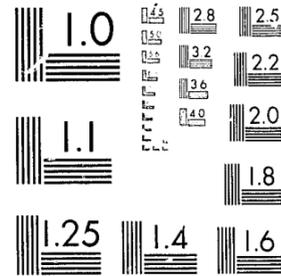


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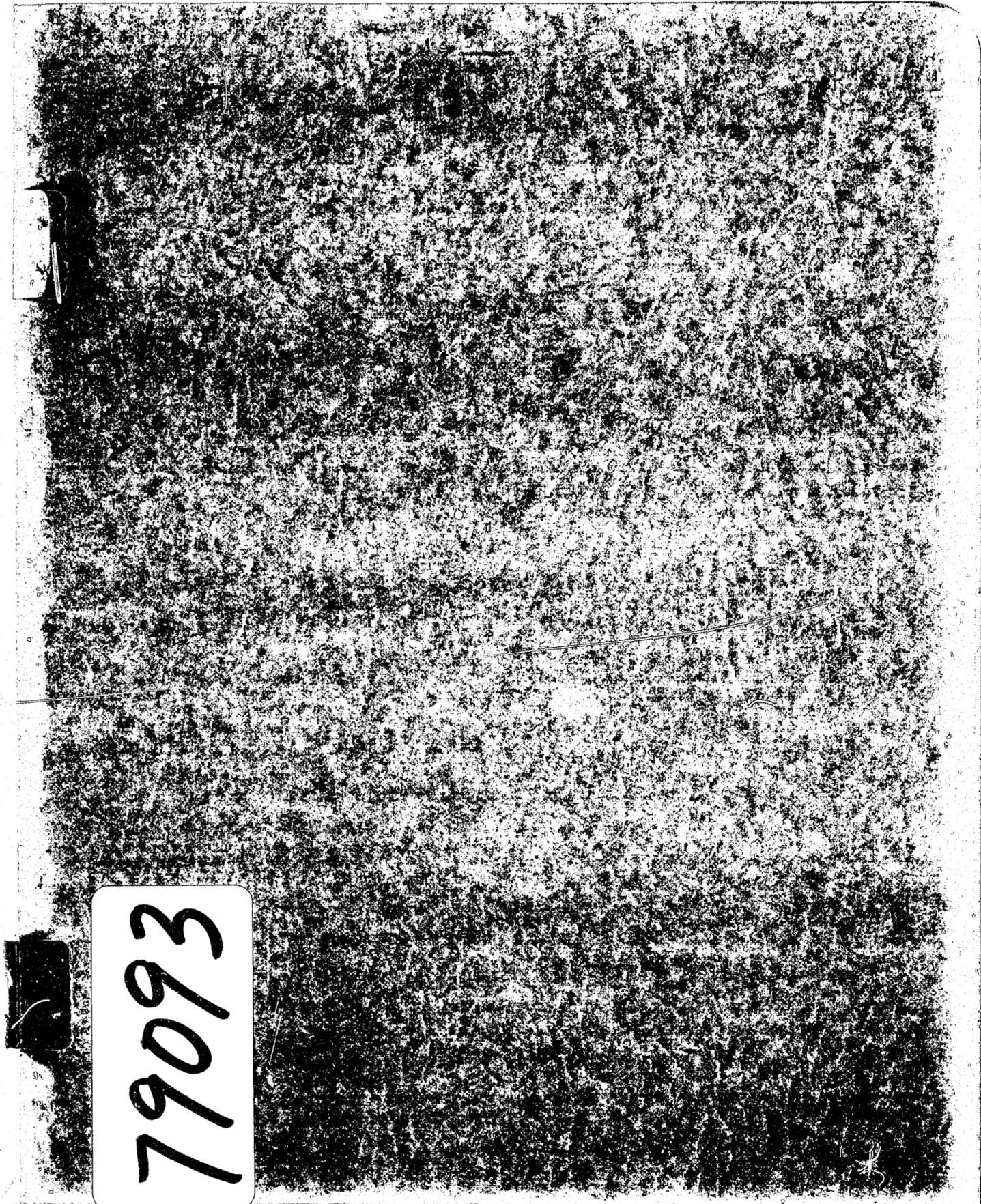
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RESEARCH ISSUES IN THE STUDY OF
PARENTAL KIDNAPPING

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RESEARCH ISSUES IN THE STUDY OF
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Parental kidnapping, also referred to as child stealing, child abduction, legal kidnapping and child snatching emerged as a social issue in the late 1970's.¹ Unofficial estimators guess that perhaps 25,000 to 100,000 children each year are either abducted by (or for) a parent or are unlawfully retained by a parent at the conclusion of a visitation period (Agopian, 1980a; 1980b; 1980c; Lewis, 1978; Westgate, 1979; Dodson, 1979; U.S. Senate, 1979). Victims, legal experts, and authors of magazine and journal articles also guess that the frequency of parental kidnapping is increasing, perhaps as a consequence of the rapidly rising divorce rate (Agopian, 1980a; 1980b; 1980c; United States Senate, 1979).

As in the case of other social issues which emerged from behind the closed doors of American households to become social problems in the 1970's, the mandate to address the problem of child kidnapping

was generated by presenting estimates of tens of thousands of victims, personal testimony of the anguish and emotional heartache of the parent who has a child abducted, and references to the likelihood of significant long-term damage to the children who are kidnapped. Mention is sometimes made in newspaper accounts of the case of a child who was in fact killed in an automobile accident during the course of an abduction (Haas, 1977).

Similarly, as with other issues of children's rights and family social problems, the problem of child kidnapping was initially addressed by legalization (Newberger and Bourne, 1978). The Uniform Child Custody Jurisdiction Act was drafted in an attempt to dissuade parents from "forum shopping" for favorable custody decrees. A series of international conferences were held in the Hague to draft international treaties to deal with the problem of international kidnapping. Numerous pieces of legislation were filed in Congress to attempt to address child kidnapping--the most recent legislation is Senate Bill 105 which, among other provisions, would allow parents whose children had been taken from them by non-custodial parents to use the Federal Parent Locator Service to find their abducted children.

In addition to the parallels between the generation of concern for child kidnapping and other social/family problems such as family violence, child abuse and neglect, marital rape, sexual abuse of children, etc., there are similarities between the current state of knowledge and research on child kidnapping and the early stages of research on child abuse, child neglect, wife abuse, sexual abuse, elderly abuse, and domestic violence.

First, although interest and concern about parental kidnapping emerged in the 1970's, there is some evidence in legal case law, and a general feeling that child kidnapping has always been an aspect of marital and custody disputes and divorce (Katz, et al., 1980). Thus, parental kidnapping, like child abuse and family violence, has probably not been attended to as a result of "selective inattention" (Dexter, 1958). Legal precedents, such as the 1932 Federal Kidnap legislation, also called the "Lindbergh Law," specifically excluded the taking of a child by a parent from another parent as a case of kidnapping requiring legal redress. Case law indicates that many courts do not view the so-called abduction of a child by one custodial parent from another as a case of kidnapping (Katz, et al., 1980). In other words, in many states, if there is no custody decree, or if there is joint custody, a father can take his child to another state, or country and deny the mother access to the child and not be liable to criminal prosecution. Until the recent promulgation and passage of the Uniform Child Custody Jurisdiction Act (which had been passed in at least 45 states as of July, 1980), a parent could "legally" kidnap a child by taking the child out of the state where s/he did not have custody, to another state and obtain a favorable custody ruling (thus, for many years the issue of parental kidnapping was called "legal kidnapping" (Demeter, 1977; Trescott, 1976). In short, parental or child kidnapping was not considered a social problem prior to the 1970's in large part because it was not illegal in many states, and even the victim--the parents from whom children were taken or retained--would not think of themselves as a victim

of a crime.

