

U.S. Department of Justice
Office of Justice Programs
Office of Juvenile Justice and Delinquency Prevention



A Law Enforcement Guide on International Child Kidnapping



OJJDP
REPORT

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A Law Enforcement Guide on International Parental Kidnapping

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Report

Office of Juvenile Justice and Delinquency Prevention

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U.S. Department of Justice
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Office of Juvenile Justice and Delinquency Prevention
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Office of the Attorney General
Washington, D. C. 20530

A Message from Attorney General John Ashcroft

The abduction of a child is a tragic and traumatic event. It is also a serious crime. When the abductor is a parent and the child is taken to another country, the emotional trauma to the child and left-behind parent can be great, as can the challenge to law enforcement.

Abductions by non-custodial parents constitute the great majority of child abduction cases. Often, these children are forced to live the life of a fugitive in a country where they are unfamiliar with the language, culture, or customs. The emotional and psychological effects on the child can be significant. This guide is designed to help law enforcement officials resolve these cases and reunite children with their lawful families.

Successfully resolving cases of international parental kidnapping requires a coordinated effort at the local, state, and federal levels. Both the Department of Justice and the State Department play an important role in protecting our nation's children and recovering them when they are illegally taken from the United States. This guide will describe the resources available from these and other sources, and explain how to access them.

As President Bush has remarked, "The family is the foundation of this society. . . . It is where the character of our nation is shaped, and where values are forged." I am pleased to recommend this guide to law enforcement officials across the country and pledge our commitment to help you protect the sanctity of our nation's families through vigorous enforcement of the law.

A handwritten signature of John Ashcroft in black ink, written in a cursive style.

John Ashcroft
Attorney General



Foreword

Child abductions know neither boundaries nor borders. Children are abducted every day—often by a noncustodial parent. The abduction of a child to a foreign country can complicate the efforts of law enforcement to return the child safely home, adding the obstacles of unfamiliar laws, language barriers, and increased time constraints.

Although international parental kidnapping cases present formidable challenges, these can be overcome when law enforcement actions are timely and informed. Access to the necessary information and resources is critical. OJJDP has published *A Family Resource Guide on International Parental Kidnapping* to help families facing this crisis. This law enforcement guide serves as a companion resource, providing law enforcement with the information that they need to work effectively with parents to locate and reclaim their children.

The guide is intended for local, State, and Federal law enforcement officers called upon to respond to cases of international parental kidnapping. It suggests ways to prevent international abductions; discusses applicable laws, legal remedies, and potential liabilities; describes the role of law enforcement as the initial responder and investigator; and offers strategies for extradition, reunification, recovery, and extradition.

Our hope is that, armed with this guide, the law enforcement community will have the tools required to protect our children from the dangers of international parental kidnapping and to safely return the victims of this crime to their homes.

J. Robert Flores

Administrator

Office of Juvenile Justice and Delinquency Prevention



Acknowledgments

OJJDP is grateful to the many people who contributed to this guide, especially members of the Federal Agency Task Force on Missing and Exploited Children and the Subcommittee on International Parental Abduction. OJJDP also wishes to thank the many individuals who made significant contributions to the guide by serving on the planning group, especially Tom Andreotta from the Immigration and Naturalization Service; Daniel Armagh, Ben Ermini, Marsha Gilmer-Tullis, and Nancy Hammer from the National Center for Missing and Exploited Children; Debbie DeFalco from the U.S. Customs Service; Kevin Gutfliesh, Grant Mendenhall, and Mark Miller from the Federal Bureau of Investigation's Crimes Against Children Unit; Judy Schretter from the Child Exploitation and Obscenity Section of the U.S. Department of Justice; Ann Dooley, Ann McGahuey, and Jim Schuler from the U.S. Department of State; Cindy Quinn from INTERPOL; Robert Garaffo from the Metropolitan Police Department, Washington, DC; Tom Krakowsky from the City of Oviedo Police Department, Oviedo, FL; Joseph Larrinaga from the Office of Statewide Prosecution in Tampa, FL; Gary O'Connor from the Lower Gwynedd Township Police Department, Lower Gwynedd, PA; Dave Perry; Robert Popp from the Baltimore County Police Department, MD; and Barbara Walker from the Executive Office of U.S. Attorneys.

Special thanks go to the professionals who gave their expertise, energy, and talents in an effective and timely manner to ensure that this document provides law enforcement agencies with the information they need. This includes Helen N. Connelly, James P. Finley, and Joellen Talbot of Fox Valley Technical College and Donna Uzzell of the Florida Department of Law Enforcement.

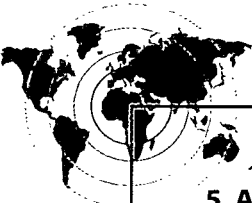
This document would not have been possible without invaluable assistance from two individuals—Heather Smith from the Florida Department of Law Enforcement and Patricia Hoff, Esq., who offered their time, expertise, and knowledge to this project. Their enormous contributions are equaled by their commitment to serving the agencies and individuals who deal with international parental abductions on a regular basis.

Finally, sincere thanks go to Ron Laney, Director of OJJDP's Child Protection Division and Chair of the Federal Agency Task Force on Missing and Exploited Children and Subcommittee on International Parental Abductions. Thanks to his foresight in establishing a working group to address these issues, his commitment to and perseverance in preparing this document, and his dedication to the families and agencies that face these difficult issues, this guide will serve as a tremendous resource to law enforcement officers throughout this country.

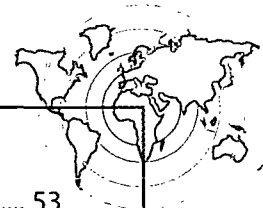


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Introduction

Research has begun to demonstrate what therapists and left-behind parents have known for some time—that children are deeply and permanently affected by family abduction (Steidel, 2000).

The emotional scarring caused by this event requires that law enforcement officers recognize family abduction not as a harmless offense where two parents are arguing over who “loves the child more” but instead as an insidious form of child abuse. The history of the issue has also demonstrated that law enforcement has a much broader responsibility than the simple act of “retrieval.” By responding promptly, professionally, and efficiently to reports of family abduction, officers and the agencies they represent become, in effect, a means of protection for the child (Steidel, 2000).



1. Putting the Issue in Perspective

What impact does abduction have on a child, why do parents abduct their children, and what civil and criminal remedies are available to address the problem?

For many years, child custody disputes and parental abductions were seen as civil issues to be addressed by the family, outside of the scope of law enforcement intervention. In recent years, however, the harmfulness of parental kidnapping has been recognized, and laws have been enacted by Congress and the States aimed at deterring parental kidnapping, facilitating the location and return of children, and prosecuting abductors. When the laws deter parental kidnapping outright, children are spared the trauma of abduction. When abductions occur, the laws empower local, State, and Federal law enforcement authorities to respond. A recent study concluded that expedited criminal justice system intervention can enhance the timely recovery of an increased number of children, alleviate harm to children, and ensure that abductors are brought to justice (Grasso, 2000).

This guide is for local, State, and Federal law enforcement authorities who respond to international parental kidnapping cases. These cases involve the wrongful removal of a child from the United States, or wrongful retention in another country, by a parent or family member. Although the international dimension makes them challenging, international parental kidnapping cases can be brought to satisfactory conclusion with timely and informed action.

The guide covers:

- Causes and effects of the problem, as well as scope and remedies.
- Law enforcement interventions to prevent abduction.
- Initial law enforcement response.
- Interdiction: stopping an abduction in progress.
- The continuing investigation in the United States and abroad.
- Federal resources to aid the investigation.
- Criminal charging options.
- Extradition.
- Child recovery mechanisms.



- Reunification and recovery.
- Law enforcement liability concerns.

Impact of Parental Kidnapping on Children

Every case involving a missing child can be extremely traumatic for both the child and the family. Parental kidnapping cases—which encompass the wrongful removal, retention, or concealment of a child by a parent or family member in violation of the custody or visitation rights of the other parent or family member—can have particularly long-term psychological, emotional, and even physical effects on a child. The victim child is uprooted, removed from a familiar environment and daily routine, isolated from family and friends, and, in many cases, forced to live a fugitive lifestyle. While on the run with the abductor, the child may have to disguise his or her appearance or use a different name. The abductor and child may relocate frequently to avoid detection, forcing the child to attend school sporadically, if at all. The child will likely have been told some fabrication about the left-behind parent and the reason for the move. Even in parental kidnapping cases in which the child is located quickly, the abduction can leave permanent emotional scars.

The age of the abducted child also can affect the consequences that occur. Younger children may have the bonding process with the searching parent halted during a crucial stage of development. Older children typically have more difficulty living a fictitious life under an assumed name and may blame themselves for not contacting the searching parent if they had an opportunity to do so.

International parental kidnapping cases have the same harmful elements as domestic family abduction, along with other uniquely difficult

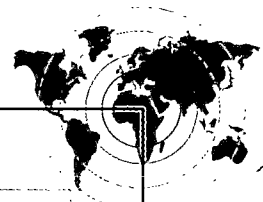
aspects. When children are abducted and taken abroad or are wrongfully kept in another country, they may be initially traumatized by differences in customs, foreign languages, movement from place to place, unfamiliar food, and assumption of a new identity. Over time, the child may be forced to adapt to a completely new culture, language, and school environment. Completely separated from familiar friends and extended family, abducted children often suffer an increased sense of isolation and develop an unhealthy bond with their abductor.

Some parental abductions can have deadly consequences. In 1995, when Katie and Danny Banks were not returned after a visit with their father, their mother became worried. Fearing the children's father had abducted them and was heading to Canada, she contacted law enforcement, missing child agencies, and the Canadian Central Authority.¹ The search ended within days when Canadian law enforcement discovered the children dead in the back seat of their father's car. The vehicle was found inside a locked self-storage unit. Their father sat in the front seat, with a hose stuffed through the driver's side window. In this shocking case, there was no prior history of violence or abuse, only a lost job and a marriage that had recently fallen apart.

Statistical Overview

In 1990, the U.S. Department of Justice published the first *National Incidence Study on Missing, Abducted, Runaway, and Thrownaway Children* (NISMART), a comprehensive report on the scope of the missing children problem in the United States (Finkelhor, Hotelling, and Sedlak,

¹ In each country that is party to the Hague Convention on the Civil Aspects of International Child Abduction, a Central Authority is the primary Federal contact in Hague abduction cases. For a list of participating countries, see appendix B; the Hague Convention is described in appendix C.



1990). According to NISMART, approximately 354,100 children a year are taken unlawfully and kept at least overnight by a noncustodial parent. Of these cases, 163,200 children are taken across State lines, concealed, or otherwise secreted. Compared to the approximately 5,000 stranger abductions each year, parental abduction represents the largest proportion of child kidnapping cases. Although NISMART did not directly measure the number of international family abductions, the results of a study by social scientists Geoffrey Grief and Rebecca Hegar indicate that 21 percent of parental abduction cases involve a child being taken overseas (Grief and Hegar, 1993).

The U.S. Department of State maintains statistics on international parental kidnapping cases brought to its attention. Since the late 1970s, the Department has been contacted regarding approximately 16,000 children who were either abducted from the United States or wrongfully kept in another country by one of their parents. In 2000, 417 cases of international parental abduction were reported to the U.S. Department of State, Office of Children's Issues (OCI), and by the end of that year, OCI was aware of 768 open abduction cases.

Common Characteristics of Abductors

Research conducted by the American Bar Association has identified certain characteristics that are common among abductors. Researchers found that both fathers and mothers abduct in roughly equal numbers, but that fathers are more likely to abduct before a court order is issued, while mothers are more likely to abduct after. Parents tend to abduct very young children, who are easier to transport and conceal and who are unlikely to protest or tell others

Living a Fugitive Lifestyle


Investigator Tom Krakosky of the Oviedo, Florida, Police Department spent almost a year searching for missing child Yesenia Costa. Seven-year-old Yesenia was abducted by her father and taken to his native Peru, where she lived for months as a fugitive. Investigator Krakosky writes:

The case of Yesenia Costa is a prime example of the effect of international parental kidnapping on a child. After fleeing to Peru, Yesenia's father did not enroll her in school or permit her to attend classes. Her father moved her almost daily from one residence to another. Yesenia was forced to have her long beautiful hair cut short to look like a boy, and she hid on the floorboard of the car while traveling with her father to avoid detection. After approximately a year, Yesenia was recovered and returned to the United States. After returning home, she became very shy and afraid of strangers. She was embarrassed by the length of her hair and asked if she should hide on the floor while riding in the car. Her mother reported that Yesenia frequently woke up in the night crying and disoriented.

about their situation. Abductors typically have the help of a financial or moral support network of family, friends, and/or cultural, community, or underground groups. Abductors are likely to deny or dismiss the value of the other parent to the child, and they often do not consider their actions illegal or morally wrong (Girdner and Johnston, 2000; see also Girdner and Johnston, 2001a, 2001b).

Why Parents Abduct

In a study of family abduction cases, researchers found that the motive for the abduction in 80 percent of the cases was anger at the other parent or a desire to cause that parent pain. In other words, most abductors were motivated by revenge, not by love for the child or by a need to protect that child from danger or abuse. The study also analyzed the experiences of children who had been abducted by a parent.



According to the recovering parent, 23 percent of the abducted children were physically abused, 7 percent suffered sexual abuse, and 5 percent were physically and sexually abused. Children also were exposed to a range of other abusive behaviors—including screaming, threatening, and witnessing violence between adults. In 25 percent of parental abductions per year, the child suffered serious mental or physical harm or physical or sexual abuse (Grief and Hegar, 1993).

In a 1998 survey of left-behind parents of international parental abduction cases, researchers sought to examine the abductor's behavior and relationship with the left-behind parent and the abducted child. This survey found that 60 percent of the left-behind parents reported that the abductor threatened their lives, and more than 20 percent reported that the abductor threatened the life of the child. More than 80 percent of the left-behind parents stated that the abductor had been abusive toward them, and almost 60 percent reported that the abductor had been abusing, molesting, or neglecting the child.² These findings are consistent with other research studies, which have shown family violence to be a factor in many abducting families (see Sagatun-Edwards, 1998; Johnston, 1998).

Risk Factors for Abduction

Parents who are citizens of another country (or who have dual citizenship with the United States) and who also have strong ties to their extended family in their country of origin have been recognized as abduction risks (Girdner and Johnston, 2000; see also Girdner and Johnston, 2001a, 2001b). The risk is especially

acute at the time of parental separation and divorce, when the parent feels cast adrift from a mixed-culture marriage and experiences a need to return to ethnic or religious roots for emotional support and to reconstitute a shaken self-identity. Abducting the child and returning to the country of origin are ways of insisting that one cultural identity be given preeminent status over the other in the child's upbringing. Often the parent will have idealized his or her own culture, childhood, and family.

There are other warning signs for abduction. The sidebar, "Parental Kidnapping Risk Factors," lists the key factors that a parent can look for to assess the likelihood of a parental kidnapping occurring. However, parental kidnapping cases can be frighteningly unpredictable. While some parents fight over a child for months or years before an abduction takes place, others do not see the abduction coming.

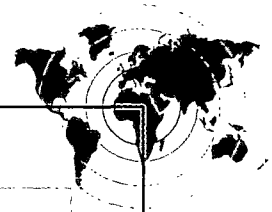
Prevention Measures

Some abductions can be prevented by timely action on the part of law enforcement, parents, and the courts. Steps law enforcement can take are discussed in chapter 2.

Criminal Remedies

Parental kidnapping is a crime in every State and the District of Columbia and may be charged as a felony in every jurisdiction under specified circumstances. Although the laws vary from State to State, all criminalize an abduction in violation of court-ordered custody. Many States also criminalize a pre-decree abduction (when a parent takes a child during the course of a custody proceeding or before either party

² Chiancone and Girdner, 1998. In this survey, 97 parents (63 percent of those surveyed) responded to a questionnaire on international child abduction.



goes to court). Some States have also made interference with court-ordered visitation a crime. The removal of a child from the State is generally treated as a more serious offense than intrastate abduction.

International parental kidnapping is also covered by Federal law. International parental kidnapping is a Federal crime under the International Parental Kidnapping Crime Act (IPKCA). Violation of a custody order is not an element of the offense. In addition, the Federal Fugitive Felon Act applies to State felony parental kidnapping cases involving interstate or international flight to avoid prosecution.

Criminal prosecution in a family kidnapping case is important for numerous reasons:

- Abductions pose a risk of harm to victim children, and perpetrators should be brought to justice.
- Prosecution may protect a child from repeat abductions.
- Criminal conviction results in a criminal record, which may be significant to judges making custody and visitation decisions and may stop parents from manipulating the civil system.
- The criminal process provides a means of locating children. In many jurisdictions, absent criminal charges, a missing child may not benefit from the investigative expertise and resources that law enforcement can provide.
- Public awareness of successful prosecution results in an educated community and may deter similar acts.

For more information on criminal prosecution for international parental kidnapping crimes, see chapter 6.

Parental Kidnapping Risk Factors

A parental kidnapping is more likely to occur if a parent has:

- Previously abducted or threatened to abduct the child.
- No strong ties to the child's current place of residence or has strong ties to a foreign homeland.
- Unusually frequent telephone or other communication with relatives in another country.
- A strong support network of family or friends elsewhere.
- No regular job, has financial independence, or has the ability to easily earn a living anywhere (in other words, if the parent is not tied to one geographical area for financial reasons).
- Engaged in planning activities, such as quitting a job, selling a home, terminating a lease, closing bank accounts or liquidating other assets, hiding or destroying documents, applying for passports, requesting copies of the child's school records and/or birth certificate, or undergoing plastic surgery.
- A history of marital instability, lack of cooperation with the other parent, or domestic violence.
- A criminal arrest record.

Source: Girdner and Johnston, 2000. See also Girdner and Johnston, 2001a, 2001b.

Civil Remedies

Child recovery may be incidental to the criminal process, but it is not the object. Left-behind parents, prosecutors, and law enforcement in a growing number of States have an array of civil remedies available to bring about the return of abducted children.

Parents may seek a child's return from another country pursuant to the Hague Convention on the Civil Aspects of International Child Abduction (Hague Convention). The Hague Convention remedy often is the most effective means of securing a child's return from abroad. It may also be used to facilitate international visits.



Parents may obtain custody orders in the United States under applicable statutes—the Uniform Child Custody Jurisdiction Act (UCCJA) or the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), whichever is in effect in their jurisdiction, and the Parental Kidnapping Prevention Act (PKPA)—and then seek to enforce these orders in foreign courts, an uncertain proposition at best. Parents may also file lawsuits in the United States seeking monetary damages in parental kidnapping cases under State statutory or common law.

In numerous States, prosecutors and law enforcement have civil statutory authority to locate and recover parentally kidnapped children. UCCJEA in particular gives prosecutors (or other designated public officials) civil statutory authority to take any lawful action—including instituting a civil proceeding—to locate a child, facilitate a child's return, or enforce a child custody determination.³ Prosecutors have discretion to decide how to proceed in a particular parental kidnapping case. They may pursue civil or criminal remedies or both simultaneously. When they act, they do so on behalf of the court and do not represent any party.

Passports and Complications of Dual Nationality

Law enforcement is often the first line of defense in an international family abduction. To prepare for this type of case, law enforcement should be familiar with international travel and passport requirements and with complications of dual nationality.

Passports

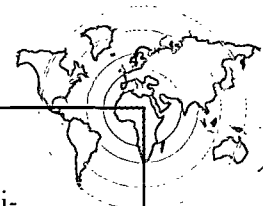
U.S. citizens have a constitutionally protected right to travel internationally without restriction. The Immigration and Naturalization Service (INS) and the U.S. Customs Service monitor borders and points of entry, such as airports. The focus of their work is on ensuring that the people and goods *entering* the United States are authorized to do so. The United States has no exit controls. This means there is no official check of people departing the United States.

However, local, State, and Federal law enforcement may be able to limit an abductor's movements by coordinating with the State Department's Office of Passport Policy and Advisory Services, which may deny or revoke a U.S. passport to an adult U.S. citizen. Procedures for requesting revocation and other passport actions are discussed in chapter 5. The State Department can assist law enforcement in other ways as well, including providing information from passport files and flagging passport applications.

Children's passports are not subject to revocation. However, upon motion of a concerned parent, a civil court may order the parent who possesses a child's passport to surrender it to the court or other designated individual.

Congress recently amended the law governing issuance of passports to minors to reduce the possibility that a U.S. passport might be obtained to further an abduction. Effective July 1, 2001, either both parents or the child's legal guardian must execute the passport application for children younger than 14, or the parent applying must provide documentary evidence that he or she has sole custody or that the other parent consents to passport issuance. For children ages 14 to 18, one parent can execute the

³ UCCJEA, sections 315–317. These sections are set forth in their entirety in appendix C.



passport application or the child can execute his or her own application. A parent seeking to prevent issuance of a passport for the child should provide OCI with a court order awarding sole custody or prohibiting the child's removal from the State or country without mutual consent. (Contact information for OCI is in chapter 5.)

Although some countries allow spouses and children to travel on the same passport as the primary bearer, the United States requires each traveling U.S. citizen, regardless of age, to have an individual passport. However, a passport is NOT required for travel to the United States' closest international neighbors, Canada and Mexico.

Passport lookouts. The Office of Passport Policy and Advisory Services will flag U.S. passport applications for adults at the request of State or Federal law enforcement agencies. There need not be a criminal warrant or other court order to request notification before a passport is issued. (See chapter 5 for applicable procedures.)

The Office of Children's Issues operates the Children's Passport Issuance Alert Program (also known as the Child Custody Lookout within the Passport Name Check System), which provides parents and legal guardians a mechanism for requesting notification if a passport application has been received on behalf of a minor child. (As discussed above, in some cases, depending on the court documents submitted, the passport may be denied.) Parents should be referred to OCI for information on how to place a child's name in the system.

Complications of Dual Nationality

Law enforcement must bear in mind the unique issues surrounding dual nationality. In the

United States, more than 150,000 U.S. residents marry foreign citizens each year. Children of these marriages may be considered "dual nationals," meaning that they may hold nationality from the United States as well as the country of their foreign parent's origin.

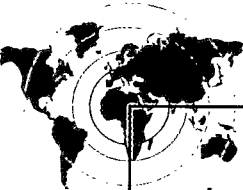
Children born in the United States can hold the nationality of another country. Citizenship is acquired under the specific laws of each country. A child may gain citizenship by being born in a certain country or by having a parent who was born in a certain country. Although children with dual nationality may hold a U.S. passport, this does not preclude them from obtaining and traveling on a foreign passport. Foreign countries control the issuance and denial of their own passports and are not required to adhere to U.S. regulations. Therefore, a person can hold more than one passport simultaneously. Someone with more than one nationality may be entitled to a passport for each country.

Summary

International parental kidnapping can have serious psychological, emotional, and even physical consequences for the abducted child. Studies indicate that in 25 percent of parental abductions each year, the child suffers mental, physical, or sexual abuse.⁴ Studies have also shown that family violence and fear of violence play a role in international child kidnapping cases.⁵

⁴ This information is from Grief and Hegar, 1993. It should be noted that many studies of parental kidnapping, particularly the National Incidence Studies on Missing, Abducted, Runaway, and Thrownaway Children conducted in 1988, do not distinguish between children who were abducted within the United States and those who were abducted to another country.

⁵ According to Chiancone and Girdner, 1998, more than 80 percent of the left-behind parents reported that the abductor had been abusive toward them, and almost 60 percent reported that the abductor had been abusive toward the abducted child.



Law enforcement agencies can prepare to respond to potential international abduction cases by taking the following steps:

- Becoming familiar with international travel and passport requirements.
- Being conscious of dual nationality issues.
- Instituting training programs for officers on pertinent State and Federal laws.
- Ensuring that departmental procedures for handling these cases are in place.

Family abduction is a crime in every State, and every State has circumstances under which it is charged as a felony. Enactment of the International Parental Kidnapping Crime Act in 1993 made international parental kidnapping a Federal crime. The Parental Kidnapping Prevention Act makes explicit that the Federal Fugitive Felon Act applies to State felony parental kidnapping cases. Civil remedies also exist to facilitate the return of a parentally kidnapped child. PKPA provides remedies in interstate cases. The Uniform Child Custody Jurisdiction Act (UCCJA) and its replacement, the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), provide statutory authority for enforcing sister State and foreign custody determinations. UCCJEA gives prosecutors and law enforcement a civil tool to assist

in locating and recovering abducted children and to assist in Hague Convention cases.

Perhaps the most important civil remedy available to parents in international parental kidnapping cases is the Hague Convention, which provides for the prompt return of internationally abducted children, usually to their countries of habitual residence. Parents of children abducted internationally should be encouraged to seek a child's return by filing a Hague application through the U.S. Department of State, Office of Children's Issues. If the child has been taken to a country that is not a Hague treaty partner of the United States, the left-behind parent also should be advised to contact OCI for assistance. Appendix B lists countries that are U.S. Hague Convention partners. Appendix C summarizes relevant parental kidnapping laws, including the basic provisions of the Hague Convention.

Law enforcement questions and requests for assistance regarding flagging passport applications, obtaining information contained in passport files, and denying and revoking passports for an abductor should be directed to the Department of State, Office of Passport Policy and Advisory Services. Parents should be referred to OCI for services related to children's passports. (Contact information is provided in chapter 5.)



2. Preventing International Abduction

What can law enforcement do to prevent international child abduction?

The risk of an abduction may become known to an officer when a concerned parent comes forward to ask for help. The parent's concerns may be based on specific abduction threats or on suspicious conduct. Or parental abduction cases may first originate in the form of a domestic disturbance call: during a conflict or other altercation, one parent may threaten to abduct the child. In these situations, law enforcement may prevent an abduction through timely intervention.

In addition to filing any charges that may be appropriate, officers should take the opportunity to do the following:

Warn the potential abductor of the consequences of parental kidnapping. Abduction may result in criminal charges, extradition, prosecution, and jail time. At the very least, a parent who threatens to abduct could expect to have reduced or supervised visitation with the child.

Take threats of abduction seriously. Provide the potential left-behind parent with local agency contact information. Reaching law enforcement quickly may result in apprehension of the abductor before he or she has time to leave the country.

