 2012 in Croatia. In the period under consideration, Croatia points an average of 37 missing

persons per 100.000 citizens per year, 20% of them being foreign citizens.

The disappearances of children and the youth result in significant restlessness and the increased interest of the public, which makes the police actions exposed to certain criticism and pressure. The reason for that is that the children (as well as the underage people), due to lack of their mental development, curiosity, habits, predispositions for imaginative play and suggestibility, (not) knowing the environment where they live or visit, credulity due to lack of experience, rejection of authority and the need for affirmation among the peers, as well as the impact of the e.g. films and looking for role models they find among their peers or community members etc.; easily become the victims of various crimes (e.g. sex crimes and harassment) but also become the perpetrators of various penal actions (e.g. vagrancy, begging, prostitution) and crimes (e.g. property crimes, drug abuse etc.). The approach to the search of children and minors (depending on the content and the quality of the report and the category of that person) of police officers requires different criminalist, tactical and technical approach from the search for the missing adult or a senior (taking into account also the geographic features of the area where the person went missing).

The term "*missing person*" has no conceptualisation of its own in any of the existing regulations within the police legislature in the Republic of Croatia, which also impacts the start of the search for a missing person. That situation is assessed in any given case by the police officer, based on his/her own experience, knowledge, opinion, prejudice, competence in observation and suspicion, but also based on the assessment of the received initial information, mostly by the person who reported the missing person.

The investigation of the missing person cases is a complex work. In the initial phase of recognition of disappearance of the person, the *person who made a report* is usually the first, the main and the most important source of information. The report is usually made by parents, relatives, friends, colleagues, acquaintances etc. That is, persons from the immediate social environment of the missing person. The police rarely finds out about the disappearance of a person (e.g. while conducting the criminal investigation, in

cooperation with citizens, from the informants, by objection, by tracking the legal sources of information). Because of that, the criminalist, tactical and methodical study and the regulations on receiving the report on the missing person have a special place in the criminalist procedure of a search for a missing person. The reasons/ motifs which had impact on reporting the missing person often reflect and determine the creation of the initial picture on the possible *investigative situations of the "missing person"*.

In order to start the search measures, the police needs the information on the missing persons and the circumstances of the disappearance (in order to be able to assess the situation, to plan and to search for the missing person based on those information). After the free-willing statement from the reporter, the police officer asks questions which aim to make the statement of the reporter more precise and updated. In order to collect notifications, the police officers are using the Protocol on Receiving the Missing Person Report. This tool is definitely very useful, because it helps the police officer to check which questions s(he) asked and which s(he) failed to ask. But there is also a catch, it often happens that the questionnaires which contain the checking questions make the procedure a routine one, and bring the risk on the non-individualised approach to every case of the missing person. For this reason, the functionality of such forms must be continuously checked in theory and in practice.

Badly received report and the lack of information not only prevent the timely search and finding of a missing person, it also creates the negative image of the police in the public. The information which the reporter has enable the initial (psychological) assessment of personality of the missing person and the specific circumstances of his/her disappearance. In most cases, they are sufficient for the initial, urgent, relevant and efficient search for the missing person.

Based on the initially acquired information, the police officer accesses the situation, the levels of risk and endangerment of the missing person. The assessment of the situation is on its own a very comprehensive *criminalist speculative process* which requires professional knowledge and the criminalistics experience from the police officer. The police officer must make right decisions in accordance to the specific situation, based on the information (s)he received. If it is not possible to make a decision based on the known information, the urgent collection of new information starts. Apart from data collected from the family members, friends, acquaintances, etc., the police will also concentrate on collecting information held by the social care and medical institutions. The social care institutions are the following: the social care centre, the family centre and the centre for assistance and care. Regarding the social care institutions, the police has a special cooperation with the social care centres with the territorial competence in the localities where the missing person dwelt. The particularly useful information are those from the records of the social care centre that are related to the social status of the missing person (a child, an elderly person, a disabled person, a

mentally challenged person...), data on treatment of the person¹ or the family and if the social care measures had been undertaken². Information which are especially useful to the Police are those which are related to the persons from the group of the socially excluded persons³, or a group with the increased risk from poverty and social exclusions, with low income (the unemployed, elderly persons without pension, certain categories of the retirees, single parent families), the vulnerable ethnic minorities (e.g. the Roma people), disabled persons as well as the persons which are less in number, but which also face the challenges of the extreme poverty (the homeless, the addicts, the convicts, etc)⁴. Regarding the medical institutions, the most common sources of information are the psychiatric institutions where the persons are detained against their will.

