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# Missing and Abducted Children:

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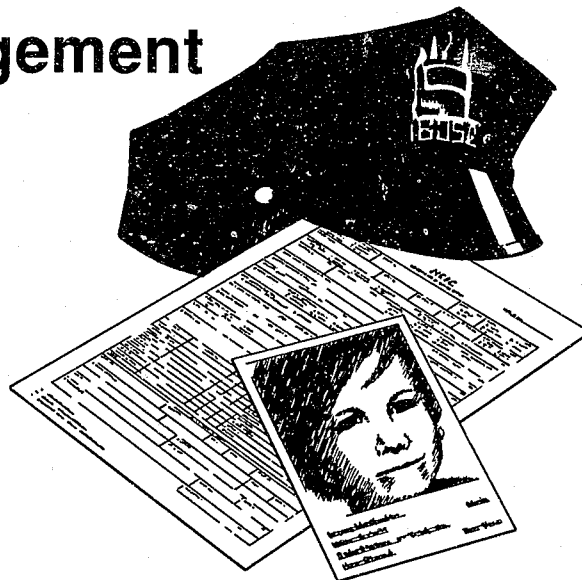
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## A Law Enforcement Guide to Case Investigation and Program Management

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# **Missing and Abducted Children: A Law Enforcement Guide to Case Investigation and Program Management**

Edited by  
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HCJRS

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ACQUISITIONS

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## U.S. Department of Justice

Office of Justice Programs

*Office of Juvenile Justice and  
Delinquency Prevention*

Office of the Administrator

Washington, D.C. 20531

Dear Reader:

In recent years the law enforcement profession has made much progress in improving training and setting performance standards. Missing children investigations, however, is an area that has been somewhat neglected and underdeveloped. To help address this problem the National Center for Missing and Exploited Children, under a cooperative agreement with the Office of Juvenile Justice and Delinquency Prevention (OJJDP) at the U.S. Department of Justice, developed this manual entitled *Missing and Abducted Children: A Law Enforcement Guide to Case Investigation and Program Management*.

It provides guidance to law enforcement officers investigating family abductions, abductions by nonfamily members, and runaway children. This manual describes—**step-by-step with definitive checklists**—the investigative process required for each of these types of missing child cases.

The manual also includes instructions on how to put information about missing children into the FBI's National Crime Information Center computerized system, and it provides information on general investigative techniques, crisis media relations, investigative resources, management issues, and testifying in court.

The issue of missing and exploited children is tragic but it is a reality that we must deal with. This manual is an important tool for helping law enforcement officers to investigate such cases.

A handwritten signature in cursive script, reading "John J. Wilson".

John J. Wilson  
Acting Administrator  
Office of Juvenile Justice and Delinquency Prevention

# Foreword

In the summer of 1981 my 6-year-old son Adam was abducted from a Florida shopping mall and found murdered two weeks later. His death focused national attention on the tragic and frustrating search faced by families of missing children each year. My wife, Revé, and I have since traveled all across this country as advocates requesting more law enforcement resources to assist in this search process. One major achievement in this campaign was the creation of the National Center for Missing and Exploited Children (NCMEC) in 1984.

Since its creation, NCMEC has worked closely with many officers and investigators from this nation's 17,000 law enforcement agencies in the search for missing, abducted, and exploited children. This partnership has emerged into a vast network of investigative resources available to law enforcement that might otherwise be inaccessible.

These resources include technical assistance in cases of missing and exploited children provided by former law enforcement and social service professionals with expertise in this field; a 24-hour, toll-free Hotline to receive reports and sightings of missing children with all leads immediately forwarded to the law enforcement agency handling the investigation; nationwide distribution of photographs and descriptions of missing children; preparation of age-enhanced photographs of long-term missing children; and analysis of case information and leads—all provided free of charge from NCMEC's office in Arlington, Virginia. As a result of this network, more complex cases have been resolved, more endangered children have been recovered, and more anxious parents have been reunited with their children.

This manual, *Missing and Abducted Children: A Law Enforcement Guide to Case Investigation and Program Management*, is another resource in NCMEC's continuing commitment to assist law enforcement in the search for missing children. Its two goals are

- To provide officers with a step-by-step guide on how to respond to and investigate missing child cases.
- To provide administrators with the programmatic framework to manage the missing child response within their agency's jurisdiction.

In addition the manual is a means to facilitate the development of the specialized skills needed to effectively respond to a missing child case and provide awareness of the many resources that are available. By sharing the history of the missing child movement from 1932 to the present, Chapter 1 highlights specific initiatives that have been enacted to assist law enforcement in these investigations. Chapters 2 through 5 offer guidelines and methods that have proved to be effective when investigating and managing missing child cases—from the initial response to the

determination and subsequent investigation of a nonfamily, family, or runaway child case. Chapters 6 and 7, on general investigative techniques and investigative resources, offer procedures on how to handle and utilize the wealth of information that can be generated in these cases, ways to tailor basic investigative techniques to help resolve missing child cases, and a plethora of agencies and organizations that can be utilized to assist in the search. Chapter 8 offers guidelines on dealing with crisis media relations. Chapter 9, on management issues, offers insights and suggestions for those officers and administrators who wish to modify their agency's missing child response.

The format employed in this manual was chosen so that it could serve as both a quick "how-to" handbook and as a resource for those wanting a more in-depth treatment of the issue. In addition to a detailed table of contents and index, each chapter begins with a red tab divider and a quick reference to highlight key topics presented within it.

This manual builds on NCMEC's 10 years of experience in this field and is the fundamental text for *Basic Investigative Techniques - Missing and Abducted Children (BITMAC)*—NCMEC's 40-hour course specifically designed for law enforcement officers that has been conducted on a regional basis throughout the country. It also replaces the previous NCMEC publication entitled *Investigator's Guide to Missing Child Cases: For Law-Enforcement Officers Locating Missing Children*. We once again thank the many dedicated individuals who created that comprehensive document which for years served as one of the only guides available to assist officers with missing child investigations. Many of the investigative techniques mentioned in that book remain valid today and have been incorporated into this manual.

Every effort has been made to preserve the integrity and thoroughness of both this manual and the *BITMAC* program. Much of the success of the *BITMAC* classroom presentation comes from the distribution of many booklets, pamphlets, lists, and other handout materials that accompany each topic. Whenever possible the material contained in these handouts has been incorporated into the applicable section of this manual. When such inclusion is inappropriate, reference is made to the item and information provided on how it may be obtained. A great deal of care was taken to ensure that the reader can access all sources of information referenced in this manual. In case a source or reference cited cannot be accessed from the information provided, please call NCMEC at 1-800-THE-LOST (1-800-843-5678) to request assistance in securing that information.

Revé and I hope that the material presented in this publication will prove helpful when performing your important duties in the area of child protection. We welcome

your comments about this publication and look forward to any suggestions for future editions.

Before you begin reading this manual, however, please allow me to share some of NCMEC's successes with you. During its 10th anniversary year, Revé and I have begun to reflect on the number of families and professionals that NCMEC has already been able to help. NCMEC has

- Received more than 760,000 calls on its toll-free Hotline from people requesting assistance in missing and exploited child cases, calling to report the sighting of a missing child or the sexual exploitation of a child, and requesting general information on the issue and safety tips to better safeguard their families.
- Assisted law enforcement and families in the recovery of more than 25,000 children.
- Distributed thousands of photographs nationally of the individual missing children reported to NCMEC. To date 1 in 7 children featured in that campaign has been recovered—as a direct result of those efforts.
- Implemented a unit to age-enhance the photographs of long-term missing children. To date 1 in 6 of those children has been recovered.
- Printed more than 8 million publications for professionals offering assistance on these cases and families on how to prevent these crimes against their children.
- Trained more than 129,000 law enforcement, criminal-/juvenile-justice and healthcare professionals in the United States, Canada, and the United Kingdom in child sexual exploitation and missing child case detection, identification, investigation, and prevention.

We are grateful to the dedicated law enforcement officers who work these difficult and emotionally draining cases. We know that one of the best ways to further our goal of effecting the swift and safe recovery of every missing child is to respond to the needs of law enforcement agencies and individual officers who are on the "front line" of child protection. Thus, do not hesitate to call on the National Center for Missing and Exploited Children and utilize the many other resources listed in this manual to assist in your efforts to help each and every parent of a missing child within your jurisdiction. Remember, working together we are able to provide even greater protection to those who are least able to protect themselves—our children.

John Walsh  
Child Advocate and  
Host



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The investigative techniques, available resources, and management options addressed in this manual reflect the progression of historical developments in the missing and exploited child issue. It is important, therefore, to review the major developments that have brought the issue to its current position. Familiarity with the many missing children initiatives that have occurred in the past, especially within the last two decades, along with an understanding of how those issues helped to shape public opinion, influence government reaction, and transform law enforcement response will help investigators and planners anticipate the trends and identify the programs that will permit law enforcement's response to be on the leading edge of the missing children's issue—now and in the future.

## Historical Overview

There are many measures that have been enacted since 1932 to assist in the search for missing children and provision of services to exploited and at-risk children. (See Figure 1-1.)