Contact your local port authority law enforcement units. Make an effort to meet the law enforcement personnel at your local airport, as well as the nearest airport with international service, because it can be tremendously helpful to have an established relationship and to know whom to call if a child is taken. Alert port authority personnel about specific children at risk of imminent abduction. Provide photos and ask to be notified at once if the child is identified in the airport or bus or train station.

Educate the potential left-behind parent about steps he or she can take to reduce the risk of abduction. Refer the concerned parent to the National Center for Missing and Exploited Children (NCMEC) and the U.S. Department of State, Office of Children's Issues, for guidance on preventing abductions and information on the laws of the countries in question. Have the parent request copies of the parental kidnapping books, *Family Abduction: How To Prevent an Abduction and What To Do if Your Child Is Abducted* (Hoff, 1994; available online at www.missingkids.com) and *International Parental Child Abduction*, rev. ed. (U.S. Department of State, Office of Children's Issues, 2001; available online at www.travel.state.gov/int'lchildabduction.html).



Companion Guide for Families

International parental kidnapping cases can be very difficult and traumatic for the left-behind parent. The U.S. Department of Justice has prepared a companion guide for families involved in international parental kidnapping cases, titled *A Family Resource Guide on International Parental Kidnapping* (NCJ 190448). Refer parents to the National Criminal Justice Reference Service (800-638-8736) to obtain a free copy.

- Tell the parent to teach the child his or her full name, parent's name, telephone number, and directions for placing a collect call and obtaining operator assistance.
- Advise the parent to notify school authorities about the potential for abduction and to be sure that the school knows not to release the child to unauthorized persons. The parent should give a copy of his or her custody order to the school principal.
- Suggest that the parent contact an attorney and secure a well-written court order with appropriate prevention provisions.⁶
- Tell the parent about the Department of State's Passport Lookout Program, which allows a parent to (1) find out if the child has been issued a U.S. passport or if a passport application for the child has been received; and (2) with appropriate court orders, prevent issuance of a passport for the child. Parents should contact the Office of Children's Issues for guidance. Additional information is available on OCI's Web site, www.travel.state.gov/passport_assistance.html.
- Try to ascertain from the parent if the child is a dual national. If so, suggest that the parent seek assistance from the foreign embassy to prevent issuance of a passport for the child. The foreign government is free to issue travel documents to its citizens but may be willing to help.

⁶ Parents will find a more thorough discussion of prevention provisions in Fox Valley Technical College, 2002, and Hoff, 2000 (this article is available on the Internet at www.abanet.org/child).



3. Initial Response

What are law enforcement's critical first steps when a parental kidnapping case is reported, and what special steps should be taken to stop an abduction in progress?

Every report of a missing child should be taken seriously. The initial response by law enforcement often determines whether or not a child is quickly and safely recovered. Because international kidnapping cases pose unique circumstances, such as international treaties, foreign legal systems, and limited jurisdictional authority, a comprehensive and effective initial response is essential to the investigation and has the potential to prevent a long-term international kidnapping and the compounding legal complexities that can occur.

The Role of Dispatch

Immediately upon receipt of a complaint concerning an abducted child, the call-taker should obtain as much information as possible. In all cases, an officer or deputy should be dispatched immediately to take a report in person from the left-behind parent (or other complainant). There may be circumstances, such as when a potential international kidnapping is in progress, in which an investigator begins taking action while the initial responding officer is en route to the complainant. If the potential abductor can be prevented from leaving the United States, efforts to recover the child are greatly enhanced. The agency's policy and protocols concerning missing children should be followed.

The FBI, with its jurisdiction over both interstate flight and the Federal international parental kidnapping crime statute, may be contacted immediately—either by local law enforcement or the victim parent—in any matter involving a parental abduction from the United States.

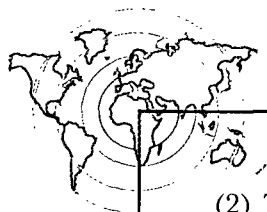
The First Responder

The initial response to a missing child report is the most crucial part of the entire investigation. It is imperative that appropriate action be taken **without delay**. Do not assume that a child in the company of his or her parent is necessarily safe. These are potentially life-threatening situations. The child could be in imminent danger if the abductor is believed to have physically or sexually abused the child or to have threatened to kill the child or to commit suicide.

Until the child's exact whereabouts are confirmed, law enforcement should not speculate as to whether the child is still in the country, regardless of the suspicions of the reporting parent.

Officers should take the following steps to ascertain the child's whereabouts:

- (1) Verify jurisdiction based on where the child was last seen. Interview the person who made the initial missing child report. Identify the circumstances of the child's disappearance or kidnapping.



- (2) Thoroughly search the residence, yard, and vehicles at home to ensure that the child is not hiding or hurt somewhere on the premises.
- (3) Obtain a detailed description and recent photographs of the abducted child and the abductor. Also obtain information on the suspect's vehicle, method of transportation, and any possible companions.
- (4) Inquire about the existence of a custody order. If a custody order does exist, verify that the document is valid and that it is the most recent order issued by the court of jurisdiction. A court order is **not** required to make an entry into the National Crime Information Center (NCIC), to seek a child's return under the Hague Convention, or to bring International Parental Kidnapping Crime Act (IPKCA) charges.
- (5) Enter the child **promptly**—with no waiting period!—into the NCIC Missing Person File (NCIC-MPF).⁷ Neither a custody order nor criminal charges are required to make the entry. Also enter the child into State and local crime information system centers.

In the normal course, local law enforcement will take the missing person report and make the NCIC entry. The FBI has concurrent jurisdiction to make NCIC entries in missing children cases and should do so promptly if they are the left-behind parent's first point of contact.

Ensure that supporting documents, such as warrant information for the abductor, civil court orders, and photographs of the child and abductor, are readily available in the

agency's communications center or records division.

Note: The existence of the NCIC entry in the missing persons category does NOT ensure that the child will be taken into custody if located. Few jurisdictions are willing to hold a child indefinitely. They usually want assurance that a parent or law enforcement representative will respond promptly to take custody of the child. If the child is located in the United States, a custody order (including temporary orders) clearly specifying which parent has custody, or a "pickup order," or both, may be required for law enforcement to take physical custody of the child. Securing custody orders or pickup orders in anticipation of the child being located can provide such assurance and expedite child recovery.

- (6) Relay BOLO (Be On the Look Out) information for broadcast on all channels to law enforcement agencies statewide. Include descriptions of the child, vehicle, suspect, and companions.
- (7) Notify the appropriate investigator, detective, agent, or missing persons unit specialists.
- (8) Attempt to contact the abductor by sending a patrol unit to his or her house to determine what has happened to the child or by calling him or her on the telephone.
- (9) Advise the left-behind parent to call the National Center for Missing and Exploited Children (800-THE-LOST) and the U.S. Department of State, Office of Children's Issues (parents should call 202-736-7000), to report the abduction and seek assistance.

⁷ Missing Children Act (28 U.S.C. 534) and the National Child Search Assistance Act (42 U.S.C. 5779, 5790).



The NCIC Entry

The abducted child should be identified in the NCIC Missing Person File (NCIC-MPF) as an "Involuntary Missing" (MKE/EMI) or "Endangered" (MKE/EME).¹ Enter the abductor's vehicle information and aliases (if applicable) in the supplemental sections of the NCIC field, as these will result in a "hit" if run through NCIC. Include the abductor's name in the miscellaneous field, although information listed in this field will not result in a "hit." Ensure that all entries are cross-referenced to one another.²

When there is a reasonable indication or suspicion that a child has been abducted and/or is missing under circumstances suggesting foul play or a threat to life, enter the "Child Abduction" (CA)³ flag in the Missing Person (MNP) field of the record. The CA flag automatically notifies the National Center for Missing and Exploited Children and the FBI's National Center for the Analysis of Violent Crime about the case. NCMEC also has authority to enter a CA flag.

In the Missing Person Circumstances (MPC) field, enter "N."⁴ This denotes "abducted by a noncustodial parent."

If a missing person record is for a child who has been removed from the United States and is known to be in another country and the issue of return has not been resolved, place the following caveat in the Miscellaneous (MIS) field of the record: RECORD IS FOR A MISSING CHILD BELIEVED TO BE IN (NAME OF COUNTRY). REFER TO NCIC MANUAL, MISSING PERSON FILE CHAPTER, FOR FURTHER INFORMATION BEFORE PLACING A LOCATE. The manual reflects a policy change in 2000 regarding record retention in international parental kidnapping cases. It provides that a record for a child who has been located in a foreign country should **not** be removed from NCIC until the child is returned or until the issue of return has been resolved. The purpose is to assist law enforcement personnel in identifying the missing child's movements or location.

A nationwide Notify Originating Agency (NOA) flag can be placed in a child's missing entry and/or the abductor's wanted entry in the NCIC 2000 system. It is a one-character alphabetic field, activated by entering Y or N, denoting Yes or No. This flag sends immediate notification to the entering law enforcement agency whenever the abductor's or child's name is queried in NCIC. In some States it may also be possible to flag this information in the State crime information system and receive notification if the abductor or child is queried statewide.

Like the NOA flag, the Delayed Inquiry Hit Notification may also provide investigative leads.⁵ This is an automatic feature of the NCIC 2000 format that does not have to be activated by ORI. ORI is automatically notified of any inquiries made about the subject of their NCIC records in the 5 days before the records are entered.

¹ Endangered (MKE/EME): a person of any age missing under circumstances indicating that his or her physical safety may be in danger. Involuntary (MKE/EMI): a person of any age missing under circumstances indicating that the disappearance may not have been voluntary (that is, an abduction or kidnapping). If neither of these categories applies, the abducted child can be entered in the Juvenile (MKE/EMJ) category. "Juvenile" may be used for a person younger than 18 who is missing and does not meet the other entry criteria for missing persons. If the Juvenile category is used, the entry should be as precise as possible.

² Some of the information on NCIC entries is excerpted from Steidel, 2000, pp. 179–189.

³ NCIC TOU 96–6.

⁴ The MPC field is optional in the NCIC 2000 format and is used to provide additional information about the nature of the disappearance.

⁵ With the Delayed Inquiry Hit Notification, implemented in February 2000, the NCIC database retains law enforcement inquiries (routine checks) for 5 days. The system automatically checks new records against any inquiries made in the previous 5 days. If there is a match, NCIC notifies the entering agency and any inquiring agencies. The wanting agency can then contact the inquiring agency to follow up on that lead.

Exigent Circumstances: Stopping an Abduction in Progress

When a law enforcement agency is notified of an abduction in progress, it may be possible to stop the abductor from leaving the country with the child or to intercept the abductor and child at the entry port of a foreign country. Taking

action without delay is essential. Prompt NCIC entries on the child (Missing Person File) and the abductor (Wanted Persons File, if there is a warrant) improve the chances for detection in the United States. Prompt contact with OCI, which coordinates with its Diplomatic Security Service abroad and with foreign Central Authorities under the Hague Convention; the FBI, which coordinates with its Legal Attachés abroad; and/or the U.S. National Central

Bureau—INTERPOL (USNCB—INTERPOL), which communicates with its foreign counterparts in countries around the world, may improve the chances of intercepting an abductor en route to a Hague or non-Hague country.

Successful interception usually depends on a criminal warrant or investigation in connection with the abductor. But this is not the only way to thwart an abductor's plans. In the United States, civil court orders may provide authority for law enforcement to pick up an abducted child. And civil statutes, such as the Uniform Child Custody Jurisdiction and Enforcement Act, may provide authority for law enforcement to locate and recover abducted children in Hague and non-Hague cases. Additionally, foreign governments may be responsive to a Hague application transmitted by the State Department on an urgent basis, or they may take other measures to protect the child. In addition to arresting an abductor on criminal charges, they may also stop an undocumented alien from entering the country.

Intercepting the Child and Abductor in the United States

U.S. law enforcement should promptly take the following three steps, in addition to the nine outlined above, to prevent an abductor from leaving the United States with the child:

- (1) Contact local police serving airports, bus stations, and train stations in the local area as well as nearby cities. (The abductor may take a circuitous route to avoid detection, by-passing the closest airport or train station.) Ask port authority police at international airports for passenger lists. The security division of major airlines may also provide passenger registry information. If it is discovered that the child and abductor are literally airborne, authorities in the destination country should be contacted immediately, in

the manner described below, for assistance in intercepting them at the airport when their flight lands.

- (2) If appropriate, ask the media to disseminate the child's photograph and descriptive information.
- (3) If local law enforcement is the left-behind parent's first contact, ask the FBI Field Office to coordinate the Federal interdiction effort.

Once contacted, the FBI works with the lead prosecutor and local investigator and coordinates with other appropriate agencies—including, depending on the facts of the case, the State Department, INTERPOL, Office of International Affairs (OIA), Customs and INS, and local law enforcement authorities such as port authority police—to investigate and, if possible, stop the international abduction in progress. The FBI agent may treat the abduction in progress as a UFAP⁸ matter or an IPKCA⁹ investigation and open a preliminary or full investigation. The FBI will use the resources and tools that are used to track and arrest any criminal fugitive attempting international flight.¹⁰

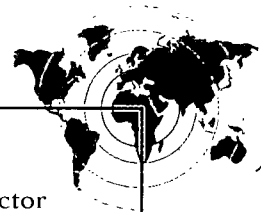
Authority for detaining the abductor and/or recovering the child before they leave the United States

State and local law enforcement. Officers should be familiar with State laws on child custody, custodial interference, and the taking of a juvenile into custody. A clear custody order, including a temporary order, may provide sufficient grounds for law enforcement to take physical custody of a child. State law may also allow officers to intercept a child abducted in

⁸ Unlawful Flight to Avoid Prosecution, pursuant to the Fugitive Felon Act, 18 U.S.C. 1073.

⁹ International Parental Kidnapping Crime Act, 18 U.S.C. 1204.

¹⁰ Subcommittee on International Child Abduction of the Federal Agency Task Force for Missing and Exploited Children and the Policy Group on International Parental Kidnapping, 1999.



predescribed abduction situations (that is, before custody orders have been made).

UCCJEA and similar statutes give prosecutors and law enforcement discretionary authority to obtain pickup orders (e.g., warrant to take physical custody of a child, warrant in lieu of a writ of *habeas corpus*) on an expedited basis in exigent circumstances (that is, when risk of imminent flight or danger to the child exists), pursuant to which they may take a child into physical custody. The child is then brought before the court for further disposition or delivered to a person designated by the court (usually the left-behind parent). (Pickup orders may also be sought by private attorneys.)

Law enforcement may detain a suspected abductor for questioning in connection with a criminal parental kidnapping investigation. The abductor may be arrested if probable cause or a criminal warrant for parental kidnapping exists.

Federal law enforcement. If a child is identified at a U.S. land border or an airport as a result of an NCIC inquiry, FBI and Federal Inspection Service (U.S. Customs and INS) personnel may detain the child at least temporarily, even if there is no criminal warrant for the abductor, pending questioning of the suspected abductor and the child to determine whether the International Parental Kidnapping Crime Act is being violated. If the suspected abductor is ultimately detained on this basis, agents and inspectors should detain the child temporarily until the relevant State authorities arrive.

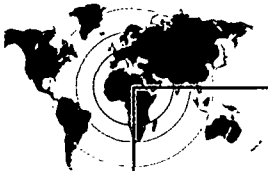
If, on further investigation, the facts do not support filing IPKCA or other criminal charges under State or Federal law against the suspected abductor, and if there is no other basis on which to detain the abductor further for criminal investigative purposes (such as indications

the child is in danger), the suspected abductor would be free to go. It may be possible to prevent the child's departure with the suspected abductor, however. Federal law enforcement should communicate with relevant State law enforcement authorities, who may have authority under civil statutes (described above) or may be directed by civil court order to take the child into physical custody. The left-behind parent should be notified so that civil remedies can be swiftly pursued to recover the child.

Intercepting the Child and Abductor Abroad

Abductors who succeed in leaving the United States may be stopped as they enter, leave, or transit another country, provided foreign authorities are promptly notified and their cooperation sought. Local law enforcement officials can set this process in motion in two ways: (1) by immediately contacting the FBI Field Office, which can coordinate the Federal response as described above; or, alternatively, (2) by making immediate contact themselves with the relevant U.S. authorities (OCI, USNCB-INTERPOL, and the FBI), which in turn call on and coordinate with foreign authorities to exercise any power they may have under their own domestic law to intercept the abductor and protect the child. If the FBI field agent is the point of first contact for the left-behind parent, the agent will coordinate the Federal response. Time is critical.

Interception abroad may be possible through: (1) the use of a U.S. criminal arrest warrant, coupled with a request pursuant to any applicable extradition treaty for urgent provisional arrest of the abductor; (2) the expedited revocation of the abductor's passport or other travel documents; (3) the urgent filing of a Hague application; or (4) foreign law enforcement



cooperation, generated by a USNCB–INTERPOL communication.

Extradition requests. State and Federal prosecutors must contact the Department of Justice, Office of International Affairs, in regard to international extradition. (Contact information is in chapter 5.)

Extradition requests require either a State or Federal felony violation, provided the potential maximum penalty exceeds 1 year of imprisonment, and a commitment to prosecute the abductor whether or not the child can be returned. See chapter 6 for a more thorough discussion of extradition.

Prosecutors may seek an urgent “provisional arrest with a view toward extradition” to intercept an abduction in progress. If the requested foreign government provisionally arrests the defendant, the United States must submit (by its prosecutor) the full extradition request (including sufficient evidence) via the Department of State to the foreign government before the deadline provided by the applicable extradition treaty.

Passport revocation. After a U.S. citizen’s passport is revoked, the citizen is undocumented and can be prevented from entering or forced to leave a foreign country. The State Department can revoke a passport on request of a Federal or State law enforcement agency when the bearer of the passport (i.e., the abductor) is the subject of a Federal arrest warrant, a State felony that could become a Federal warrant, an extradition request, or a Federal or State criminal court order or condition of parole or probation prohibiting departure from the United States (or the jurisdiction of the court). Speed is essential for this strategy to work. Though not required, local law enforcement may ask the FBI Field Office to coordinate passport revocation with the State Department

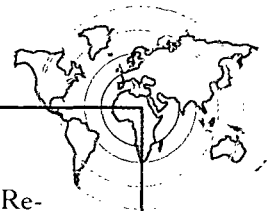
if this will expedite the process. A child’s passport is not subject to revocation (U.S. Department of State, Office of Children’s Issues, 2001).

In the case of a dual national parent, revocation of a U.S. passport does not affect the ability of that parent to obtain or retain travel documents from his or her other country of nationality. A request can be made to the foreign embassy or consulate for reciprocity, but there is no obligation under international law to cooperate, and there may be limitations under the foreign domestic law. (Contact information for the State Department, Passport Services, is in chapter 5.)

Urgent Hague application. In some instances, certain cooperative Hague countries will take protective custody of a child who is in transit with an abductor upon the urgent filing of a Hague application. Law enforcement should contact OCI (which is the U.S. Central Authority under the Hague Convention) on an urgent basis to request immediate intervention with the foreign Central Authority, law enforcement, and other government officials in the destination country or countries through which the abductor and child may be transiting.

Law enforcement handling the case should advise the left-behind parent to contact OCI immediately for assistance in starting the Hague process. Some State prosecutors have authority to initiate a Hague return application (e.g., under UCCJEA). (Contact information for OCI is in chapter 5. For more information on the Hague Convention, see appendix C.)

Urgent INTERPOL communications. Local, State, or Federal law enforcement should communicate with USNCB–INTERPOL **without delay** to request that diffusions be sent on an urgent basis to one or more foreign NCBS about the abduction in progress. Police authorities of each recipient country should be asked



to place the abducted child in protective custody. (Contact information for the USNCB-INTERPOL is in chapter 5; a sample INTERPOL diffusion message is in appendix E.) In addition to using INTERPOL's dedicated telecommunications system, NCBs may communicate by telephone or telefax.

How will the destination country respond?

The discretion to intercept an abductor and/or an abducted child at a foreign port of entry rests with the foreign law enforcement and immigration authorities. Foreign authorities may execute a request from the United States for the urgent provisional arrest of an abductor for extradition purposes. The foreign government also may exercise authority under its domestic law to prevent entry of an abductor, to expel or deport an abductor, or to address the welfare of the child. Some foreign authorities will use their domestic police powers to intervene if they find a factual basis to believe the child is endangered, regardless of whether the abductor is wanted. If an abductor is arrested, foreign authorities may safeguard the child while the custodial parent arranges for the child's return. (OCI, the U.S. Embassy abroad, and NCMEC may be able to help the parent arrange for the child's safe return.)

Summary

In missing child/parental kidnapping cases, the initial response provided by dispatch and the first responding officer can play a key role in

the prompt and safe recovery of the child. Regardless of where the child is suspected to have been taken, law enforcement should respond without delay to the scene of a missing child complaint. A series of steps is recommended to help ensure that the child's level of endangerment is appropriately assessed and that critical case information is promptly disseminated.

If the facts indicate that the child could be a victim of international parental kidnapping, local law enforcement may be able to interdict the kidnapping while it is still in progress. Federal Bureau of Investigation and Federal Inspection Service personnel can assist by temporarily detaining the abductor and child at a U.S. land border or airport. However, absent a criminal warrant or probable cause that a crime is being committed, there must be some other legal basis on which to hold the child. Federal law enforcement should communicate with relevant State law enforcement authorities, who may have authority under civil statutes or who may be directed by civil court order to take the child into physical custody in these circumstances.

The U.S. Department of State's Office of Children's Issues, USNCB-INTERPOL, or the FBI may request assistance from foreign governments to intercept the child and abductor at a foreign port of entry. Foreign authorities have the discretion to arrest, admit, or deport an abductor and child. In some instances, Hague countries may be willing to intercept a child in transit and take him or her into protective custody upon the urgent filing of a Hague application. Contact OCI for additional information.



4. The Continuing Investigation

Which law enforcement agencies investigate international parental kidnapping cases, and how is the investigation conducted in the United States and abroad?

The Role of the Investigator


Understanding Local, State, and Federal Investigative Roles

International parental kidnapping cases involve investigative work in the United States and abroad. Communication among all local, State, and Federal investigative agencies involved in the same case is imperative to avoid redundancy and overlap and to make efficient use of resources.

When local law enforcement is first responder. Most international abductions are first reported to local law enforcement authorities in the United States. As first responder, the local law enforcement agency should pursue the matter as a missing child case as well as investigate possible State criminal law violations. In addition to utilizing local and State resources to search for the child and conduct the criminal investigation, the international aspect of the case necessitates coordinating with other local, State, and Federal agencies. For example, when an abduction is underway, local law enforcement should immediately contact the FBI, the USNCB-INTERPOL, or both for assistance in rapidly garnering international law enforcement cooperation to intercept an abductor.

When and how the FBI gets involved. The ability to investigate the case at the local level may also be stymied by the abductor's flight from the State and/or country. When this happens, local law enforcement, in coordination with the prosecutor, may seek issuance of an Unlawful Flight to Avoid Prosecution (UFAP) warrant under the Federal Fugitive Felon Act. Issuance of the warrant brings the FBI, with its nationwide resources and international criminal law enforcement contacts, into the case. (Chapter 6 describes procedures for obtaining a UFAP warrant.)

In addition to treating an abduction as a Fugitive Felon matter, the FBI agent may treat an abduction as a felony under the International Parental Kidnapping Crime Act and open a preliminary or full investigation. IPKCA investigations may be initiated by parents (who may make the FBI Field Office their first point of contact) or by State prosecutors or law enforcement (who may be hampered by State law or other considerations from pursuing the case solely as a State law matter). The FBI makes decisions about initiating criminal process in international parental kidnappings on a case-by-case basis.



If an abductor is charged under IPKCA, the FBI is the lead investigator. In addition to using all appropriate Federal resources to conduct the investigation, the FBI may call on local authorities to help develop information.

If the FBI is the first point of contact for the left-behind parent, the FBI should enter the child into the NCIC Missing Person File without delay and without regard to which law enforcement agency—State or Federal—will take the lead on the case.

Extending the search internationally. Once abductors are on foreign soil, U.S. law enforcement must enlist the cooperation of law enforcement authorities in the foreign country to carry on the investigation. This can be arranged by Regional Security Officers of the U.S. State Department's Diplomatic Security Service (DSS Special Agents) and by FBI Legal Attaches (Legats) assigned to U.S. Embassies and consulates abroad. USNCB-INTERPOL can also serve as a liaison to law enforcement in all INTERPOL member countries. (For a more complete description of DSS, Legats, and INTERPOL, including contact information, see chapter 5.)

U.S. law enforcement can also enlist OCI in the State Department to call on foreign governments to assist in locating the child, reporting on the child's condition, and sometimes, under foreign domestic law, recovering the child. OCI can be instrumental in providing investigators with information on the laws and customs of foreign countries. Investigators should understand that the other country's policies and customs, as they relate to religion, gender, nationality, and other factors, can negatively impact U.S. investigative efforts. Through OCI, the State Department can also provide information about dual nationality, extradition, and deportation from a foreign country.

Conducting the Investigation

On receiving the case, the investigator must **gather as much information as possible about the child, the abductor, and the circumstances of the case.** It will be necessary to interview the left-behind parent extensively and to gather copies of important documents and custody orders. Statements should be taken from witnesses, neighbors, friends, school officials, and family members. (Appendix A contains a comprehensive checklist of pertinent information that should be collected.)

One of the investigator's first tasks should be to **confirm that all NCIC entries have been made correctly** and that they are cross-referenced to one another. This includes the missing person record for the child,¹¹ as well as wanted records and stolen vehicle records for the abductor. Doublecheck names and dates of birth for accuracy. An incorrect name spelling or a wrong date of birth could result in the system failing to make a "hit" when a query is conducted. NCIC entries are extremely important and may effectively thwart an abductor's effort to leave the country. Remember, both local law enforcement and the FBI have authority to make NCIC-MPF entries in missing children cases.