Thus, just as it was difficult to measure the extent of child abuse or wife abuse before they were viewed as crimes and social problems, and just as it is difficult to gauge the extent of marital rape because many states still carry spousal exclusion clauses in their rape statutes, it has been difficult to determine the magnitude of parental kidnapping without either: (1) a legal definition of what parental kidnapping is, and (2) a consciousness on the part of victims that they have been victimized.

Much as there were no reliable or official estimates of child abuse and wife abuse in the 1960's and 1970's, there have been no scientifically generated statistics on the following aspects of parental kidnapping:

1. Incidence and prevalence
2. Demographic characteristics of offenders, victims, and children involved (e.g., age and sex of offender, occupation, education, age of child, etc.).
3. Number of officially reported cases.
4. Status of officially reported cases.
5. Consequences of abduction or retention for the child.

To a certain extent, the issue of parental kidnapping or child abduction has been what sociologists refer to as a "latent social problem" (Merton and Nisbet, 1976), and what others refer to as an "underground problem." Because of the "underground" or "latent" nature of the problem, traditional research approaches such as general social surveys to measure incidence, are not amenable for answering the 5 questions posed above

and the many other important empirical and theoretical questions which arise in the discussion of this emotionally charged issue.

This paper attempts to provide a blueprint for research into the area of parental kidnapping by (1) reviewing and commenting on the present state of knowledge about parental kidnapping, (2) reviewing the many and varied definitions of parental kidnapping which have been proposed and used, and discussing these definitions in light of the need to develop usable operational definitions to employ in scholarly research on this topic, (3) discussing viable research approaches which can be used to investigate the key issues in the study of parental kidnapping. The paper concludes with a discussion of recommended research strategies.

CURRENT DATA ON PARENTAL KIDNAPPING

The Hague Special Commission on International Child Abduction by One Parent distributed questionnaires to all delegates in August, 1978 asking for information on whether the delegate's country had experienced an increase in the frequency of child abduction in the past five years, and if so, what would be the reason for the increase. Also requested was information on statistics or other data available on the number of cases made known to courts or administrative authorities involving child abduction (Dyer, 1978).

Responding on behalf of the United States, delegate Brigette Bodenheimer, of the University of California School of Law, replied:

"No statistics or other data on the number of abductions by parents are available in the United States....As far as can be determined, no research studies of the causes and effects of abduction have been published in the United States." (Bodenheimer, 1979).

Nevertheless, Bodenheimer also comments:

"There is no question that parental abductions... have become more numerous in the United States in recent years....One obvious reason is the steep rise in the divorce rate....Published estimates of parental abductions (interstate and international) range from 25,000 to 100,000 cases per year." (Bodenheimer, 1979).

A review of newspaper reports, magazine articles, sociology, psychology, and legal bibliographies, and the files of the National Institute of Justice in 1980 indicates that Bodenheimer's conclusion that there are no scientifically generated statistics or research studies is still accurate. The single exception is the research conducted by Professor Michael Agopian of 91 cases of child abduction filed and/or rejected for prosecution by the Los Angeles County District Attorney's Office (Agopian, 1980a; 1980b; 1980c).

Nevertheless, despite a lack of scholarly research, official statistics, or attempts to estimate the actual extent of the problem of child abduction by one parent, there are some commonly accepted "facts" which are discussed by those familiar with, or concerned about, the problem of child abduction. Among the most common and consistently cited data are:

1. There are between 25,000 to 100,000 children who are abducted by a parent each year.

Comments. A review of the popular and professional literature

on the subject of parental kidnapping consistently and uniformly turns up the estimate of 25,000 to 100,000 child abductions per year. The figure is so consistent it would appear to be an official and generally accepted estimate of incidence. Some writers, in fact, attribute this estimate to "official" sources, such as The Library of Congress (Eccleston, 1980), and the Congressional Record (Bodenheimer, 1979). In point of fact, however, the estimates of between 25,000 to 100,000 cases are probably most accurately attributable to Arnold Miller and his wife Ray Gummel, who organized and operate Children's Rights Incorporated (Duckworth, 1977; Trescott, 1976). It is apparent that the 25,000 to 100,000 estimate is a projection made by Mr. Miller and Ms. Gummel based on their correspondence and contacts in the course of operating CRI (Mullin, 1978). Despite the fact that this estimate has become the semi-official statistic for the field of child abduction, and despite the fact that the statistic is now attributed to "experts," "authorities," The Library of Congress, and the United States Congress, the figure has no scientific standing. In short, there is no way of scientifically knowing whether this estimate is lower, higher, or approximately the same as the true incidence of child abduction. Moreover, as will be discussed later, there is presently no way of knowing what this statistic refers to, as there is no precise definition of child abduction shared by those who cite the Children's Rights Incorporated estimate.

2. Sixty to 70 per cent of abductions or child snatchings take place before a custody decree is issued.

Comments. This statistic is nearly as widely and as consistently

cited as the incidence estimate. It too has been attributed to the United States Congress and to "experts" and "authorities". And again, it appears to have been generated by Children's Rights Incorporated (Duckworth, 1977).

If both figures cited by CRI are accurate, this would mean that between 15,000 and 60,000 of the children abducted would have been abducted before a final custody decree. From the point of view of many courts, these acts would not be kidnapping at all, since case law indicates that many courts are of a mind that a kidnapping can not take place without a custody decree (Katz et al., 1980). Thus, if one takes a rather narrow definition of child abduction, that is taking or retaining children by a non-custodial parent, than the incidence estimate becomes much lower according to the CRI figures.

3. The frequency of child abduction is increasing.

Comments. It is a paradox that while most all the writings on child abduction mention that the incidence is increasing, the "official" incidence statistic cited since 1976 has always been the CRI figure of 25,000 to 100,000. Most writers explain the view that the frequency is increasing by citing the increase in divorce in the United States (Agopian, 1980a; 1980b; 1980c). Certainly, there is no doubt that the number of divorces has increased, and with it the number of children eligible for abduction. However, the divorce rate has actually remained stable since 1976, at little above 20 divorces per 1,000 marriages (Adams, 1980), and there is reason to believe the rate will not rise in the near future. Thus, the increase in the number of divorces could

account for an increase in the frequency but not the incidence of parental kidnapping.

It is unlikely that the change in the frequency of divorce can completely account for a proposed increase in child abductions. In all likelihood, if there is an increase in parental kidnapping it is due to the combination of more children being available for kidnapping (due to the larger number of divorces and children involved in divorces), increased mobility in society, increased working opportunities for mothers, and increases in alternative family life styles which make kidnapping possible, such as dual career/dual residence marriages.

There must first be a study which scientifically measures the actual incidence of parental kidnapping before a second measure can be taken to provide scientific trend data to answer the question about an increase. What is clear is that there has been increasing attention paid to the problem of parental kidnapping, and, as with family violence, this increased attention has probably sensitized more people to see and define previously unrecognized incidents as child abduction.