Prior to 1974 the nation and, in particular, law enforcement responded to the subject of missing children in a disjointed manner. Children in immediate danger, have always struck a responsive chord. Police unquestionably have perceived the kidnapped, abducted, or lost young child as someone who needs their immediate, skilled assistance. The perception of law enforcement responsibilities in cases involving the runaway child or the abduction of a child by a noncustodial family member, however, has not been as clear. Historically the runaway child, especially the older teen, has been viewed as a social problem best handled by parents, teachers, or social service professionals. Law enforcement practices such as refusal to take reports, imposition of waiting periods, reluctance to send out notifications, inability or failure to enter cases in the National Crime Information Center (NCIC) computer system, law enforcement sanctioned low investigative priority, and the placement of recovered runaways in secure detention facilities until they could be reunited with their families or assisted by social service agencies were the results of such attitudes.

Likewise criminal justice system response to family abduction cases was one of confusion concerning what actions were authorized when a child's custody was in question. Because there were few criminal statutes before the late 1970s that addressed family abduction issues, there was no requirement for official police involvement in those situations. Officers regularly responded, however, to domestic disturbances in which parents displayed conflicting court documents. In those situations, not surprisingly, the most common law enforcement action was to refer all parties to the appropriate court for settlement. Seldom was there any effort to assure the immediate welfare of the often traumatized child who was caught in the crossfire between opposing parents. Such response eventually drew widespread criticism.

### Significant Measures Enacted to Assist Children At-Risk

Year	Event
1932	Passage of the Federal Kidnapping Act.
1968-1983	Adoption of the Uniform Child Custody Jurisdiction Act by all states within the United States of America.
1974	Passage of the Juvenile Justice and Delinquency Prevention Act. Passage of the Runaway and Homeless Youth Act.
1975	Federal Bureau of Investigation Instituted the Missing Person File.
1980	Passage of the Parental Kidnapping Prevention Act.
1982	Passage of the Missing Children Act.
1983	Federal Bureau of Investigation Instituted the Unidentified Person File.
1984	Establishment of the National Center for Missing and Exploited Children. Passage of the Missing Children's Assistance Act.
1988	United States Became a Signatory to the Hague Convention on the Civil Aspects of International Child Abduction. Passage of the International Child Abduction Remedies Act. Title III of the Juvenile Justice and Delinquency Prevention Act Was Amended to Create the Transitional Living Program for Homeless Youth.
1990	Passage of the National Child Search Assistance Act.

**Figure 1-1**

The taking and holding of an individual against his or her will, for profit or for other illegal purposes, has always been viewed by society as a most serious crime deserving the harshest penalty. State criminal laws, from the beginning, have included statutes prohibiting kidnapping and nonfamily abduction. The national government, in reaction to the country's outrage over the infamous Lindbergh infant kidnapping in 1932, enacted the Federal Kidnapping Act (18 USC § 1201 *et seq.*) that authorized U.S. Justice Department intervention when interstate travel is suspected in kidnapping cases. Law enforcement officers, as noted earlier, explicitly

understood their role in such crimes as one of immediate response and aggressive investigation. The laws were clear and so was society's mandate to the police to recover the victim and apprehend the criminal.

Less clear, however, was what society expected from law enforcement officers when dealing with the runaway child or incidents of family abduction. Because children who voluntarily left home were classified as **status offenders** and not criminals, police were aware that they had only limited authority to deal with the runaway. In most cases the recovered child was taken either to a police facility to await a parent's arrival or, if more appropriate, directly to the youngster's home.

Before the mid-1970s officers had an additional option when dealing with the habitual runaway or with the voluntarily missing child who appeared to be an immediate danger to him- or herself or others. That option was referred to as **secure detention**. When confronted with a habitual runaway, for example, an officer had the option of placing the child in a secure facility where he or she would be held until court was in session. Usually the selected facility was a secure children's shelter housing only those individuals designated by the state as juveniles. In communities without access to a shelter, however, such a child might be placed in the jurisdiction's regular adult lock-up or jail, thus creating a controversy that, in 1974, resulted in broad government action, as noted below.

*Societal expectations of law enforcement in cases of family abduction were even less clear than those expressed regarding runaways.*

Societal expectations of law enforcement in cases of family abduction were even less clear than those expressed regarding runaways. For years individual states struggled to devise a strategy for dealing with custody disputes both locally and from other jurisdictions and states. The need for such a strategy increased in the 1960s as divorce rates increased and cross-country travel became easier. If unhappy with the home state's decision in a custody dispute, the noncustodial parent frequently abducted his or her child(ren) and settled in a state where custody would be granted without serious consideration of a previous determination. This process was known as **forum shopping**. The custodial parent often found that the new state would not recognize the original decree, leaving the alternatives of losing the child or "snatching" the child back in order to return to the home state. Between 1968 and 1983, faced with rapid increases in these situations, every state adopted the **Uniform Child Custody Jurisdiction Act (UCCJA)**—a model code that attempts to establish which state has jurisdiction to make, modify, or enforce a custody determination.

In 1974 America and its lawmakers made tentative steps toward dealing with the issues of child welfare and protection within the juvenile justice system. Those steps had a major impact on the handling of missing children cases by providing more tools for intervention.

While many law enforcement officers considered the limited use of secure detention as the only option available in selected status offender cases (*e.g.*, controlling the habitual runaway), increasing numbers of social service professionals and children's rights proponents argued that such detention was inappropriate, and indeed harmful, for youngsters who had committed no crime. During the early 1970s these proponents testified at U.S. Congressional hearings about incidents in which recovered runaways and other status offenders were detained in regular lock-ups and, in some cases, in proximity to adult violators.

In response to these hearings, and in reaction to other issues related to child protection, in 1974, the U.S. Congress passed the **Juvenile Justice and Delinquency Prevention Act (JJDP)**, 42 USC § 5601 *et seq.* To encourage jurisdictions to prevent status offenders from being placed in any type of secure detention, the newly created Office of Juvenile Justice and Delinquency Prevention (OJJDP), within the U.S. Department of Justice, was authorized to distribute grants and provide support to those states that developed alternate procedural methods. Title III of the JJDP, referred to as the **Runaway and Homeless Youth Act (RHYA)** of 1974, also became part of the JJDP, 42 USC § 5701 *et seq.* This Act provided for nonsecure facilities where youngsters in need received safe shelter, counseling, and education until an effective family reunion could be accomplished. The RHYA and its provisions, such as the National Runaway Switchboard (NRS), remain in effect today and are administered through the U.S. Department of Health and Human Services. NRS, at 1-800-621-4000, assists runaway and homeless youth in communicating with their families and with service providers by funding temporary shelters for these youths, providing crisis intervention counseling to at-risk youth and their families, and providing message delivery services between at-risk youths and their families.

It quickly became clear that communication among law enforcement agencies concerning notification and information on missing children was in need of improvement. Recognizing that need, in 1975 the **National Crime Information Center (NCIC)**, an automated information sharing system maintained by the Federal Bureau of Investigation (FBI), instituted the **Missing Person File**. With the introduction of this file, officers anywhere in the nation could verify the report of a missing child who had been entered into the system and access case information within minutes of its entry by the reporting or "originating" law enforcement agency.

As more states adopted the UCCJA, many followed its recommendation that specific criminal sanctions were needed to make its provisions effective. In drafting statutes to provide for these sanctions, some states made the crime of family abduction a misdemeanor while others made it a felony. The remaining states created degrees of crime in which the basic abduction was considered a misdemeanor while certain aggravating factors, such as danger to the child or leaving the state, moved the offense into the felony range.

As individual states enacted criminal family abduction statutes, groups representing law enforcement officers, prosecutors, missing children's organizations, and parents emphasized the need for direction from the federal government in the investigation and adjudication of these cases. In response the U.S. Congress enacted the **Parental Kidnapping Prevention Act (PKPA)** of 1980 (28 USC § 1738A).

The PKPA had a significant impact on law enforcement since, for the first time, it extended certain federal investigative resources to local authorities. Specifically the PKPA expanded use of the federal Fugitive Felon Act to include abductors who had been charged with a felony and were known to have fled the state. With the aid of the regional U.S. Attorney, an Unlawful Flight to Avoid Prosecution (UFAP) charge could be placed against the abductor thereby enlisting the investigative resources of the FBI and the U.S. Department of Justice (42 USC § 1073). Another investigative method authorized by the PKPA involved extending the resources of the Federal Parent Locator Service (FPLS) in the search for abducting family members in the same manner it attempts to trace child support delinquents (42 USC § 663).

In the late 1970s and early 1980s, 3 incidents occurred that shocked the country and created a nationwide focus on the subject of missing and exploited children. Those events were the murders of 29 boys and young men in Atlanta from 1979 to 1981; the abduction of 7-year-old Etan Patz from a New York City neighborhood in May of 1979; and the July 1981 abduction and murder of 6-year-old Adam Walsh in Hollywood, Florida.