After the collection of new information, the assessment of the situation follows again. That means that the criminalistics speculative process is not finished by reaching the first decision, it is continued until the completion of the task, and the plan of the search for the missing person is therefore prone to continual supplements or adaptations.

Based on the collected information, the established *indications*, which are often insufficient in the initial phases of the search, the police officer sets *the criminalist versions of the event*. (S)he tries to explain the manner, the interconnections, relations and circumstances of disappearance of the person. The importance of the criminalist versions is based on the methodical procedure of a rational criminalist investigation, whose primary function is explanation and interpretation of the unknown facts, e.g. filling certain gaps in the cases of the missing persons.

It must be pointed out that during the search for a missing person and his/her finding, there is no automatized or more permanent system of assistance and support to the family, nor the missing persons. Therefore, there is no specialised Missing Persons' Unit within the Ministry of Interior, nor a special agency with that assignment at the national level, which would unite all aspects of this issue (Payne, 1995; Henderson, Henderson and Kiernan, 2000) However, there is a National Records of the Missing Persons (NENO) section at the web page of the Ministry of Interior, which explains

1 The treatment of the underage persons is conducted through the educational measures: the court admonition, special obligations, increased care and supervision with the daily residence in the educational facility, referral to the disciplinary centre, referral to the educational institution, referral to the juvenile hall and referral to a special educational institution (Juvenile Court Act, Croatian Official Gazette, 84/11, 143/12)

2 The first social service is the informing, recognition and the initial assessment of the needs, then the consulting and assisting service, the family mediation service, the home assistance and care service, the service of the professional assistance in the family, early intervention service, the service at the inclusion into the educational facilities (integration), residence and accommodation service and the service of the professional support in job performance and the employment. The social care offers its wards a part of these services in the orphanages, residential centres for children and youth with behavioural disabilities, residential centres for children with developmental disabilities and disabled adults, old peoples' homes, disability housing accommodations, rehabilitation residency programmes for alcohol and drug abusers, shelters for children and adults – victims of family violence and the residential institutions for adults with mental illnesses (Social Care Act, Croatian Official Gazette, 33/12).

3 Šučur, (2004).

4 Strategy of Development of the Social Care System in the Republic of Croatia 2011-2016.

the procedure and the complexity of the methodology of the search for the missing persons and it invites the family and friends of the missing person and the wider community for active participation in cooperation with the police because they are the important source of useful information about the habits and the lifestyle of the missing person. After the actualisation of the missing person cases in the media, there was an idea that all profiles of the missing persons, without exception, should be collected in one place so that all citizens could report useful data on any missing person. They are not required to come to the police station, but they can also do that online, and the police will check every statement (<http://www.nestali.hr/default.aspx?id=41>). The issue of the missing persons is also covered by an NGO named Centre for Missing and Abused Children (<http://www.cnzd.org/site2/>), and other NGOs if needed. However, their work is not coordinated.

The family members of the missing person must seek assistance autonomously from the Social Care Centre, which would provide them the consulting service and the family assistance in a crisis situation. The exception is the Sector for Search for the Detained and Missing Persons from the Homeland War within the Ministry of Veterans' Affairs.

An Overview of the Research on the Missing Persons in the Republic of Croatia from 2010

In continuation, we will provide a shorter overview of the results of the first developmental research on the missing persons conducted by Šuperina and Gluščić (2010) at the Police College in Zagreb. The research was made through the questionnaire consisting of 120 variables grouped by questions such as: sex, age of the missing person, the time of disappearance and the time of finding the missing person, the reporter, the police activity in relation to looking for a missing person etc. The specimen included 1849 missing persons in ten police administrations (out of 20) in the time period from 2007 to 2009. The police administrations were chosen according to the inner categorisation of the police administrations in the Ministry of the Interior Affairs, and they included 67% of total and 63% of the total area of the Republic of Croatia.