4. Men are typically the abductors and the children are typically taken from their mothers.

Comments. Most individuals familiar with the issue of parental kidnapping believe that males are the most frequent abductors of children. In the absence of hard data this fact is supported by data which show that the majority of single parent families are headed by women--- (Bureau of the Census, 1979) and that the custody of children of divorce is more likely to be placed with the mother. In addition, it is implied

that the legal system provides fathers with a "right" to take their children if they (the fathers) are providing child support (Lewis, 1976). Agopian's analysis of 91 cases of parental kidnapping handled by the Los Angeles County District Attorney found that males were perpetrators of child stealings in 71 per cent of the cases, while females were perpetrators in the remaining 29 per cent of the cases (1980a, 1980b).

Katz's associates have found a pattern in their analysis of case law on child abduction (Katz et al., 1980). Examining only cases of child abduction which were appealed, Katz's associates noted that the difference between male and female perpetrators was narrower than those noted by Agopian and others. Perhaps, they hypothesize, males are more likely to be the perpetrators, but when they are victimized they are more likely (and females less likely) to file criminal charges or when offenders to appeal a civil conviction. Thus, males may be less likely victimized in child abductions, but more likely to seek legal redress.

5. Less than 10% of the children abducted are found.

Comments. This statistic is frequently cited in the popular literature and again in Congressional testimony (Clifford, 1979; U.S. Senate, 1980). It appears that this statistic too was first stated by Children's Rights Incorporated founders Arnold Miller and Ray Gummel (Duckworth, 1977). The most interesting aspect of this statistic is that it implies that the victims of parental abductions were lost--that is, their whereabouts were unknown to their parents. This aspect of child abduction--the inability to relocate abducted children--is perhaps the most emotionally

'laden aspect of the issue and becomes extremely important in formulating a definition of parental kidnapping. This will be discussed in the following section.

6. Children suffer from child abduction.

Comments. It is assumed by the parents who have children taken from them and by others concerned with the problem of child snatching that children who are abducted suffer severe and long lasting emotional and psychological consequences. Senator Alan Cranston, when introducing hearings on the problem of "child snatching," described child snatching as a "subtle form of child abuse" (U.S. Senate, 1979). Again, there is a lack of anything but anecdotal data on the consequences of being abducted for a child. The work of Wallerstein and Kelley (see Wallerstein and Kelly, 1980; Kelly and Wallerstein, 1976; Wallerstein and Kelly, 1976) suggests that the process of child abduction would have significant negative consequences for children. Still, there has been no research whatsoever which has systematically collected even descriptive data about children who have been abducted (if only 10 per cent are ever relocated, than the population available for study of the consequences of abduction is small and skewed).

7. Social patterns: Agopian's (1980a; 1980b) examination of 91 cases of child stealing reveals a variety of data about the social demography of a limited number of cases of child stealing:

- a. Boys and girls were snatched in equal numbers.
- b. 66 per cent of the children stolen were white; 22 per cent were Black.

- c. Mean age of stolen children was 7; 61 per cent of the children were under 8 years of age.
- d. Mean age of the parental abductor was 32.
- e. Peak times of abductions were April and September; Weekends, and Late Afternoon and Early Evenings.

Comments. It is difficult to draw significant conclusions from Agopian's data due to a variety of methodological problems and issues that are not resolved. Little can be made of the age or race data since no comparison group(s) was provided for in the study design. Agopian fails to compare his racial or age distribution to either the married population in the County of Los Angeles or the population of divorced or separated couples in the community. We have no way of knowing from Agopian's analysis whether the mean age of abducted children is higher, lower, or the same as the average age of children of divorced parents in the community. The same problem applies to race and age of the abductors.

Agopian's analysis is based on 91 cases handled by the County District Attorney between July, 1977 and June 30, 1978. Nearly half of these cases were ultimately rejected for prosecution. While the generation of this sample was an innovative approach to studying a previously "underground" and hidden social problem, one can certainly not generalize Agopian's findings to any population.

DEFINING PARENTAL KIDNAPPING

Just as there is presently a lack of descriptive or detailed research on parental kidnapping, there is also no precise and consistent definition of parental kidnapping available. The variety of definitions offered is as variable as the terms used to describe the phenomenon-- abduction, snatching, kidnapping, stealing, unauthorized retention after visitation, etc.

C.A. Dyer listed the following five situations which are considered to constitute "child abduction" when he prepared a questionnaire for distribution prior to the Hague Conference on International Child Abduction by One Parent (1978):

- A The child was removed by a parent from the country of the child's habitual residence to another country without the consent of the other parent, at a time when no custody decision had yet been handed down but serious problems between the parents already existed.
- B The child was abducted by a parent from the judicially determined custodian in one country and removed to another, where no conflicting custody decision had been handed down.
- C The child was retained by the non-custodial parent or other relatives beyond a legal visitation period, in a country other than that in which the child habitually resided.
- D The child was abducted by a parent from the legal custodian in one country and removed to another, where the abductor had been granted custody under a conflicting order in that other country or in a third country.
- E The child was removed by a parent from one country to another in violation of a court order which expressly prohibited such removal. (Dyer, 1978).

Dyer (1978) states that due to the difficulty in formulating a

formal definition of child abduction, none was attempted. However, in presenting the situations which are thought to constitute international child abduction, Dyer implies various components of a formal definition. First, removal of a child from a normal residence, irrespective of whether a custody decision has been made, is abduction. Second, children who are physically abducted, removed, or retained can be considered "abducted". No mention is made in any of the situations as to whether or not the parent, from whom the child was removed or retained, knows the child's whereabouts.

An example of the problems with attempts to formally define child abduction can be found in Agopian's definition (1980a; 1980b; 1980c):

"Parental child stealing is the act of a parent abducting or detaining a child from the custodial parent in violation of a custody decree. This act may occur during a separation prior to divorce or after a divorce."

The problem here is that Agopian first defines child stealing only as situations where children are taken from, or detained from, custodial parents. To then say that this can occur during a separation muddies the waters somewhat, as most separations do not involve judicial determinations of child custody (Weiss, 1975).

Bodenheimer (1977) takes a legal perspective and lists children not returned after visits, conflicting custody awards in two states, child abductions or concealments, and denials of visitation as problematic aspects of custody conflicts. However, from the legal point of view, child abduction appears to be but an undefined subset of the general issue of custody conflicts.

A second legal perspective is offered by Coombs (1980) who presents the American Bar Association definition of child kidnapping as "abduction of a child from the parent with legal custody by the parent without legal custody" and "wrongful retention of a child by a non-custodial parent after expiration of a visitation period."

It is evident from the legal point of view (see also Katz, et al., 1980), that the legal definition of child kidnapping requires that custody be officially awarded to a parent or guardian. Thus, the hypothesized 60 to 70 per cent of children kidnapped prior to a formal custody decree would not fall under definition of child abduction formulated and used by those in the legal profession.