Voicing the nation's concern, parents of missing children testified before U.S. Congressional committees about the tragedy of such incidents and the need for additional resources to help in the investigation of each case. In response, the U.S. Congress passed the **Missing Children Act (MCA)**, 28 USC § 534(a), in 1982. Specifically the MCA called upon law enforcement to strenuously investigate every missing child case and enter all pertinent information about the incident into the NCIC Missing Person File. It also required the FBI to provide assistance in appropriate cases and confirm NCIC entries for the child's parents. The MCA served to announce that the federal government viewed the protection of missing children as a priority issue.

*Voicing the nation's concern,  
parents of missing children  
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resources...*

Missing person investigators acquired a significant resource when NCIC inaugurated the **Unidentified Person File** in June 1983. The records maintained in this file allowed law enforcement officers to compare information from their missing children cases against descriptions of unidentified bodies from jurisdictions across the country.



The U.S. Congress displayed its continuing commitment to the issue of missing and exploited children by enacting the **Missing Children's Assistance Act (MCAA)**, 42 USC § 5771 *et seq.*, in 1984. Recognizing that "federal assistance is urgently needed to coordinate and assist in the national problem of missing and abducted children," the U.S. Congress directed OJJDP to establish a private organization that would operate a national clearinghouse of information about missing and exploited children; maintain a toll-free, 24-hour, national telephone hotline to take information on missing and exploited children; provide technical assistance to law enforcement, nonprofit missing children's organizations, and families to help locate missing children; develop training programs to aid law enforcement in the investigation of missing and exploited child cases; and heighten the public's awareness concerning the issues of missing and exploited children. Many of the individuals and groups whose efforts led to the creation of this clearinghouse were present in April 1984 when the **National Center for Missing and Exploited Children (NCMEC)** opened.

*... the U.S. Congress  
... [mandated the  
establishment of] a  
private organization that  
would operate a national  
clearinghouse of  
information about missing  
and exploited children*

Occasionally investigations of family abduction cases are further complicated when the child is removed from the United States. Investigators and searching parents found assistance in these situations in 1988 when the United States became a signatory to the **Hague Convention on the Civil Aspects of International Child Abduction**, a treaty governing the return of internationally abducted children and the accompanying International Child Abduction Remedies Act of 1988 (42 USC §§ 11601-11610) was passed. This Act established procedures for bringing court actions in the United States for the return of abducted children pursuant to the Hague Convention. The Hague Convention has contributed to the successful return of many children when the other nation is also a signatory of the treaty. At the time of publication, 31 countries have become signatories to the Hague Convention.

Further information on the UCCJA, PKPA, Hague Convention, and the International Child Abduction Remedies Act of 1988 can be found in NCMEC's *Family Abduction: How to Prevent an Abduction and What to Do If Your Child Is Abducted*. To request a copy call 1-800-THE-LOST (1-800-843-5678).

Also in that year Title III of the Juvenile Justice and Delinquency Prevention Act was amended to create the Transitional Living Program for Homeless Youth (TLP) in response to the growing concern for young people who need long-term, supportive assistance that emergency-shelter programs were not designed to provide. TLP was designed to assist homeless youth, ages 16 through 21, make a successful transition to self-sufficient living and avoid long-term dependency on social service programs.

While most of the nation's law enforcement agencies came to realize that all missing children, including those who left home voluntarily, were at risk of victimization and exploitation, some agencies continued to be reluctant to take a report of a missing child. The U.S. Congress passed the **National Child Search Assistance Act** in 1990 (42 USC §§ 5779 and 5780) which mandated certain actions including

- No federal, state, or local law enforcement agency will establish or observe a waiting period before accepting a missing child case.
- All agencies will enter, without delay, reports of missing children younger than 18 years of age into the NCIC Missing Person File.
- Agencies will update identifying information on each case in NCIC within 60 days.
- Each case will receive proper investigative action.
- Investigators will maintain a close liaison with NCMEC on appropriate cases.

## The Numbers

Even before the early 1980s when the nation's attention became focused on the dangers faced by missing children, attempts were made to gain insight into the actual number of youngsters who could be categorized each year as "missing." In 1975, for example, the *National Statistical Survey on Runaway Youth*, conducted in conjunction with the Runaway and Homeless Youth Act, estimated that approximately 500,000 young people ran away from their homes each year. (The citations for each study noted in this manual will be found in the "References" listing at the conclusion of the chapter in which it is discussed.)

The U.S. Congressional hearings that resulted in the Missing Children Act of 1982 included testimony indicating that 2 million youngsters disappeared each year and as many as 5,000 were murdered through kidnapping and abduction. While these figures were submitted without substantiation and were considered exaggerated, they were repeated often enough to convince OJJDP that a definitive survey was needed to provide credibility to the entire issue. Pursuant to the Missing Children's Assistance Act of 1984, OJJDP conducted the *National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children in America* (NISMART) to accurately estimate the number of missing children within the United States. This study, published in 1990 by OJJDP, is available in the full report (NCJ123668) or the executive summary (NCJ123667) from the Juvenile Justice Clearinghouse, Box 6000, Rockville, MD 20850, 1-800-851-3420.

Completed and published after 5 years of research, NISMART collected and evaluated information from the target year of 1988. (See Figure 1-2 for details on the study's findings.) This study reviewed the true nature of the problem and concluded that

- What had in the past been called the missing children problem was in reality a set of at least 5 very different, distinct problems of family abduction;

nonfamily abduction; runaways; throwaways; and lost, injured, or otherwise missing children.

- Because of definitional controversies and confusion about the concept of missing children, public policy still needs to clarify the domain of this problem.
- Many of the children reported on in the study were not literally missing because caretakers did know where they were. The problem, in those cases, was one of recovering them.

**Results of National Incidence Studies of  
Missing, Abducted, Runaway, and Throwaway Children  
in America (NISMART)**

Type of Case	Broad Scope Incidents	Policy Focal Incidents*
Runaway	450,700	133,500
Lost/Injured/Otherwise Missing	438,200	139,100
Family Abduction	354,100	163,200
Throwaway	127,100	59,200
Nonfamily Abduction	-	3,200 - 4,600
Attempted Abductions	114,600	-

\*This study distinguished between Broad Scope and Policy Focal numbers. Broad Scope defines the problem the way the affected family might define it. This definition includes both serious and minor episodes that may nonetheless be alarming to the participants. Policy Focal defines the problem from the point of view of police or other social agencies. This category is restricted to episodes of a more serious nature where without intervention the child may be further endangered or at-risk of harm.

Figure 1-2

Thus law enforcement needs to understand that this problem is multifaceted and often requires the expenditure or utilization of resources beyond those which have traditionally been used to "find a missing child."

For information on other sources of statistical information on the extent and nature of this problem see Figure 1-3.

## **Law Enforcement's Response to Reports of Missing Children**

Along with accurately estimating the number of children reported missing each year, OJJDP also recognized the need to measure the priorities and procedures that the nation's law enforcement agencies followed when investigating reports of missing children. This evaluation was necessary, in part, to assess the accuracy of U.S. Congressional testimony from parents and advocates of missing children who maintained that law enforcement often placed "conditions" on accepting these reports.

### Sources of Statistical Information on Missing and At-Risk Children

Organization	Type of Information	To Contact Call/See
NCMEC	National data on missing children	<b>1-800-THE-LOST</b> <b>(1-800-843-5678)</b>
State Missing Children's Clearinghouses	Data on missing children within their state	See listing beginning on page 203
Nonprofit Missing Children's Organizations	Local data on missing children	To find the group nearest to your location call NCMEC at <b>1-800-THE-LOST</b> <b>(1-800-843-5678)</b>
Family and Youth Services Bureau	National data on runaway and homeless youth	<b>301-584-4200</b>

**Figure 1-3**

The *National Study of Law Enforcement Policies and Practices Regarding Missing Children and Homeless Youth*, released in 1992, contains a number of findings and recommendations that should be of interest to police investigators and administrators. In general it supports the opinion that law enforcement readily accepts its important role in the missing children issue. Its findings noted that police evaluate each case on an individual basis; race or income of the child and family do not influence the way police respond; the longer a case remains active, the greater the risk to the child; officers are unaware of, or reluctant to contact, local community groups that offer services to at-risk children, especially after a child has been recovered; law enforcement agencies with written policies on missing child cases are viewed as conducting more vigorous investigations and parents of missing children are more satisfied when officers pay an in-person visit, request a photograph of the child, and keep in contact during the investigation. Recommendations of this study include that

- An accurate evaluation of the missing child episode is absolutely vital to proper case handling and successful resolution.
- Case screening procedures should be developed to identify at-risk children.
- Law enforcement agencies should institute written guidelines to define responsibilities in missing child investigations.
- Procedures should be developed to integrate a law enforcement response with other family and youth resources in the community.

A copy of this study's Executive Summary (NCJ144765) is available from the Juvenile Justice Clearinghouse (JJC), 1-800-851-3420.