The largest portion of the missing included the minors (age 14 to 18) – 35.54%; then children (age up to 14) – 10.70% and young adults (age 18 to 21) – 8, 06% of the total number of the missing persons. The stated population makes up 54.30% of the total number of the missing persons. Regarding the *motifs for disappearance* in that population, the most common ones are the following: disturbed family relations – 15.78% of cases, adventurism – 10.04% of cases, family argument – 5.13%.⁵ These data point out to the need

for the development of the criminalistics and tactical algorithms in search for the missing person by the police officer. This is the very place where we see a large area of implementation of the *criminalist strategy* as a way to the correct choice off the criminalistics resources, methods and actions in finding the person.

Furthermore, the number of the *missing persons older than 70*, which make up 11.19% of the total number of the missing persons, is significant to us. The tactics of the search for these persons is considerably different from the tactics of the search for younger people. This is due to the fact that elderly people have somewhat different reasons for disappearance. The reasons for disappearance of the elderly people are the following: mental diseases – 16.94% of cases, elderly people's dementia, being lost in space – 4.19% of cases and other diseases – 7.66 % of cases.

The distribution of the missing persons per gender, especially in the total number of the missing persons under consideration (men 51.81%, women 48.19 %), does not show significant deviation. But if we make correlation between the sex and the age of the missing person, we reach the results which deviate among the females up to the age of 18 in relation to males, where the percentage of females is round 64% as opposed to 36% of males of the same age. In relation to the distribution of time of the disappearance of persons per months of the year, the conclusion is that the frequency of disappearance is approximately proportionate, with slight deviations in the time interval from May to August (approx.. 2-3%), which can be interpreted by the bigger share of the missing persons aged up to 25, and which is also in correlation with the motifs of disappearance of the person. (Šuperina, Gluščić, 2010)

The most common reporters are the mother of the missing person (28%) or his/her father (21%) and other family members (31%). In a considerable percentage, the reporters of the missing persons are as follows: children and youth residence centres, old peoples' homes and social care centres (the total of 9.03%). The variable „other legal entities“ most commonly include the hospitals, especially the psychiatric institutions (8,8%). Their participation in the “source of discovery that the person is missing“ is understandable because these legal entities provide care for a part of the sensitive population which is susceptible to „disappearance“, and they are in the group of the socially excluded persons. The care for the persons who are their residents is based on

home from school because it was very curious what the ride on the bus and the tram through the city looked like; a 12-year old under-age girl wants to find a job and be independent from the parents so she left the family home; a 7-year old child left the family home because it wanted to be alone in order to think about its future life; a 17-year old under-age boy stated that his motif for leaving the family home was to meet the persons with asocial behaviour, especially drug abusers, because he was writing a school paper on them; a 16-year old under-age girl stated that the reason for her leaving the family home was that her parents did not sign their approval for signing the modelling contract; because of love, a 16-year old girl ran away abroad with her boyfriend where they spent together 51 day; a 17-year old underage boy went abroad wishing to „earn some money“ where he worked construction work illegally for 105 days; a 13-year old girl ran away from home because she wanted to „marry“ her „boyfriend“, a 13-year old boy. (Šuperina and Gluščić, 2010)

5 The police officers who are in charge for the search for children and minors must adhere to the rule: *always expect the unexpected*. To support this claim, we will state several examples: an 8 year old child did not come

different legal foundations: the court-ordered educational measure, the court-ordered security measure, a decision of the social care centre, voluntary residence, forced detention or residence etc.

Out of other reporters, the considerable percentage is related to the “other legal persons” - 8% (mostly Older and Disabled People’s Homes) and youth detention centres and orphanages – 7%. The reporters made reports very urgently. Thus 55% of the reports were made from the moment of disappearance until the day one, and until the day two additional 16% of reports were made. But there were also some reports that were made even more than two months after – 1%.

In relation to the work of the police upon the received report, it was established that the police undertook in its first measures the necessary measures and actions in the range of 90-65%. The other measures and actions undertaken by the police within the further search for the missing person are within the 98% range (various in-field check-ups) until conducting the investigation (2%).

Analysing the time which passed from sending the report until the finding the missing person, we came to the information that 49% of the reported missing persons were found in the first two days, and additional 18% of the missing persons were found in the period of 3 – 7 days. 16% of persons were not found at the time of the research. Out of 1560 found persons, 95% of them were found alive and the remaining 81 or 5% were found dead. The most common of the established reasons of death was suicide (26 or 32%).

Finally, it is important to mention who participated in finding the missing person. 42% of the missing persons were found by the police, and in 35% cases of the missing persons, the individual came back to his/her residence of his/her own. In 12% of cases, the missing person was found by his/her family members and in 11% of cases other legal entities and private persons took part, where we cannot ignore the significant engagement of the Croatian Rescue Service.