Another formulation of child kidnapping offered by Arnold Miller and Rae Gummel of Children's Rights Incorporated (1980) proposes two distinct conceptualizations of child abduction. The first concept is referred to as "child snatching" and is defined as the wrongful taking and concealing of a child by one parent from another. This is the classic case of child kidnapping and most witnesses at Congressional hearings on child snatching describe instances of what Miller calls, "child snatching." The second condition is "child restraint," defined as, one parent fails to, or refuses to permit access to the other parent for communications and/or visitation with the child. Miller cautions that neither issue is a custody issue and both conditions can occur with or without a legal custody decree and still qualify as "child snatching" or "child restraint."

The variations between the definitions seem to be differences

as to how general the definition should be. In other words, those who present a more general definition appear to want to assure that many acts of child kidnapping will not be overlooked legally or socially due to such legal "technicalities" as custody. The concern then, is to make sure that acts of kidnapping are not overlooked. Only one report available in the literature concerns itself with the possibility that some instances will be wrongfully labeled "child kidnapping." Saunders and Bernheim (1979), commenting on Congressional child kidnapping legislation, note that many battered women who flee their abusive husbands and hide with their children in shelters for battered women could be mislabeled "child kidnapers." Certainly, such mothers could technically be considered "child snatchers" under Miller and CRI's definition. Other mothers who lose legal custody of their children to their assaultive husbands because they (the mothers) have fled the beatings, and who return to take their children away from the violent husband, could also be labeled kidnapers under both Miller's and the more narrowly framed legal definitions of child abduction.

Parents, Guardians, and Caretakers

Because most of the definitions of child kidnapping which have been formulated are designed to be instructive as to the nature of the problem rather than be definitive and specific legal or scientific definitions, the language is often nonspecific. In particular, some definitions discuss kidnapping from a parent, by a parent. Other definitions include caretaker as possible perpetrator and/or victim. While the modal incident of child kidnapping appears to be a child taken or restrained

from a parent by (or for, as when a parent hires someone to abduct a child) a parent, there are circumstances where children are taken from guardians (such as grandparents, foster parents, etc) or by relatives who are not parents (grandparents). The latter of these instances could be covered by the Federal Kidnapping Legislation which includes only a parental immunity statute. Nevertheless, when preparing a formal definition, it is wise to consider that parents can kidnap their children from custodians other than natural parents.

Toward a Definition of Child Kidnapping

A review of the formal definitions of parental kidnapping and the cases used to illustrate the phenomenon reveal a number of issues which arise in attempting to formulate a nominal definition of parental kidnapping.

First, there is no generally accepted concept which is being defined. The various terms, such as child abduction, parental kidnapping, and child snatching connote various behavior and emotional meanings.

Second, there is a question as to whether or not a child has been snatched, abducted, or kidnapped in instances where there is either no custody decree or where a joint custody award means that both parents are considered custodial.

Third, there is a question as to whether the child's whereabouts are concealed from the parent from whom the child was removed or retained. The words "abduction" and "kidnapping" technically imply that the child is being concealed.

Fourth, there is variation in the way the child was separated

from the parent with whom the child was living. The range extends from children who were violently or secretly abducted, to those children who were passively retained at the end of a visitation period.

Lastly, due to the fact that states and countries can issue conflicting custody awards, there is a question of whether there is a perpetrator if one custodial parent takes or retains a child from another custodial parent.

There is sufficient variation in the concepts, definitions, and case examples of parent kidnapping to think that the definitional problems are similar to those which faced those who had the task of defining child abuse and neglect. As child abuse gained attention as a social problem, lengthy and heated attempts were made to generate a general, consistent, and acceptable definition of child abuse and neglect. At first, clinicians generated a narrow definition which focused only on clinical conditions of children who presented signs of being deliberately injured by their parents and their caretakers (see Kempe, et al., 1962). Other scholars and clinicians sought to broaden the definition to include cases of children who were starved, poorly clothed, denied medical attention for injuries or illness, and other forms of parental neglect. Others added educational neglect, mental abuse and neglect, psychological abuse and neglect, child pornography, and sexual abuse and misuse to their definitions. In addition, some scholars defined child abuse as any condition where the developmental potential of a child was impaired either by acts of omission or commission of parents or caretakers or even by acts of the state, such as programs

like Aid to Families With Dependent Children (Gil, 1975). In short, child abuse became more of a political concept which referred to acts of omission and commission which were believed to be socially unacceptable and potentially harmful to children (Gelles, 1980).

It would appear that in the instance of parental kidnapping, the terms kidnapping, snatching, abduction, are emotionally laden terms which refer to a wide range of actions which affect children. In many instances the acts which are placed under the heading of "parental kidnapping" or the other concepts are conceptually and behaviorally quite distinct. For instance, it is one thing to fail to return a child after a visitation period, it is quite another to physically remove a child from a home, flee, and then conceal the whereabouts of the child from the other parent and the authorities. It is possible that the demographic characteristics of parents who engage in these two types of behavior and the generative causes of these behaviors are quite distinct.

While it would appear to be desirable to generate one all encompassing, general, and acceptable definition of "parental kidnapping" this would appear to be both politically difficult (one might predict a clash between those with a legal point of view vs. those aligned with Children's Rights Incorporated), and scientifically impossible. It would seem to be best to begin by recognizing what those interested in child abuse came to recognize after a decade long struggle to generate a definition, that such an activity is of limited utility and a more useful focus would be to focus on distinct actions which could be considered under

a general concept of "child kidnapping." Just as students of child abuse and neglect began to focus on acts of commission separately from acts of omission (see Cooks and Bowles, 1980), students of parental kidnapping would be advised to articulate the dimensions and variables which constitute acts of child kidnapping and study concrete acts rather than a general phenomenon. Toward that end we have identified key dimensions of acts of child kidnapping and the specific behaviors which could be examined.

1. Are the child's whereabouts concealed? As we have stated numerous times in this paper, the classic case of parental kidnapping is when a child is retained or taken by a parent from another parent and concealed. The act of taking a child and hiding the child is the narrowest, and in all likelihood, rarest type of parental kidnapping. Children taken or retained and whose whereabouts are known could be considered a separate type of kidnapping (perhaps "snatched" or "stolen" would be a better concept since kidnapping implies concealment).

2. Was the child taken or retained? Children's Rights Incorporated makes the very important distinction between those children taken away from parents, as opposed to those who are not returned to parents at the end of a visitation period or where visitation is prohibited. While the results may be the same and the parent who used to have physical custody of the child no longer has the child, the consequences for the child and the generative causes of the acts are likely to be quite different depending on whether the act was an active "snatch" or "abduction" as opposed to a seemingly more passive retention.

3. Was there a custody decree? While some legal definitions state that there must be a custody decree for a child to be considered "kidnapped," this method of legalizing of the problem of parental kidnapping yields a much too narrow, and in many instances, arbitrary definition. While the motivation to steal, abduct, or retain a child after a formal custody decree is probably different from the motivation to engage in these acts prior to a formal custody decree, the consequences for the child and the victimized parent are probably similar. Thus, it would appear to be unwise to rule out cases of children taken or retained by parents in instances of no formal custody decree.

As a preliminary step in developing a typology of parental kidnapping, one could arrange the three dimensions discussed above into a 2x2x2 table which yields 8 different types of child kidnapping.

Examining the typology, one can see that Type 3, a child is taken from a parent who has legal custody and then is concealed, is the classic form of parental kidnapping. Type 6, a child restrained from seeing a parent when there is no custody decree and when the other parent knows where the child is, is a problematic type of parental kidnapping and would not be viewed as such legally or by the criminal justice system in most jurisdictions.