## **Current Trends, Projects, and Programs**

Officers handling missing children cases realize that, along with learning the most current, up-to-date investigative techniques, they also must be aware of other elements that have an impact on the way the issue is viewed within their own community and agency. Through such awareness, officers will be able to learn about effective training courses, gather information developed in research projects, evaluate programs that have been implemented in other jurisdictions, and share opinions and strategies with colleagues from across the country. This total issue awareness, combined with specific investigative knowledge, helps the officer understand the situation and respond correctly to even the most complex missing child case. While new trends, projects, and programs are frequently being introduced or reviewed, the investigator may be interested in the following discussion of the ones that are currently receiving the most attention.

**Training for Law Enforcement** Law enforcement agencies across the country are steadily improving the training received by their officers on the subject of missing and exploited children. Local jurisdictions, often supported by state criminal justice training agencies, are including blocks of instruction not only in recruit training, but during in-service programs as well. While training on the topic of missing children is mandated in only a few states, many jurisdictions have voluntarily designed and included such instruction because child protection has become a top agency priority.

In addition to state and local efforts, the federal government continues to offer specialized programs aimed at strengthening law enforcement's response to cases of missing children. For instance, segments on the investigation of missing children cases have been included in OJJDP sponsored training courses. (For a full description of these programs see "Appendix G: Training" on page 212.) For information on NCMEC's *Basic Investigative Techniques - Missing and Abducted Children (BITMAC)*, call NCMEC at 1-800-THE-LOST (1-800-843-5678).

**Investigation of Family Abduction Cases by the Prosecutor's Office** Because of the complexity associated with cases of family abduction, more jurisdictions are developing cooperative agreements in which the prosecutor's office assumes investigative responsibility from local law enforcement. Reasons cited for such action include local law enforcement agencies, especially those that seldom experience such incidents, will not have to assign already limited personnel resources to complex cases that often require months or years to resolve; the staff at the prosecutor's office is better prepared to evaluate custody decrees and other legal

documents; attorneys in the prosecutor's office may be more effective in dealing with the lawyer for the abducting parent; prosecutor's offices often have ready access to certain databases, such as credit bureau files, to track the whereabouts of the abducting parent; prosecution of the violator is simplified; and law enforcement investigators can be apprised of case progress and called in to assist if circumstances warrant.

**State Missing Children's Clearinghouses** Law enforcement officers who work within a state that maintains a missing children's clearinghouse can attest to the important function it performs as an investigative resource. Clearinghouses not only act as a registry for all missing child cases within that state, but can also assist an officer whose investigation reaches into other jurisdictions, states, or countries. In addition some clearinghouses are able to provide specific resources to the investigator such as database checks, flier preparation and distribution, and search and rescue assistance. For a listing of these clearinghouses see "Appendix E: State Clearinghouse Contact List" on page 203.

Efforts are underway to enhance the ability of clearinghouse personnel to play an even greater role in missing children investigations. Most clearinghouses have joined in an OJJDP supported, nationwide computer network that facilitates electronic information sharing among clearinghouses and between the National Center for Missing and Exploited Children (NCMEC) and these clearinghouses. Such information sharing expedites the dissemination of leads and investigative resources to help assist in the search for missing children, especially in cases where abductors are believed to be fleeing from state to state and when separate cases in different states may have been committed by the same felon.

**Newborn/Infant Abduction Program** While not a crime of epidemic proportion, the abduction, by nonfamily members, of infants (birth through 6 months) from healthcare facilities has clearly become a concern for parents, nurses, healthcare security, law enforcement officials, and NCMEC. With the goal of preventing crimes against children, NCMEC, in cooperation with the FBI Academy, the University of Pennsylvania School of Nursing, the International Association for Healthcare Security and Safety, and AWHONN (the Association of Women's Health, Obstetric, and Neonatal Nurses), has studied infant abduction from hospitals, homes, and other sites and considers them preventable in large part by "hardening the target" or making it more difficult to abduct an infant. To bring this prevention message to as many facilities as possible, teams of professionals appear before hospital administrators, nursing staffs, and security personnel to educate them in effective methods to lessen the likelihood of an abduction while newborn babies are in their care. In addition NCMEC has published a number of documents that define the issue and discuss prevention techniques. Such efforts led to a dramatic decrease in the number of infant abductions from hospitals in 1992. Infant abductions decreased by 55 percent in 1992 and that new lower number of incidents was maintained in

1993. Technical assistance concerning the subject of newborn and infant abduction is available from NCMEC, when calling in the United States, Canada, and Mexico, at 1-800-THE-LOST (1-800-843-5678). When calling from the United Kingdom call toll-free at 0-800-962587.

**Identifying and Tracking the Sex Offender** Most law enforcement officers are aware of statistical information indicating that sexual molesters of children are responsible for many abduction cases. As a result, investigative efforts in such cases are often directed toward identifying molesters who might have frequented the area where a crime took place or were suspected in other incidents. In support of their investigative efforts, officers should be aware of 3 ongoing initiatives aimed at identifying and tracking sex offenders and obstructing their access to children

- State legislation that permits the careful screening (background checks) of all individuals who seek to work or volunteer in positions that bring them into frequent contact with children.
- The enactment of laws that require convicted sex offenders, upon release from prison or placement on parole or probation, to register their current address and identification information with law enforcement.
- The establishment of statewide genetic databases that contain deoxyribonucleic acid (DNA) samples from the blood or saliva of convicted sex offenders.

Information on systems to identify and track sex offenders, with particular attention to existing, proposed, and suggested legislation, can be found in NCMEC's publication entitled *Selected State Legislation*. In addition NCMEC's Case Enhancement and Information Analysis Unit is available to offer child sex offender case related technical assistance. Both resources are available by calling 1-800-THE-LOST (1-800-843-5678).

**Participation in Multi-Disciplinary Programs** While many government agencies play an important role in a community's overall response to the issue of missing and exploited children, few perform such an immediate, vital function as law enforcement. Officers are often called upon to instantly assess situations of missing or exploited children and promptly render decisions with far-reaching effects for both the child and his or her family. Law enforcement agencies can strengthen their response in these cases by teaming with the many other resource agencies within their community. Model programs to help communities facilitate such a team approach have been initiated in several locations across the country through the Missing and Exploited Child Comprehensive Action Program (M/CAP). For more information on the ways law enforcement can participate in these programs, call NCMEC at 1-800-THE-LOST (1-800-843-5678).

**Juvenile Justice Clearinghouse** OJJDP established the Juvenile Justice Clearinghouse (JJC) in 1979 to collect and disseminate agency publications, research findings, and program evaluations concerning juvenile justice issues. Since then JJC has become a comprehensive information resource that can assist law enforcement officers and administrators in meeting the challenges presented by today's diverse juvenile justice issues. To directly aid the officer, JJC has a team of juvenile justice information specialists available to respond to inquiries by providing information, publications, and referrals. The clearinghouse also offers access to the National Criminal Justice Reference Service (NCJRS), an international clearinghouse established to meet the information needs of law enforcement and the criminal justice community, and to the NCJRS Electronic Bulletin Board, a computerized method of obtaining timely information. For more information about JJC and NCJRS call 1-800-851-3420.

**National Clearinghouse on Runaway and Homeless Youth** This organization provides a central source of information on the needs of runaway and homeless youth and makes available program information and materials to youth-service providers. It provides information sharing, issue forums, publications development, and networking. For more information on this organization call 301-608-8098.

**Reunification of Missing Children** After months and often years of investigation, law enforcement officers who successfully locate a missing child are not always aware of the additional trauma associated with reuniting the child and family. The Reunification of Missing Children Project, sponsored by OJJDP, is designed to assist law enforcement officers, criminal and juvenile justice personnel, mental health workers, and social service professionals in developing effective, community-based strategies to aid families in adjusting to the return of a missing child. When the project is completed, information regarding effective reunification techniques will be made available to all concerned professionals.

**Deceased Child Project** Abductions that result in a child's death present the greatest investigative and emotional obstacles a law enforcement officer is likely to encounter. By reviewing other deceased child cases, officers may be able to see similarities in a current case and find clues that can help resolve their case. For information on available research in this area call NCMEC at 1-800-THE-LOST (1-800-843-5678).



## Conclusion

Throughout this chapter attention has been focused on facts, statistics, and programs related to missing and exploited children in order to provide a historical perspective on the development of the issue. It is of extreme importance that law enforcement investigators, trainers, planners, and administrators obtain a sense of the magnitude and effect, both positive and negative, that this highly emotionally charged issue carries. **Remember, the primary objective must always remain the safe return of endangered children—children with names, children with faces, children with loved ones anxious for their safety.**

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### **Videotapes**

*Law Enforcement Custody of Juveniles* (1992). This videotape and its accompanying training guide describes limitations of law enforcement options when dealing with runaways and other status offenders. Available (NCJ137387) from NCJRS, 1-800-851-3420.

*Safeguard Their Tomorrows* (1991). An educational videotape and printed materials for healthcare professionals on infant abductions. Available from Mead Johnson Nutritionals Representatives.

*When Your Child Comes Home* (1991). This videotape is used most effectively in conjunction with the *Reunification of Missing Children Manual* which relates the findings of the first major study to examine the issues of reunification of children abducted by nonfamily/family members or who ran away from home. Available from NCMEC, 1-800-THE-LOST (1-800-843-5678).