The custodial parent should be interviewed in depth. Obtain written statements (sworn affidavits) to include that permission was not given to the abductor parent to take the abducted/kidnapped child for more than the agreed-upon time or from the agreed-upon location and that the searching parent wishes to prosecute. **Ascertain if there are any allegations of abuse** against the abductor. Check to see if any such reports have been filed locally or with State child protection services.

¹¹ See chapter 3 sidebar, "The NCIC Entry."



Also **interview siblings, relatives, employers, neighbors, schools, bank officials, and others** who might provide information about possible destinations, routes, and departure times. Friends of the suspect and child should be closely questioned. Such interviews may provide insight into the resources available to the abductor. Consider notifying authorities in potential destinations and/or stopovers to be on the lookout for the child and the abductor. The FBI and INTERPOL can coordinate with foreign authorities to be on the lookout for the abductor.

The investigator should also **acquire a copy of the court order** for the case file. Ensure that the custody order provided by the parent is valid and is the most recent order by contacting the issuing court.

Note: Although some States require the left-behind parent to have custody or to subsequently obtain temporary custody to file criminal charges, **no custody order is required to file criminal charges under IPKCA or to seek return of a child under the Hague Convention.**

Review the original court file. The civil court file can hold a wealth of information, including identifying data on all parties, notices and dates of service, history of drug or alcohol abuse, history of child abuse, prior contempt actions, passport information, financial and employment records, records from other States, mental health history, domestic violence history, correspondence, list of prior residences and other contacts, and a history of interference with custody or visitation. A suspect or his or her attorney may decline to participate in an interview, yet they will often fill the court file with motions, affidavits from friends and family, and

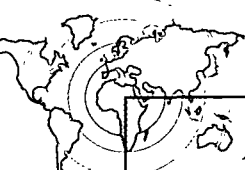
statements from the suspect that virtually acknowledge guilt. The history and dates compiled from these files can provide a time line that can be invaluable in supporting a criminal case. A review of the file can also be helpful when preparing for interviews with any of the key individuals in the case. Access to court files can be arranged through the prosecutor's office, the sheriff's civil division, or the court itself. It is also beneficial to have an order on file from the court allowing access to sealed files, because cases dealing with sensitive issues have limited access.¹²

Take steps to deprive an abductor of a U.S. passport, and seek information from passport files that may aid the investigation. Revoking a U.S. passport may limit the abductor's ability to travel if he or she is already out of the United States. Flagging U.S. passport applications may produce leads as to the abductor's whereabouts. Searching passport files for information such as passport numbers and dates of issuance can aid the investigation. These services are available to law enforcement, on request, from the State Department. (Contact information for the Department of State, Passport Services, is in chapter 5.)

Law enforcement should also refer the left-behind parent to OCI, which can flag passport applications for children on a parent's request and, with appropriate court orders, can deny issuance of a passport for the child.

Consult with the local State or District Attorney to establish if the abductor has committed a State crime. Once obtained, the warrant should be immediately entered into NCIC. The existence of a warrant ensures that the abductor will be detained if located in the United States and helps facilitate cooperation from

¹² The information on review of court files is excerpted from Steidel, 2000, p. 68.



other law enforcement agencies. If prosecution is requested, the following documents will be needed:

- All sworn statements.
- A copy of the missing persons report.
- A copy of the most recent custody/court order (if any).
- Any documentation or evidence that the child is being hidden by the abductor or has been taken out of the State or country by the abductor.

Absent a warrant, some law enforcement agencies may be reluctant to detain or recover a child and abductor. The warrant can be withdrawn later, if necessary, to facilitate recovery of the child from a Hague country. State criminal investigators may also consider obtaining a Federal Unlawful Flight to Avoid Prosecution warrant to involve the FBI in the investigation.

Federal authorities may consider charges under IPKCA. (See chapter 6 for more information on applicable criminal charges.)

Obtain dental information early in the investigation. Federal and State guidelines require entering dental and medical records into NCIC within 60 days.

Use the media (television, radio, and newspapers). The media are important resources that can publicize information about an abductor and victim child locally and nationally, if necessary. It is important to establish a positive relationship with the media before being confronted by a child abduction situation.

Voice of America (VoA), a worldwide radio network, broadcasts "Child Alerts" in international parental kidnapping cases. Local law enforcement should contact NCMEC's International

Division, which coordinates these alerts with VoA.

"America's Most Wanted" (AMW) television program maintains a Web site ("Searchlight") on which it posts pictures of parentally kidnapped children. For more information, law enforcement can contact AMW at 202-204-2600, 800-CRIME-TV, or www2.AMW.com.

Once information about the child has been entered into NCIC, law enforcement can work with the parent and local nonprofit organizations, State missing children clearinghouses, and the National Center for Missing and Exploited Children to **prepare and disseminate fliers and posters** with the child's photo and description. If the child is suspected of being in a particular country or region outside the United States, research what foreign languages are primarily spoken there and have missing child posters and fliers translated and distributed in those areas. Other technical case assistance is available from NCMEC, which has expertise in international abduction cases. (Contact information for NCMEC is in chapter 5.)

Investigative Resources

As long as the location of the child and the abductor remains unknown, the investigator must draw from a variety of resources to generate new information and leads regarding their whereabouts. The following sources may be helpful in establishing proof that the child has left the country and, ultimately, in finding the abductor and child.

School records. Ask officials at the abducted child's school to flag the child's school records. A flag places an alert on a child's file so that any activity on the record is immediately noticed. Ask that the school contact the searching




Investigative Procedures Checklist

<input type="radio"/> Missing child entry in NCIC	Date:_____ NCIC#:_____
<input type="radio"/> Warrant for abductor in NCIC	Date:_____ NCIC#:_____
<input type="radio"/> Vehicle entry	Date:_____
<input type="radio"/> Passport number	Abductor:_____ Child:_____
<input type="radio"/> Request to deny issuance of child's passport	Date:_____
<input type="radio"/> Request to revoke abductor's passport	Date:_____
<input type="radio"/> Port police contacted	Date:_____ Officer:_____
<input type="radio"/> Bus and train stations contacted	Date:_____ Contact:_____
<input type="radio"/> Airlines contacted for passenger information	Date:_____
<input type="radio"/> Left-behind parent interviewed	Date:_____
<input type="radio"/> Is there a custody order?	Yes:_____ No: _____
<input type="radio"/> Copy of court order acquired	Date:_____
<input type="radio"/> Court file reviewed for leads	Date:_____
<input type="radio"/> Dental records obtained	Date:_____ Dentist:_____
<input type="radio"/> Flyers of child prepared	Date:_____
<input type="radio"/> Birth certificate flagged	Date:_____ County/State:_____
<input type="radio"/> School records flagged	Date:_____ School:_____
<input type="radio"/> Medical records flagged	Date:_____ Doctor:_____
<input type="radio"/> Hague application filed by parent	Date:_____ OCI contact:_____
<input type="radio"/> Local prosecutor	Date:_____ Case number:_____
<input type="radio"/> Federal prosecutor	Date:_____ Case number:_____
<input type="radio"/> State missing children clearinghouse	Date:_____ Contact:_____
<input type="radio"/> NCMEC	Date:_____ Contact:_____
<input type="radio"/> OCI	Date:_____ Contact:_____

parent or law enforcement agency if a transfer of school records is requested.

College records. If the abductor attended college and would need transcripts to apply for a job or to an institution of higher education, contact the school registrar to determine if transcript copies have been sent recently and, if so, to whom. Request that these records be flagged and that law enforcement be notified of any requests for transcript copies.

Birth certificates. Place a flag on the child's birth certificate through the Office of Vital Statistics (or appropriate central agency) in the State in which the child was born. On receipt of a request for a birth certificate that has been flagged, the Office of Vital Statistics can immediately notify the law enforcement agency requesting the flag and provide the address information to which the record was sent. Some State missing children clearinghouses can assist with this service.



Medical and dental records. Contact doctors, family physicians, dentists, hospitals, pharmacies, and any specialists who may have provided health care or medicine to the child or abductor. Request that they contact the left-behind parent or law enforcement agency in the event any records for the child or abductor are requested or prescriptions are refilled.

NCIC/State crime information centers. Ensure that NCIC entries for the child (missing person file) and the abductor (wanted file, stolen vehicle file, or others) have been made and cross-referenced and that applicable flags have been activated. (See chapter 3 sidebar, "The NCIC Entry," for additional information.)

Friends, relatives, and coworkers. Request that the remaining parent make a list of the abductor's relatives (including children), close friends, and coworkers in whom the abductor may possibly confide. The list should include addresses and phone numbers for all individuals.

Other records. Other significant records that may be requested and/or flagged include court records, professional licenses, insurance policies, passports, visas, military records, immigration files, union records, voter registration, employer references, and airline records for the child and abductor.

Credit checks. Run credit checks on the abductor through major credit bureaus (Equifax, TransUnion, and Experian).

Credit cards. Contact the abductor's credit card companies to trace recent purchases. Although some credit card companies may require a subpoena to disclose this information, other companies may be willing to act as a confidential source and release limited purchase information pertaining to travel expenditures, such as airline tickets, hotel stays, and gas purchases.

Employment. Determine the abductor's employment status. If the abductor has recently terminated employment, it may be possible to find out where the final paycheck is to be sent.

Military service. If the abductor is a member of the armed services on active duty, a civilian employee, or a retired employee, the U.S. Department of Defense can provide an address and trace pension payments or direct deposit information. (See chapter 5 for more information.)

Financial institutions. Check the abductor's bank accounts to see if an account has been closed or if funds have been transferred to another bank or financial institution. A subpoena may be necessary to obtain detailed information.

Loans. If the abductor has an outstanding loan, request that the lender save envelopes or other documents so that postmarks can be checked. If payments are made by check, contact the bank for account information.

Postal Service. Check with the post office to discover if a forwarding address has been provided for the abductor. Mail covers can be placed on friends and relatives of the abductor to record all the return addresses on mail they receive. Mail covers can be requested through the U.S. Postal Inspection Service.

Departments of highway safety and motor vehicles. Check on recent vehicle registrations, title transfers, new licenses, and renewals.

Professional licenses and unions. If the abductor practices a profession or trade that requires a State license or union membership, contact the licensing board or union to determine if the abductor's license, union card, or other information has been transferred to or reissued in another location.



Telephone records. The abductor's telephone records may be subpoenaed. The record of incoming and outgoing calls can be used to determine what areas of the city, state, or country or what other country he or she communicated with prior to departing. Tracing calls through the local telephone company's security office can be coordinated by placing a mechanical device called a "trap" on the telephones of the abductor's parents, friends, and relatives, if they agree.

Social Security numbers. Several databases can trace the use of the abductor's and child's Social Security numbers. Request information from the Federal Parent Locator Service, which uses Social Security numbers to search many Federal databases for address information for the abductor and child.

The Internet. Many public record databases can now be easily accessed and searched online. Many international directories and people finders on the Internet will search for phone numbers and addresses. For instance, the following sites (all preceded by "www.") may be helpful: teldir.com, AnyWho.com, Whitepages.com, Yahoo.com, Bigfoot.com, Infospace.com, InfoUSA.com, Lycos.com, whowhere.lycos.com, excite.com/reference/people_finder, and ussearch.com.

Obtain a search warrant for a domain name with the Internet service provider to monitor e-mail activity. Software exists to track the origin of the Internet activity.

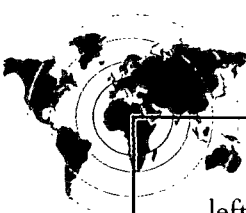
Offline searches. Consider requesting an offline search for activity on the abductor. An offline search can be conducted against the NCIC database of active records or against historical data, such as records of inquiries or entries. An offline search can be helpful in cases in which there has been some delay in the issuance of a warrant for the abductor. The

search can identify any NCIC queries on the abductor and contact the agencies making them prior to the warrant's entry in the system. An offline search may be requested through NCIC and through State crime information centers.

Project ALERT (America's Law Enforcement Retiree Team). Project ALERT, a service provided by NCMEC, enlists skilled, retired law enforcement professionals from around the country who can provide onsite assistance and consultation free of charge to requesting law enforcement agencies in domestic and international parental kidnapping cases. Law enforcement should call Project ALERT at 877-446-2632, ext. 6219, for additional information.

Working With the Left-Behind Parent

Clarify roles. At the outset of the investigation, law enforcement should clarify for left-behind parents what their respective roles are in responding to the abduction. Make sure the parent understands that in criminal parental kidnapping cases, the criminal investigator's focus is on finding the abductor and bringing him or her to justice. The arrest, extradition, prosecution, and incarceration process is directed at the abductor and will not necessarily result in recovery of the child. Apart from investigating the criminal case, law enforcement may also be authorized under State law to take part in the civil aspects of custody enforcement and child recovery. There are cases in which law enforcement will travel abroad to recover the child. If the responding law enforcement agency is unable to take part in the recovery, explain the constraints, such as lack of statutory authority or insufficient funds to cover the high costs associated with foreign recoveries, to the



left-behind parent. And be sure to advise the left-behind parent to actively pursue civil remedies on his or her own.

Elicit information from the parent to advance the investigation. The left-behind parent can be a key source of assistance to the investigation. In some cases, the parent can provide important information about the history, habits, and assets of the abductor, as well as insight into the customs, culture, and language of the country to which the abductor is suspected of fleeing. There may even be family members or friends in the destination country who can provide information about the abductor's activities and whereabouts to the left-behind parent.

Ask the left-behind parent to maintain close contact with law enforcement and to provide telephone, pager, and cell phone numbers as well as addresses where the parent can be reached when away from home.

Ensure that the parent is prepared to travel on short notice. Advise the left-behind parent that he or she may be required to travel to another location on very short notice to recover the child once the child has been located and that the parent should be prepared for the possibility of a quick departure. Make sure the left-behind parent has a current passport. Refer parents who are financially unable to recover their children from another country to the National Center for Missing and Exploited Children, which provides travel assistance to qualified individuals.

Keep the parent informed of progress on the case. The abduction of a child is an emotional and highly stressful event for the left-behind parent. Although the investigator's time may be limited, it is important to follow up regularly with the parent, to provide updates on the

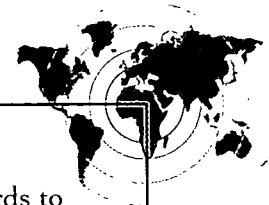
investigation, and to confirm or clarify facts discovered in the course of the search.

Refer the parent to helping agencies. Enlist the assistance of the department's victim-witness advocate to provide support to the parent. Refer the left-behind parent to groups that can provide support and assistance, including local missing child nonprofit groups, the State missing children clearinghouse, NCMEC, and Team H.O.P.E. Team H.O.P.E (800-306-6311) is a national support network that matches left-behind parents with trained parent volunteer mentors who have experienced an abduction in their own families, usually to the same country.

Summary

International parental kidnapping investigations may be conducted by local law enforcement agencies, the FBI, or both. The local law enforcement investigator takes a leading role in gathering pertinent information and accessing investigative resources when the case is being pursued under State law. To pursue the investigation in another country and secure the assistance of foreign law enforcement and central authorities, local law enforcement may seek help from Federal authorities (the FBI, USNCB-INTERPOL, and OCI). On request, Federal resources in and out of the United States can be coordinated by the FBI, acting as a central point of contact on the case. In addition to its criminal investigative role, in some jurisdictions local law enforcement may also assist prosecutors (or other designated officials) in civil enforcement of custody determinations and the recovery of children.

The FBI may play a leading role in international parental kidnapping investigations in two



instances. The FBI is lead investigator if an IPKCA investigation is undertaken. The FBI also plays a key investigative role if State criminal charges spur issuance of a Federal UFAP warrant under the Fugitive Felon Act.

One of the first and most important investigative tasks is to interview all persons, including family members, friends, and coworkers, who may have knowledge of the abductor's plans. The investigator should also consider flagging

the child's school, birth, and medical records to ensure that law enforcement is notified if those records are requested by the abductor. Leads can also be generated by searching for information in the abductor's credit, financial, employment, and professional records.

Throughout the investigation, law enforcement should remain in regular contact with the left-behind parent and help prepare the parent to travel to recover the child, if necessary.



5. Accessing Federal and State Resources

What help is available to law enforcement, and how can it be accessed?

Investigators with little or no experience in overseas matters can draw on the resources of numerous Federal and State agencies in an international parental kidnapping case. The individuals who staff these agencies have extensive overseas backgrounds and can facilitate negotiations with foreign officials. Key to finding and recovering a child who has been abducted to a foreign country is understanding the different roles and responsibilities of these agencies and organizations and coordinating their efforts for the benefit of the child and the family. This chapter profiles the agencies and organizations that provide diverse services, support, and assistance to left-behind parents and their children. Contact information is provided to facilitate access.

U.S. Department of State

Office of Children's Issues

Contact information:

U.S. Department of State
Office of Children's Issues
CA/OCS/CI
Washington, DC 20520-4818
202-312-9700
202-312-9743 (fax)
www.travel.state.gov/children's_issues

The Office of Children's Issues (OCI) is located in the Office of Overseas Citizen Services, Bureau of Consular Affairs, U.S. Department of State. OCI provides information and assistance to parents, the general public, and government agencies on international parental kidnapping cases. OCI formulates and coordinates policies and provides direction to U.S. Embassies and consulates abroad on international parental child abduction policy issues.

In addition, OCI chairs an interagency policy group that creates a comprehensive interagency Action Plan to improve the U.S. response to international parental kidnapping and implements the Federal Action Plan.



Types of Assistance the Department of State Can Provide to Law Enforcement

OCI coordinates and/or provides the following services to law enforcement:

- Facilitates the return of an abducted child in cases where the Hague Convention on the Civil Aspects of International Child Abduction applies.
- Coordinates interagency efforts to ensure the safe return of an abducted U.S. child, especially when U.S. Embassies abroad are involved.
- Assists with issuance of U.S. travel documents to a child when necessary.
- Furnishes information concerning passport issuance and passport number for a child. (Information from the passport files of an adult is available from the Office of Passport Services.)
- Requests a U.S. Embassy or consulate abroad to attempt to verify entry of an abductor and/or child into that country, establish the whereabouts of subjects, and attempt to check the child's whereabouts and welfare.
- At a parent's request, places a child's name in the Children's Passport Issuance Alert Program and coordinates and facilitates placing a hold on the issuance of a passport to a minor child when a custody order exists. (The Office of Passport Services takes actions with respect to adults' passports on law enforcement request. The Office coordinates and facilitates placing a hold on the issuance of a passport to a fugitive, places a fugitive's name in the Passport Lookout System, and revokes a fugitive's U.S. passport.)
- Alerts foreign officials to any evidence of child abuse and/or neglect.
- Provides information on diverse topics such as custody and immigration laws, travel restrictions, and crime and security data for specific countries, as well as confirmation of a subject's entry into and exit from foreign ports.
- Coordinates with the U.S. Department of State's law enforcement arm, the Diplomatic Security Service, to either stop or verify an international departure.
- May request that foreign governments exercise any power they have under their domestic law to protect an abducted child.
- Coordinates the urgent filing of a Hague application in an effort to intercept an abductor on his or her arrival in a Hague country. OCI coordinates with the Central Authority and law enforcement in the destination country as to itinerary and arrival times.

The sidebar "Types of Assistance the Department of State Can Provide to Law Enforcement" summarizes the services OCI can provide in international parental kidnapping cases.

OCI is the U.S. Central Authority for the Hague Convention on the Civil Aspects of International Child Abduction. (The Hague Convention is described in appendix C.) It is the primary Federal contact in Hague abduction cases. (For a list of countries that are partners in the Hague Convention, see appendix B.) As part of the Bureau of Consular Affairs' Overseas Citizen Services, OCI is also responsible for parental kidnapping cases involving American children taken to non-Hague countries.

If the country to which the abductor and child have fled is a U.S. Hague Convention partner,

OCI will work with the left-behind parent to apply, under the Hague Convention, for the child's return or for access to the child. If the child is located in or is suspected to have been abducted to a Hague country, law enforcement can contact OCI and/or direct the left-behind parent to contact OCI to initiate Hague proceedings. In some States, prosecutors may be able to initiate the Hague process.

OCI coordinates with consular officials at U.S. Embassies or consulates in the countries involved to work with the left-behind parent and foreign officials in those countries to seek resolution of the matter. The investigator maintains close consultation with OCI and U.S. consular officials abroad to ensure the case receives attention. Beyond that, the investigator



generally plays no role in a Hague case and is not involved in effecting the child's return to the United States. There are cases, however, where law enforcement may assist in civil recovery efforts pursuant to State statutory authority.

Passport Services

Adult Passports

Contact information for existing passport files:

U.S. Department of State
Office of Research and Liaison
1111 19th Street NW., Fifth Floor
Washington, DC 20522-1705
202-955-0447
202-955-0288 (fax)

Contact information for passport lookouts, denial, and revocation:

U.S. Department of State
Office of Passport Policy and Advisory Services
2401 E Street NW., Room 907
Washington, DC 20522-0907
202-663-2662
202-663-2654 (fax)

Children's Passports

Contact information:

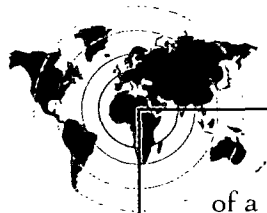
U.S. Department of State
Office of Children's Issues
CA/OCS/CI
Washington, DC 20520-4818
202-312-9700
202-312-9743 (fax)
www.travel.state.gov/passport_assistance.html

The services described below apply only with respect to U.S. passports. OCI handles children's passports. Passports for adults are handled by the Office of Passport Policy and Advisory Services. A child or an adult who is a dual national (a citizen of both the United States and another country) may also be eligible to hold (or in the case of a child, be included in) a foreign passport. The concerned parent, or U.S. law enforcement, may contact the embassy of the other nationality for information and assistance. The foreign government is not legally obligated to cooperate, and in some cases may be prevented from doing so by its own law.

Information in passport files. A Federal or State law enforcement agency may obtain information from existing U.S. passport files by sending (via mail or fax) a written request, on agency letterhead, including the subject's name, date and place of birth, other identifying information, and the statute under which the subject is being investigated.

Flagging passport applications. A Federal or State law enforcement agency may request that a subject be placed in the passport name check system for notice before issuance of a passport, even when there is no warrant or court order. The request should be in writing and should include the subject's name, date and place of birth, other identifying information, and the statute under which the subject is being investigated and the agency address and phone number of the officer to be contacted.

Passport denial and revocation. A Federal or State law enforcement agency may request the denial or revocation of a passport pursuant to 22 C.F.R. 51.70., 51.71, and 51.72. The State Department may deny a passport to or revoke a U.S. passport of an abductor who is the subject



of a Federal arrest warrant, a State felony that could become a Federal warrant, an extradition request, or a Federal or State criminal court order or condition of parole or probation prohibiting departure from the United States (or the jurisdiction of the court). The request should include all information needed to flag passports (above), plus a copy of the arrest warrant or criminal court order on which the request for passport revocation or denial is based.

Law enforcement should notify the Office of Passport Policy and Advisory Services when a subject is apprehended, when the warrant is quashed, or when passport action is no longer needed.

Information in passport files. Both parents also have a right to request information about their child's U.S. passport. The request must be made in writing and may be sent by mail or fax. It must contain the child's full name and date of birth and the requesting parent's address, phone number, and signature.

Flagging passport applications and preventing issuance of passports to children. If a parent fears that a child might be taken abroad by the other parent without the mutual consent of both parents, the child's name can be placed in OCI's Children's Passport Issuance Alert Program. Then if a passport application is received, the requesting parent will be notified before issuance of the passport. A new law, which took effect in July 2001, requires the signature of both parents prior to issuance of a U.S. passport to children younger than 14. In addition, the Department may deny issuance of a U.S. passport for a child on written request of a parent who provides the Department a copy of a court order either granting him or her sole custody or prohibiting the child's travel without the consent of both parents or the court.

A parent seeking to prevent issuance of a passport for a child should contact OCI directly to begin this process. The written request must include the child's full name and date and place of birth; the name, address, and phone number of the requesting parent; and a copy of the complete court order.

Revocation. The Department does not revoke children's passports (U.S. Department of State, Office of Children's Issues, 2001). However, a civil court may order a parent to surrender a child's passport.

Diplomatic Security Service

Contact information:

U.S. Department of State
Diplomatic Security Service
2121 Virginia Avenue NW
Washington, DC 20036
202-663-2200

Regional DSS contacts: See appendix D

In cases involving international parental kidnapping, OCI contacts the Diplomatic Security Service (DSS), the Department of State's law enforcement arm around the world. DSS has more than 400 special agents serving as Regional Security Officers (RSOs) in 187 of the 266 Embassies, consulates, and interest sections abroad. In many countries, the resident RSO is the sole U.S. law enforcement representative. U.S. diplomatic missions without a resident RSO are covered regionally by the nearest RSO. The Washington, DC-based DSS Criminal Investigative Liaison Branch serves as a clearinghouse for law enforcement leads on international parental kidnapping and wrongful retention cases. In addition, DSS has 22 field offices located in major U.S. cities and works closely with officials at U.S. international airports.



In conjunction with efforts by OCI, the DSS-RSOs at U.S. diplomatic missions abroad may request that foreign police contacts ascertain a child's location, whether or not there is a warrant for the abductor. Additionally, domestic and overseas DSS agents investigate passport and visa fraud violations in relation to parental child abduction cases.

U.S. Department of Justice

The Federal Bureau of Investigation

Contact information:

Federal Bureau of Investigation Headquarters
Crimes Against Children Unit
935 Pennsylvania Avenue NW., Room 11163
Washington, DC 20535-0001
202-324-3666
202-324-2731 (fax)
www.fbi.gov
U.S. FBI Field Offices: See appendix D

The Federal Bureau of Investigation (FBI) is the law enforcement agency tasked with investigating international parental kidnapping cases under the Federal International Parental Kidnapping Crime Act and the Fugitive Felon Act. Requirements for obtaining UFAP warrants and IPKCA charges are discussed in chapter 6. The FBI can take steps to stop abductions in progress, as well as coordinate the international law enforcement response when abductors have reached their foreign destinations.