Table 1 Here

TABLE 1

TYPOLOGY OF PARENTAL KIDNAPPING

	<u>Child's Whereabouts</u>			
	<u>Known to Parent and Authorities</u>		<u>Not Known to Parent and Authorities</u>	
	<u>Custody Decree</u>		<u>Custody Decree</u>	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
Child Physically Taken by Parent	1	2	3	4
Child Restrained/ Not Returned/ Visitation Denied	5	6	7	8

This Table and typology is preliminary and simplified. It could be more developed by further specifying the nature of the custody decree (e.g., one parent, joint, conflicting in two states, conflicting in two countries, etc), or specifying the nature of the abduction (e.g., secretive, violent, coercive, hired kidnapers, etc).

Nevertheless, and despite the simplicity of this typology, it would appear to be a more useful place to begin to investigate the phenomenon of parental kidnapping than to attempt to develop a global nominal definition. Moreover, as will be demonstrated in the following section, the typology is easily operationalized and can be profitably used to measure the incidence of parental kidnapping.

THE INCIDENCE OF PARENTAL KIDNAPPING

Why measure the incidence of parental kidnapping? There are essentially two reasons for making the scientific measurement of parental kidnapping a priority issue. First, from a strictly pragmatic point of view, one of the chief and necessary means of translating any social issue into a social problem is to demonstrate that the problem affects a significant number of people (Merton and Nisbet, 1976). The history of child abuse, wife abuse, family violence, and sexual abuse of children amply illustrates that although the tragedy, horror, and emotional pain of individual instances of abuse and neglect were sufficient to generate concern about these issues, it was not until there were scientifically generated data pointing to the millions of cases annually of abuse and

violence that steps were taken to define these as social problems and as social policy issues for state and federal agencies and legislatures (Gelles, 1980). In the case of child abuse, the first federal legislation passed, establishing the federally supported National Center on Child Abuse and Neglect, included a clause in the legislation mandating a national incidence survey to measure the national and state by state incidence of abuse and neglect. Secondly, from a strictly methodological point of view, it is necessary to know the incidence of parental kidnapping in the general population and in the population of separated and divorced couples in order to plan research approaches to various issues and aspects of the topic. If one is interested in conducting research on samples which are generalizable to larger populations, then one needs to know the expected frequency of the phenomenon in the population in order to select a large enough sample to carry out the necessary statistical analyses.

Using Official Statistics

In 1967, David Gil surveyed public child protection agencies across the United States and determined that in 1965 there were approximately 6,000 valid reports of child abuse and neglect (Gil, 1970). By the late 1970's the number of official reports of child abuse and neglect had swelled to more than one quarter of a million (American Humane, 1979). Some people interpret this change as indicating that we are experiencing a growing epidemic of child abuse and neglect. A more realistic appraisal of the changes in the official reports is that the public has become increasingly aware of child abuse, and is more willing to acknowledge

and report previously unrecognized conditions as abuse. Secondly, mandatory reporting laws requiring the reporting of suspected child abuse and neglect did not exist in all states at the time of Gil's survey in 1967. By 1970, all 50 states had enacted mandatory child abuse reporting laws. Thirdly, professionals were not sufficiently trained or sensitized to recognizing child abuse and neglect in the 1960's; and thus, even if cases were brought to their attention they would frequently not be ready or willing to accept or react to the reports.

It would be impossible and unrealistic to think that one could survey official agencies, such as probate courts, family courts, district attorneys, police officers, or family law practitioners and determine the national incidence of child kidnapping by asking these legal gatekeepers and agents of social control to report on how many cases of parental kidnapping come to their attention. In the first place, as many people have pointed out (Lewis, 1978; Lewis, 1976; Demeter, 1977), a parental kidnapping is not illegal in many states (California being one of the minor exceptions). Secondly, where there is a legal definition of parental kidnapping, the definition typically excludes all cases where there is no custody decree assigning custody of the child to one parent. Because parental kidnapping, or certain types of parental kidnapping, is not against the law, this means that agents of the criminal justice system would be unlikely to compile either official statistics on the problem (from their point of view there is no problem), nor would they even list the number of complaints which they receive (again because

parental kidnapping is not illegal, there would be no category to list such complaints).

Even if criminal justice systems kept an informal tally of cases of parental kidnapping, it is unlikely that such a tally would be accurate, as many victims would fail to report their victimization if they knew that there would be no response--just as battered wives stop calling the police when they find out that the police are often reluctant to arrest assaultive husbands (Gelles, 1976). Many victims, because parental kidnapping is not a crime, might not even recognize their own victimization.

In the rare jurisdictions where parental kidnapping is a crime and where criminal justice agencies are sensitive to the problem and keep tallies of complaints, official statistics would still be less than perfect as a means of measuring the extent of parental kidnapping. Official agencies play a significant role as labelers and gatekeepers in the compiling of official statistics on social problems. In the area of child abuse, there is a preferential susceptibility of lower class or socially marginal people being labeled abusees, while children injured by more affluent parents may be misclassified victims of "accidents" (Gelles, 1975; Newberger, et al., 1977). In the case of parental kidnapping, the reverse may be true--that is, more affluent complainants would have their problem addressed by the criminal justice system, while poorer victims of abductions would find it difficult to obtain legal redress.

In short, the use of official statistics to measure the extent of either criminal behavior or "latent social problems" is generally viewed as an unsatisfactory methodological approach (Cressy, 1957;

Wilson, 1968; Kitsuse and Cacourel, 1963).

Sampling Issues: Access to Instances of Parental Kidnapping

Blocked from using official cases of a problem to measure the incidence or study the nature of the problem, investigators interested in studying latent social problems, sensitive or taboo topics such as homosexuality, suicide, sexual behavior, and family violence (Farberow, 1966), will frequently throw up their hands and conclude that research can not be done. The major problems which these investigators find insurmountable are: (1) taboo, sensitive, or latent social problems are assumed to have low base rates (Gelles, 1978); and (2), the sensitive, emotionally laden, and perhaps illegal nature of the topic may make possible subjects difficult to locate and resistant to participate in research which they see as potentially harmful to them.

Both of the major problems of sensitive subject research apply to parental kidnapping. Even if one were to use the highest estimate of parental kidnapping (100,000 cases per year), that would yield an incidence of .2% for the 40,765,000 children between the ages of 3 to 13 (considered the prime age for parental kidnapping--Time, 1980). If one considers the 5,960,000 children 3 to 13 whose mothers are separated or divorced (U.S. Bureau of Census, 1979) the incidence rate would still be only 1.6%.² The second problem of sensitivity and difficulty in getting access to victims and offenders is perhaps more easy to overcome since: (a) in many cases there is no crime; and (b) parental kidnapping is not nearly as emotionally charged or taboo as homosexuality, rape, sexual abuse, and violent abuse of spouses and children. Nevertheless,

given the fact that many cases may involve concealment, access to cases will still be problematic.