### **Training Programs**

For information about *Basic Investigative Techniques - Missing and Abducted Children (BITMAC)*, NCMEC's 40-hour training program, contact NCMEC at 1-800-THE-LOST (1-800-843-5678).

For a full description of the law enforcement training programs sponsored by the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP) see page 212.

# Initial Response Investigative Checklist

The purpose of this Investigative Checklist is to provide law enforcement officers and agencies with a generic guide for the investigation of missing child cases. Law enforcement administrators should ensure that their agencies have established effective policies and procedures for the handling of missing/abducted child investigations. Compliance with an agency's standard operating procedures, by officers conducting missing child investigations, can result in efficient operations and successful resolution of the incident.

This checklist is not intended to be followed step-by-step by officers during each missing child investigation. It is meant to provide them with a framework of actions, considerations, and activities that can assist them in performing competent, productive, and successful missing/abducted children investigations. Please consult the text of this chapter for details on the items listed.

## Administrative

- [ ] Intake report from parent/caller.
- [ ] Obtain basic facts, details, and a brief description of missing child and abductor.
- [ ] Dispatch officer to scene to conduct a preliminary investigation.
- [ ] Search juvenile/incident records for previous incidents related to missing child and prior police activity in the area including prowlers, indecent exposure, attempted abductions, etc. Inform responding officer of any pertinent information.
- [ ] Broadcast known details, **on all police communication channels**, to other patrol units, other local law enforcement agencies, and surrounding law enforcement agencies and, if necessary, use NLETS telecommunication network to directly alert agencies in multi-state areas.
- [ ] Activate established **fugitive search plans** (prearranged plans among participating police agencies designed to apprehend fleeing fugitives) if necessary.
- [ ] Maintain records/recordings of telephone communications/messages.
- [ ] Activate established protocols for working with the media.

### **First Responder**

- [ ] Interview parent(s)/person who made initial report.
- [ ] Verify that the child is in fact missing.
- [ ] Verify child's custody status.
- [ ] Identify the circumstances of the disappearance.
- [ ] Determine when, where, and by whom missing child was last seen.
- [ ] Interview the individuals who last had contact with the child.
- [ ] Identify the child's zone of safety for his or her age and developmental stage.
- [ ] Based on the available information, make an **initial** determination of the type of incident whether nonfamily abduction; family abduction; endangered runaway; or lost, injured, or otherwise missing.
- [ ] Obtain a **detailed** description of missing child/abductor/vehicles/etc.
- [ ] Relay detailed descriptive information to communications unit for broadcast updates.
- [ ] Request additional personnel if circumstances require.
- [ ] Request investigative assistance if necessary.
- [ ] Request supervisory assistance if necessary.
- [ ] Brief and bring up to date all additional responding personnel including supervisors and investigative staff.
- [ ] Ensure that everyone at the scene is identified and interviewed separately. Make sure that their interview and identifying information is properly recorded. To aid in this process, if possible, take pictures or record video images of everyone present.
  - [ ] Note name, address, home/business telephone numbers of each person.
  - [ ] Determine each person's relationship to missing child.
  - [ ] Note information that each person may have about the child's disappearance.
  - [ ] Determine when/where each person last saw the child.
  - [ ] Ask each one, "What do you think happened to the child?"

- ☐ Obtain names/addresses/telephone numbers of child's friends/associates and other relatives and friends of the family.
- ☐ Continue to keep communications unit apprised of all appropriate developing information for broadcast updates.
- ☐ Obtain and note permission to search home or building where incident took place.
- ☐ Conduct search to include all surrounding areas including vehicles and other places of concealment.
- ☐ Treat the area as a crime scene.
- ☐ Seal/protect scene and area of child's home (including child's personal articles such as hairbrush, diary, photographs, and items with the child's fingerprints/footprints/teeth impressions) so that evidence is not destroyed during or after the initial search and to ensure that items which could help in the search for and/or to identify the child are preserved. Determine if any of the child's personal items are missing. If possible, photograph/videotape these areas.
- ☐ Evaluate contents and appearance of child's room/residence.
- ☐ Obtain photographs/videotapes of missing child/abductor.
- ☐ Prepare reports/make all required notifications.
- ☐ Ensure that information regarding missing child is entered into the NCIC Missing Person File and that any information on a suspected abductor is entered into the NCIC Wanted Person File.
- ☐ Interview other family members, friends/associates of the child, and friends of the family to determine
  - ☐ When each last saw child.
  - ☐ What they think happened to the child.
- ☐ Ensure that details of the case have been reported to NCMEC.
- ☐ Prepare and update bulletins for local law enforcement agencies, state missing children's clearinghouse, FBI, and other appropriate agencies.
- ☐ Prepare a flier/bulletin with the child/abductor's photograph and descriptive information. Distribute in appropriate geographic regions.

- [ ] Secure the child's latest medical and dental records.
- [ ] Establish a telephone hotline for receipt of tips and leads.
- [ ] Establish a leads management system to prioritize leads and ensure that each one is reviewed and followed up on.

#### **Investigative Officer**

- [ ] Obtain briefing from first responding officer and other on-scene personnel.
- [ ] Verify the accuracy of all descriptive information and other details developed during the preliminary investigation.
- [ ] Obtain a brief, recent history of family dynamics.
- [ ] Correct and investigate the reasons for any conflicting information offered by witnesses and other individuals submitting information.
- [ ] Review and evaluate all available information and evidence collected.
- [ ] Develop an investigational plan for follow-up.
- [ ] Determine what additional resources and specialized services are required.
- [ ] Execute investigative follow-up plan.

#### **Supervisory Responsibility**

- [ ] Obtain briefing and written reports from first responding officer, investigators, and other agency personnel at the scene.
- [ ] Determine if additional personnel are needed to assist in the investigation.
- [ ] Determine if outside help is necessary from
  - [ ] State Police.
  - [ ] State Missing Children's Clearinghouse.
  - [ ] FBI.
  - [ ] Specialized Units.
  - [ ] Victim Witness Services.
  - [ ] NCMEC's Project ALERT.
- [ ] Ensure that all the required resources, equipment, and assistance necessary to conduct an efficient investigation have been requested and expedite their availability.
- [ ] Establish a command post away from the child's residence.

- [ ] Ensure coordination/cooperation among all police personnel involved in the investigation and search effort.
- [ ] Ensure that all required notifications are made.
- [ ] Ensure that all agency policies and procedures are in compliance.
- [ ] Conduct a criminal history check on all principal suspects and participants in the investigation.
- [ ] Be available to make any decisions or determinations as they develop.
- [ ] Utilize media (including radio, television, and newspapers) to assist in the search for the missing child and maintain media relations, per established protocols, throughout the duration of the case.

In cases of	<b>Nonfamily Abduction</b>	<i>See Chapter 3 on page 43</i>
	<b>Family Abduction</b>	<i>See Chapter 4 on page 63</i>
	<b>Runaway Children</b>	<i>See Chapter 5 on page 89</i>
	<b>Unknown Missing Children</b>	<b>Treat as Nonfamily Abduction</b>

*Note:* Periodic updates will be made in this checklist. To obtain those updates and request technical assistance on specific cases, please call NCMEC at 1-800-THE-LOST (1-800-843-5678).

The purpose of this chapter is to provide the police officer with information that will enable him or her to make accurate decisions regarding the appropriate response to reports of missing or abducted children. The decisions made and actions taken during the preliminary stages have a profound affect on the outcome of the case. The capability to rapidly assess a situation based on the available facts and take appropriate action is a necessity. Understanding the highly emotional nature of a missing child case is a vital part of being able to assess the situation accurately.

At one time or another most parents experience those terrifying few minutes when their child wanders away or is several hours late in coming home and cannot be immediately located. Heartbeats race, panic sets in, and a frantic search is begun in which every possible spot where the child might be found is combed. During those initial moments, parents imagine their child in the most fearful situations either trapped in some unseen place; lying injured or unconscious out of everyone's sight; or, the most dreaded, abducted by some stranger for unspeakable purposes. Thankfully, in the vast majority of these situations, the child is soon located uninjured. Everyone begins to relax, tears are dried, hugs get mixed with a little scolding, and life returns to normal.

*Understanding the highly emotional nature of a missing child case is a vital part of being able to assess the situation accurately.*

In more than 500,000 cases each year, however, life is anything but normal. That figure, as published in the *National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children (NISMAART)*, represents the number of times when parents call law enforcement authorities to report a child missing. The response that parents receive from these agencies is unquestionably one of the most critical in the entire missing child investigative process. While it is true that most of these children are either found, or return on their own within a few days, law enforcement agencies must assess whether the child's return was due to an effective and well-organized investigative response or the result of coincidence and chance. In those few cases where police determine the location of the child, but are prohibited from picking him or her up to be returned to the legal custodian, law enforcement agencies need to consider working as a team with other governmental and social service agencies to ensure that the child is receiving all of the services and assistance possible in order to be safeguarded from harm.