FBI Legal Attaché. The FBI Legal Attaché (called a "Legat") has an official presence in

many countries to serve mutual law enforcement interests. Located in U.S. Embassies around the world, Legats act as liaisons to the principal law enforcement and intelligence services in their host countries. The Legat stationed at a U.S. Embassy abroad may request assistance from local law enforcement in that country to locate or to confirm the location of an abductor and child. Although the FBI will not divulge criminal investigative information to the left-behind parent, the case agent may notify the parent if the child is found so that the parent can pursue appropriate civil remedies to secure the child's lawful return.

Office of International Affairs

Contact Information:

202-514-0000
202-514-0080 (fax)


The Office of International Affairs (OIA) assists State and Federal prosecutors with extradition requests, and must be contacted at the outset of any case in which international extradition will be sought. The State Department reviews all extradition requests and formally transmits those it approves.

Child Exploitation and Obscenity Section, Criminal Division

Contact Information:

202-514-5780
202-514-1793 (fax)

The Child Exploitation and Obscenity Section (CEOS) provides technical assistance to Federal prosecutors regarding IPKCA prosecutions.



U.S. National Central Bureau, International Criminal Police Organization (USNCB- INTERPOL)

Contact information:

U.S. Department of Justice
U.S. National Central Bureau
Washington, DC 20530
202-616-9000 (24 hours)
800-743-5630 (State toll-free)
202-616-8400 (fax)
NLETS ORI: DCINTER00
www.usdoj.gov/usncb

State INTERPOL Liaisons: See appendix D
Sample Child Abduction Fugitive Diffusion:
See appendix E

INTERPOL is a 178-nation police communications network that enables police forces around the world to coordinate international criminal investigations and to exchange humanitarian information. Participation by countries in INTERPOL is voluntary, and INTERPOL has no international law or force.

Each of INTERPOL's member countries maintains a national central bureau (NCB) that serves as that country's point of contact with the international law enforcement community. The U.S. National Central Bureau (USNCB-INTERPOL) is an office within the U.S. Department of Justice in Washington, DC. Each State also has an INTERPOL coordinator to act as liaison with the U.S. National Central Bureau (see appendix D).

When an international abduction from the United States is underway, U.S. law enforcement must rapidly notify and request assistance from appropriate foreign law enforcement authorities. In addition to calling the FBI Field Office, Federal, State, and local law enforcement in the United States can contact

USNCB-INTERPOL 24 hours a day, 7 days a week, to alert foreign authorities. For additional assistance, contact the INTERPOL liaison in your State.

INTERPOL diffusions. USNCB can at any time transmit immediate, text-only messages, called "diffusions," to one or more foreign NCBs, asking police authorities of each recipient country:

- To search for a fugitive charged with a crime carrying a penalty of more than 1 year of imprisonment, whom the prosecutor is willing to extradite.
- To trace and locate an abductor, whether or not he or she is charged with a crime.
- To locate and ascertain the safety and welfare of a missing or abducted child.

Diffusions may also inform foreign authorities of any medical conditions that a child has, warn of any particular danger to the child, and/or ask that an abducted child be placed in protective custody.

The most expedient way to have an INTERPOL diffusion issued on a child is to provide the necessary information via NLETS to the ORI number listed above. (Appendix E contains a sample child abduction fugitive diffusion with the information that must be provided about the case.)

INTERPOL notices. If an abductor and child have entered a foreign country and their location is unknown, USNCB may apply to INTERPOL headquarters in Lyons, France, for color-coded notices to search for them internationally. Each notice includes the subject's identification, photograph, and fingerprints, if available, as well as case information, and asks any country locating the person to notify the requesting country immediately so that it may



INTERPOL Notices

Red ("Fugitive") notices seek persons wanted for extradition. A red notice requires a State or Federal arrest warrant for at least one crime that carries more than 1 year of imprisonment, plus the prosecutor's written agreement to extradite the fugitive (generally, from any country that can extradite the fugitive to the United States for the crime in question).

A red notice asks police in all INTERPOL member countries to locate the fugitive and, if permissible under the law of the country in question, to detain or even arrest the fugitive for a limited period so that the seeking country can make a formal request for extradition through the prescribed channel. All red notices requested for international parental kidnapping must include a yellow notice for each victim who is a minor.

Blue ("Trace and Locate") notices seek persons, including abductors, whether or not they have been charged with a crime.

Yellow ("Missing Person") notices seek missing persons, including abducted children. It is possible to request a yellow notice on an abducted child and a red or blue notice on an abductor.

request extradition, facilitate a request for the child's return under the Hague Convention, or take other action as appropriate. INTERPOL headquarters translates notices into four languages and sends them to all 178 INTERPOL members. This process takes at least several months. (The sidebar "INTERPOL Notices" describes the three color-coded notices.)

INTERPOL will also perform the following services:

- Interview witnesses.
- Provide name, criminal history, fingerprint, and license checks.
- Search for telephone subscriber information.
- Conduct photograph and physical description checks.
- Locate information on ownership of weapons and vehicles.

Whether to request a diffusion and/or notice in any given case is a decision for law enforcement and the prosecutor. Each foreign law enforcement authority handles the INTERPOL diffusions and notices that it receives according to its country's law and practice. USNCB has no authority over how a foreign country handles INTERPOL communications. USNCB

promptly conveys any response it receives to the relevant U.S. authorities.


Federal Inspection Services

U.S. Customs Service and Immigration and Naturalization Service

Contact information:

U.S. Department of Treasury
Customs Service
Cyber Smuggling Investigation Center
11320 Random Hills Road, Room 400
Fairfax, VA 22030
703-293-8005
703-293-9127 (fax)
www.customs.ustreas.gov

U.S. Department of Justice
Immigration and Naturalization Service
Office of Inspections (HQINS)
425 I Street NW.
Washington, DC 20536
202-514-3019
INS Command Center: 202-616-5000
(24 hours)
www.ins.usdoj.gov



Federal inspectors from the U.S. Customs Service (Customs), the Immigration and Naturalization Service (INS), and other Federal agencies comprise the Federal Inspection Service. Customs and INS inspectors are cross-designated to carry out their respective responsibilities at land borders. They are referred to collectively as Federal Inspection Services, or FIS, personnel.

Customs inspectors have legal authority to check persons entering and leaving the United States for merchandise and contraband. They may stop vehicles at the border and board vessels and aircraft without a warrant to perform inspections. They work side-by-side with INS inspectors, who play a gatekeeper role at designated air, land, and sea ports of entry to guard against the illegal entry of aliens. INS inspectors may question any person coming into the United States to determine his or her admissibility.

FIS personnel use the Interagency Border Inspection System (IBIS) to check the status of those entering and sometimes of those leaving the country. Maintained by the Customs Service, IBIS is an online system that links various Federal agency databases—including NCIC, the INS National Alien Lookout System (NAILS), and the Department of State Consular Lookout and Support System (CLASS)—to streamline inquiries of critical information checked at U.S. ports of entry.

IBIS is an important tool for stopping an abduction at a U.S. border or international airport. An IBIS query will reveal NCIC records and lookouts placed in IBIS by local or State law enforcement, the FBI, INTERPOL, and other Federal law enforcement agencies, any of which may result in locating an abductor and child as they attempt to leave or reenter the country. FIS agents conduct checks of both goods and individuals at U.S. borders and ports

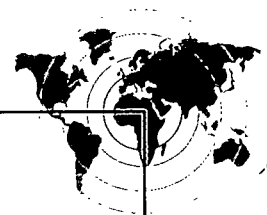
of entry, including land borders and international airports. Such inspections may result in locating an abductor and child as they attempt to leave—or if they attempt to reenter—the United States.

FBI special agents and border inspectors have authority to detain, at least temporarily, a child entered into the NCIC Missing Person File, even if there is no criminal warrant for the abductor. If such a child is located, FIS personnel can temporarily detain a suspected abductor and the child for questioning to determine whether IPKCA or UFAP statutes are being violated. If the abductor is ultimately detained on this basis, FIS personnel release the child to the appropriate State agency.

U.S. Department of Defense

Defense Department Policy

Law enforcement investigating cases of children wrongfully removed to or retained at overseas military installations may seek base commanders' assistance in addressing the criminal or civil aspects of the case. Official Defense Department policy, expressed in Department of Defense Directive 5525.9 ("Compliance of DoD Members, Employees, and Family Members Outside the United States With Court Orders"), 32 C.F.R. Part 146, is to cooperate with the courts and with Federal, State, and local officials in enforcing court orders relating to active-duty members and civilian employees of the Armed Forces stationed outside the United States and family members who accompany them, who have been charged with or convicted of a felony, held in contempt, or ordered to show cause for parental kidnapping.



Legal Assistance Offices

The Army, Navy, Air Force, and Marine Corps legal assistance offices serve as the point of contact for inquiries concerning the legal issues in the abduction of a child by a parent or other family member either on active duty with that armed service or accompanying such a service member. They are also points of contact for the State Department in cases of international abduction of the children of service members.

Contact information:

Air Force

AFLSA/JACA

1420 Air Force Pentagon

Washington, DC 20330-1420

703-697-0413

703-614-8914 (fax)

Army

DAJA/LA

Office of the Judge Advocate General
Pentagon, Room 1E737

Washington, DC 20310-2200

703-697-5151

Marine Corps

Legal Assistance Office

Judge Advocate Division

Headquarters, USMC

Henderson Hall

Building 29, Room 301

1555 Southgate Road

Arlington, VA 22214

703-614-1266

703-697-4836 (fax)

Navy

Department of the Navy

Office of the Judge Advocate General

Legal Assistance (Code 16)

1322 Patterson Avenue, Suite 3000

Washington Navy Yard

Washington, DC 20374-5066

202-685-4642

Military Worldwide Locator Service

Contact information:

General information: 703-545-6700

Army: www.perscomonline.army.mil

Air Force: 210-565-2660

Navy: 901-874-3388

Marine Corps: 703-784-3942 or 703-784-3943

Coast Guard: 202-267-1340

www.defenselink.mil/faq.pis/PC04MLTR.html

State and Federal agencies and family members can obtain location information on active-duty service members from the Military Worldwide Locator Service for the respective service branch. General information about the World Wide Locator Service is available on both the general information line and the Internet.

Office of Personnel Management

Contact information:

Office of Personnel Management

1900 E Street NW.

Washington, DC 20415

202-606-2424

The Office of Personnel Management can provide current address information on any retired member of the armed forces or retired Federal civil service employee. Investigative leads may be obtained by tracing pension payments through address or direct deposit information.



Family Educational Rights and Privacy Act Office

Contact information:

202-260-3887

www.ed.gov/offices/OM/fpco/ferpa1.html

A child's school records, as well as requests to transfer records, may provide investigative leads in a parental kidnapping case. The Family Educational Rights and Privacy Act (FERPA, 20 U.S.C. 1232g) permits a parent to find out from school officials whether the child's school records have been transferred to a new school or if copies have been sent to the abductor. If the records have been forwarded, the searching parent is entitled to learn the name, address, and telephone number of the new school.

Through court order, a parent also has the right to block a transfer of such records. This is not recommended, however, because it eliminates an often successful means of tracking the suspect's movements.

Federal Parent Locator Service

Contact information:

Federal Parent Locator Service
370 L'Enfant Promenade SW., Fourth Floor
Washington, DC 20447-0001
202-401-1467
www.acf.dhhs.gov/programs/cse

The Federal Parental Locator Service (FPLS) may provide address information on abductors and abducted children to "authorized persons" pursuant to the Parental Kidnapping Prevention Act for purposes of making or enforcing

child custody determinations and for enforcing State or Federal criminal parental kidnapping laws (42 U.S.C. 663).

FPLS uses Social Security numbers to search numerous government databases to gather the most recent address and employment information on the abductor and child. Participating agencies include the Social Security Administration, Internal Revenue Service, Department of Defense, Department of Veterans Affairs, State employment security agencies, and the National Directory of New Hires.

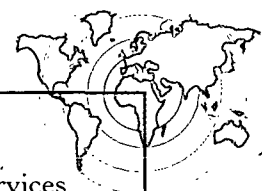
"Authorized persons" include:

- Federal and State attorneys authorized to investigate, enforce, or prosecute the unlawful taking or restraint of a child.
- Any agent or attorney of any State with the duty or authority under State law to enforce child custody determinations.
- Courts (or their agents) with jurisdiction to make or enforce a child custody determination.

The U.S. Central Authority and the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP), may also obtain address information from FPLS.

Federal prosecutors and FBI agents may submit requests directly to FPLS. Such requests must be accompanied by a statement signed by the agent or U.S. Attorney attesting that the request is being made solely to locate an individual in connection with a parental kidnapping or child custody case and that any information obtained through FPLS shall be treated as confidential, safeguarded, and used solely for the purpose for which it was obtained.¹³ Other authorized persons submit requests to the State Parent Locator Service in their State, which

¹³ 45 C.F.R. 303.69.



forwards them to FPLS. Requests must include the abductor's name, date of birth, and Social Security number. If the Social Security number is not known, FPLS will attempt to ascertain it.

In custody and visitation cases where evidence of domestic violence or child abuse exists, courts may obtain address information, but further disclosure is restricted if it would endanger the parent or child.

Through a cooperative agreement, FPLS and NCMEC are working together to help law enforcement find missing children. Law enforcement agencies needing assistance should contact NCMEC at 800-843-5678.

National Center for Missing and Exploited Children

Contact information:

National Center for Missing and Exploited Children
Charles B. Wang International Children's Building
699 Prince Street
Alexandria, VA 22314-3175
703-274-3900 and 888-246-2632
(business lines)
800-THE-LOST (24-hour hotline)
www.missingkids.com

NCMEC is a private, nonprofit organization that operates under a congressional mandate through a cooperative agreement with OJJDP. NCMEC's mission is to assist in the location and recovery of missing children and to prevent the abduction, molestation, sexual exploitation, and victimization of children.

NCMEC provides a wide range of free services to law enforcement in domestic and international parental kidnapping cases, including technical case assistance; leads, sightings, and other information dissemination; photograph and poster preparation and rapid distribution; age-enhancement, facial reconstruction, and imaging/identification services; informational analysis; database searches; educational materials and publications; and training.

The International Division provides assistance with arranging transportation home for abducted children; administers a fund that provides financial assistance to financially eligible parents who must travel abroad to recover their children; organizes networks for law enforcement officials working on cases in the same country or region; organizes networks for parents whose children have been abducted to the same country; and coordinates Voice of America alerts on missing and abducted children.

NCMEC is linked via online services with 50 State clearinghouses plus the District of Columbia and Puerto Rico, the Royal Canadian Mounted Police in Canada, New Scotland Yard in the United Kingdom, Belgium Gendarmerie, the Netherlands Politie, Australia National Police, SOS Criança in Brazil, INTERPOL, U.S. Secret Service Forensic Services Division, U.S. Department of State, and U.S. Customs Service, allowing the instant transmission of images and information on missing child cases.

NCMEC's International Web Site Project (in conjunction with the International Centre for Missing and Exploited Children) is a network of foreign law enforcement agency Web sites. A unique interface allows law enforcement agencies in other countries to enter their missing children into the same database as NCMEC.

NCMEC Services

NCMEC provides the following services to assist law enforcement and parents:

- Confirms NCIC–Missing Person File entries.
- Provides technical case assistance.
- Maintains a Web site, www.missingkids.com.
- Organizes networks for law enforcement personnel investigating cases in the same country or region, including a network of foreign law enforcement agency Web sites for sharing information on missing children.
- Operates a 24-hour, toll-free hotline.
- Distributes photos and posters internationally.
- Provides age enhancement of missing children photos.
- Records leads and sightings and disseminates related information.
- Partners with Voice of America radio for broadcast of missing children alerts to overseas radio audiences.
- Operates Project ALERT (America's Law Enforcement Retiree Team), which provides free onsite assistance to hard-pressed local law enforcement agencies in difficult missing children cases.
- Offers assistance in coordinating and planning successful reunifications.
- Administers Victim Reunification Travel funds, which can be used by financially eligible parents for overseas travel to attend a court hearing or to reunite with abducted children.
- Distributes information on preventing family abductions.
- Helps parents complete Hague application forms for submission to the Department of State.

The network has become a powerful tool for sharing information and forming international partnerships with agencies. Current participants include:

- Argentina (ar.missingkids.com).
- Australia (au.missingkids.com).

- Belgium (be.missingkids.com).
- Brazil (Sao Paulo and Brasilia, br.missingkids.com).
- Canada (ca.missingkids.com).
- Chile (ch.missingkids.com).
- Italy (it.missingkids.com).
- The Netherlands (nl.missingkids.com).
- South Africa (za.missingkids.com).
- United Kingdom (uk.missingkids.com).
- United States (us.missingkids.com).

State Missing Children Clearinghouses

Contact information:

Appendix D lists State missing children clearinghouses.

Every State has a missing children clearinghouse that serves as a central repository for information on missing children and that provides assistance both to parents and law enforcement. State clearinghouses offer services such as case registration, information research, analytical assistance, technical support, photo and poster dissemination, and preventive and educational programs. Investigators may contact clearinghouses in other States for assistance in following up out-of-State leads.



Resource Checklist

U.S. DEPARTMENT OF JUSTICE

- ☐ Federal Bureau of Investigation
 - ☐ UFAP warrant
 - ☐ IPK warrant
 - ☐ Legal Attaché (Legat)
- ☐ INTERPOL
 - ☐ Diffusion
 - ☐ Color-coded notices

Date: _____ Agent: _____
Date: _____
Date: _____
Name: _____ Country: _____
Date: _____ Contact: _____
Date: _____
Date: _____

U.S. DEPARTMENT OF STATE

- ☐ Office of Children's Issues
 - ☐ Welfare and whereabouts check
 - ☐ Child listed in Passport Lookout System
 - ☐ Hague Convention application
 - ☐ Hold on passport issuance for child
- ☐ Office of Passport Services
 - ☐ Abductor passport denial/revocation
- ☐ Diplomatic Security Service

Date: _____ Officer: _____
Date: _____
Date: _____
Date: _____
Date: _____ Contact: _____
Date: _____
Date: _____ Agent: _____

FEDERAL INSPECTION SERVICES

- ☐ U.S. Customs
- ☐ Immigration and Naturalization Service

Date: _____ Contact: _____
Date: _____ Contact: _____

U.S. DEPARTMENT OF DEFENSE

- ☐ Overseas Base Commanders
- ☐ Legal Assistance Office
- ☐ Military Worldwide Locator Service
- ☐ Office of Personnel Management

Date: _____
Date: _____
Date: _____
Date: _____

FEDERAL PARENT LOCATOR SERVICE

- ☐ Date: _____ Contact: _____

NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN

- ☐ Date: _____ Contact: _____

STATE MISSING CHILDREN CLEARINGHOUSE

- ☐ Date: _____ Contact: _____

LOCAL NONPROFIT MISSING CHILDREN ORGANIZATIONS

- ☐ Date: _____ Agency Name: _____ Contact: _____

Nonprofit Missing Children Organizations

Contact information:

Association of Missing and Exploited
Children's Organizations, Inc.
616 Adams Avenue
Memphis, TN 38105
901-405-8441
901-405-8856 (fax)
www.amecoinc.org

Local nonprofit missing children organizations provide a wide variety of services to law enforcement agencies and to families of missing and abducted children. Hundreds of organizations are located throughout the country. The Association of Missing and Exploited Children's Organizations, Inc. (AMECO) maintains a list of nonprofit missing children organizations that meet the specified standards. (**Note:** Not all organizations meeting those standards are members of AMECO.)

Summary

A multitude of Federal, State, and nongovernmental agencies work in conjunction with local law enforcement to help locate a missing child and an abductor in foreign countries. The FBI is the primary source of law enforcement assistance and can provide investigative support and coordinate the issuance of Federal warrants. The U.S. Customs Service and the Immigration and Naturalization Service use the Interagency Border Inspection System to simultaneously access and query several Federal databases for warrants, flags, and entry or exit restrictions. INTERPOL coordinates activities with foreign law enforcement to trace and locate fugitives and abductors. The Department of State, Office of Children's Issues, is the key contact for processing Hague Convention return applications and for coordinating the civil aspects of the recovery of children abducted to Hague countries. OCI is also responsible for all American children taken from the United States to non-Hague countries. The Department of State also can take passport action against an abductor and/or child and process international extradition requests.



6. Criminal Prosecution and Extradition

What criminal charging options are there in international parental kidnapping cases, and when should charges be pursued?

All 50 States, the District of Columbia, the territories, the Federal Government, and many foreign governments recognize the kidnapping of a child by his or her parent as a serious crime, subject to penalties in excess of 1 year in prison. State felony abductions that involve interstate or international flight to avoid prosecution may also result in Federal criminal charges under the Fugitive Felon Act. International parental kidnapping is also a Federal felony under the International Parental Kidnapping Crime Act. Some abductions may not be considered “crimes” under State law but may be subject to prosecution under IPKCA (for example, abductions occurring before the entry of a custody decree in States requiring violation of such orders for prosecution; or abductions interfering with visitation rights not encompassed by a State statute).¹⁴ State and Federal charging options in international parental kidnapping cases are described in greater detail later in this chapter.


Charging Considerations

Decisions on whether to seek State or Federal criminal charges are made on a case-by-case basis. Any assessment of whether to proceed criminally against an abductor involves consideration of numerous factors, discussed below:

The authority and legitimacy a felony warrant adds to a search effort can be the determining factor in the success or failure of a recovery. A criminal warrant may be the only consideration for some jurisdictions as to whether they will render assistance in locating an abductor and child. Although civil remedies and sanctions can support family stability, private civil enforcement against an uncooperative and resourceful parent can be unbelievably costly. A criminal conviction, however, can bolster and support any civil court actions. Simply leaving the State can render a civil contempt warrant nearly useless. Failure to comply with criminal sentencing conditions, however, can lead to revocation of a suspended sentence and issuance of a felony warrant. Sentencing requirements can ensure that treatment recommendations are pursued or supported.¹⁵

¹⁴ Subcommittee on International Child Abduction of the Federal Agency Task Force for Missing and Exploited Children and the Policy Group on International Parental Kidnapping, 1999.

¹⁵ This paragraph is excerpted from Steidel, 2000, p. 74.



The potential reaction of the abductor to the filing of criminal charges and the threat of ultimate prosecution and punishment should be considered. Although some individuals may be intimidated into returning the child (with or without agreement by the prosecutors to the condition that the charges be dropped), others may go deeper into hiding, particularly if they are in a country where family or community support exists.

The possible effects of criminal charges on Hague Convention return proceedings should be considered. IPKCA expresses the sense of Congress that the Hague Convention, if applicable, is the preferred remedy for parents seeking recovery of a child. This is not a legislative prohibition against criminal charges but rather an opinion that civil remedies should be a parent's first option when a child is abducted to a Hague country.

Criminal charges under IPKCA (or any other State or Federal statute) may adversely affect return proceedings under the Hague Convention. An outstanding criminal warrant may actually deter a voluntary or negotiated return. Moreover, some foreign judges have been reluctant, and others have refused, to order a child's return under the Hague Convention if the parent's return would likely result in his or her arrest on outstanding criminal charges and subsequent inability to participate in civil custody proceedings.

Yet the use of State and Federal criminal remedies are appropriate when abductors violate Hague court orders and refuse to return the child or when courts systematically refuse to order return or to enforce their own return orders. In these cases, an outstanding warrant may be useful in locating and facilitating the return of a child.

Filing criminal charges in cases involving abductions to non-Hague countries may have some benefits, but bringing the abductor to justice may be elusive. When a child is abducted to or wrongfully retained in a non-Hague country, filing criminal charges against the abductor may be useful in locating the abductor and child. Although extradition from a given country may not be available, INTERPOL alerts of various kinds may facilitate detection of the abductor's travel to other countries from which extradition might be possible. Unfortunately, many countries do not recognize this type of abduction or wrongful retention as a crime and therefore will not extradite for this offense.

The complainant parent's willingness to pursue the criminal case must be evaluated. Left-behind parents may be reluctant to pursue criminal charges in the first place. The prospect of having to testify or of having the child called as a witness in a criminal trial may dissuade the left-behind parent from pursuing criminal charges. Since the parent will have to pursue private civil remedies to attempt to recover the child anyway, the added emotional burden of a criminal trial may be daunting.

It is also important to assess whether the left-behind parent who pursues charges is committed to assisting the prosecution through completion of the case. Parents may back away from the criminal process if the child is recovered. It is not always possible to know how one will react, but the question is worth asking.

Possible statutory defenses (such as domestic violence and abuse) should be evaluated.

The Federal IPKCA statute, and many State statutes, provide explicit defenses to a charge of parental kidnapping. In considering whether to file criminal charges, law enforcement should evaluate the evidence developed in the case with potential defenses in mind.



Law enforcement personnel must strike a balance between the goals of repatriating the child with his or her left-behind parent and apprehending and prosecuting the abductor.

The best situation for law enforcement and prosecutors when it comes to responding to parental kidnapping cases is to draw on civil or criminal remedies (or both), whichever is/are suited to the overall objectives in the case. This flexibility is provided by UCCJEA (see chapter 7 and appendix C). When criminal remedies are the exclusive means by which law enforcement can respond to parental kidnapping, pursuit of these remedies will be particularly important in egregious parental kidnapping cases, such as when the abductor poses a risk of harm—or even death—to the child or left-behind parent, conceals the child, splits up sibling groups, or leaves the child with relatives, effectively abandoning the parental role. Other cases, such as the wrongful retention of children following a lawful visiting period or other visitation interference, may also warrant criminal charges, but due regard should be given to whether the left-behind parent has available civil remedies to seek the child's return.

Prosecution Options

State Law Prosecution, Coupled With Extradition Request

State statutes vary widely as to covered conduct. Law enforcement and prosecutors must review State parental kidnapping statutes to determine if a violation has occurred in a particular case. Federal authorities can assist State criminal investigations and prosecutions by locating the fugitive and facilitating international extradition. With this assistance, State law is usually sufficient to address the criminal aspects of an international parental kidnapping.

Technical assistance regarding the investigation and prosecution of parental kidnapping cases is available by calling the American Prosecutors Research Institute at 703-739-0321.