Sensitive topics are typically not studied initially by drawing representative samples which can be used to generate incidence statistics. Typically, early research on a sensitive topic is a descriptive project which is designed to examine the nature and patterns of the problem. Some of the sampling techniques used in descriptive research on sensitive topics are:

Group sampling. Group sampling was a technique pioneered by Kinsey and his associates (Kinsey, Wardell, and Martin, 1948) in their study of sexual behavior. In the case of parental kidnapping, one could draw on a functioning group such as a chapter of Parents Without Partners, a Single Parent organization, or a group specifically concerned with kidnapping such as a Children's Rights Incorporated chapter, to gain access to potential victims and/or abductors.

Snowball Sampling. Snowball sampling, employed in studies of drug use (Goode, 1969), homosexuality (Humphreys, 1970) and professional gunmen (Polisky, 1969), facilitates research on sensitive issues because it allows the researcher to begin with one or more contacts and branch out to a wider sample of people. It is evident in the journalistic accounts of parental kidnapping and Congressional testimony that the frustration experienced by parents whose children are abducted and the frustration generated by having one's cause ignored by the criminal justice system is frequently adapted to by finding other parents in similar situations. It is quite possible that an extensive network

of victims of abductions exists and could be examined through snowball sampling.

Neither of these techniques is suitable for measuring incidence since both techniques involve non-representative sampling. There are, however, representative sampling techniques suitable for studying the incidence and nature of sensitive issues with low base rates.

Neighbor or Relative/Informant. In 1965 the National Opinion Research Council administered an interview, directed by Gil (1970), which asked subjects if they ever physically injured their children. Of the 1,520 subjects, 6 answered in the affirmative. The survey also asked whether the subjects knew of neighbors who had physically injured their children. Regarding that question, 45 answered in the affirmative. Gil projected this to an estimate of between 2.53 and 4.07 million children physically abused each year (Gil, 1970). This technique of estimating the incidence of child abuse is known as the "Neighbor Informant Technique." Basically, the technique acknowledges the problems of reliability and validity in getting people to self-report illegal or deviant behavior. This problem can be overcome by getting some outside source who knows the family to report on behavior within the family unit.

The technique was used again in 1980 by the Gallop Organization in their survey of American families prepared for the White House Conference on Families (Gallop, 1980). This survey employed interviews with a nationally representative sample of 1,592 adults. Eighteen per cent of the subjects reported knowledge of child beating, while 18 per cent

reported personal knowledge of spouse abuse--"instances of a husband or wife being beaten so badly that the police or social workers were called in or that the situation led to a divorce action."³

While the Neighbor Informant Technique has typically examined knowledge about behavior in the homes of neighbors, the technique could also ask for reports of incidents in the homes of relatives. In the case of parental kidnapping, it might be better to focus on incidents known to relatives, since the behavior (kidnapping) and the consequences are not as visible as beatings which result in police or social service intervention in a home.

Victimization Survey. One way that criminologists have been able to overcome the disadvantages of using official statistics and official records to study the incidence, patterns, and causes of criminal or sensitive behavior is to rely on victimization surveys. Such surveys typically overcome some of the racial, cultural, and social biases that enter into the compiling of official statistics. Victimization surveys are also used to reduce the bias caused in self-report surveys. A recent analysis of National Crime Survey Data derived from interviews conducted between 1973-1976 with some 136,000 occupants of 60,000 housing units (U.S. Department of Justice, 1980) revealed that there were 3.8 million incidents of violence between intimates during the 4 year interval. Nearly a third (1.2 million) were between relatives. Nearly 55 per cent went unreported to law enforcement authorities.

Given the emotional nature of parental kidnapping, the frustration experienced by parents who have their children taken or restrained, and

the lack of satisfaction with the responses of the criminal justice system and the courts, one could expect to profitably employ a victimization approach to measuring the incidence of parental kidnapping. While underreporting could be less of a problem with this type of survey as opposed to surveys of spouse abuse where privacy, shame, and guilt keep many victims from making self-reports, there may be a problem with a lack of victim consciousness, since kidnapping has not traditionally been viewed as illegal or a social problem.

General Social Survey. A third approach to measuring incidence is to survey a general population of adults and request information about being either the victim or an offender. As stated previously, those offenders who are concealing children could not be expected to fully report their activities (although they might be tempted to state their side, if guaranteed confidentiality).

Base Rate and Sampling Technique

As stated previously, even if one uses the highest available estimate of parental kidnapping, the incidence is less than .2 per cent of all children 3 to 13, and 1.6 per cent of children that age who live with parents who are separated or divorced. The incidence of some types of parental kidnapping, such as forcible removal with a custody decree and concealment of the child is probably much smaller. The extremely low base rate of the problem creates an important methodological problem for those interested in measuring the incidence or conducting research on patterns and causes which can be generalized to a population. The major problem is that, assuming a researcher would like to generate

results which are accurate plus or minus one per cent, and wants to have a sufficient number of cases of parental kidnapping to conduct meaningful analysis, the sample size will have to be larger than the conventional 1,000 to 2,500 used in standard general social surveys. When Straus, Gelles, and Steinmetz surveyed family violence and found a yearly incidence rate of 3.8% in a sample of 2,500, they still found that their sample was too small to conduct certain types of analyses (Straus, Gelles, and Steinmetz, 1980).

From a purely pragmatic, political, and economic point of view it would be unlikely to find a funding source which would be willing to commit funds for a large sample survey (of perhaps 15,000 subjects) of parental kidnapping (for point of reference, the National Incidence survey of Child Abuse and Neglect, sponsored by that National Center on Child Abuse and Neglect, cost more than \$1.5 million!).

Given that a survey of 15,000 to 30,000 families for purposes of estimating the national incidence of parental kidnapping might be beyond feasibility, another approach would be to add questions onto existing national social surveys and use repeated samples to generate an estimate of the problem. One could, for instance, "purchase" 5 to 10 questions and add them to a series of 5 to 10 national surveys conducted by polling firms such as Louis Harris and Associates, the Gallop Organization, or the National Opinion Research Council. This, in fact, is how Gil conducted his research on child abuse--by adding questions onto an existing interview schedule. Representatives of Louis Harris and Associates indicate that questions about parental

kidnapping would be appropriate additions to surveys of family behavior, health, and other alligned social issues.

Measuring "Parental Kidnapping"

Many investigators who contemplated studying domestic violence recognized that they were considering investigations which could actually have confronted them with the problem of asking the question, "Have you stopped beating your wife?" Investigators frequently balked at the prospect of asking that or such questions as "Have you ever abused your child?" Clearly, the emotional and value laden concepts of child and wife abuse posed special methodological problems for investigators who had to devise operational definitions of abuse.

Just as it is difficult to formulate a nominal definition of parental kidnapping, it will be difficult to select an adequate operational definition. One of the more obvious tactics investigators could employ would be to directly ask a subject if they have experienced or know of anyone who had experienced a parental kidnapping. However, due to the presumed general lack of public consciousness about what parental kidnapping is, an investigator or an interviewer could probably expect to be asked what they meant by "parental kidnapping" by many subjects.

A second approach could be for the investigator to define parental kidnapping for the subjects and ask subjects if they (a) knew of any relatives who had experienced this; or (b) had experienced it themselves. This was the approach Gil used in his survey (1970). First, Gil defined child abuse and then asked subjects if they thought anyone could do such an act; if they thought they could do such an act; if there ever

was a time when they could hardly keep from doing such a thing; and if they had actually done such an act (1970:55).