When a law enforcement agency receives the report of a missing child, there is seldom a clear indication as to whether the child has simply wandered off or been delayed and will be found in a short time or is instead the victim of foul play. The attitude or approach that an agency and its officers take in the initial response to these situations may actually determine whether the child is recovered and returned home safely or remains missing for months or even years or, worse yet, is never located. This initial reaction, therefore, must be considered as a critical stage in the entire law enforcement response.



*The attitude or approach that an agency and its officers take in the initial response to these situations may actually determine whether the child is recovered and returned home safely or remains missing for months or even years or, worse yet, is never located.*

If first responders approach these cases with an opinion that the child has become lost or, in the case of an older child, has left voluntarily and will most likely return in a few hours or days, officers may overlook many details that they are otherwise trained to observe. By forming such a preliminary opinion officers will miss the opportunity to immediately identify critical information such as a witness who was driving through the neighborhood and observed the child talking to someone or to interview an individual who saw the child walking toward a park, wooded area, or dangerous construction site. For these and many other reasons, not the least of which is liability, it is recommended that law enforcement agencies respond to every report of a missing child as if the child is in immediate danger. An assessment will need to be made as to the seriousness of the situation and probable danger that the child is in to allow for the assignment of resources to search for the child. In making this initial assessment, be sure to position your investigation so as not to preclude other more serious situations. Assume that the child is in danger until the facts contradict that assumption. Consider all possibilities including situations in which the child has been abducted by a nonfamily member, is the victim of a violent custodial dispute, or is missing under circumstances that threaten his or her welfare or safety. When officers respond in this manner they will be more likely to collect initial evidence or information that might otherwise be lost during the critical, early stages of an investigation.

## **Initial Response Components**

**Administrative Component** Recent studies have determined that law enforcement agencies having clearly defined policies and procedures concerning all aspects of their missing child response are considered to be conducting aggressive investigations and securing successful case closures. As well as describing the roles and responsibilities of officers or units assigned to specific investigative functions, comprehensive policies and procedures should include directions concerning the actions that are to take place when a report is first received.

For the checklist of actions that law enforcement administrators should consider in these situations see "Administrative" on page 21. Following is a discussion of those actions and related procedures that law enforcement agencies may wish to consider when a missing child case is first reported.

**Call Intake** Most law enforcement agencies employ individuals trained at taking calls from persons who are emotionally distraught. These call takers have found that an effective technique, for both calming the caller and obtaining the most valuable information, is to inform the caller that an officer is responding to the scene. Once an individual is assured that assistance is enroute, he or she is more likely to think logically and provide direct answers to the operator's questions.

During the initial call, standard, pre-determined questions should be asked with the responses relayed to the responding officer. Call takers need to obtain the basic facts and details of the situation while getting a brief description of the missing child and any suspected abductor(s). If the agency does not have a system for audio recording of these calls, the operator should make thorough notes of exact comments and terminology used by the caller. Such information may prove to be of great value during both the investigative process and subsequent prosecution stage.

Since the ability to accurately assess a missing child report begins with the quality of information received, communications personnel should be able to immediately provide the officer with an overview of agency records concerning the child or family. For example, the dispatcher should have the technology to inform the responding officer if the child has been the subject of a previous missing child report or other police action and if reports of abuse or neglect have been recorded at the incident location. In addition the dispatcher should be able to relay information on prior police activity in the area where the child was last seen such as complaints on prowlers, indecent exposure, attempted abductions, etc.

*...it is recommended that law enforcement agencies respond to every report of a missing child as if the child is in immediate danger.*

**Radio Broadcasts** Rather than wait for the responding officer to reach the scene and gather further information, it is recommended that agencies broadcast an immediate alert, on all police communication channels, to all other patrol units providing as much information about the child and circumstances of the disappearance as possible. Although this initial radio broadcast may not contain complete information, the relaying of facts known, at that point in time, to other officers may lead to a prompt, safe recovery. As more information is obtained, either by the call taker or the responding officer, additional broadcasts can supplement the original announcement.

Besides agency-wide notifications, agencies should prepare radio bulletins that can be broadcast throughout the region, again on all police communications channels. As in the case of the initial local broadcast, information forwarded to agencies within the immediate region can be updated as more facts become known. Delaying the initial regional broadcast until all information is gathered not only slows the resources these agencies can offer but further jeopardizes the safety of the missing child.

**NLETS** To ensure thorough dissemination of all facts surrounding the disappearance of a child, local and regional radio broadcasts should be immediately followed-up with written communications. By utilizing the National Law Enforcement Telecommunications System (NLETS), hard copy information regarding the case can be directed to police agencies in any or all regions of the country. As with radio broadcasts, initial information entered in the NLETS system can be regularly updated as facts and leads become known.

**Fugitive Search Plans** If circumstances warrant, activate any prearranged plans among participating law enforcement agencies to apprehend fleeing fugitives. Such fugitive search plans can be effective in cases where a child has been abducted and the abductor is attempting to transport the child out of the immediate area.

**Media Relations** A final administrative responsibility concerns the establishment of protocols for working with the media during high-profile missing child cases. Since observation by the public can be an effective supplement to an ongoing investigation, agency spokespersons or public information officers should have a method in place to immediately utilize the media to disseminate information. Such a protocol should not be used unnecessarily, but only in those situations when public awareness can realistically affect case resolution.

**First Responder Component** As the first responder to the report of a missing child, the patrol officer is best situated to take the initial account and conduct the preliminary investigation. In addition to around-the-clock availability, an officer assigned to routine patrol duties is usually familiar with a community or neighborhood and is likely to notice any unusual activity or suspicious persons.

**Responding to the Scene** Response should be prompt. Even if the assigned patrol officer has been provided with initial information such as the child's description and other facts about the incident, it would be inappropriate to delay response to circle through parks, check playgrounds, or stop suspicious individuals. These activities can more appropriately be handled by other patrol units in the area.

**On-Scene Activities** Upon arrival at the scene, the first responder's duties should follow the same logical progression of activity that would be applied in other significant incidents. These activities are wide-ranging. For the checklist of activities to consider at this point in the investigation see "First Responder" beginning on page 22. Following is a discussion of those items and related procedures that law enforcement agencies may wish to consider at this point in the investigation.

Once the officer arrives on the scene, he or she must interview the complainant to obtain a detailed description of the missing child, abductor, vehicles involved, etc., and identify and interview those who last saw the child. When interviewing those present at the scene, identify the "zone of safety" for the child's age and develop-

mental stage. Try to determine how far the child could travel from the spot where last seen before he or she would likely be at risk of being injured or exploited.

At this point the officer needs to make an *initial* classification of the case and gather enough information to commence investigative actions. Answers obtained to interview questions will enable the officer to make an initial assessment as to whether the child is lost, has been abducted, or has left voluntarily. Questions concerning custody disputes and the possible involvement of a noncustodial parent should also be raised during this interview. Parents\* also should be asked to provide a complete description of the child. This interview should take place in an area where interruptions are minimal.

Officers should exercise extreme caution in "labeling" or "classifying" a missing child case. Classifying a case into a category generally considered as "less urgent" will often affect the way in which initial evidence or information is gathered. Even if the initial information suggests such a classification, it is strongly recommended that officers run "parallel investigations" that take all possibilities into account until the case category is clearly determined.

Responding officers will often encounter several types of people at the scene of a missing child report. Other members of the household, relatives, neighbors, and friends of the child may be present and able to provide additional information about the circumstances of the disappearance or insight into recent events in the life of the missing child. Each should be interviewed separately in an attempt to obtain honest answers that are not influenced by the presence of other individuals. It is recommended that officers record the names of all individuals present at the scene for future investigative reference.

Verify the fact that the child is missing so that other officers can either continue their involvement in the case or resume regular duties. Remember that distraught parents may not completely check the house for a young child who could be playing hide-n-seek, listen to the answering machine to hear a message from their teenager saying that he or she is coming home later than planned, etc. Discuss with the parents every obvious location as to where the child could be located to make sure that no area or possibility has been overlooked.

*Verify the fact that the  
child is missing...*

Officers should remain alert to unusual circumstances surrounding the child's disappearance that would require immediate action and the mobilization of all

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\* Unless otherwise noted, this manual uses the term parent to refer to the child's biological parent, the person(s) with legal custody or guardianship of the child, or those persons acting in such a capacity on behalf of the child during a crisis whether a family member, friend, or governmental agency.

available resources. See Figure 2-1 for a listing of *unusual circumstances*. When unusual circumstances exist, law enforcement agencies should "pull out all the stops" by calling in additional personnel, supervisory investigative assistance, special support units that may be needed such as K-9 and aviation, and any other additional resources that are available.

Unusual Circumstances
<input type="checkbox"/> The missing youth is 13 years of age or younger.
<input type="checkbox"/> The missing youth is believed to be out of the zone of safety for his or her age and developmental stage.
<input type="checkbox"/> The missing youth is mentally incapacitated.
<input type="checkbox"/> The missing youth is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
<input type="checkbox"/> The missing youth has been absent from home for more than 24 hours before being reported to the police.
<input type="checkbox"/> Based on available information it is determined that the missing youth is in a life-threatening situation.
<input type="checkbox"/> Based on available information it is believed that the missing child is in the company of adults who could endanger his or her welfare.
<input type="checkbox"/> The absence is inconsistent with his or her established patterns of behavior and the deviation cannot be readily explained.
<input type="checkbox"/> Other circumstances are involved in the disappearance that would cause a reasonable person to conclude that the child should be considered "at-risk."