The Plan and the Content of the Research on the Missing Persons in the Republic of Croatia 2014 – 2016

This is a voluminous project whose first phase would include the structure of connection of the key events and their records, in the context of the measures and actions taken by the police officials. The police records are pretty scarce, and they cannot be connected for grouping various circumstances of the event and the police procedure due to the lack of computerisation. Therefore, the assessments and the procedures in the individual cases and on the macro-level are mostly based on the empiric knowledge. There is an insignificant number of scientific researches which makes the connection between the events and the police procedures in the Republic of Croatia, and they don’t even exist in the area of the missing persons. It is important that the State Department in its 2013 Report states that the Republic of

Croatia is a „destination, source and transit country for the persons... subjected to human trafficking for the purpose of forced prostitution and forced labour“⁶. When the most effective structures of the police measures and actions are determined by this research, there will still remain a significant portion of the unsolved cases which are very likely connected to the criminal acts, regardless if they are committed by the perpetrator or the victim. In the developed countries, there are more researches on the topic of the missing persons, the most efficient proactive and/or reactive police procedure and the calculation of risks and the success of the prevention programmes, but still there is an insufficient amount of them because this involves a new approach to the so-called “scientific police“. The research goals are the following: (1) to establish the structure of the missing persons phenomenon to all features obtained in the phase of reporting, processing and the result; (2) to establish the structure of the undertaken police measures and actions; (3) to establish the inter-connection of the stated structures while determining the most efficient ones and the insufficient ones; (4) to calculate the indicators which increase the probability that the outcome with the persons which are initially recorded as missing persons is connected to certain forms of their victimisation or criminalisation. The goals will be followed by main hypotheses with an array of sub-hypotheses. The sample will include all cases of the missing persons reported in the 4-year period (not taking into account the persons missing from the Homeland War or those missing from the catastrophes), at the territory of 12 police administrations indicated for the project, which cover 74% of population and 71% of the territory of the Republic of Croatia. The questionnaire is already made and it has 350 variables, and the data will be collected by the instructed police officers and processed through basic and multi-variance statistical methods. All ethical principles of scientific work will be followed. The Ministry of Interior/the Police Directorate supported the implementation of the Project.

The analysis will be performed from the so-called *lists of events (bulletin)* for the period of 01 January 2011 to 31 December. 2013, and for the area of the Police Administration Zagreb the additional period of 01 January – 31 December 2010. The assumed specimen will include round 3000 missing persons.

The research will include 12 police administrations (Zagreb (ZG); Primorje-Gorski Kotar (RI); Osijek-Baranja (OS); Split-Dalmatia (ST); Karlovac (KA); Dubrovnik-Neretva (DU); Sisak-Moslavina (SI); Zadar (ZA); Brod-Posavina (SB) Međimurje (ČA); Lika-Senj (GS) and Virovitica-Podravina (VI)) which include 74% of population and 71% of area of the Republic of Croatia. The research will not include the persons missing from the Homeland War or missing from the natural catastrophes.

Due to the complexity of the issues of the missing persons (e.g. from the very motive/reason of missing e.g. bad marks,

6 www.vecernji.hr/hrvatska/americki/departament/ of 20 June 2013

family issues, etc., due to the psychological/psychiatric diagnosis, accidents, criminalisation, victimisation of the person up to the professionalism of the police officers performing the search for the missing persons), the research would include the participation of the scientists and experts of the criminalistics, legal, psychological, sociological and economic profile from the Police College in Zagreb and the University of Zagreb.

The aim of this project is to process the events of the missing persons at the scientific bases, with establishing the structures of connection of numerous significant variables and groups of variables, which also includes social and psychological features of the missing persons, the risky circumstances of disappearance, territory, motifs etc., and to analyse the stages of the police proceedings, starting from recording the event in all stages to undertaken measures and actions and finally to finding the missing person and possible connection with criminal acts.

After the general insight, the structure of connectivity of the assessed variable groups will be established, as well as the territorial and time distribution and specificities with the stress on the groups of new types of occurrences and unsolved cases. That will be followed by an in-depth analysis according to the police administrations, based on the search files suitable for the in-depth analysis. In this part, the measures and actions in accordance to the Law on Police Affairs and Authorities (Croatian Official Gazette 76/09) and the Code of Police Ethics of the Republic of Croatia (Croatian Official Gazette 89/10) will be analysed and connected to the circumstances of disappearance. The connection between quantity and quality of actions in relation to the nature of groups, according to the key features of the related cases, will be analysed in order to define the most efficient forms/algorithms of procedure, or to suggest a new ones with emphasis to the (un)solved cases and their connection with (possible) criminal acts.