The problem with the second approach, and a problem with direct questioning, since interviewers might have to define parental kidnapping, is the same problem that occurs in trying to generate a nominal definition. Any operational definition will generate controversy as being too general, too narrow, not specific enough, or too inclusive (including battered women, for example).

Just as we proposed dealing with the problem of nominally defining parental kidnapping by avoiding a general definition, and instead, developing a taxonomic approach, we would argue that this could be a proper solution to the problem of operationally defining "parental kidnapping." A series of contingency questions could be developed to address the three components of the taxonomy. For example, one could begin a series by asking the following questions:

Q1: Are you aware of an instance among your relatives where one parent physically took their child from the home of the other parent?

If no, go to next major question.

If yes, Q1-a: Did the parent who took the child have legal custody of the child?

Q1-b: Did the parent from whom the child was taken have legal custody?

Q1-c: What were the marital and living circumstances at the time of the

event:

Married and living together, or

Married and living separately, or

Legally separated, or

Divorced, or

Other

Q1-d: Did the parent who took the child keep the child's whereabouts concealed from the other parent?

*These questions are presented as a preliminary attempt to demonstrate the technique of asking a series of questions as compared to either the direct approach or the approach which first presents a definition and then asks for the subjects to report whether they know of such an incident. The questions should not be considered the definitive approach to measuring the phenomenon of parental kidnapping.

Depending on the time and space available in the interview, additional items could be asked in the contingency series. This series could then be followed-up by a series which focused on child restraint.

Demographic Variables

While measuring the incidence of parental kidnapping is important from both a methodological and pragmatic point of view, it is not a sufficient scientific venture in and of itself. At the very least, any attempt to assess the incidence of parental kidnapping should also obtain demographic information about the parents, children, family, and community. A study which employs a representative sample to measure incidence should also be considered a vehicle to gather data on the patterns and causes of parental kidnapping. Certain hypotheses about what causes parents

to kidnap their children should be developed and tested in the same survey. It would be indeed unfortunate if a survey of parental kidnapping made the same mistake as the previously mentioned National Incidence Survey of Child Abuse and Neglect. In that survey, the concern with generating an accurate incidence data took precedence over gathering other data; and thus, the final data will not be amenable for testing hypotheses about patterns and causes of child abuse and neglect.

PARENTAL KIDNAPPING AND THE CRIMINAL JUSTICE SYSTEM

Perhaps one of the reasons why the issue of parental kidnapping generates such an emotional response is that, for the victimized parent, the experience can, and typically may be, terribly frustrating, anxiety producing, and emotional. As stated previously, the Federal Kidnapping Law, known as the Lindbergh Law, specifically excludes parents as possible offenders in cases of kidnapping. This rules out parents appealing to federal authorities, such as the FBI, when their children are kidnapped. The Hague conference is attempting to draft a treaty to fill a void which makes it difficult, if not impossible, for parents to have children returned from non-custodial parents who take them or restrain them abroad. Local jurisdictions may be equally unable or unwilling to assist victimized parents as are Federal and International authorities.

Reports of Parental Kidnapping and Status of Cases

A second focus of initial research on parental kidnapping could be an examination of how many cases of parental kidnapping are actually

reported to official agents and agencies of the criminal justice system. Similarly, an examination of the status of those reports could be undertaken. These data and information could be examined and compared to national incidence data in order to compare the rate of kidnapping in the general population to the nature and pattern of cases which come to public attention.

The variable pattern of attitudes, opinions, and legal statutes concerning parental kidnapping which makes official records unsuitable for use in estimating patterns and incidence, is an issue in and of itself which is amenable for empirical investigation. What follows is a preliminary discussion of possible strategies and investigations of parental kidnapping as an issue for the criminal justice system.

Survey of Family Law Practitioners

One method of gauging the number and patterns of cases of parental kidnapping that come to official attention would be a mail questionnaire survey of a representative sample of members of the Family Law Section of the American Bar Association. There are approximately 13,000 members of the section and they could be sent a modified version of the questionnaire proposed earlier in this paper, which focuses on incidence. Rather than being asked if they simply know of a case, the Family Law Section members could be asked if they had ever heard of such cases; had they been approached to serve as counsel on such cases; had they agreed to serve as counsel; and, what was the result of the case?

National Sample Survey of Criminal Justice Representatives

Family Law Section members are not an exhaustive list of the

possible participants in the criminal justice system who could come into contact with cases of parental kidnapping. In order to assess the full extent of knowledge and processing of parental kidnapping cases, a more extensive survey would have to be designed and carried out.

A more exhaustive and complete survey would be one which surveyed all possible members of the law enforcement community and assessed their level of involvement in cases of parental kidnapping. This survey could be designed along the lines of one conducted by Nagi who studied official knowledge of cases of child abuse and neglect (1977). Nagi conducted a national survey of organizations and programs related to child abuse and neglect. Among the organizations surveyed were: Child Protective Services, Juvenile and Family Courts, Police and Sheriff Departments, School Systems, Public Health Nursing Agencies, Hospital and Medical Personnel, and Hospital Social Service Departments.

Nagi used the following sampling design and weighting procedures:

The sampling design and the selection of organizations were based upon a probability sample of 8,090 household units located within 1,680 sampling segments selected for an earlier survey conducted by this investigator. These segments were used as points of departure for sampling the organizations. Each segment falls within the jurisdiction of a child protective agency, a juvenile or family court, a police or a sheriff's department, a school system, or a public health department. Agencies representing these jurisdictions were selected for interviews. Included also were all children's hospitals within the counties on the Standard Metropolitan Statistical Areas where any of the sampling segments were located. Other hospitals were selected on the basis of accessibility to the household units in the sample, the closest hospitals being considered the most accessible. Hospital selection was further limited to those operating emergency rooms and/or accepting pediatric patients.

Responses from the organizations surveyed were weighted according to the number of households that fell within their respective jurisdictions. Thus, reports about a child protective agency

selected on the basis of serving 100 households in the population sample were given five times the weight of another serving only 20 household units. Similar weighting was applied to responses from all other agencies. (Nagi, 1977:6)

Nagi's sampling problem was much more complex than that faced by potential investigators of parental kidnapping. Nagi had to be sure he surveyed all agencies a family could come into contact with. A survey of official contact with cases of parental kidnapping could simply use an area sample of legal jurisdictions and then survey all appropriate agencies within that legal jurisdiction. The list of agencies could include:

1. District Attorneys
2. Police and Sheriff Departments
3. Probate and Family Court Judges (and other courts which hear custody cases)
4. Criminal Court Judges
5. Lawyers/Legal Aid Societies

This list could be extended to include other agencies and officials who would be primary and secondary contacts for parents seeking legal redress for alleged parental kidnappings.

Statewide Survey

Investigators using a national sample to study the number, status, and knowledge about reported cases of child abduction would, in all likelihood, find a great degree of variability. As we have reviewed and discussed earlier in this paper, and as has been found in studies of other family related social issues such as child abuse, the definition of the phenomenon, the willingness to recognize the phenomenon, the

willingness to accept a report, and the method by which reports are handled all varies (for studies on these aspects of child abuse, see Giovannoni and Becerra, 1979; Nagi, 1977; Gelles, 1977).

In the field of parental kidnapping, all but a handful of states have adopted the Uniform Child Custody Jurisdiction Act, which legally deals with the problem of custody conflict and attempts to inhibit "forum shopping" by parents who desire custody of their children. Some states, such as California, have officially and legally recognized parental kidnapping as a problem. The California Penal Code includes a specific offense of child abduction, but only if carried out by a non-custodial parent.

