



KANSAS CITY, MO. POLICE DEPARTMENT
PROCEDURAL INSTRUCTION

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| DATE OF ISSUE 9-25-07 | EFFECTIVE DATE 9-25-07 | NO. 07-5 |
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| SUBJECT Arrests of Military Deserters | | AMENDS |
| REFERENCE Title 10, USC, Uniform Code of Military Justice, Section 808, Article 8, Section 885, Article 85 and Section 886, Article 86, RSMo. 84.710 (2) | RESCINDS Procedural Instruction 03-11 | |

I. PURPOSE

To set forth policies and procedures to follow when contacting subjects that are listed in the National Crime Information Center (NCIC) as military deserters or absent without leave (AWOL) from military service.

*** II. DEFINITIONS**

- A. **AWOL-** A military service member is considered to be absent without leave (**AWOL**) if the member, without authority, fails to go to his/her appointed place of duty at the time prescribed; goes from that place; or is absent or remains absent from his/her unit, organization, or place of duty. A service member classified as AWOL will **not** be arrested for this type of military status.
- B. **Deserter-** A military **deserter** is defined as a service member who, without authority, goes or remains absent from his/her unit, organization, or place of duty with intent to remain away permanently. A service member classified as a deserter is considered to be a felony offender.

III. POLICY

- * A. Officers have the authority to make an arrest when information from NCIC reveals a person to be wanted for desertion. If the deserter also has a felony, non-military charge or warrant, he/she will be transported to the Detention Unit for booking.
- * B. AWOL subjects will **not** be arrested. Any information regarding AWOL personnel will be forwarded to the proper military branch by telephone.
- * C. An officer may detain a service member, pending NCIC verification, based on information received from a reliable source (family member, etc.).

- * **Note:** Department members will verify wanted status by contacting the subject's assigned military branch of service. Military branch contact information is located on the attached contact list.

- D. When requested to do so, officers may accompany military authorities to take a deserter or AWOL subject into custody. The military authorities will take custody of the service member immediately and the subject will not be booked at the Detention Unit. A notation identifying the subject, the charges, and the identification of the military authorities taking custody will be made on the officer's Daily Activity Sheet.

- * E. When an AWOL service member contacts a department member to request information in regard to surrendering to military authorities, the service member will be advised to respond (utilizing their own transportation) to Fort Leavenworth in Leavenworth, Kansas, or Whiteman Air Force Base in Knob Noster, Missouri. An AWOL service member may also respond to any military recruitment office to surrender.

- * F. If the family of a service member that is AWOL contacts a department member and requests information or assistance in returning the service member to military control, the family member will be advised to call the applicable military branch on the contact list.

- * G. If the family of a service member that is classified as a deserter contacts a department member and requests information or assistance in returning the service member to military control, the family member will be directed to call for local police service or to call the applicable military branch on the contact list. If contact is unable to be made with the deserter's assigned branch of service, the United States Army Military Police Command, located at Fort Leonard Wood, Missouri, will assist in verifying the deserter status for service members assigned to any branch of the military. They will also respond to transfer a person into military control, regardless of the branch of the service, provided that personnel are available to respond. The United States Army Military Police Command contact information is also located on the contact list.

IV. PROCEDURE

* A. Arrest Procedures

1. If military authorities are not present, and the deserter does not have a non-military charge or warrant, contact the appropriate military branch on the contact list to verify the warrant. The deserter may be transported to the Detention Unit or to the detention facility of the county where the deserter was arrested.
2. If the deserter also has a felony, non-military charge or warrant, he/she will be transported to the Detention Unit for booking.
3. Members will complete an Incident Report on the Automated Reporting System (ARS) for all arrests of military deserters. For the Nature of Call, select "Military Deserter" from the drop down menu.
4. Members will include the following information on the Incident Report:
 - a. Basis for arrest, i.e., NCIC hit, person volunteered information, etc.
 - b. Arrested person's rank and social security number (or service number).
 - c. Title and location of arrested person's command or unit of assignment.
 - d. Date the person deserted.
 - e. Name of the official contacted for verification and the time of contact.

B. Detention Unit

- * 1. Detention Unit personnel will verify the deserter status of persons arrested with a military desertion charge by contacting the appropriate military branch. As soon as practical, after all non-military charges have been bonded or disposed of, the subject will be transferred to the custody of the Jackson County Department of Corrections, where the subject will be held for the appropriate military authorities.

2. Persons booked with a desertion charge shall be photographed and fingerprinted.

James D. Corwin
Chief of Police

Adopted by the Board of Police Commissioners this ____ day of _____, 2007.

Karl Zobrist
President

DISTRIBUTION: Law Enforcement Personnel
Civilian Supervisory Positions
Department Element Manuals
Post on bulletin boards for two weeks.

Contact List

United States Air Force

Headquarters AF Personnel Center
DPFCM
Randolph Air Force Base, TX 78150
(800) 531-5501

United States Army Deserter Information Point

297 Gold Vault Road
Fort Knox, KY 40121
(502) 626-3711/3712/3713

United States Marine Corps

Commandant, US Marine Corps
2 Navy Annex
Washington, D.C. 20380
(703) 614-3248/3376

United States Navy

Navy Absentee Collection and Information Center (NACIC)
2834 Greenbay Road
North Chicago, IL 60064
(800) 423-7633

United States Coast Guard

Washington, D.C.
(202) 267-2100

United States Army Military Police Command Fort Leonard Wood

Building 1000
East 19th Street
Fort Leonard Wood, Missouri 65473
(573) 596-1098