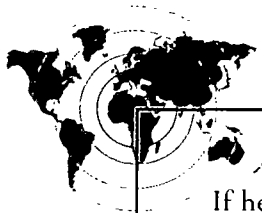
State Law Prosecution, Coupled With UFAP Warrant Under the Federal Fugitive Felon Act

The Fugitive Felon Act (18 U.S.C. 1073) is a Federal statute in aid of State prosecution. It enhances the ability of local and State law enforcement authorities to pursue felons beyond State and national borders. Because it permits the FBI to investigate an otherwise State case, it may also facilitate investigation internationally. In addition, the Parental Kidnapping Prevention Act (18 U.S.C. 1073 note) clarifies congressional intent that Federal fugitive felony warrants (i.e., unlawful flight to avoid prosecution, or UFAP warrants) may be issued in parental kidnapping cases when the abductor flees the State or the country to avoid prosecution under applicable State felony statutes.

Procedure for securing a UFAP warrant.

The local or State prosecutor requests a UFAP warrant in writing from a Federal prosecutor (U.S. Attorney) or the FBI. The requirements for obtaining a UFAP warrant in parental kidnapping cases are the same as in other fugitive felony cases:

- A State or local felony warrant must already exist.
- Probable cause to believe that the fugitive has fled the jurisdiction of the State to avoid prosecution or confinement must exist.
- The State or local prosecutor must agree to extradite the fugitive for prosecution.



If he or she is satisfied these requirements are met, the U.S. Attorney may authorize the FBI agent assigned to the case to file a request for a Federal UFAP warrant with the U.S. District (i.e., Federal) Court.

FBI investigations pursuant to a UFAP warrant. Issuance of a UFAP warrant involves the FBI in the investigation. The focus of the investigation is on locating and apprehending the abductor for a criminal law violation. The agent assigned to the case has the full range of Federal investigative tools at his or her disposal, including the ability to access national and international resources to pursue the fugitive.¹⁶ Federal agents will coordinate with the local or State law enforcement agency working on the underlying State felony case. If agents discover during a UFAP investigation that the abductor has left the country with the child, the FBI may continue its investigation internationally by requesting the assistance of law enforcement authorities in other countries. Foreign law enforcement assistance would be arranged by the FBI Legal Attaché (Legat) in a U.S. Embassy or consulate abroad. An abductor who is apprehended by foreign authorities abroad and returned to the United States then faces prosecution on the State felony charges.

Federal Prosecution Under the International Parental Kidnapping Crime Act

International parental kidnapping may be charged as a Federal felony under the International Parental Kidnapping Crime Act (18 U.S.C. 1204).

Elements of the offense. It is a Federal felony to remove a child younger than 16 from the

United States or to retain a child outside the United States with the intent of obstructing the lawful exercise of parental rights. Parental rights are defined as the right to physical custody of the child (including visitation rights), whether the right is joint or sole and whether the right arises by operation of law, court order, or legally binding agreement of the parties. Violation of this statute is punishable by fine, up to 3 years' imprisonment, or both.

Affirmative defenses. It is an affirmative defense if the alleged abductor:

- Was acting within the provisions of a valid custody or visitation order.
- Was fleeing an incidence or pattern of domestic violence.
- Failed to return the child due to circumstances beyond his or her control, notified or made reasonable attempts to notify the other parent within 24 hours, and returned the child as soon as possible.

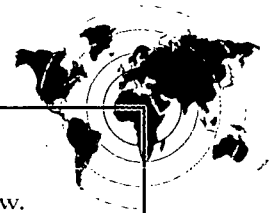
The U.S. Attorney brings an IPKCA case.

Two conditions must be met to initiate an international parental kidnapping warrant under the International Parental Kidnapping Crime Act (18 U.S.C.1204):

- The FBI must file a request for a Federal felony warrant with the U.S. Attorney.
- Law enforcement must believe that the abductor has fled the United States.

The decision to bring an IPKCA case is made by the U.S. Attorney in the district from which the child was taken, in consultation with the FBI. Decisions are made on a case-by-case basis. Federal prosecutors may consult with and obtain information concerning the statute from

¹⁶ If FBI agents discover the child's whereabouts during the course of their efforts to locate and apprehend the abductor, they may be authorized to alert local child welfare authorities and left-behind parents so that they can pursue recovery of the child.



the Department of Justice, Child Exploitation and Obscenity Section. The FBI investigates IPKCA violations using special resources and tools to track and arrest any criminal fugitive attempting international flight.

Effect of pending local or State charges. No local or State warrant is required to obtain an IPKCA warrant under 18 U.S.C.1204. In fact, the existence of State or local charges against the abductor would weigh heavily against issuance of Federal charges. Because State charges assisted by Federal resources may be just as effective as Federal charges in the international arena, pursuit of an IPKCA charge may not be necessary or appropriate if State charges are already pending. However, IPKCA may be the only available charging option if an abduction cannot be charged under State law.¹⁷

Abductions to Hague countries. International parental kidnapping warrants are not typically issued when the child is believed to have been taken to a Hague Convention member country, unless attempts to retrieve the child through the Hague process have failed or other extenuating circumstances exist. This approach is based on the expression of congressional intent in the statute that the Hague Convention, where applicable, should be the option of first choice for a parent seeking a child's return. However, IPKCA prosecutions may be an important complement to the Hague remedy when an abductor refuses return or when courts systematically refuse to order return or to enforce their own return orders.

Prosecution in a Foreign Country

In many foreign countries, nationals of the country can be prosecuted for acts committed abroad under the "nationality" basis for criminal jurisdiction, if the same conduct would

constitute a criminal offense under local law. U.S. law enforcement authorities can request such a prosecution and forward the evidence that would have been used in a U.S. prosecution. U.S. witnesses may, of course, have to appear and testify in the foreign proceeding.

Extraditing the Abductor

Extradition involves the surrender of the abductor by a foreign jurisdiction to the United States for purposes of criminal prosecution or service of a sentence in the United States. The abducted child is not subject to extradition. The prosecutor and law enforcement investigator should consider the effect that any effort to arrest and extradite an abductor may have on the welfare of the child and his or her recovery.

Requirements. Either a State or Federal felony violation may serve as the basis for an extradition request, provided the potential maximum penalty exceeds 1 year of imprisonment.

Federal and State prosecutors **must** contact the Office of International Affairs (OIA), Department of Justice, at the outset of a case in which extradition will be sought. OIA transmits extradition requests through the U.S. Department of State to the appropriate foreign government officials.

Federal and State prosecutors must commit in writing to:

- Prepare the extradition request with supporting evidence.
- Pay the costs of extradition (translation of documents and travel for both escorts and fugitive).

¹⁷ See chapter 5, footnote 12, and accompanying text.

General Extradition Requirements for International Parental Abduction

- An extradition treaty must be in force between the United States and the country involved.
 - The treaty must address or be interpreted as covering parental child abduction or custodial interference.
 - If the person sought is a national of the country involved, that country must be willing to extradite its own nationals.
 - The country involved must be willing to extradite persons for parental child abduction or custodial interference (that is, must not refuse to do so for "humanitarian" or other policy reasons).
- Prosecute the abductor, if extradition is successful, whether or not the child can be returned.

When time is of the essence, prosecutors may seek an urgent "provisional arrest with a view toward extradition" (often used in efforts to intercept an abduction). If the requested foreign government provisionally arrests the defendant, the United States (by its prosecutor) must submit the full extradition request (including sufficient evidence) via the Department of State to the foreign government before the deadline provided by the applicable extradition treaty.

If an abductor's further flight appears unlikely, prosecutors may omit the provisional arrest step and take the time to prepare and submit a full request for extradition with all necessary evidence at the outset.

Disposition of U.S. extradition requests. Several variables affect how foreign governments treat U.S. extradition requests:

- Whether the United States has a bilateral extradition treaty with the country of

refuge.

- Whether the treaty partner can extradite for international parental kidnapping.
- Whether the country of refuge will extradite its own nationals.

The United States has more than 100 extradition treaties in effect. The U.S. interprets "kidnapping" in these treaties as encompassing parental kidnapping so long as the requested country does too.¹⁸ Experience has shown that many countries, regardless of the terms of any applicable extradition treaty, are reluctant to extradite anyone for parental kidnapping. This is compounded by the unwillingness of most countries to extradite their own nationals. Ultimately, the decision to extradite an offender rests entirely with the foreign state, through its judiciary and other authorities.

Extradition is directed at the abductor and does not guarantee the child's return. (See chapter 7 for a discussion of how extradition and child recovery efforts can be coordinated.)

Information on U.S. extradition treaties with specific countries and on policies in that country regarding international parental kidnapping may be obtained from OIA.

Summary

There are many factors to consider in determining whether or not to file criminal charges against an abductor. The child's safe return—the primary objective in any missing child case—could be complicated by criminal charges in some cases, yet facilitated in others. Although

¹⁸ See the Extradition Treaties Interpretation Act of 1998 (Note 18 U.S.C. 3181).



the threat of outstanding criminal charges may intimidate some abductors into returning the child, others may react by increasing their efforts to remain undetected.

Parents who abduct their children internationally may face prosecution by State or Federal authorities. State felony statutes vary from State to State. Federal charges may be brought under the Fugitive Felon Act (pursuant to which UFAP warrants are issued) or the International Parental Kidnapping Crime Act. When children are abducted to Hague countries, the child's return under the Convention is the preferred remedy. However, IPKCA remains a

viable charging option, particularly when the child is not returned under the Convention. Abductions to non-Hague Convention countries may also result in IPKCA charges. In either case, extradition hinges on several factors beyond the control of the United States. When extradition efforts succeed, the abductor is returned for prosecution. This does not guarantee the child's return, which the left-behind parent should pursue simultaneously with the government's pursuit of criminal remedies.



7. Mechanisms for Child Recovery

What tools are available to secure an abducted child's return to the United States?

Once an abducted child is located, the avenues pursued by left-behind parents and law enforcement officers to recover the child will vary, depending in part on whether the child was taken to a country that is a member of the Hague Convention on the Civil Aspects of International Child Abduction. The Hague Convention gives a parent a civil remedy to secure a child's prompt return from a country party to the treaty. Recovering children abducted to countries that are not party to the Hague Convention often involves civil remedies under the laws of the foreign country involved but may also involve more traditional law enforcement approaches, options which are chosen on a case-by-case basis. In some States, prosecutors and law enforcement have civil statutory authority to locate and recover abducted children in addition to having traditional criminal jurisdiction in parental kidnapping cases. For more on this hybrid authority, see the discussion of UCCJEA, below.


Coordination of Federal agencies (Departments of Justice and State) and non-Federal agencies (State and local law enforcement, National Center for Missing and Exploited Children, and State missing children clearinghouses) is an important ingredient to a successful child recovery. In most cases, the parent's vigorous pursuit of civil remedies with the assistance of counsel is another key ingredient.

Recovering missing and abducted children from many foreign countries requires translation and authentication of court documents, custody orders, and State and Federal warrants. Some of these steps may be completed through the General Consul located at the foreign embassy of the country in question. Some expense may be associated with these services. OCI should be consulted if a U.S. Embassy consulate is playing a role in the recovery of a child.

Child Recovery Under UCCJEA: A Role for Prosecutors and Law Enforcement

UCCJEA adds civil remedies to the tools prosecutors already have under criminal statutes to address interstate and international child custody and parental kidnapping cases (see Hoff, 2001). UCCJEA gives prosecutors (or other designated public officials) civil statutory authority to take any lawful action—including instituting a civil proceeding—to locate a child, obtain the return of a child, or enforce a child custody determination in cases arising under the Act or involving the Hague Convention.¹⁹

¹⁹ UCCJEA, sections 315–317. These sections are set forth in their entirety in appendix C.



UCCJEA has been enacted by just over half the States thus far, and the rest are expected to enact it in the near future. Although it is a “uniform” State law, States do not necessarily enact it as originally written. Provisions may be added, deleted, or modified. A review of the State statute is required to determine whether the “public officials” provisions are in the law, and, if so, which public officials have been designated to act.

Prosecutors (or other designated officials) are authorized to take action if there is (1) a prior custody determination; (2) a request from a court in a pending child custody proceeding; (3) a reasonable belief that the criminal statute has been violated; or (4) a reasonable belief that a child, in violation of the Hague Convention, has been wrongfully removed or retained.

Law enforcement officers (or other public officials) are authorized by UCCJEA, on request of the prosecutor (or other designated official), to take any lawful action reasonably necessary to locate a child or a party and assist the prosecutor or other public official with responsibilities under the Act.

UCCJEA has a cost-shifting provision that allows a court to assess all direct expenses incurred by the prosecutor and law enforcement officers acting under the Act against a nonprevailing respondent.

The goal of the statute is to create an interstate network of prosecutors and law enforcement (or other designated public officials) who, with both civil and criminal legal tools at their disposal, are available to help locate children, return them to the jurisdiction of the court empowered to resolve custody and visitation issues, and enforce child custody determinations. Prosecutors have discretion to decide how to proceed in a particular case. They may

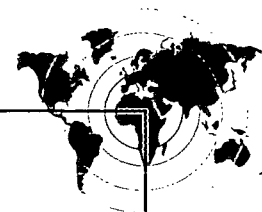
pursue civil or criminal remedies or both simultaneously. When they act, they do so on behalf of the court and do not represent any party. From a law enforcement perspective, UCCJEA provides a child-centered—rather than a defendant-centered—tool to help resolve custody, visitation, and parental kidnapping cases.

Recovery From Hague Countries

The Hague Convention’s fundamental goal is to return a wrongfully removed or retained child promptly to his or her country of habitual residence (home country). If the child is located in—or is suspected of being in—a country that is a U.S. Hague treaty partner, applying through the Hague Convention is likely to be the best option for the child’s prompt return. The premise of the Hague Convention is that the abducted child’s custody should be determined by a court in the child’s country of habitual residence and not by the unilateral actions of one parent. Providing expeditious return of children denies abductors the opportunity to litigate custody in their country of choice and may deter international kidnapping motivated by forum shopping.

The Hague application for the child’s return is normally filed by the parent with the Department of State’s Office of Children’s Issues, which serves as the U.S. Central Authority for the Convention. The parent may choose instead to file for return directly with the foreign Central Authority or in a foreign court. In some States, the Hague return application may be filed by a prosecutor or other designated official, acting pursuant to UCCJEA.

Investigators should note that while OCI plays a key role in coordinating recovery efforts, the



Office does not act as an attorney or agent on behalf of the applicant parent. Left-behind parents may be eligible for free legal representation in the foreign country, which OCI can inquire about with the foreign Central Authority. Law enforcement should refer left-behind parents to OCI for further information and assistance regarding Hague return applications.

Appendix C provides a detailed summary of the basic provisions of the Hague Convention, the role of the Central Authority, and the process for invoking the Hague Convention. Appendix B lists countries that are U.S. Hague Convention partners.

Criminal prosecution is available in abduction cases involving Hague countries, but this approach normally is not pursued in the first instance, instead allowing the Convention's civil return remedy to operate. If prosecution is pursued, the primary objective of prosecution is return of the abductor, not the child.

Recovery From Non-Hague Countries

In cases in which the child has been located in a country that is not a member of the Hague Convention, the child may be recovered through application of civil and/or criminal justice remedies.


In countries not party to the Hague Convention, a left-behind parent may retain the services of an attorney in the country involved and seek enforcement of a U.S. custody order, based on principles of comity, or file for custody in a foreign court, based on that country's child custody laws. It is important to be cognizant of the fact that U.S. law and court orders do not extend to other countries and will not necessarily be recognized by them.

Recovery of the Child Through Extradition

Extradition of an abductor to the United States (see chapter 6) does not ensure the child's return. Because the criminal charges apply only to the abductor, no mandates exist for dealing with the child. The foreign government may turn the child over to welfare authorities or may release him or her to other family members in the country, forcing the left-behind parent to initiate new civil procedures in the foreign courts to facilitate the child's return. In some instances, law enforcement may plan the arrest in advance and have the left-behind parent present in the foreign country and available to take the child into custody. Although this may be the best situation for the left-behind parent, there are no guarantees that the foreign government will take this approach. If the left-behind parent is not notified in advance of the arrest, the parent should be informed as soon thereafter as possible so that he or she can immediately begin working toward bringing the child back to the United States. Local law enforcement authorities may be able to assist.

Recovery Through Deportation

Depending on the circumstances of the case, seeking deportation of the abductor to the United States may indirectly bring about the child's return to this country. Grounds for facilitating the abductor's deportation to the United States will vary from case to case and will depend on the foreign country's immigration laws. Generally, this approach involves establishing that the presence of the abductor in a particular foreign country is in violation of that country's immigration laws, based on the fact that he or she



has no legal immigration status in that country. A person may be deported for:

- Violating the terms of the entry visa to the country involved (for example, by overstaying a visa or by residing or working in the foreign country while on a tourist visa).
- Failing to provide evidence of independent financial subsistence.
- Residing in the country as an undocumented alien.
- Using an expired or revoked passport.

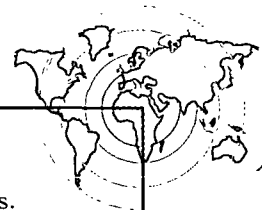
Law enforcement agencies can seek revocation of a U.S. citizen's passport to facilitate deportation. (See chapter 5 for grounds and procedures for revoking passports.) Through the passport revocation process, an abductor who is solely a U.S. citizen becomes an undocumented alien when his or her passport is revoked and may then be subject to deportation. However, this process may not affect a person who is a dual national.

As with extradition, there is no guarantee that the child will be returned by foreign authorities in connection with deportation of the abductor. Therefore, it is critical that investigators closely coordinate all aspects of the deportation with OCI and the FBI to ensure that the child is turned over to the custodial parent at the time the abductor is detained or that other arrangements are made with foreign officials for the child's return.

In 1997, Special Agent Ricardo Colon of the U.S. Diplomatic Security Service worked on a parental abduction investigation in which a child was abducted by a father from Florida to Mexico. Special Agent Colon wrote the following about his experience:

While I was in Acapulco, Mexico, on an unrelated joint investigation with the Legat office, the FBI advised that agents had developed a possible address for an abducting father in Acapulco. I dispatched one of my local investigators to conduct discreet neighborhood checks, and within a few hours he reported sighting the father and child walking down the street.

INS attachés at the Embassy were able to schedule a meeting the same day for the Assistant Legal Attaché, the Regional Director for the Mexican Immigration Service in the Acapulco District, and myself. The immigration official expressed reservations concerning the legal grounds for apprehending the father. During the course of the meeting, the Regional Director agreed that he would take action if we could provide evidence that either the father or the child were in violation of Mexican immigration regulations. I then telephoned the DSS Los Angeles Field Office and requested that investigators query the Bureau of Consular Affairs' passport records database for evidence of a U.S. passport issuance for the child. This query revealed that no U.S. passport was ever issued in the true name of the child. Although a U.S. passport is not required for tourist or business travel to Mexico, it is required for immigrant or residence travel. In order for the father to legally stay in Mexico as a tourist, he would have to provide proof that he had an independent means of subsistence (as tourists are not permitted to work in Mexico). The lack of a passport for the child provided Mexican authorities with the necessary justification to confront the father and demand that he produce evidence of proper status in Mexico. Thus, the immigration director agreed to take the father into custody the following morning should he not be able to provide the appropriate documentation.



The father was arrested the next day by Mexican immigration officers for exceeding his stay in the country after failing to provide evidence of independent means of subsistence. Through the efforts of the American Citizen Services section at the Embassy, the child was turned over to the Mexican equivalent of child protective services while the Embassy arranged for the custodial mother to travel to Mexico. The father was deported to the United States and taken into custody by the FBI upon his arrival in Miami.

In this successful case, coordination among the FBI, DSS, INS, and Embassy consular officers, working in conjunction with host country officials, swiftly resolved a long-standing investigation.

Recovery Through Department of Defense Mechanisms

Defense Department policy requires base commanders at U.S. military installations overseas to cooperate with courts and with Federal, State, and local officials who request assistance in enforcing court orders relating to active-duty members of the armed forces and civilian employees and family members who accompany them overseas who have been charged with or convicted of State or Federal parental kidnapping or have been held in contempt or ordered to show cause for failure to obey a custody order.²⁰

If the matter cannot be satisfactorily resolved, members of the armed services must be ordered

returned expeditiously to the United States. Civilian employees, though not subject to return, would be strongly encouraged to comply with the court order or face possible withdrawal of command sponsorship and other adverse action, including removal from Federal service. Accompanying family members would also be strongly encouraged to comply, as failure to do so may be a basis for withdrawing command sponsorship of the family member.

Although an abducted child is not the subject of a return order or other adverse action under the regulation, the practical effect may be the same—the child may be returned to the United States as a means of avoiding sanction, or may return to the United States with a service member who is ordered back.

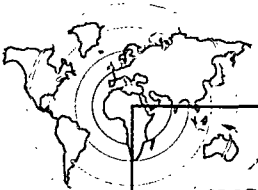
Recovery Through the Alien Exclusion Act

The Alien Exclusion Act is a statutory tool that can facilitate the return of an abducted child to the lawful custodian in this country.²¹

The law provides that any alien who detains, retains, or withholds a child of U.S. citizenship outside the United States in violation of a U.S. custody order is inadmissible until the child is surrendered to the person granted custody by that order. The exclusion applies only to aliens and does not apply if the child is located in a country that is party to the Hague Convention. The exclusion ceases to apply when the child is returned to the United States. The law also applies to aliens who intentionally assist or provide support to an abductor covered by the statute.

²⁰ Department of Defense Directive 5525.9, "Compliance of DoD Members, Employees, and Family Members Outside the United States With Court Orders," 32 C.F.R. Part 146.

²¹ Section 212 (a)(10)(C) of the Immigration and Nationality Act, 8 U.S.C. 1182 (a)(10)(C).



INS immigration inspectors can deny entry into this country, and U.S. consular officials can deny visas to any alien who has abducted a child from the United States to a non-Hague country in violation of a U.S. custody order and to an alien accomplice until the alien surrenders the child to the left-behind parent. Law enforcement authorities should contact INS and the State Department, Bureau of Consular Affairs, for assistance.

Summary

Once the child's location has been determined, the recovery process will depend greatly on whether the child is in a U.S. Hague Convention partner country. If the child is located in a Hague country, the left-behind parent can seek the child's return under the Convention. If not, the left-behind parent may seek enforcement of a U.S. custody order or file in the foreign court

for child custody or access rights (i.e., visitation rights). However, the foreign court is bound by its own law and has no obligation to honor a U.S. custody order or to grant the relief requested by the U.S.-based parent.

Alternative approaches may be pursued simultaneously by law enforcement and other government authorities to attempt to secure the child's return. Of course, the possibility exists that the child would be returned incidental to a State or Federal criminal investigation and/or extradition undertaken in the case. Other possible return mechanisms include Department of Defense cooperation (when the abductor or child is on an overseas military installation), the Alien Exclusion Act, deportation, or prosecution of the abductor in the foreign country. In a significant development, law enforcement and prosecutors may have authority under UCCJEA or other civil statutes to take part in locating and recovering abducted children.



8. Recovery and Reunification

How can law enforcement facilitate recovery and reunification?

Research has shown that in 80 percent of the cases in which a missing child is recovered, an average of only 15 minutes is devoted to the recovery process, with no psychological or social support service provided.²² This chapter is intended to help law enforcement become more informed about and aware of the recovery and reunification processes so they can provide the necessary support and assistance to left-behind parents and their children.

It may be helpful to differentiate between “recovery” and “reunification.” Recovery involves taking physical custody of the abducted child—for example, directly removing the child from the abductor or picking the child up from school or other location when the child is away from the abductor. The left-behind parent may or may not be involved in the recovery. Reunification describes both a moment and a process. It is the initial meeting, or reunion, between the left-behind parent and child. It also encompasses the child’s reintegration into the family over time. When the left-behind parent recovers the child, the recovery and reunion are one event, and this event is the starting point of the long-term reunification process.

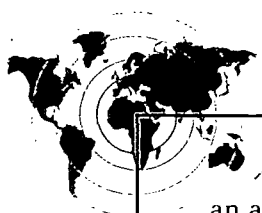
When a law enforcement professional is the first point of contact for the child on recovery, that person is likely to be called on to minimize the initial trauma experienced by the child, as well as to create an environment that provides a feeling of security and paves the way for the reunification of child and parent. In practice, U.S. law enforcement agencies are not routinely involved in child recoveries in other countries, although they may be in some cases. Foreign law enforcement may take part in the recovery or may assist the left-behind parent’s recovery efforts. When the left-behind parent recovers the child in a foreign country, U.S. law enforcement has a limited but important role in facilitating the reunification process when the parent and child return to the United States.

Preparing the Parent

Law enforcement can help prepare the parent for the recovery and return of the child by providing information about the following topics:

The child’s emotional state. Law enforcement should make the left-behind parent aware of the complex emotional reactions the child may experience upon recovery. In cases in which the child has been missing for an extended period of time, the child may have become comfortable in the new environment and may be highly attached to the abductor as the only parent in his or her life. It is typical for

²² This information is from Steidel, 2000. It should be noted that large national studies of missing and abducted children, such as the National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children conducted in 1988, have not distinguished between children abducted by a parent domestically and internationally.



an abductor to fabricate some story about the left-behind parent to the child. As a result, the child may be afraid of the other parent, may believe that the other parent no longer wants the child, or may even believe that the left-behind parent is dead. Without careful planning, the recovery process can cause significant emotional trauma for the child because the child may perceive the recovery as yet another abduction.

Law enforcement should suggest to parents that they seek out qualified mental health professionals who can explain what to expect, prepare the parent for the reunification, suggest actions that will be comfortable for both the child and the parent, and provide ongoing therapeutic intervention for the family if warranted. State missing children clearinghouses, nonprofit missing children organizations, and NCMEC are all potential sources of referrals to counselors who have experience with parental kidnapping cases.

The child's location and condition. Local law enforcement should meet with the left-behind parent to disclose the child's whereabouts and describe the child's living conditions and the general environment. The parent should be advised of any false information the child has been told or any mistaken beliefs the child may be harboring about the left-behind parent.