Figure 2-1

After interviewing the complainant, the responding officer should have enough information to fully update the description of the child and the circumstances of the disappearance. If warranted, supplemental radio broadcasts should be prepared that contain all additional information.

If there is an identifiable location, including the child's home or bedroom, that could possibly be classified as a crime scene, or at least as a site where the contents should not be disturbed, responding officers are responsible for safeguarding the integrity of the location to preserve any items that may eventually be identified as evidence. Obtain and note permission to search the area. Be sure to search any surrounding areas including vehicles and other places of concealment.

Officers must make every effort to assume immediate control of any site filled with people who threaten to overwhelm or overrun a possible crime scene. This may be accomplished by identifying those individuals who hold significant respect from the group, besides the parents, and asking them to act as intermediaries between the officer and crowd. Once this control is in place, the officer can direct that some people be used to protect the scene while others are detailed to tasks such as walking or driving through local parks, playgrounds, and construction sites or checking places in the neighborhood that are attractive to youngsters. Additionally, family members or friends can be assigned to make telephone calls to all neighbors or places where there is a possibility that the child may be found. Finally, one member of the group should be asked to record the identities and activities of those present and, if possible, to take photographs of and/or scan the crowd with a video camera. Ensure that **everyone** at the scene is properly identified, his or her relationship to the child is noted, and his or her observation on "what happened to the child" is recorded. Abductors and/or their accomplices have been known to "assist" in the search for a missing child to learn how the investigation is progressing or try to impede the investigation in some way. Thus a carefully compiled record of all persons present at the scene can be beneficial later in the investigation.

If the child was last seen in an area or place other than his or her home, officers are urged to undertake a thorough search of the child's home, even if the parents claim to have already done so. As was recommended at the crime scene, obtain and note permission to conduct a search of the child's home. Officers should take this opportunity to secure either the last clothes worn by the child or current bed sheets for possible use by K-9 units in a ground search. Also obtain any recent photographs and videotapes of the child for use in distributing the child's visual image to the public through the use of fliers and broadcast by the media. Such activity greatly enhances the chances of receiving leads on the child's whereabouts. In addition secure the child's fingerprints. If fingerprints are not available, secure items that may have the child's fingerprints and teeth impressions for identification purposes.

*...the responding officer  
should ensure that a  
complete description of the  
child and circumstances  
surrounding the  
disappearance are entered in  
the NCIC  
Missing Person File.*

After initial interviews have been conducted and potential crime scenes have been either searched or secured, the responding officer should ensure that a complete description of the child and circumstances surrounding the disappearance are entered in the NCIC Missing Person File. See "Appendix A: NCIC Missing Person Report Form" on page 195 for the format that NCIC recommends when obtaining descriptive information. Officers should confer with their agency's control terminal operator (CTO) for more information regarding NCIC requirements. Care should be taken to verify that the proper file category is designated. Categories include

Disability, Endangered, Involuntary, Juvenile, and Catastrophe. For a complete description of NCIC filing categories *see* the listing on page 154.

Actions taken by officers during the preliminary stages of an incident are of extreme importance, especially if the case develops into a criminal matter or a long-term investigation. Information gathered by the responding officer, such as persons present at the incident location, comments of the complainant, appearance of the scene, etc., may be instrumental in the eventual case resolution. To record this important information, responding officers should prepare a chronological account of their involvement and actions in the case from the time of assignment to the point of dismissal. Officers should include everything, not just those events that seem to have a direct bearing on the case. When completed, this summary should be promptly submitted and become part of the investigative case file.

*Actions taken by officers during the preliminary stages of an incident are of extreme importance...*

With the wide variation in staffing among law enforcement agencies, some first responders will be assisted immediately by surrounding patrol units, investigators, supervisory staff, and officers from specialized units. Other officers, however, may be required to assume a wider range of notification tasks to arrange for assistance. Once officers in these situations have determined the need for continuing case activity, requests should be made to ensure the presence of agency supervision at the scene. At the direction of the supervisor, officers may then expedite investigations and improve the chances of a recovery by notifying units or agencies that could provide immediate investigative assistance.

All available information on the missing child and the circumstances of the disappearance should be reported to the National Center for Missing and Exploited Children which can offer a wealth of resources from photo distribution to placement of a Project ALERT volunteer to offer on-site technical assistance. In addition call and advise your local FBI office of the situation. The FBI has many investigative resources to offer, especially in cases of nonfamily abduction.

To ensure the proper handling of tips and leads, establish a dedicated telephone line for their receipt. Also establish a leads management system to prioritize those leads. NCMEC, at 1-800-THE-LOST (1-800-843-5678), can provide such a computerized system to assist in this process. Also the forms beginning on page 142 will assist with leads management. The methodology employed for leads management should be part of the response policy and procedure.

**Investigative Component** While subsequent chapters will present specific investigative techniques for dealing with subjects such as nonfamily abductions, family abductions, and the endangered runaway, there are certain common activi-

ties that apply to the role of investigative personnel during the initial response to a missing child report. For the checklist of activities to consider at this point in the investigation see "Investigative Officer" on page 24. Following is a discussion of those items and related procedures that law enforcement agencies may wish to consider at this point in the investigation.

**Debriefing the First Responder(s)** After assuming control of the investigation, but before meeting with the family of the missing child and with witnesses who may have been identified during earlier stages of the case, investigators should conduct a thorough debriefing of all agency personnel on the scene. Information and insight gained from these individuals, especially the first responder(s), will be of significant value as the investigator formulates an approach to upcoming interviews and devises future case strategies.

**Interviewing Witnesses** As in other types of major cases, after the collection of available information and data, the investigative team needs to begin the fact-finding, interview process. After interviewing parents, family members, neighbors, witnesses, and other individuals, investigators should "compare notes" with the first responder, immediate supervisor, and other agency personnel who have had contact with the persons interviewed. Work through any conflicting information and verify the accuracy of all facts obtained. This collaborative evaluation will provide the investigative staff with a solid foundation upon which to structure future case directions.

It is critical to obtain a brief family history from the persons present at the scene and verify, to the best of the agency's ability, the accuracy of that information. Such information can offer invaluable insights as to what may have happened to the child and/or where the child may now be located. At this point in the investigation review and evaluate all information and evidence collected, develop and execute an investigative follow-up plan, and determine what additional resources and specialized services are required.

While the initial response steps mentioned so far in this chapter may seem extensive, time-consuming, and labor intensive, law enforcement is urged to commence this preliminary investigation as soon as possible after the original missing child report has been received. Experienced investigators are well aware that the longer an individual is delayed between observing something and describing it to an officer, the less accurate his or her description will be. Waiting to conduct initial witness interviews, therefore, may well result in the omission of facts that would have been recalled had the witness been interviewed earlier.

*...commence the preliminary investigation as soon as possible...*



**Developing Assessment Criteria** Information gained from witnesses, family, and law enforcement officers will be of significant value in helping an investigator develop a complete assessment of the missing child incident. Answers to the following questions will aid in developing an accurate assessment: Is the child actually missing? Is the child missing voluntarily? Has the child been abducted? Is the abductor known? Is the location of the abductor and child known? Is the destination of the abductor and child known? What are the mental/physical/moral characteristics of the abductor? What are the mental/physical/developmental characteristics of the child? If the abductor is a parent, is the incident a misunderstanding rather than an abduction? Does the incident involve the violation of a court order? Is there probable cause to believe that a criminal offense has occurred? Has anyone made a false report in this case?

**Activating Response Protocols** In most missing child investigations, the resources of local law enforcement are sufficient to undertake the case and obtain a satisfactory outcome. Major cases will arise, however, when the investigative resources available from other agencies and organizations will be needed to supplement those of the initial agency. As the case progresses more uniformed officers; additional search team personnel; and investigative assistance from regional, state, or federal agencies may be needed.

*Major cases will arise, however, when the investigative resources available from other agencies and organizations will be needed to supplement those of the initial agency.*

Identifying available resources and evaluating their services while in the midst of an immediate, high-visibility investigation are tasks that require significant personnel time and also delay the response of urgently needed assistance. The time to identify and arrange assistance of resource agencies and organizations is **not** while a case is underway, but beforehand, when collaborative protocols can be agreed upon and appropriate response methods developed. For additional information on resources to consider having in place in preparation for an agency's missing child response see "Pre-Incident Planning" on page 163.

**Supervisory Component** The presence of a supervisor at the scene of a missing child report not only provides the responding officer with guidance concerning immediate information gathering but also permits the implementation of other investigative resources. Once provided with the relevant facts of the incident, the immediate supervisor becomes responsible for overall case coordination thereby permitting responding officers to focus attention on specific, assigned tasks. For a checklist of these responsibilities see "Supervisory Responsibility" beginning on page 24. Following is a discussion of those items and related supervisory procedures that should be considered at this point in the investigation.