The stated first stage of the research has the explorative nature as the real police potentials and resources require efficient management of staff, assets and time, which leads even to the ethical issue of the choice of cases to which the appropriate effort will be dedicated according to set criteria. The research would, in the end, result in numerous findings that are useful for practical implementation.

Expected Results and Impact from this Research

The acquired results will actualize some of the numerous questions related to the actions of the police officials after receiving a report on the missing person, such as the following:

1. Conceptualisation of the terms "missing person" and "the police search for the missing person" from the criminalistics point of view (criminalistics terminology).

2. The content of data which the "report on the missing person" should contain, as the basis for criminal assessment of the realised situation (event), criminalistics planning and the immediate undertaking of the first measures of the search for the missing person – models, algorithms of initial proceedings and enforcement of authority of the police official depending on the lapse of time of disappearance, category of the missing person (a child, an elderly person, a person with mental illness, etc.), the specific circumstances of disappearance, etc.
3. The statistical analysis of frequency of the reasons for disappearance, the scope of the measures taken by the police officials and the number of unsolved cases, as well as the number of cases where a criminal act was discovered.
4. The impact of the time period from the moment of disappearance of a person until reporting the missing person (including the category of a person who reports them) to the proceedings of the police officials in undertaking measures of searching the missing person.
5. The legal and sub-legal regulations of authorisation of the police officials in search for the missing person. Organisation of certain police records *de lege lata* and *de lege ferenda* and their efficiency.
6. Peculiarities with disappearance of children and underage persons (reasons for disappearance, frequency of solving the reports, victimization). In case of the missing children and underage persons, one must pay special attention to the fact that they are more prone to become victims of a criminal act (e.g. paedophilia, international prostitution, people/children trafficking, prostitution or pornographic abuse) due to their mental immaturity, curiosity and suggestibility.

These include only the basic questions which will become actualized by the results obtained in the research. Likewise, the interpretation of the results will provide a critical overview of the most common deviations (errors) that are possible or spotted in the proceedings of the police officials in relation to "search for the missing person", and the suggestions *de lege ferenda* will also be given for the police-related legislature (Law on the Police Affairs and Authorisation, sub-legal acts).

The results of the research would lead to the new findings on the events of disappearance of the persons and the police proceedings. It will try to improve the practical police work based on making new algorithms of proceedings (standard operational procedures of the police) and the procedures for searching for the missing persons in relation to the category and the level of the assessed jeopardy of the missing person, which would be one of the main results of this research (evidence based practice). A new method for computerisation of the system of tracking and work on the

cases would be proposed, and it would enable grouping the events according to the various criteria that are important for the fast insight on the new occurring forms, and suggestions for the relevant prevention activities and communication with the public. Likewise, the results will be used in the prevention causes.

Finally, the impact of the research will be achieved through the campaign addressed to the community, government, NGO, business sector, media and missing persons themselves. Education and public awareness strategies would provide a better level of understanding about missing persons' issues in community. The results should be also able to point to and be used for the effective prevention strategies that should include the protocols of cooperation between the police, social and medical care, as well as the protocols for permanent cooperation of the police with the family of the missing persons (possible usage of the community policing). In that sense, the specialist training of the police officers for acquisition of the skills and competences regarding the search for the missing person and communication with the family and friends of the missing person will be suggested. The campaign will expectedly stimulate the governmental and non-governmental institutions to provide information and practical advice to assist families and friends in searching, specialised training in unresolved grief counselling, training in missing person issues for telephone counselling service providers promoting understanding of missing person issues among special need support groups and establishment of specialised self-help groups for families of long- term missing persons.

International Content of the Proposed Research

The content of the project and its basic initial guidelines were presented to the participants of the CEPOL (European Police College) conference, held on 10 – 13 September in Münster, Germany. The representatives from Malta, Italy, Cyprus, France and the USA expressed their readiness to conduct the comparative research in their countries. A questionnaire of approx. 380 variables was made for this

purpose; it is being translated into English and it will be sent to the international partners.

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