Note: In some circumstances, it may be prudent not to immediately disclose the child's exact whereabouts to the left-behind parent. In some cases the joyous news of an upcoming recovery may travel quickly from a close circle of family members or friends back to the abductor, which could impede the recovery effort. Withholding information about exact whereabouts also reduces the possibility of any "self-help" by a left-behind parent, family member, or friend. The searching parent will be anxious to be reunited with the child; however, the investigation should not be jeopardized, and care should be taken to avoid the possibility that the abductor may flee again with the child.

The foreign country. In the majority of international family abductions, it is necessary at some point for the left-behind parent to travel to the country where the child has been taken. This can create a great deal of anxiety for the parent, who may or may not know much about that particular country. In addition, having to navigate through another country's legal system can be confusing and frightening. Local law enforcement can help to ease the process by giving the parent information on the resources and assistance available from other Federal, State, and local law enforcement agencies as well as missing children organizations.

"Now I Am the Abductor"

Jeanine Hicks, mother of Jeanice, who was abducted at age 2 by her noncustodial father and recovered 14 years later, has written about her subsequent decision to allow Jeanice to continue living with her noncustodial father's wife:

I have often thought of how horrible it must have been for my daughter when she was taken from me, how she must have cried herself to sleep, how she must have thought about me, and what might have happened had I found her soon after the abduction. I don't think she would have gone through as much pain as she has. But now I am the abductor. I am the one who is keeping her from the mother she knows and loves. Whether it is her birth mother or not, she is the mother that my daughter knows and loves, and in her eyes and heart, that is all that matters. I am sorry that this has happened to her again, and especially that it happened with my hands in it—whether purposely or not, my hands were in it. I only wanted what was best for my daughter. I only wanted her to be allowed to know the truth. I never did anything to hurt her in any way when she was a baby, and now that she is a young woman, I am not about to start.



In particular, law enforcement should refer parents to OCI (and OCI's Web site), NCMEC, the State missing children clearinghouse, the local victim's advocate, and Team H.O.P.E (800-306-6311). Team H.O.P.E organizes networks of parents whose children have been taken to or kept in the same country. Parents should also seek legal advice from private attorneys.

When U.S. Law Enforcement Recovers the Child Abroad

In March 1999, Detective Sandra Haye of the Lauderhill (Florida) Police Department flew to Jamaica to recover 13-year-old Haile Wilson and his 9-year-old brother Brahyn. The two missing boys had been abducted 3 years previously from the city of Lauderhill by their non-custodial father to the abductor's native Jamaica. Working with local authorities and the FBI, Detective Haye located the children in a remote, mountainous area of the country. The boys' mother quickly flew to Jamaica to appear in court and was awarded a pickup order. The missing boys had spent the last 3 years on the run, changing schools and residences frequently. Their hair had been grown into long, thick dreadlocks in an attempt to disguise their appearance. The children, anxious to be removed from the care of their controlling father, were picked up from school and happily reunited with their mother.

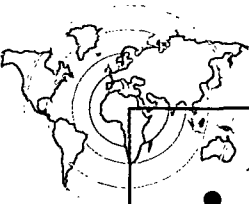
Although the budgets of most police and sheriff's departments restrict such travel, there may be instances when a local investigator is required or asked to participate in the physical recovery of a child who has been the victim of an international abduction. Law enforcement's involvement may be in furtherance of a criminal

investigation or pursuant to civil statutory authority (such as UCCJEA, discussed in chapter 7). This may mean traveling alone to retrieve the child, accompanying the left-behind parent to the country where the child has been taken, or arranging for transportation of the child from a border location.

Law enforcement participation in the recovery has definite advantages. Not only might it facilitate release of the child, but it also helps build a criminal case: The law enforcement officer can provide knowledgeable testimony at any hearings; conduct interviews with key witnesses (such as employers, teachers, daycare workers, and police); and interview the suspect (Steidel, 2000, p. 79).

These types of recoveries are generally time-sensitive, requiring local law enforcement to move quickly to pick up the child. A plan of action is needed to ensure that the needs of the child and parent can be met. The following tips can help. Share these tips with foreign law enforcement officials who may be working with you to effect the recovery:

- Ask the parent to provide photographs and other items that can be shared with the child to help begin the reunification process. Bring a change of clothing for the child.
- If possible, pick up the child from school. (Removal from the home can be especially traumatic.) However, if retrieval of the child from the home is unavoidable, allow the child to bring a few favorite toys or other possessions.
- If possible, do not arrest the abductor in the presence of the child or allow the child to watch police procedures, such as handcuffing of a parent. Assure the child that the abductor will not be harmed, and use two vehicles if the parent and child both need to be transported.

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- Explain to the child that he or she will be returning home, where the left-behind parent will be waiting. Create a sense of safety and security by sharing photographs and other significant items with the child.
 - Avoid placing the child in a temporary residential setting, if possible. A temporary placement is likely to create additional stress for the child and may even cause additional legal obstacles.
 - Keep the left-behind parent informed about the child's location and the recovery effort. Provide as much information as possible about the child's condition.
 - Ask local family intervention professionals—such as department chaplains or victim-witness advocates—to work with the left-behind parent on reunification expectations and issues.
 - Determine the immediate physical needs of the child, and arrange for a complete medical examination. This step, essential in cases of suspected abuse and neglect, can also be helpful for prosecutorial purposes.

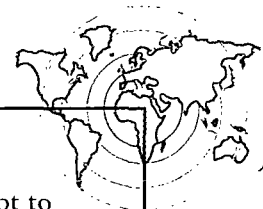
Planning for Reunification

Depending on who physically recovers the child, the initial reunification meeting between the child and left-behind parent may occur abroad, in the United States, at the local police or sheriff's department, or even at the airport. The reunification meeting is an exciting and emotional time for both parent and child. It is natural for the parent to want to rush in, grab and hold the child, and make up for lost time, but the parent should be asked to avoid this approach to minimize trauma to the child, for

whom the initial reunification meeting can be overwhelming.

The following tips can help in anticipating and planning the reunification meeting. Share these suggestions with left-behind parents and others who will be involved in the reunification process:

- The initial parent-child meeting should take place in a private, warm, secure room.
- The child should not be brought immediately to the parent. Instead, a child psychologist or department designee should meet with and prepare the child by explaining what will happen and where the parent is. Likewise, the parent should receive similar assistance by discussing the child's physical and emotional state and the living conditions in which the child was found. The parent should be informed about what the child has been told and what beliefs the child has about the left-behind parent and the reason for the kidnapping.
- The parent should be prepared for any unexpected behavior—such as crying or pulling away—that may occur.
- The parent should be encouraged not to overwhelm the child. The child should set the stage for physical contact. Remember, the child may have been told that this parent was dead.
- The left-behind parent should not discuss the abductor with the child. If asked, the left-behind parent should choose his or her words carefully. The child may experience feelings of loss or sadness and may worry about the other parent.
- The parent should bring a change of clothing for the child. The child may have been picked up by authorities at school or away



from home and therefore may not have brought any possessions along.

- The parent should also bring special toys, photos, or other items that may help the child recollect the period prior to the abduction.
- Minimize the number of individuals present at the reunification, and encourage the parent to limit the number of people coming to the home on the first night after the reunion. Too many well-wishers can overwhelm the child.
- Encourage the parent to seek counseling for both the child and the family.

Facilitating the Child's Return to the United States

When the left-behind parent travels alone to the foreign country to recover the child, local law enforcement can smooth the family's return to the United States by taking the following measures:

- Meet the parent and the child at the airport upon their return to the community. In the event that local media are present, intervene on behalf of the family if the parent is uncomfortable with the situation and does not wish to speak with the press. Although the child is now home, the stress is still great, and outside pressure should be minimized.
- Secure a private room at the airport or police department that the returning parent and child can use to meet with other family members. The child will need time to reintegrate with other family members in a non-threatening private environment. Suggest

that the number of well-wishers be kept to a minimum so as not to overwhelm the child.

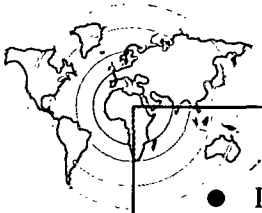
- Coordinate with the victim-witness advocate and mental health professionals assigned to the child and family as soon as possible. The advocate should be present at the reunion and available to assist the family with both short- and long-term reunification issues (Turman, 1994, p. 21).

Case Closure

Once the child is safely back in the United States and in the physical care of the custodial parent, law enforcement should take the following steps to close the case:

- Remove the child and/or abductor from NCIC.²³
- Cancel flags on birth certificates, school transcripts, and medical records.
- Take a photograph of the child at recovery for the case file.
- Interview the child about the details of the kidnapping in conjunction with a child psychologist or other trained professional. Ascertain exactly what the child was told by the abductor about the searching parent.
- Determine what measures the abductor may have taken to conceal the child. For example, was the child's appearance altered? Did the child attend school? Was the child permitted to contact other family members?

²³ A missing person record for a child who has been located in a foreign country should not be removed from NCIC until the child is returned or until the issue of return is resolved. See chapter 3 sidebar, "The NCIC Entry."



- Identify opportunities for financial compensation. Money may be available from State and Federal compensation funds for law enforcement agencies that incur large costs. Refer parents to State and Federal crime victim compensation agencies and organizations for possible remuneration.

Followup and Prevention Measures

Once the child is back home, the left-behind parent will have some things to do to ensure the child's well-being and minimize the risk of reabduction.

- The parent should consider counseling for the child, the family, or both. Counseling may be available through the department's victim-witness advocate or chaplain, a qualified local mental health professional, or a child psychologist in the area.
- The parent should have his or her lawyer review the existing custody order and, if necessary, should return to court for provisions to safeguard against a reabduction.
- The parent should gather information on preventing parental kidnapping.²⁴

Summary

Local law enforcement may be involved in recovering a child from another country. More often, foreign law enforcement and/or the left-behind parent recovers the child, following which the family returns to the United States and the reunification process continues. Local law enforcement can help prepare the parent for recovery abroad, as well as facilitate the family's reunification in the United States.

The law enforcement officer should discuss with the left-behind parent prior to the meeting what the child has been told about the abduction. A victim-witness advocate or other trained professional should be available at the reunification meeting and later to provide ongoing support to the family. It may be helpful for the parent to bring special toys or photographs to help the child recollect the period prior to the abduction. The parent must be careful not to overwhelm the child and should allow the child to set the stage for physical contact. By being aware and preparing in a few simple ways, law enforcement can help facilitate recovery and reunification and minimize further emotional trauma to the child.

²⁴ Parents may find the following three publications particularly helpful: Grief and Hegar, 1993; Girdner and Johnston, 2000; and Chiancone and Girdner, 1998.



9. Law Enforcement Liability Concerns

What liability issues should be considered when investigating an international parental abduction case?

Complex custody situations and conflicting court decrees can pose a serious dilemma for the responding law enforcement officer. In cases in which the child's physical custody is in question, any inappropriate or unauthorized action on the part of law enforcement could pose serious liability issues for both the officer and his or her agency. It is not unheard of for a parent to present a void or out-of-date custody order to a law enforcement officer in an effort to enlist the officer in unknowingly obtaining wrongful custody of a child.²⁵ **But the need for care should not lead to paralysis.** No action or delayed action can result in liability issues for the officer and agency as well.

This underscores the need for law enforcement to respond to parental kidnapping cases in an informed and appropriate manner. Law enforcement agencies also must be prepared to deal with parental kidnapping complaints by establishing clear department procedures, training officers, and familiarizing investigators with pertinent State and Federal laws.

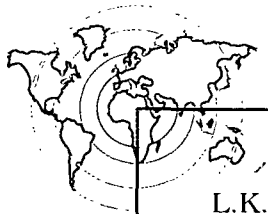
One law in particular, the Uniform Child Custody Jurisdiction and Enforcement Act, warrants a careful review, because it gives prosecutors, law enforcement, and some other public officials civil statutory authority to locate and recover abducted children and to enforce child custody determinations. Actions taken by law enforcement officers pursuant to this innovative statute should remove the threat of liability in parental kidnapping cases. Read the relevant sections of UCCJEA in appendix C, then check the State code to see if your State has enacted these sections.

²⁵ See, for example, *McBride v. Magnuson*, 578 P.2d 1259 (Or. 1978); *Shields v. Martin*, 706 P.2d 21 (Idaho 1985); *Henderson v. Mojave County*, 54 F.3d 592 (9th Cir. 1995); and *Hufford v. Rodgers*, 912 F.2d 1938 (11th Cir. 1990). See also Uthe, 1993.



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* Publications denoted with an NCJ number may be obtained from the National Criminal Justice Reference Service (NCJRS) by calling 800-851-3420 or by ordering from its Web site, www.ncjrs.org.



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* Publications denoted with an NCJ number may be obtained from the National Criminal Justice Reference Service (NCJRS) by calling 800-851-3420 or by ordering from its Web site, www.ncjrs.org.



Appendix A. Case Information Checklist

Case Number: _____

Victim Parent Information

Name: _____
Last First Middle

Address: _____

Telephone number: Home: _____ Work: _____ Other: _____

Fax number: _____

E-mail address: _____

Date of birth: _____ Age: _____

Sex: _____ Race: _____ Height: _____ Weight: _____

Occupation: _____

Place of employment: _____

Employment address: _____

Citizenship/immigration status: _____

Passport number(s): (1) _____ (2) _____

Country(-ies) of issuance: (1) _____ (2) _____

Social Security number: _____

Child Information

Name: _____
Last First Middle

Nicknames used: _____

Possible alias: _____

Date of birth: _____ Age: _____

Sex: _____ Race: _____ Height: _____ Weight: _____

Hair: _____ Eyes: _____ Skin: _____

Place of birth: _____

Passport number(s): (1) _____ (2) _____

Social Security number: _____

School address/telephone number: _____

Physician's name: _____

List which language(s) the child speaks: _____

Abductor Information

Last

First

Middle

Maiden name: _____

Sex: _____ Race: _____ Height: _____ Weight: _____

Social Security number: _____

Last known telephone number: Home: _____ Work: _____ Other: _____

Other identifiers (scars, birthmarks, glasses, pierced ears, tattoos, and so forth): _____

Place of birth: _____

Passport number(s): (1) _____ (2) _____

INS Alien Registration Number: _____



Other identity numbers: _____

List which language(s) the abductor speaks: _____

Abductor's relationship to child: _____

Legal relationship between parents:

Married: _____ Divorced: _____ Never Married: _____ Separated: _____

Custody order: Yes _____ No _____

Abductor's occupation: _____

Last known employer: _____

Employer address/telephone number: _____

Driver's license number: _____ State of issuance: _____

Vehicle: Year: _____ Make: _____ Model: _____ Color: _____

College attended: _____ Graduation year: _____

College address/telephone number: _____

Name of abductor's current spouse, live-in boy/girlfriend: _____

Information about this person: _____

Military service: _____ Branch: _____ Status: _____

Bank account(s) information:

Financial institution name/address: _____

Checking: _____

Savings: _____

Other: _____

Credit cards owned:

Card: _____ Number: _____

Card: _____ Number: _____

Card: _____ Number: _____

Real property owned: _____

Professional license(s) or other credentials: _____

Professional/social organizations: _____

Medical/mental conditions or disabilities: _____

Skills/hobbies: _____

Abductor's Friends and Family

Mother's name: _____

Address/telephone number: _____

Employer name/address: _____

Father's name: _____

Address/telephone number: _____

Employer name/address: _____

List other relatives, friends, coworkers, or acquaintances who may have knowledge of the abductor's whereabouts:

Name: _____

Relationship: _____

Address/telephone number: _____

Name: _____

Relationship: _____

Address/telephone number: _____

Name: _____

Relationship: _____

Address/telephone number: _____

Name: _____

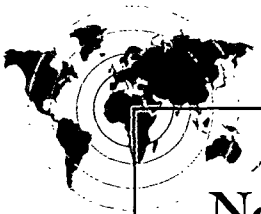
Relationship: _____

Address/telephone number: _____



Appendix B. Hague Convention Partners

Argentina 6/1/91	Luxembourg 7/1/88
Australia 7/1/88	Former Yugoslav Republic of Macedonia 12/1/91
Austria 10/1/88	Mauritius 10/1/93
Bahamas 1/1/94	Mexico 10/1/91
Belgium 5/1/99	Monaco 6/1/93
Belize 11/1/89	Netherlands 9/1/90
Bosnia and Herzegovina 12/1/91	New Zealand 10/1/91
Burkina Faso 1/1/92	Norway 4/1/89
Canada 7/1/88	Panama 6/1/94
Chile 7/1/94	Poland 11/1/92
China	Portugal 7/1/88
Hong Kong Special Administrative Region 9/1/97	Romania 6/1/93
Macau 3/1/99	Slovak Republic 2/1/01
Colombia 6/1/99	Slovenia 4/1/95
Croatia 12/1/91	South Africa 11/1/97
Cyprus 3/1/95	Spain 7/1/88
Czech Republic 3/1/98	St. Kitts and Nevis 6/1/95
Denmark 7/1/92	Sweden 6/1/89
Ecuador 4/1/92	Switzerland 7/1/88
Finland 8/1/94	Turkey 8/1/00
France 7/1/98	United Kingdom 7/1/88
Germany 12/1/90	Bermuda 3/1/99
Greece 6/1/93	Cayman Islands 8/1/98
Honduras 6/1/94	Falkland Islands 6/1/98
Hungary 7/1/88	Isle of Man 9/1/91
Iceland 12/1/96	Montserrat 3/1/99
Ireland 10/1/91	Venezuela 1/1/97
Israel 12/1/91	Yugoslavia, Federal Republic of 12/1/91
Italy 5/1/95	Zimbabwe 8/1/95



Notes

1. This list is current as of December 2001.
2. The Hague Convention does not apply to abductions that occurred prior to its effective date, as noted in the above list.
3. Additional countries may become treaty partners of the United States. For updates, contact OCI at 202-312-9700, or visit the U.S. State Department's Web site at www.travel.state.gov/abduct.



Appendix C. Parental Kidnapping Laws in Brief

Civil Statutes

- Uniform Child Custody Jurisdiction Act (UCCJA), 9 (1A) U.L.A. 271 (1999).
- Parental Kidnapping Prevention Act of 1980 (PKPA), 28 U.S.C. 1738A, 42 U.S.C. 663.
- Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), 9 (1A) U.L.A. 657 (1999).
- The Hague Convention on the Civil Aspects of International Child Abduction (Hague Convention).
- International Child Abduction Remedies Act (ICARA), 42 U.S.C. 11601 et seq.

UCCJA

The Uniform Child Custody Jurisdiction Act (UCCJA) is a uniform State law designed to prevent courts in different States from issuing conflicting custody determinations for the same child and to promote certainty in interstate enforcement of custody and visitation. UCCJA establishes rules governing which State has and should exercise jurisdiction to make or modify a child custody determination and requires State courts to enforce and not modify child custody determinations made by sister State courts. UCCJA also requires State courts to enforce custody determinations made by courts in foreign countries so long as notice and opportunity to be heard were given to all affected parties.

Drafted in 1968, UCCJA was adopted by every State and the District of Columbia. However, half of the States and the District of Columbia have recently replaced it with an updated and revised version called the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), which is summarized below. The expectation is that the remaining UCCJA States will soon enact UCCJEA instead.

PKPA

The Parental Kidnapping Prevention Act (PKPA) is a Federal law that addresses both civil and criminal aspects of parental kidnapping (28 U.S.C. 1738A; 42 U.S.C. 663; Note 18 U.S.C. 1073).

Congress passed PKPA in 1980 in part to remedy problems in interstate custody practice that persisted even after widespread adoption of UCCJA. PKPA mandates interstate custody enforcement but leaves enforcement procedures up to State law. PKPA requires authorities of every State to enforce and not modify orders made by the State court exercising proper jurisdiction.

The jurisdictional criteria in PKPA resemble UCCJA's, but the differences are intentional and significant. PKPA makes "home state" jurisdiction the preferred basis for initial custody determinations and grants exclusive continuing jurisdiction to the initial decree State in specified circumstances. Under Federal preemption principles, custody orders that comply with PKPA take precedence over conflicting

UCCJA orders. PKPA does not expressly apply to foreign custody orders.

PKPA has two other sections. One section gives "authorized persons" access to address information about the abductor and child through the Federal Parent Locator Service. The other section expresses congressional intent that the Federal Fugitive Felon Act applies to interstate and international parental kidnapping cases.

UCCJEA

The Uniform Child Custody Jurisdiction and Enforcement Act, the law of 25 States and the District of Columbia as of December 2001, facilitates interstate child custody and visitation enforcement in two important ways. First, it eliminates differences between UCCJA and PKPA to ensure that child custody and visitation determinations made in one State are entitled to full faith and credit in sister States under Federal law. UCCJEA adopts PKPA's preference for home state jurisdiction in initial custody cases and its grant of exclusive continuing jurisdiction to the initial decree State under specified circumstances. UCCJEA expressly applies in international custody cases.

Second, UCCJEA establishes expedited procedures for enforcing custody and visitation determinations interstate. Several innovative sections, set forth below, authorize prosecutors (or other designated public officials) and law enforcement to assist in the location and recovery of the child and in civil enforcement of the custody order. Check State law to determine if these sections (or some variation thereof) have been codified.

SECTION 315. ROLE OF [PROSECUTOR OR PUBLIC OFFICIAL]

(A) In a case arising under this [Act] or involving the Hague Convention on the Civil Aspects

of International Child Abduction, the [prosecutor or other appropriate public official] may take any lawful action, including resort to a proceeding under this [article] or any other available civil proceeding, to locate a child, obtain the return of a child, or enforce a child-custody determination if there is:

- (1) an existing child-custody determination;
- (2) a request to do so from a court in a pending child-custody proceeding;
- (3) a reasonable belief that a criminal statute has been violated; or
- (4) a reasonable belief that the child has been wrongfully removed or retained in violation of the Hague Convention on the Civil Aspects of International Child Abduction.

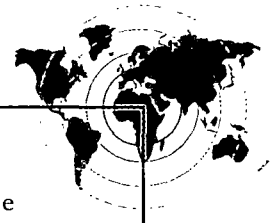
(B) A [prosecutor or appropriate public official] acting under this section acts on behalf of the court and may not represent any party.

SECTION 316. ROLE OF [LAW ENFORCEMENT]

At the request of a [prosecutor or other appropriate public official] acting under Section 315, a [law enforcement officer] may take any lawful action reasonably necessary to locate a child or a party and assist [a prosecutor or appropriate public official] with responsibilities under Section 315.

SECTION 317. COSTS AND EXPENSES

If the respondent is not the prevailing party, the court may assess against the respondent all direct expenses and costs incurred by the [prosecutor or other appropriate public official] and [law enforcement officers] under Section 315 or 316.



The Hague Convention on the Civil Aspects of International Child Abduction (Hague Convention) and the International Child Abduction Remedies Act (ICARA)

The Hague Convention provides a civil remedy in international child abduction cases. The Hague Convention requires the prompt return of wrongfully removed or retained children, usually to their countries of habitual residence, unless an exception is found to apply. Once returned, courts can make custody decisions concerning the child. The Hague Convention also is intended to facilitate international access to children.

A parent does not need a custody order to seek a child's return under the Convention. This is important because so many abductions occur before a custody order has been issued. Nor does a left-behind parent in the United States have to be a U.S. citizen to seek return of a child to this country.

Countries party to the Convention must establish a Central Authority to process return applications and carry out other specified functions. The Office of Children's Issues (OCI) in the State Department is the Central Authority for the United States. Parents should be referred to OCI for information regarding the Convention. It is usually recommended that a Hague application be filed immediately if it is suspected that the child has been taken to a country that is a U.S. Hague Convention partner. (See appendix B for a list of U.S. treaty partners.)

ICARA is the Federal implementing statute for the Hague Convention. It specifies procedures for bringing actions in the United States for the return of children abducted to or kept in this country. Parents of children abducted from this

country to Hague countries must follow the procedures in those countries for invoking the Convention.

Basic provisions. The basic provisions of the Hague Convention are as follows:

- (1) The Convention must have been in force between the United States and the other country involved at the time of the abduction or wrongful retention. The Hague Convention is not retroactive.
- (2) The child must be younger than 16.
- (3) The child must have been "habitually resident" in the petitioner's country prior to the abduction or the wrongful retention (citizenship is not a requirement).
- (4) The left-behind parent must have had some form of custody rights at the time of the abduction or the wrongful retention. This right of custody may arise out of operation of law, a court order, or agreement of the parties. The parent does not need a custody order to seek assistance under the Hague Convention.
- (5) At the time of the abduction or wrongful retention, the left-behind parent must have been actually exercising those rights (or would have been exercising them were it not for the abduction or retention).
- (6) Providing these basic provisions are met, there is a treaty obligation to order the prompt return of a wrongfully removed or retained child, normally to his or her country of habitual residence.
- (7) The Hague Convention provides limited exceptions to the return obligation, as follows:



- (a) More than a year has elapsed and the child is now settled in the new environment.
 - (b) The person seeking return did not actually exercise custody rights nor had consented to or subsequently acquiesced in the removal or retention.
 - (c) There is a grave risk that return would expose the child to physical or psychological harm or otherwise place the child in an intolerable situation.
 - (d) A sufficiently mature child objects to being returned.
 - (e) Return would not be permitted by the fundamental principles of the requested State relating to the protection of human rights and fundamental freedoms.
- (8) A court may order a child's return even if an exception is established.

Invoking the Hague Convention. When a child is abducted from the United States or is wrongfully retained in another Hague country, the left-behind parent can use the Hague Convention's legal remedies to seek the child's return or gain access to the child.

Although it is recommended that the left-behind parent file an application for return with the U.S. Central Authority, which forwards the application to the foreign Central Authority, the parent can file directly with the foreign Central Authority, or a parent has the option of bypassing both Central Authorities and filing his or her application directly in a foreign court.

After the application is filed, the applicant, usually through his or her attorney in the other country, may have to bring a civil legal action for return of the child in a court in the foreign country. Free or reduced-fee legal assistance

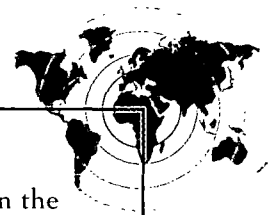
may be provided to the left-behind parent by some countries.