Because of the variation in laws and attitudes from state to state, a full scale national survey would only yield data on the variable patterns of reporting and legally addressing the problem of parental kidnapping. It would be helpful to try and investigate what would be the pattern of officially reported cases if all states had uniform statutes proscribing parental kidnapping.

Nagi took such an approach to the problem of official recognition of the problem of child abuse and neglect. Nagi wanted to estimate what the full extent of child abuse and neglect would be nationally if there was full reporting (1977). For this purpose, he conducted his area sampling of official agencies in the state of Florida, a state which, because of statewide publicity campaign, more closely approximated a state with full recognition and reporting of child abuse and neglect than any other.

One could design and carry out a version of the national survey of lawyers, judges, and police officers proposed in the previous section in a state which legally proscribed parental kidnapping. California would be an excellent location for such a survey. Agopian's research (1980a; 1980b; 1980c) was a small attempt to conduct such a study in one county, but Agopian only focused on cases handled by the County of Los Angeles District Attorney. Cases referred to other agencies or courts were not fully analyzed.

If such a comprehensive statewide survey were carried out in California, the results could be used to project the number and patterns of cases of parental kidnapping nationally if all states legally recognized and addressed the issue.

RECOMMENDED RESEARCH AND RESEARCH STRATEGIES TO STUDY PARENTAL KIDNAPPING

While surveys of the incidence and the nature and pattern of officially reported cases of parental kidnapping are significant subjects for empirical research, investigators of parental kidnapping certainly need not limit themselves to these issues. It would be a tragic error if the desire for accurate incidence data on parental kidnapping were to overshadow and take precedence over the need for other types of research. One hopes that scholars and policy makers do not duplicate the path followed by those concerned with child abuse and neglect. The overriding concern with incidence led the National Center on Child

Abuse and Neglect to fund a national incidence study which cost in excess of \$1.5 million. At the same time, funding for basic research on the nature, patterns, and causes of child abuse and neglect for the entire 5 year existence of the Center was little more than 7 million dollars. Thus, an incidence study used 1/8th of the research money. More discouraging, in fiscal year 1978, the budget for the incidence study was twice as great as the total monies spent on all research by the Center.

It would indeed be regrettable if the study of parental kidnapping were to be similarly overconcerned and overcommitted to only studies of incidence. There are numerous other important and critical issues which need to be addressed, among them are:

1. Descriptive/Exploratory Research. With the single exception of Agopian's research (1980a; 1980b; 1980c), there are no systematic and scientific attempts to assemble and analyze even descriptive data on parental kidnapping. Questions such as: What is the social status of kidnapers? What age children are most frequently abducted or restrained? What is the family size of families in which abductions occur in? What differentiates the cases where the children are found and returned from those where children are not found--education, income, family size, occupation, existence of extended family, etc.? need to be addressed.

A substantial pool of possible subjects for such descriptive research exists in the membership and mailing lists of organizations such as Children's Rights Incorporated and Stop Parental Kidnapping, Inc., of Rochester, NY.

It is very important to conduct such exploratory research in order to sort out the empirical facts from the myths and conventional wisdoms which have grown up around the topic of parental kidnapping.

2. Motivations of Kidnappers. While there are many theories about why people kidnap their own children, there are no studies on this issue. Is kidnapping an expression of power and hostility by one parent towards the other? Are kidnapping parents concerned about the welfare of the child? These and other questions are frequently discussed, but have not been investigated.

3. Causes of Parental Kidnapping. What parents say about why they kidnap their children may not be the true underlying cause. As with any social problem, there is a need for the development of a knowledge base on the etiology of the problem in order to guide steps to prevent or ameliorate the problem.

4. Consequences for the Child. What does the child who is kidnapped experience? Again, there are no shortage of formulations offered by "experts" and "authorities" on the subject of parental kidnapping. Most all conclude that the child who is kidnapped is likely to experience significant psychological damage (Time, 1980). Nevertheless, despite the fact that some kidnapped children have been clinically assessed and treated, there are simply no data on this important aspect of parental kidnapping. This population of children will be the most difficult to reach, especially if the estimates that only 10% are found is correct. Nevertheless, despite the methodological problems, a serious and extensive research program on this aspect of parental kidnapping is crucial.

Research Strategies

It would be advantageous if investigators who intend to study parental kidnapping were able to benefit from the lessons learned by students of other family problems. Early research on both child abuse and family violence contained numerous methodological and design flaws which impeded the growth and development of knowledge about these problems (Gelles, 1973; 1979; Spirer and Rigler, 1972). Some of the lessons learned from the decade of research on abuse and violence are:

1. Do not become overdependent on officially designated cases for subjects. Researchers studying the causes of child abuse who drew their samples exclusively from official agencies were unable to conclude whether the associations they found were ones that caused abuse or caused the family to be officially labeled "abusive" (Gelles, 1975).
2. Avoid the fallacy of false time priority. Many investigators who studied the psychodynamics of child abuse apparently found psychological problems which they believed caused abuse. The problem was that with a cross-sectional, retrospective design, they could not determine if the psychological state of the parent actually preceded the abuse or was a consequence of being officially labeled an abuser (Gelles, 1979). A study of the consequences of parental kidnapping could conceivably find psychological problems in children who had been abducted. The problem would be to demonstrate that these problems occurred as a consequence of the abduction and were not present in the child before an abduction took place.

3. Use Comparison Groups. Many clinical investigations of child

and wife abuse focused only on abused women and children. No "normal" or comparison groups were identified and studied. Because of this, the investigators could not demonstrate that the patterns they found among the abusers were in any way different from patterns that could be found in a population of non-abusers.

CONCLUSION

There is a tendency to think that when there is no research available on a social problem that this is a consequence of either: (1) there really is no problem, or (2) the problem is so complex, emotionally laden, or taboo that sound research cannot be conducted.

It would appear that the former is not the case with parental kidnapping. All indicators point to an issue that affects a significant number of individuals in ways which are detrimental.

The latter may be partially the case. It may be that there has been little research conducted because investigators confronted roadblocks in the study of parental kidnapping and turned away in frustration.

This paper has attempted to identify the roadblocks to research on parental kidnapping and propose ways in which these roadblocks can be overcome or, at least, avoided. It is both possible and necessary to begin a program of serious high quality research on this emerging and important social problem.

FOOTNOTES

1. This paper, as is the case with many others, will also use these terms interchangeably.
2. Agopian frequently refers to a statistic of one child abduction per 22 divorces (1980a; 1980b; 1980c). This figure unfortunately, inflates the expected frequency of child abduction by applying the number of cases of child abduction to the number of children involved in divorce per year. However, all children of divorce (as well as children of separated parents) are eligible for abduction, not just children whose parents were divorced in the previous 12 months!
3. The increase from Gil's 3 per cent in 1965 to Gallop's 18 per cent in 1980 probably reflects an increase in public awareness and willingness to recognize violence as abuse, rather than a wholesale increase in the actual incidence of child abuse. Also, the difference may in part be due to Gil's narrow definition of injury and Gallop's broader definition of beating (irrespective of injury), which was responded to by agents of social control or social service.

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