The Hague Convention requires member countries to use the most expeditious procedures available to implement it and requires judicial or administrative authorities to act expeditiously in proceedings for the return of children. If a decision is not made within 6 weeks, the applicant or the Central Authority of the requested country has the right to request a statement of the reasons for the delay. The U.S. Central Authority can initiate such inquiry through the Central Authority in the country in which return proceedings are pending.

The role of the Central Authority. Each Central Authority performs a variety of functions, including locating abducted children; facilitating the voluntary return of abducted children; assisting, either directly or indirectly, in the institution of legal proceedings for the child's return; and, in some countries, arranging legal assistance for the left-behind parent.

In its capacity as the U.S. Central Authority, OCI is the primary source of information on the Hague Convention in the Federal Government. Through an agreement with the Department of State, the National Center for Missing and Exploited Children handles cases arising under the Hague Convention when children are abducted to the United States. OCI administers and monitors the Convention's operation between the United States and its treaty partners. Additionally, OCI responds to inquiries concerning the administrative procedures of foreign Central Authorities and the status of judicial proceedings.

OCI provides the left-behind parent with a copy of the Hague application, assists the parent with completing the application, reviews the application, and submits it to the foreign Central Authority. Although the foreign Central



Authority has primary authority for operation of the Convention in that country, OCI serves as liaison to the foreign Central Authority until the case is resolved. However, OCI does not act as an attorney or agent on behalf of the left-behind parent.

Criminal Statutes

- State criminal laws.
- Fugitive Felon Act, Note 18 U.S.C. 1073.
- International Parental Kidnapping Crime Act, 18 U.S.C. 1204.
- Extradition Treaties Interpretation Act of 1998, Note 18 U.S.C. 3181.

State Criminal Laws

Every State plus the District of Columbia makes some form of parental kidnapping a crime. Check the State criminal code under *parental kidnapping*, *custodial interference*, *child abduction*, *child stealing*, and similar terms.

Fugitive Felon Act

PKPA clarifies congressional intent that the Fugitive Felon Act is applicable in interstate and international parental kidnapping cases, thus authorizing the issuance of UFAP warrants and FBI investigations in parental kidnapping cases.

International Parental Kidnapping Crime Act

IPKCA makes it a Federal felony to remove a child younger than 16 from the United States or to retain a child outside the United States, with the intent to obstruct the lawful exercise

of parental rights. Defenses are provided in the statute. This offense is punishable by fine, up to 3 years' imprisonment, or both.

Extradition Treaties Interpretation Act of 1998 (ETIA)

ETIA authorizes the United States to interpret extradition treaties listing "kidnapping" as encompassing the offense of parental kidnapping.

Missing Children Laws

- Missing Children Act, 28 U.S.C. 534.
- National Child Search Assistance Act, 42 U.S.C. 5779 and 5780.

Missing Children Act

The Missing Children Act requires law enforcement to enter complete descriptions of missing children into the National Crime Information Center Missing Person File, even if the abductor has not been charged with a crime. A custody order is not required to enter a child into the Missing Person File.

National Child Search Assistance Act (NCSAA)

NCSAA eliminates waiting periods before law enforcement can take a missing child report, including in family abduction cases; requires immediate entry of information into NCIC's Missing Person File; and requires close liaison with the National Center for Missing and Exploited Children.



Appendix D. Directory of Contacts

U.S. State and Territory Contacts

Alabama

FBI Field Office

Birmingham, AL, Division
2121 Eighth Avenue North, Room 1400
Birmingham, AL 35203-2396
205-326-6166

FBI Field Office

Mobile, AL, Division
One St. Louis Centre
1 St. Louis Street, Third Floor
Mobile, AL 36602-3930
251-438-3674

INTERPOL Liaison Office

Alabama Bureau of Investigation
Criminal Information Center
Alabama Department of Public Safety
2720-A West Gunter Park Drive
Montgomery, AL 36109-1014
334-260-1170
334-260-8788 (fax)

Missing Children Clearinghouse

Alabama Department of Public Safety
Alabama Center for Missing and Exploited
Children
2720-A West Gunter Park Drive
Montgomery, AL 36109-1014
334-260-1172
800-228-7688 (nationwide)

Alaska

FBI Field Office

Anchorage, AK, Division
101 East Sixth Avenue
Anchorage, AK 99501-2523
907-276-4441

INTERPOL Liaison Office

Alaska State Troopers
101 East Sixth Avenue
Anchorage, AK 99501-2523
907-265-9583
907-274-0851 (fax)

Missing Children Clearinghouse

Alaska State Troopers
Missing Persons Clearinghouse
5700 East Tudor Road
Anchorage, AK 99507
907-269-5058
800-478-9333 (in-State)

Arizona

FBI Field Office

Phoenix, AZ, Division
201 East Indianola Avenue, Suite 400
Phoenix, AZ 85012-2080
602-279-5511

INTERPOL Liaison Office

Arizona Department of Public Safety
P.O. Box 6638
2102 West Encanto Boulevard
Phoenix, AZ 85005-6638
602-223-2158 or 602-223-2188
602-223-2911 (fax)



Missing Children Clearinghouse

Arizona Department of Public Safety
Criminal Investigations Research Unit
P.O. Box 6638
Phoenix, AZ 85005-6638
602-223-2158

Regional Diplomatic Security Service

3225 Central Avenue, Room 814
Phoenix, AZ 85012
602-640-4842

Arkansas

FBI Field Office

Little Rock, AR, Division
24 Shackelford West Boulevard
Little Rock, AR 72211-3755
501-221-9100

INTERPOL Liaison Office

Arkansas State Police
Office of Investigative Support
1 State Police Plaza Drive
Little Rock, AR 72209
501-618-8373
501-618-8374 (fax)

Missing Children Clearinghouse

Arkansas Office of the Attorney General
Missing Children Services Program
323 Center Street, Suite 200
Little Rock, AR 72201
501-682-1020
800-448-3014 (in-State)

California

FBI Field Office

Los Angeles, CA, Division
Federal Office Building
11000 Wilshire Boulevard, Suite 1700
Los Angeles, CA 90024-3672
310-477-6565

FBI Field Office

Sacramento, CA, Division
4500 Orange Grove Avenue
Sacramento, CA 95841-4205
916-481-9110

FBI Field Office

San Diego, CA, Division
Federal Office Building
9797 Aero Drive
San Diego, CA 92123-1800
858-565-1255

FBI Field Office

San Francisco, CA, Division
450 Golden Gate Avenue, 13th Floor
San Francisco, CA 94102-9523
415-553-7400

INTERPOL Liaison Office

California Department of Justice
Bureau of Investigation
Organized Crime Unit
P.O. Box 163029
Sacramento, CA 95816-3029
916-227-2447
916-227-4097 (fax)

Missing Children Clearinghouse

California Department of Justice
Missing/Unidentified Persons Unit
P.O. Box 903387
Sacramento, CA 94203-3870
916-227-3290
800-222-3463 (nationwide)

Regional Diplomatic Security Service (Los Angeles)

255 East Temple Street, Suite 1273
Los Angeles, CA 90012
213-894-3290

Regional Diplomatic Security Service (San Diego)

555 West Beach Street, Room 222
San Diego, CA 92101
619-557-6194

**Regional Diplomatic Security Service
(San Francisco)**

235 Pine Street, Suite 900
San Francisco, CA 94104
415-705-1177

**Regional Diplomatic Security Service
(West Los Angeles)**

Satellite Office
11000 Wilshire Boulevard, Room 1109
West Los Angeles, CA 90024-3672
310-235-7937

Colorado**FBI Field Office**

Denver, CO, Division
Federal Office Building
1961 Stout Street, 18th Floor, Room 1823
Denver, CO 80294-1823
303-629-7171

INTERPOL Liaison Office

Colorado Bureau of Investigation
Crime Information Center
690 Kipling Street, Suite 3000
Denver, CO 80215-5865
303-239-4222
303-233-8336 (fax)

Missing Children Clearinghouse

Colorado Bureau of Investigation
Missing Children Project
710 Kipling Street, Suite 200
Denver, CO 80215
303-239-4251

Regional Diplomatic Security Service

Federal Building
755 Paret Street, Suite 353
Lakewood, CO 80215
303-236-2782

Connecticut**FBI Field Office**

New Haven, CT, Division
600 State Street
New Haven, CT 06511-6505
203-777-6311

INTERPOL Liaison Office

Bureau of Criminal Investigations
Central Criminal Intelligence Unit
294 Colony Street
Meriden, CT 06451
203-238-6561
203-238-6410 (fax)

Missing Children Clearinghouse

Connecticut State Police
Missing Persons/Research and Planning
P.O. Box 2794
Middletown, CT 06457-9294
860-685-8260
800-367-5678 (in-State)

Regional Diplomatic Security Service

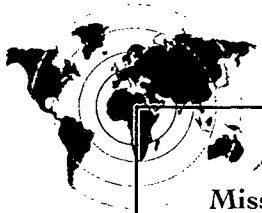
Brien McMahon U.S. Courthouse and
Federal Building
915 Lafayette Boulevard, Room 300
Bridgeport, CT 06604-4706
203-579-5701
203-579-5721 (fax)

Delaware**FBI Field Office**

Baltimore, MD, Division
7142 Ambassador Road
Baltimore, MD 21244-2754
410-281-0339

INTERPOL Liaison Office

Delaware State Police
P.O. Box 430
Dover, DE 19901
302-739-5998
302-739-2459 (fax)



Missing Children Clearinghouse

Delaware State Police
State Bureau of Identification
1407 North DuPont Highway
Dover, DE 19903
302-739-5883

District of Columbia

FBI Field Office

Washington Metropolitan Field Office
601 Fourth Street NW.
Washington, DC 20535-0002
202-278-2000

INTERPOL Liaison Office

Metropolitan Police Department
Intelligence Branch, Room 3016
300 Indiana Avenue NW.
Washington, DC 20001
202-724-1424
202-727-0588 (fax)

Missing Children Clearinghouse

Metropolitan Police Department
Missing Persons/Youth Division
1700 Rhode Island Avenue NE.
Washington, DC 20018
202-576-6768

Regional Diplomatic Security Service

2222 Gallows Road
Dunn Loring, VA 22027
571-226-9300
571-226-9382

Florida

FBI Field Office

Jacksonville, FL, Division
7820 Arlington Expressway, Suite 200
Jacksonville, FL 32211-7499
904-721-1211

FBI Field Office

Miami, FL, Division
16320 Northwest Second Avenue
North Miami Beach, FL 33169-6508
305-944-9101

FBI Field Office

Tampa, FL, Division
Federal Office Building
500 Zack Street, Suite 610
Tampa, FL 33602-3917
813-273-4566

INTERPOL Liaison Office

Florida Department of Law Enforcement
Office of Statewide Intelligence
P.O. Box 1489
Tallahassee, FL 32302
850-410-7060
850-410-7069 (fax)

Missing Children Clearinghouse

Florida Department of Law Enforcement
Missing Children Information Clearinghouse
P.O. Box 1489
Tallahassee, FL 32302
850-410-8585
888-356-4774 (nationwide)

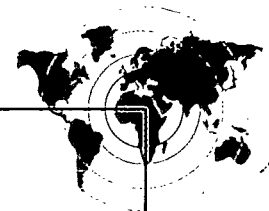
Regional Diplomatic Security Service

Federal Building
51 Southwest First Avenue, Room 404
Miami, FL 33130
305-536-5781

Georgia

FBI Field Office

Atlanta, GA, Division
2635 Century Parkway NE., Suite 400
Atlanta, GA 30345-3112
404-679-9000

**INTERPOL Liaison Office**

Georgia Bureau of Investigation
P.O. Box 370808
Decatur, GA 30037-0808
404-244-2554
404-244-2798 (fax)

Missing Children Clearinghouse

Georgia Bureau of Investigation
Intelligence Unit
P.O. Box 370808
Decatur, GA 30037-0808
404-244-2554
800-282-6564 (nationwide)

Regional Diplomatic Security Service

77 Forsyth Street, Suite 320
Atlanta, GA 30303
404-331-3521
404-730-2410

Hawaii**FBI Field Office**

Honolulu, HI, Division
Kalanianaʻole Federal Office Building
300 Ala Moana Boulevard, Room 4-230
Honolulu, HI 96850-0053
808-566-4300

INTERPOL Liaison Office

Department of the Attorney General
425 Queen Street
Honolulu, HI 96813
808-586-1241
808-586-1371 or 808-586-1357 (fax)

Missing Children Clearinghouse

Missing Child Center of Hawaii
Department of the Attorney General
235 South Beretania, Suite 303
Honolulu, HI 96813
808-586-1449

Regional Diplomatic Security Service

PJKK Federal Building
U.S. Department of State
300 Ala Moana Boulevard, Room 6-209
Honolulu, HI 96850-0053
808-541-2854
808-541-3433 (fax)

Idaho**FBI Field Office**

Salt Lake City, UT, Division
257 Towers Building, Suite 1200
257 East Street, 200 South
Salt Lake City, UT 84111-2048
801-579-1400

INTERPOL Liaison Office

Idaho State Police
Criminal Investigation Bureau
P.O. Box 700
Meridian, ID 83680-0700
208-884-7216
208-884-7192 (fax)

Missing Children Clearinghouse

Idaho Bureau of Criminal Identification
Missing Persons Clearinghouse
P.O. Box 700
Meridian, ID 83680-0700
208-884-7154
888-777-3922 (nationwide)

Illinois**FBI Field Office**

Chicago, IL, Division
Everett McKinley Dirksen Federal Office
Building
219 South Dearborn Street, Room 905
Chicago, IL 60604-1702
312-431-1333



FBI Field Office

Springfield, IL, Division
400 West Monroe Street, Suite 400
Springfield, IL 62704-1800
217-522-9675

INTERPOL Liaison Office

Illinois State Police
Division of Operations
500 Isles Park Place, Suite 100
Springfield, IL 62718
217-557-4242
217-557-2557 (fax)

Missing Children Clearinghouse

Illinois State Police
I-SEARCH
500 Isles Park Place, Suite 102
Springfield, IL 62718
217-785-4341
800-843-5763 (in-State)

Regional Diplomatic Security Service

Ralph H. Metcalf Federal Building
77 West Jackson, Suite 2121
Chicago, IL 60604
312-353-6163
312-886-7895 (fax)

Indiana

FBI Field Office

Indianapolis, IN, Division
Federal Office Building
575 North Pennsylvania Street, Room 679
Indianapolis, IN 46204-1585
317-639-3301

FBI Field Office

Springfield, IL, Division
400 West Monroe Street, Suite 400
Springfield, IL 62704-1800
217-522-9675

INTERPOL Liaison Office

Indiana State Police
Indiana Government Center North
100 Senate Avenue
Indianapolis, IN 46206-2404
317-232-7796
317-232-6862 (fax)

Missing Children Clearinghouse

Indiana State Police
Indiana Missing Children Clearinghouse
100 North Senate Avenue
Indianapolis, IN 46204-2259
317-232-8310
800-831-8953 (nationwide)

Iowa

FBI Field Office

Omaha, NE, Division
10755 Burt Street
Omaha, NE 68114-2000
402-493-8688

INTERPOL Liaison Office

Iowa Department of Public Safety
Intelligence Bureau
Wallace State Office Building
Des Moines, IA 50319-0049
515-242-6124
515-281-6108 (fax)

Missing Children Clearinghouse

Missing Person Information Clearinghouse
Division of Criminal Investigation
Wallace State Office Building
East Ninth and Grand Streets
Des Moines, IA 50319-0049
515-281-7958
800-346-5507 (nationwide)



Kansas

FBI Field Office

Kansas City, MO, Division
1300 Summit
Kansas City, MO 64105-1362
816-221-6100

INTERPOL Liaison Office

Kansas Bureau of Investigation
1620 Southwest Tyler Street
Topeka, KS 66612-1837
785-296-8200
785-296-6781 (fax)

Missing Children Clearinghouse

Kansas Bureau of Investigation
Missing Persons Clearinghouse
1620 Southwest Tyler Street
Topeka, KS 66612-1837
785-296-8200
800-572-7463 (nationwide)

Kentucky

FBI Field Office

Louisville, KY, Division
600 Martin Luther King Jr. Place, Room 500
Louisville, KY 40202-2231
502-583-3941

INTERPOL Liaison Office

Kentucky State Police Intelligence Section
1240 Airport Road
Frankfort, KY 40601
502-227-8708
502-564-4931 (fax)

Missing Children Clearinghouse

Kentucky State Police
Missing Child Information Center
1240 Airport Road
Frankfurt, KY 40601
502-227-8799
800-543-7723 (nationwide)

Louisiana

FBI Field Office

New Orleans, LA, Division
2901 Leon C. Simon Boulevard
New Orleans, LA 70126-1061
504-816-3000

INTERPOL Liaison Office

Louisiana State Police
Investigative Support Division
300 East Airport Road
Baton Rouge, LA 70806
225-925-1978
225-925-4766 (fax)

Missing Children Clearinghouse

Louisiana Department of Social Services
Clearinghouse for Missing and Exploited
Children
Office of Community Services
P.O. Box 3318
Baton Rouge, LA 70812
225-342-4011

Regional Diplomatic Security Service

701 Loyola Street, Room 3021
New Orleans, LA 70152
504-589-2010

Maine

FBI Field Office

Boston, MA, Division
One Center Plaza, Suite 600
Boston, MA 02108-1801
617-742-5533

INTERPOL Liaison Office

Maine State Police
Criminal Intelligence Section
164 State House Station
Augusta, ME 04330-0052
207-624-8787



Missing Children Clearinghouse

Maine State Police
Missing Children Clearinghouse
164 State House Station
Augusta, ME 04330-0052
207-532-2261

Maryland

FBI Field Office

Baltimore, MD, Division
7142 Ambassador Road
Baltimore, MD 21244-2754
410-265-8080

INTERPOL Liaison Office

Maryland State Police
Criminal Intelligence Division
7175 Columbia Gateway Drive, Suite D
Columbia, MD 21045
410-290-0780
410-290-0752 (fax)

Missing Children Clearinghouse

Maryland Center for Missing Children
Maryland State Police
Computer Crimes Unit
7155 Columbia Gateway Drive, Suite C
Columbia, MD 21046
410-290-1620
800-637-5437 (nationwide)

Massachusetts

FBI Field Office

Boston, MA, Division
One Center Plaza, Suite 600
Boston, MA 02108-1801
617-742-5533

INTERPOL Liaison Office

Massachusetts State Police
Criminal Information Section
470 Worcester Road
Framingham, MA 01702
508-820-2129
508-820-2128 (fax)

Missing Children Clearinghouse

Massachusetts State Police
Missing Persons Unit
470 Worcester Road
Framingham, MA 01702
508-820-2130
800-622-5999 (in-State)

Regional Diplomatic Security Service

Federal Building
10 Causeway Street, Suite 1001
Boston, MA 02222
617-565-8200

Michigan

FBI Field Office

Detroit, MI, Division
P.V. McNamara Federal Office Building
477 Michigan Avenue, 26th Floor
Detroit, MI 48226-2598
313-965-2323

INTERPOL Liaison Office

Michigan State Police-CIS
P.O. Box 30637
4000 Collins Road
Lansing, MI 48909-8137
517-336-6680
517-333-5399 (fax)

**Missing Children Clearinghouse**

Michigan State Police
Prevention Services Unit
P.O. Box 30634
Lansing, MI 48909-8134
517-333-4006
517-333-6100 (24-hour emergency line)

Minnesota**FBI Field Office**

Minneapolis, MN, Division
111 Washington Avenue South, Suite 1100
Minneapolis, MN 55401-2176
612-376-3200

INTERPOL Liaison Office

Minnesota State Bureau of Criminal
Apprehension
1246 University Avenue
St. Paul, MN 55104-4197
651-642-0610
651-642-0618 (fax)

Missing Children Clearinghouse

Minnesota State Clearinghouse
Bureau of Criminal Apprehension
1246 University Avenue
St. Paul, MN 55104-4197
651-642-0779

Mississippi**FBI Field Office**

Jackson, MS, Division
Federal Office Building
100 West Capitol Street, Suite 1553
Jackson, MS 39269-1601
601-948-5000

INTERPOL Liaison Office

Mississippi Department of Public Safety
Division of Criminal Investigation
P.O. Box 958
Jackson, MS 39205
601-933-2656
601-987-1579 (fax)

Missing Children Clearinghouse

Mississippi Highway Patrol
P.O. Box 958
Jackson, MS 39205
601-933-2657

Missouri**FBI Field Office**

Kansas City, MO, Division
1300 Summit
Kansas City, MO 64105-1362
816-512-8200

FBI Field Office

St. Louis, MO, Division
2222 Market Street
St. Louis, MO 63103-2516
314-589-2500

INTERPOL Liaison Office

Missouri State Highway Patrol
P.O. Box 568
Jefferson City, MO 65102
573-751-3452
573-526-5577 (fax)

Missing Children Clearinghouse

Missouri State Highway Patrol
Division of Drug and Crime Control
P.O. Box 568
Jefferson City, MO 65102
573-751-3452
800-877-3452 (nationwide)

Regional Diplomatic Security Service

815 Olive Street
St. Louis, MO 63101
314-539-2721

Montana

FBI Field Office

Salt Lake City, UT, Division
257 Towers Building, Suite 1200
257 East Street, 200 South
Salt Lake City, UT 84111-2048
801-579-1400

INTERPOL Liaison Office

Montana Division of Criminal Investigation
303 North Roberts Street, Third Floor
Helena, MT 59620-1417
406-444-3875
406-444-2759 (fax)

Missing Children Clearinghouse

Montana Department of Justice
Missing/Unidentified Persons
303 North Roberts Street, Room 374
Helena, MT 59620-1417
406-444-1526

Nebraska

FBI Field Office

Omaha, NE, Division
10755 Burt Street
Omaha, NE 68114-2000
402-493-8688

INTERPOL Liaison Office

Nebraska State Patrol/State House
P.O. Box 94907
Lincoln, NE 68509-4907
402-479-4957
402-479-4002 (fax)

Missing Children Clearinghouse

Nebraska State Patrol
Criminal Records and Identification Division
P.O. Box 94907
Lincoln, NE 68509-4907
402-479-4019
402-479-4054 (fax)

Nevada

FBI Field Office

Las Vegas, NV, Division
John Lawrence Bailey Building
700 East Charleston Boulevard
Las Vegas, NV 89104-1545
702-385-1281

INTERPOL Liaison Office

Nevada Division of Investigation
555 Wright Way
Carson City, NV 89711-0100
775-687-3346
775-687-1668 (fax)

Missing Children Clearinghouse

Nevada Office of the Attorney General
Missing Children Clearinghouse
555 East Washington Boulevard, Suite 3900
Las Vegas, NV 89101-6208
702-486-3539
800-992-0900 (in-State)

New Hampshire

FBI Field Office

Boston, MA, Division
One Center Plaza, Suite 600
Boston, MA 02108-1801
617-742-5533

**INTERPOL Liaison Office**

New Hampshire State Police/SIU
Hayes Building
10 Hazen Drive
Concord, NH 03305
603-271-2663
603-271-2520 (fax)

Missing Children Clearinghouse

New Hampshire State Police
Major Crimes Unit/Missing Children
Hayes Building
10 Hazen Drive
Concord, NH 03305
603-271-2663
800-852-3411 (in-State)

New Jersey**FBI Field Office**

Newark, NJ, Division
One Gateway Center, 22nd Floor
Newark, NJ 07102-9889
973-792-3000

INTERPOL Liaison Office

New Jersey State Police
Intelligence Bureau
P.O. Box 7068
West Trenton, NJ 08628-0068
609-882-2000, ext. 2638
609-883-5576 (fax)

Missing Children Clearinghouse

New Jersey State Police
Missing Persons Unit/Child Exploitation
P.O. Box 7068
West Trenton, NJ 08628-0068
609-882-2000
800-709-7090 (nationwide)

New Mexico**FBI Field Office**

Albuquerque, NM, Division
415 Silver Avenue SW., Suite 300
Albuquerque, NM 87102
505-224-2000

INTERPOL Liaison Office

New Mexico Department of Public Safety
Criminal Intelligence Section
400 Gold Avenue SW., Suite 300
Albuquerque, NM 87102
505-841-8053
505-841-8062 (fax)

Missing Children Clearinghouse

New Mexico Department of Public Safety
Attention: Communications
P.O. Box 1628
Santa Fe, NM 87504-1628
505-827-9191

New York**FBI Field Office**

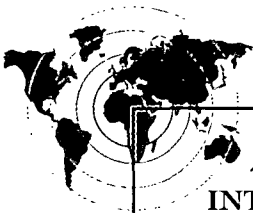
Albany, NY, Division
200 McCarty Avenue
Albany, NY 12209-2095
518-465-7551

FBI Field Office

Buffalo, NY, Division
One FBI Plaza
Buffalo, NY 14202-2698
716-856-7800

FBI Field Office

New York, NY, Division
26 Federal Plaza, 23d Floor
New York, NY 10278-0004
212-384-1000



INTERPOL Liaison Office

New York State Police
1220 Washington Avenue, Building 30
Albany, NY 12226-3000
518-457-1900
518-485-2000 (fax)

INTERPOL Liaison Office (New York City)

NY NJ HIDTA
26 Federal Plaza, Suite 29-118
New York, NY 10278-2999
1-888-NYHIDTA
212-637-6667 (fax)

Missing Children Clearinghouse

New York Division of Criminal Justice
Missing and Exploited Children Clearinghouse
4 Tower Place
Albany, NY 12203
518-457-6326
800-346-3543 (nationwide)

Regional Diplomatic Security Service

One Executive Park, Fifth Floor
Fort Lee, NJ 07024-3315
201-944-3787
201-944-5106 (fax)

North Carolina

FBI Field Office

Charlotte, NC, Division
Wachovia Building, Suite 900
400 South Tryon Street
Charlotte, NC 28285-0001
704-377-9200

INTERPOL Liaison Office

North Carolina State Bureau of Investigation
Intelligence and Technical Services Section
P.O. Box 29500
Raleigh, NC 27626
800-334-3000, ext. 624
919-662-4483 (fax)

Missing Children Clearinghouse

North Carolina Center for Missing Persons
Administration Building
116 West Jones Street
Raleigh, NC 27603-1335
919-733-3914
800-522-5437 (nationwide)

North Dakota

FBI Field Office

Minneapolis, MN, Division
111 Washington Avenue South, Suite 1100
Minneapolis, MN 55401-2176
612-376-3200

INTERPOL Liaison Office

Bureau of Criminal Investigation
P.O. Box 1054
Bismarck, ND 58502-1054
701-328-5500

Missing Children Clearinghouse

North Dakota Clearinghouse for Missing
Children
North Dakota Radio Communication
P.O. Box 5511
Fraine Barracks
Bismarck, ND 58502
701-328-2121
800-472-2121 (in-State)

Ohio

FBI Field Office

Cincinnati, OH, Division
550 Main Street, Room 9000
Cincinnati, OH 45202-8501
513-421-4310

FBI Field Office

Cleveland, OH, Division
1240 East Ninth Street, Suite 3005
Cleveland, OH 44199-9912
216-522-1400

**INTERPOL Liaison Office**

Criminal Intelligence Unit
Ohio BCI&I
P.O. Box 365
London, OH 43140
800-282-3784, ext. 223
740-845-2021 (fax)

Missing Children Clearinghouse

Missing Children Clearinghouse
Crime Victim Service Sector
65 East State Street, Fifth Floor
Columbus, OH 43215
614-466-5610
800-325-5604 (nationwide)

Oklahoma**FBI Field Office**

Oklahoma City, OK, Division
3301 Memorial Road
Oklahoma City, OK 73134
405-290-7770

INTERPOL Liaison Office

Oklahoma State Bureau of Investigation
6600 North Harvey
Oklahoma City, OK 73116
405-848-6724
405-843-3804 (fax)

Missing Children Clearinghouse

Oklahoma State Bureau of Investigation
Criminal Information Unit
6600 North Harvey
Oklahoma City, OK 73116
405-879-2645

Oregon**FBI Field Office**

Portland, OR, Division
Crown Plaza Building
1500 Southwest First Avenue, Suite 400
Portland, OR 97201-0709
503-224-4181

Oregon State Police

Criminal Investigation Division
400 Public Service Building
Salem, OR 97310
503-378-3720
503-363-5475 (fax)

Missing Children Clearinghouse

Oregon State Police
Missing Children Clearinghouse
400 Public Service Building
Salem, OR 97310
503-378-3720
800-282-7155 (in-State)

Pennsylvania**FBI Field Office**

Philadelphia, PA, Division
William J. Green Jr. Federal Office Building
600 Arch Street, Eighth Floor
Philadelphia, PA 19106-1675
215-418-4000

FBI Field Office

Pittsburgh, PA, Division
3311 East Carson Street
Pittsburgh, PA 15203
412-432-4000

INTERPOL Liaison Office

Pennsylvania Office of the Attorney General
Intelligence Unit
106 Lonther Street
Lemoyne, PA 17043
717-712-2020
717-712-1249 (fax)

Missing Children Clearinghouse

Pennsylvania State Police
Bureau of Criminal Investigation
1800 Elmerton Avenue
Harrisburg, PA 17110
717-783-5524



Regional Diplomatic Security Service

Federal Building
600 Arch Street, Room 3218
Philadelphia, PA 19106
215-861-3370

Puerto Rico

FBI Field Office

San Juan, PR, Division
U.S. Federal Building
150 Carlos Chardon Avenue, Room 526
Hato Rey, PR 00918-1716
787-754-6000

Missing Children Clearinghouse

Missing Children Program
Centro Estatal Para Niños Desaparecidos y
Victimas de Abuso
P.O. Box 9023899
Old San Juan, PR 00902-3899
787-729-2000
787-729-2697 (24-hour line)

INTERPOL Liaison Office

Special Investigations Bureau
Puerto Rico Department of Justice
P.O. Box 9023899
San Juan, PR 00902-3899
787-729-2068
787-722-0809 (fax)

Regional Diplomatic Security Service

La Torre de Plaza
515 F.D. Roosevelt Avenue, Suite 1115
San Juan, PR 00918
787-766-5704

Rhode Island

FBI Field Office

Boston, MA, Division
One Center Plaza, Suite 600
Boston, MA 02108-1801
617-742-5533

INTERPOL Liaison Office

Rhode Island State Police Headquarters
311 Danielson Pike
North Scituate, RI 02857
401-444-1000
401-444-1133 (fax)

Missing Children Clearinghouse

Rhode Island State Police
Missing and Exploited Children Unit
311 Danielson Pike
North Scituate, RI 02857
401-444-1125
800-546-8066 (in-State)

South Carolina

FBI Field Office

Columbia, SC, Division
151 Westpark Boulevard
Columbia, SC 29210-3857
803-551-4200

INTERPOL Liaison Office

South Carolina Law Enforcement Division
P.O. Box 21398
Columbia, SC 29221-1398
803-896-7008
803-896-7595 (fax)

Missing Children Clearinghouse

South Carolina Law Enforcement Division
Missing Person Information Center
P.O. Box 21398
Columbia, SC 29221-1398
803-737-9000
800-322-4453 (nationwide)

Regional Diplomatic Security Service

1801 Stanley Road, Suite 320
Greensboro, NC 27407
336-547-4292



South Dakota

FBI Field Office

Minneapolis, MN, Division
111 Washington Avenue South, Suite 1100
Minneapolis, MN 55401-2176
612-376-3200

INTERPOL Liaison Office

Division of Criminal Investigation
Criminal Justice Training Center
East Highway 34
c/o 500 East Capitol Avenue
Pierre, SD 57501-5070
605-773-3331
605-773-4629 (fax)

Missing Children Clearinghouse

South Dakota Attorney General's Office
Division of Criminal Investigation
East Highway 34
c/o 500 East Capitol Avenue
Pierre, SD 57501-5050
605-773-3331

Tennessee

FBI Field Office

Knoxville, TN, Division
John J. Duncan Federal Office Building
710 Locust Street, Suite 600
Knoxville, TN 37902-2537
423-544-0751

FBI Field Office

Memphis, TN, Division
Eagle Crest Building
225 North Humphreys Boulevard, Suite 3000
Memphis, TN 38120-2107
901-747-4300

INTERPOL Liaison Office

Tennessee Bureau of Investigation
901 R.S. Gass Boulevard
Nashville, TN 37216-2639
615-744-4000
615-744-4655 (fax)

Missing Children Clearinghouse

Tennessee Bureau of Investigation
Criminal Investigation Unit
901 R.S. Gass Boulevard
Nashville, TN 37216-2639
615-744-4000

Texas

FBI Field Office

Dallas, TX, Division
1801 North Lamar, Suite 300
Dallas, TX 75202-1795
214-720-2200

FBI Field Office

El Paso, TX, Division
660 South Mesa Hills Drive, Suite 3000
El Paso, TX 79912-5533
915-832-5000

FBI Field Office

Houston, TX, Division
2500 East TC Jester
Houston, TX 77008-1300
713-693-5000

FBI Field Office

San Antonio, TX, Division
U.S. Post Office and Courthouse Building
615 East Houston Street, Suite 200
San Antonio, TX 78205-9998
210-225-6741

INTERPOL Liaison Office

Texas Department of Public Safety
Special Crimes Service
P.O. Box 4087 N.A.S.
Austin, TX 78773-0001
512-424-2200
512-424-5715 (fax)

Missing Children Clearinghouse

Texas Department of Public Safety
Special Crimes Service
Missing Persons Clearinghouse
P.O. Box 4087
Austin, TX 78773-0422
512-424-2810
800-346-3243 (in-State)

Regional Diplomatic Security Service (Dallas)

Federal Building
1100 Commerce Street, Room 7C-44
Dallas, TX 75242
214-767-0700

Regional Diplomatic Security Service (Houston)

Mickey Leland Federal Building
1919 Smith Street, Suite 870
Houston, TX 77002
713-209-3482
713-209-3470 (fax)

U.S. American Samoa

INTERPOL OTICIDE

P.O. Box 4567
Pago Pago, AS 96799
011-684-633-2827
011-684-633-2979 (fax)

U.S. Virgin Islands

INTERPOL Liaison Office

Virgin Islands Police Department
Insular Investigation Unit
Patrick Sweeney Headquarters
RR 02 Kings Hill
St. Croix, U.S. VI 00850
340-778-2211
340-778-2373 (fax)

Utah

FBI Field Office

Salt Lake City, UT, Division
257 Towers Building, Suite 1200
257 East Street, 200 South
Salt Lake City, UT 84111-2048
801-579-1400

INTERPOL Liaison Office

Utah DPS/Division of Investigations
3888 West 5400 South
Kearns, UT
801-955-2100
800-826-2215
801-955-2188 (fax)

Missing Children Clearinghouse

Utah Department of Public Safety
Bureau of Criminal Identification
Box 148280
Salt Lake City, UT 84114-8280
801-965-4461
888-770-6477 (nationwide)

Vermont

FBI Field Office

Albany, NY, Division
200 McCarty Avenue
Albany, NY 12209-2095
518-465-7551

**INTERPOL Liaison Office**

Vermont State Police
Criminal Division
RR #1, Box 300
Chester, VT 05143
802-875-2112

Missing Children Clearinghouse

Vermont State Police
103 Main Street
Waterbury, VT 05671
802-241-5352

Virginia**FBI Field Office**

Norfolk, VA, Division
150 Corporate Boulevard
Norfolk, VA 23502-4999
757-455-0100

FBI Field Office

Richmond, VA, Division
1970 East Parham Road
Richmond, VA 23228
804-261-1044

INTERPOL Liaison Office

Virginia Department of State Police
808 Moorefield Drive, Suite 300
Richmond, VA 23236-3683
804-323-2011
804-323-2021 (fax)

Missing Children Clearinghouse

Virginia State Police
Missing Children's Clearinghouse
P.O. Box 27472
Richmond, VA 23261-7472
804-674-2030
800-822-4453 (in-State)

Washington**FBI Field Office**

Seattle, WA, Division
1110 Third Avenue
Seattle, WA 98101-2904
206-622-0460

INTERPOL Liaison Office

Washington State Patrol
Investigative Assistance Division
P.O. Box 2347, Mail Stop 42634
Olympia, WA 98507-2347
360-753-3277
360-586-8231 (fax)

Missing Children Clearinghouse

Washington State Patrol
Missing Children Clearinghouse
P.O. Box 2347
Olympia, WA 98507-2347
360-586-0030
800-543-5678 (nationwide)

Regional Diplomatic Security Service

915 Second Avenue, Room 3112
Seattle, WA 98174
206-220-7721

West Virginia**FBI Field Office**

Pittsburgh, PA, Division
3311 East Carson Street
Pittsburgh, PA 15203
412-432-4000

INTERPOL Liaison Office

West Virginia State Police BCI
725 Jefferson Road
South Charleston, WV 25309-1698
304-558-2600
304-344-2502 (fax)

Missing Children Clearinghouse

West Virginia State Police
Missing Children Clearinghouse
725 Jefferson Road
South Charleston, WV 25309-1698
304-558-1467
800-352-0927 (nationwide)

Wisconsin

FBI Field Office

Milwaukee, WI, Division
300 East Kilbourn Avenue, Suite 600
Milwaukee, WI 53202-6627
414-276-4684

INTERPOL Liaison Office

Wisconsin Department of Justice
Division of Criminal Investigation
N643 Communications Drive
Appleton, WI 54915-8592
920-832-2750
920-832-1722 (fax)

Missing Children Clearinghouse

Wisconsin Department of Justice
Crime Information Bureau
P.O. Box 2718
Madison, WI 53701-2718
608-261-8126
800-THE-HOPE (in-State)

Wyoming

FBI Field Office

Denver, CO, Division
Federal Office Building
1961 Stout Street, 18th Floor, Room 1823
Denver, CO 80294-1823
303-629-7171

PROPERTY OF

National Criminal Justice Reference Service (NCJRS)
Box 6000
Rockville MD 20849-6000

INTERPOL Liaison Office

Wyoming Division of Criminal Investigation
316 West 22nd Street
Cheyenne, WY 82002-0150
307-777-7184
307-777-7252 (fax)

Missing Children Clearinghouse

Wyoming Office of the Attorney General
Division of Criminal Investigation
316 West 22nd Street
Cheyenne, WY 82002-0150
307-777-7537

Canada Contact

Canada Missing Children Clearinghouse

Royal Canadian Mounted Police

Missing Children's Registry
P.O. Box 8885
1200 Vanier Parkway
Ottawa, Ontario, Canada K1G 3M8
613-993-1525
877-318-3576 (toll-free North America)
www.ourmissingchildren.ca

Nationwide Contact

National Center for Missing and Exploited Children

National Center for Missing and Exploited Children

Charles B. Wang International Children's Building
699 Prince Street
Alexandria, VA 22314-3175
888-246-2632
800-843-5678 (nationwide)
800-826-7653 (TDD)
www.missingkids.com



Appendix E. Sample INTERPOL Diffusion

Note: Parents' names, U.S. passport numbers, and driver's license numbers are critical to establishing a fugitive's identity, although INTERPOL can transmit a fugitive diffusion without them in an emergency. Fax this information within 24 hours to INTERPOL, U.S. National Central Bureau at 202-616-8400 (24-hour telephone). Request a superseding fugitive diffusion.

Fugitive Diffusion: Child Abduction

From: INTERPOL/Washington

To: IPSC

Special Attention: Zone(s) _____ [or country(ies)]. Specify zone: 1 (no zone); 2 (Europe); 3 (North Africa/Middle East); 4 (South America); 5 (Africa); 6 (Canada); 7 (Asia); 8 (Central America and Caribbean); 9 (Australia and South Pacific)]

Date: [Day, month (can abbreviate), year]

USNCB Reference: [USNCB will supply a case number]

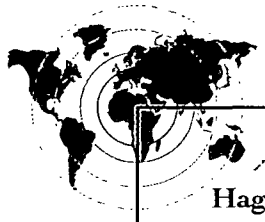
Regarding: [Fugitive's name in standard format (e.g., LAST NAME, FIRST NAME)]
[Abducted child(ren): LAST NAME, FIRST NAME]

On behalf of the [name of U.S. investigating agency], please locate the following fugitive and missing [child(ren)] and immediately notify INTERPOL Washington and IPSC. Upon notification, U.S. authorities will, if possible, formally request the fugitive's provisional arrest with a view toward extradition in accordance with any applicable extradition treaty.

If your authorities can detain this fugitive under your laws pending receipt of a U.S. request for provisional arrest, please advise how long they can and will do so.

If, in lieu of extradition, your authorities can exclude, expel, deport, or otherwise remove this fugitive, please advise.

If the fugitive is located in a country that cannot extradite or otherwise remove the fugitive directly to the United States, please record his/her movements and immediately notify INTERPOL Washington and IPSC, citing our reference number above.



Hague Convention countries: If the child(ren) is/are located, please immediately notify INTERPOL Washington and place the child(ren) into protective custody pending repatriation to the United States, his/her/their country of habitual residence. The Hague Convention on the Civil Aspects of International Child Abduction obligates party countries to return abducted children to the country in which they habitually resided immediately before their abduction or retention out of that country.

Countries that have not ratified the Hague Convention: Please advise if your authorities can establish the child(ren)'s welfare and whether/how the parent with legal custody may contact the child(ren).

Caution/warning: *[State if the fugitive should be considered armed, dangerous, violent, contagiously ill, suicidal, or a danger to child(ren), self, or others]*

Family name of fugitive: *[NOTE: Hispanic and some other cultures use the father's last name as the family name, placing it second. The mother's maiden name is the third name. In these cases, list the father's last name (fugitive's second name) as the family name.]*

First name(s):

Alias(es): *[All known aliases ever used]*

Date of birth: *[Day, month, year]*

Alias date(s) of birth: *[Day, month, year]*

Place of birth: *[City and country]*

Approximate age:

Sex:

Skin color:

Name of father: *[Foreign police need both parents' names for ID]*

Name of mother:

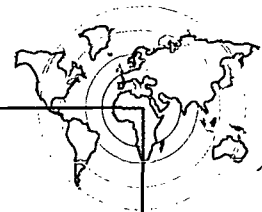
Nationality(ies): *[All nationalities by inheritance, birth, and, if applicable, naturalization]*

Passport number and country of issuance:

Date and place of issuance: *[Include month. NOTE: U.S. passport information can be obtained through the U.S. Department of State, Office of Passport Services, 202-665-0579, with the subject's name and date and place of birth]*

Driver's license number, State, and date of issuance: *[No abbreviations]*

Other identity document(s) and number(s): *[For Alien Registration Number (Green Card, or A number), call the nearest INS office]*



Physical description: Height: _____ **Weight:** _____ *[USNCB will convert to metric]*

Other descriptors: *[Scars, marks, tattoos, amputations, habits, and other noticeable characteristics]*

Fugitive's photograph: Yes () No () *[If yes, add: "Available on request to USNCB" and express to USNCB]*

Fugitive's fingerprints: Yes () No () *[If yes, add: "Available on request to USNCB" and express to USNCB]*

Child(ren)'s photograph(s): Yes () No () *[If yes, add: "Available on request to USNCB" and express to USNCB]*

Arrest warrant number:

Date of issue: *[Include name of month]*

By: *[Names of judge, court, and jurisdiction]*

City and State: *[Of court]*

Offense(s):

Name of code and section(s) violated:

Maximum penalty: *[Must exceed 1 year]*

Statute of limitation: NONE

Facts of case: *[Tailor information on order as necessary to facts of case]*

[FULL NAME], the [mother/father] of the child(ren) identified below (custodial parent), was awarded sole legal and physical custody of the child(ren) by [order/decreed number], which was issued on [day, month, year] by the [name of court; city and State of court; title and name of judge].

[Provide date, place, particulars of the fugitive's part in the abduction, and any other offense(s) charged; the fugitive's relationship to the child(ren); details of their flight; and any information that could assist in locating the fugitive/child(ren) (e.g., names, addresses, and telephone numbers of family members or friends living abroad). Use plain, not indictment, language. Fax custody order to USNCB ASAP.]

Please locate the following missing child(ren): *[List each child separately and include the following information for each child]*

Name: *[LAST, First, Middle]*

Alias(es):

Date of birth: *[Include month]*

Alias date(s) of birth:

Parents' names:

Passport number:

Country issuing passport:

Nationality/citizenship: *[List all, by birth, inheritance, and naturalization]*

Sex:

Skin color:

Height: *[USNCB will convert to metric]*

Weight: *[USNCB will convert to metric]*

Hair:

Eyes:

ASF [INTERPOL database] access authorized for all countries, except: *[Specify any country(ies) to be excluded]*

We appreciate your assistance. Thank you. INTERPOL.

END

Publications From OJJDP

OJJDP produces a wide variety of materials, including Bulletins, Fact Sheets, Reports, Summaries, videotapes, CD-ROMs, and the Juvenile Justice journal. These materials and other resources are available through OJJDP's Juvenile Justice Clearinghouse (JJC), as described at the end of this list.

The following list of publications highlights the latest and most popular information published by OJJDP, grouped by topical areas:

Corrections and Detention

Construction, Operations, and Staff Training for Juvenile Confinement Facilities. 2000, NCJ 178928 (28 pp.).

Implementation of the Intensive Community-Based Aftercare Program. 2000, NCJ 181464 (20 pp.).

Courts

Employment and Training for Court-Involved Youth. 2000, NCJ 182787 (116 pp.).

From the Courthouse to the Schoolhouse: Making Successful Transitions. 2000, NCJ 178900 (16 pp.).

Juvenile Court Statistics 1998. 2002, NCJ 193696 (120 pp.).

Juvenile Drug Court Programs. 2001, NCJ 184744 (16 pp.).

Juveniles and the Death Penalty. 2000, NCJ 184748 (16 pp.).

Juvenile Transfers to Criminal Court in the 1990's: Lessons Learned From Four Studies. 2000, NCJ 181301 (72 pp.).

Teen Courts: A Focus on Research. 2000, NCJ 183472 (16 pp.).

Delinquency Prevention

2000 Report to Congress: Title V Community Prevention Grants Program. 2002, NCJ 190635 (60 pp.).

Co-occurrence of Delinquency and Other Problem Behaviors. 2000, NCJ 182211 (8 pp.).

Functional Family Therapy. 2000, NCJ 184743 (8 pp.).

Juvenile Justice (Parenting Issue), Volume VII, Number 3. 2000, NCJ 184746 (36 pp.).

Law Enforcement and Juvenile Crime. 2001, NCJ 191031 (32 pp.).

The Nurturing Parenting Programs. 2000, NCJ 172848 (12 pp.).

Prevention of Serious and Violent Juvenile Offending. 2000, NCJ 178898 (16 pp.).

Restorative Justice Conferences as an Early Response to Young Offenders. 2001, NCJ 187769 (12 pp.).

Truancy Reduction: Keeping Students in School. 2001, NCJ 188947 (16 pp.).

The YouthARTS Development Project. 2001, NCJ 186668 (16 pp.).

Gangs

1998 National Youth Gang Survey. 2000, NCJ 183109 (92 pp.).

Early Precursors of Gang Membership: A Study of Seattle Youth. 2001, NCJ 190106 (6 pp.).

Hybrid and Other Modern Gangs. 2001, NCJ 189916 (8 pp.).

Preventing Adolescent Gang Involvement. 2000, NCJ 182210 (12 pp.).

Youth Gang Programs and Strategies. 2000, NCJ 171154 (96 pp.).

General Juvenile Justice

The Community Assessment Center Concept. 2000, NCJ 178942 (12 pp.).

Increasing School Safety Through Juvenile Accountability Programs. 2000, NCJ 179283 (16 pp.).

Juvenile Justice (Mental Health Issue), Volume VII, Number 1. 2000, NCJ 178256 (44 pp.).

Juvenile Justice (American Indian Issue), Volume VII, Number 2. 2000, NCJ 184747 (40 pp.).

Special Education and the Juvenile Justice System. 2000, NCJ 179359 (16 pp.).

Teenage Fatherhood and Delinquent Behavior. 2000, NCJ 178899 (8 pp.).

Missing and Exploited Children

Child Abuse Reported to the Police. 2001, NCJ 187238 (8 pp.).

The Criminal Justice System's Response to Parental Abduction. 2001, NCJ 186160 (16 pp.).

A Family Resource Guide on International Parental Kidnapping. 2002, NCJ 190448 (148 pp.).

Issues in Resolving Cases of International Child Abduction by Parents. 2001, NCJ 190105 (20 pp.).

Kidnaping of Juveniles: Patterns From NIBRS. 2000, NCJ 181161 (8 pp.).

Overview of the Portable Guides to Investigating Child Abuse: Update 2000. 2000, NCJ 178893 (12 pp.).

When Your Child Is Missing: A Family Survival Guide. 1998, NCJ 170022 (108 pp.). Also available in Spanish. 2000, NCJ 178902.

Substance Abuse

The Coach's Playbook Against Drugs. 1998, NCJ 173393 (24 pp.).

Developing a Policy for Controlled Substance Testing of Juveniles. 2000, NCJ 178896 (12 pp.).

Family Skills Training for Parents and Children. 2000, NCJ 180140 (12 pp.).

Violence and Victimization

Addressing Youth Victimization. 2001, NCJ 186667 (20 pp.).

Animal Abuse and Youth Violence. 2001, NCJ 188677 (16 pp.).

Characteristics of Crimes Against Juveniles. 2000, NCJ 179034 (12 pp.).

Children as Victims. 2000, NCJ 180753 (24 pp.).

Crimes Against Children by Babysitters. 2001, NCJ 189102 (8 pp.).

Fighting Juvenile Gun Violence. 2000, NCJ 182679 (12 pp.).

Gun Use by Male Juveniles: Research and Prevention. 2001, NCJ 188992 (12 pp.).

Homicides of Children and Youth. 2001, NCJ 187239 (12 pp.).

Juvenile Delinquency and Serious Injury Victimization. 2001, NCJ 188676 (8 pp.).

Juvenile Justice (School Violence Issue), Volume VIII, Number 1. 2001, NCJ 188158 (40 pp.).

Juvenile Victims of Property Crimes. 2000, NCJ 184740 (12 pp.).

Kids and Guns. 2000, NCJ 178994 (12 pp.).

Offenders Incarcerated for Crimes Against Juveniles. 2001, NCJ 191028 (12 pp.).

Predictors of Youth Violence. 2000, NCJ 179065 (12 pp.).

Protecting Children in Cyberspace: The ICAC Task Force Program. 2002, NCJ 191213 (8 pp.).

Race, Ethnicity, and Serious and Violent Juvenile Offending. 2000, NCJ 181202 (8 pp.).

Short- and Long-Term Consequences of Adolescent Victimization. 2002, NCJ 191210 (16 pp.).

The materials listed on this page and many other OJJDP publications and resources can be accessed through the following methods:

Online:

To view or download materials, visit OJJDP's home page: ojjdp.ncjrs.org.

To order materials online, visit JJC's 24-hour online store: puborder.ncjrs.org.

To ask questions about materials, e-mail JJC: askncjrs@ncjrs.org.

To subscribe to JUVJUST, OJJDP's electronic mailing list, or *OJJDP News @ a Glance*, the online bimonthly newsletter, go to OJJDP's Web site and click on the appropriate icon.

Phone:

800-638-8736
(Monday-Friday, 8:30 a.m.-7 p.m. ET)

Fax:

410-792-4358 (to order publications)

Mail:

Juvenile Justice Clearinghouse/NCJRS,
P.O. Box 6000, Rockville, MD 20849-6000

JJC, through the National Criminal Justice Reference Service, is the repository for tens of thousands of criminal and juvenile justice publications and resources from around the world. An abstract for each publication or resource is placed in a database that you can search online: www.ncjrs.org/database.htm.

Office of Justice Programs

Office of Juvenile Justice and Delinquency Prevention

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