**Debriefing the First Responder** Upon arrival, supervisors should debrief the first responder(s), investigator(s), and any other personnel at the scene out of the

presence of the family, friends of the family, and/or any other individuals who may be present. Doing so will allow officers to speak freely about the events that have transpired so far and to pass along initial impressions and opinions that might be challenged or misconstrued by others. Supervisors should verify that the first responder has performed the essential activities as noted beginning on page 22 such as securing the scene, searching the home, gathering descriptive information and photographs, and entering all pertinent information into NCIC files.

**Establishing a Command Post** As with any investigative process, where coordination of activities will be necessary, a supervisor may decide to establish some type of central resource facility or command post from which investigative efforts can be directed. A command post is a field headquarters/office for scene management; used to organize people and investigative efforts; used to decide the division of investigative labor on-site; an on-site chain of command; and a focal point for inquiries, intelligence gathering, and media contacts.

A command post should be established when the number of people at a scene exceeds the capability of the on-site supervisor's ability to exercise control. It is also needed when multiple units are being controlled by varied supervisors, multiple activities are taking place all at one time, and extraordinary incidents (such as child abduction and child homicide) have occurred that create an implied hazard to the community.

*A command post should be established when the number of people at a scene exceeds the capability of the on-site supervisor's ability to exercise control.*

The location of a command post should be carefully considered. The command post should be close enough to the center of activity to facilitate control and coordination but sufficiently isolated to allow a free exchange of ideas among responders. Although an officer may be placed (short-term) inside the home for support or investigative purposes, "control" of case investigation should always be made from a site away from the home. A command post in the child's home is difficult to withdraw when that location is no longer practical and could be an undue burden on the family. Consider placing the command post at the outer-perimeter of the abduction scene (which may or may not be the child's home). Doing so allows easy, safe, and controlled access to personnel at the scene and removal of the command post itself, as time and/or the situation dictates, without disrupting the victim's family.

**Mobilizing Investigative Resources** Once it has been determined that the child is missing under circumstances that will most likely require assistance from additional agencies and organizations, the supervisor should determine what additional personnel, resources, equipment, and agencies are needed and mobilize their use. See "Chapter 7: Investigative Resources" beginning on page 147 for further information on agencies and resources available to assist in these cases. This mobilization can be accomplished swiftly and efficiently if the groups involved

have participated in pre-incident planning sessions where an organized response strategy has been agreed upon. For additional information on this topic see "Pre-Incident Planning" on page 163.

**Implementing Perimeter Patrol** To intensify efforts aimed at locating a missing child or to obtain information about events surrounding the disappearance, a supervisor may consider using a technique called directed perimeter patrol. For the period of time immediately following receipt of a missing child report, available patrol and other support units are directed to saturate the area, where the child was last seen, to ask residents, shopkeepers, workers, and passersby if they know, saw, or heard anything that might be associated with the incident. Depending on factors like terrain, population distribution, and commercial activity, perimeter patrol is often "tiered" to place the greatest number of officers in the exact area where the child was last seen while utilizing smaller groups of officers in the geographic areas radiating out from that initial point.

**Maintaining Media Relations** Since the media are often aware of an incident almost at the same time law enforcement is notified, interest in the details of a missing child case may create added confusion for a supervisor at an already turbulent scene. If pre-planning for these types of incidents has been conducted, and guidelines for dealing with the media are in place, a supervisor need only activate those pre-determined procedures. If not, the immediate supervisor should request or delegate someone from the agency to be the media liaison.

*If the investigation would be aided by immediate broadcast of the child's description and photograph, a press conference held at the command post will be of value.*

If the investigation would be aided by immediate broadcast of the child's description and photograph, a press conference held at the command post will be of value. Broadcast the department's telephone number for use by individuals who have information on the case. This number should be to a dedicated telephone line or newly established hotline staffed by personnel who are able to quickly relay leads to investigators. Press releases or conferences should be distributed/held at regular intervals regardless of case progress. For further information on this topic see "Chapter 8: Crisis Media Relations" beginning on page 167.

**Supervising the Situation** As in any investigation, supervision of the process is critical. Coordination and cooperation among all personnel involved in the investigation must be maintained. The supervisor must ensure that all agency policies and procedures are followed and all required notifications are made. Above all the supervisor must be available to make necessary decisions or determinations as they develop.

It is also the supervisor's duty to ensure that reports are completed by all assigned personnel. Copies of each report should be collected, reviewed, and stored within the master file that contains all documents generated by the incident. Besides the

master file, the supervisor should direct that a case activity log be maintained that chronologically lists the various investigative and administrative efforts conducted in relation to the incident. *See* sample investigative and log forms beginning on page 142.

In addition the supervisor needs to explore and secure all appropriate support services for the family such as social services, certified psychologist, victim witness programs through the prosecutor's office, etc.

**Search Component** As information is gathered by both first responders and investigative personnel involved in the initial stages of a missing child case, the option to activate a full-scale search operation is a constant consideration. (For further information on circumstances under which such immediate action is warranted *see* the criteria for assessing "unusual circumstances" listed on page 32.) With this potential in mind, the agency representative who might be designated as the search operation coordinator (SOC) should be involved in the investigation from the onset. This will not only allow the SOC to evaluate the extent of likely search parameters, but also to identify and safeguard items belonging to the child that may aid scent dogs in the actual operation. In addition, by being present as the case develops and the search potential increases, the SOC can establish preliminary contact with additional resources and arrange for their immediate response, if needed. Here again, the benefits of coordinated, pre-incident planning are evident.

When the operation is underway, it is recommended that the SOC remain at a central location, most likely the command post, and coordinate the activities of those involved in the actual search. By doing so, the SOC is able to evaluate any new information that either comes in from investigators or other search components and direct operations accordingly.

*Coordination and cooperation among all personnel involved in the investigation must be maintained.*

It is not the intention of this chapter to describe the various search techniques that can be used to locate missing children or collect evidence about their disappearance. For that purpose investigators are directed to the many excellent texts that describe tested methods and procedures for planning and conducting effective searches. *See* Figure 2-2 for a listing of the fundamentals of the search function.

When carrying out a search, try to provide maps of the area and a photograph of the child to searchers. Teams of at least two individuals should be assigned and when searching, once again, an area that has already been covered, different teams of searchers should be assigned. Be aware that individuals involved in the abduction or any coverup of the abduction have been known to volunteer in search operations. Law enforcement agencies need to safeguard against such a possibility.

### Search Fundamentals

- Maintain separate search activity log for each search.
- Log names and affiliations of **all** searchers, both sworn officers and civilians, along with their general area of search assignment.
- Thoroughly brief search team leaders with all information needed to conduct a complete operation.
- Instruct all searchers on the search pattern(s) to be used and techniques employed.
- Instruct searchers to bring items found to the attention of the appropriate search team leader **without** touching or disturbing them.
- Control searchers so that no one works alone.
- Document **all** search activity.
- Safeguard against the use of inappropriate individuals in the search process.

Figure 2-2

Keep in mind, especially when searching for small-statured children, that no area should be overlooked. Thoroughly search closets, basements, attics, crawl spaces, under laundry, refrigerators, freezers, washing machines, clothes dryers, wells, doghouses, shrubs, swimming pools, vehicles, tree houses, under beds and pieces of furniture, out-buildings, roof tops, inside sofa beds, luggage/trunks, etc.

Based on the circumstances of the child's disappearance, law enforcement agencies should consider

- Utilizing canine units (both air and ground scent).
- Considering the use of forced entry into abandoned cars including trunks and spare tire wells.
- Sealing off any apartment complex where the child was last observed and searching vehicles as they leave that complex.
- Requesting the presence of a prosecutor/county attorney for assistance in search warrant preparation.
- Conducting a systematic and thoroughly documented search.
- Notifying and revisiting homes in which no one was originally found during the initial search.
- Considering use of search and rescue organizations, fire departments, military units, explorer scout groups, and other volunteers for large-scale search operations. For additional information about searches, including managing the search process, *see* "Searches and the Searching Process" beginning on page 118.

## Conclusion

Efforts undertaken by law enforcement agencies during the initial stages of a missing child report can often make the difference between a case with a swift, successful conclusion and one that evolves into months or even years of stressful, unresolved investigation. While the investigative aspect of a missing child case is similar, in many ways, to other major cases, few of these other situations have the added emotional stress created by the unexplained disappearance of a child. When not anticipated and prepared for, this stress can adversely affect the outcome of a missing child case.

Preparation and pre-incident planning are central to the development of an effective law enforcement response to missing child cases. Obviously, pre-incident planning does not just happen. It comes about when an agency, jurisdiction, or region recognizes that this one area of child protection deserves improved, coordinated attention. It also comes about when all related resources within the community, and those who pledge to respond from a distance, agree on a protocol that dismisses rivalries and places the safety of the child as the first and foremost goal. For additional information on "Pre-Incident Planning" see page 163.

NCMEC is available at 1-800-THE-LOST (1-800-843-5678) to offer resources and technical assistance with any of the suggestions presented in this chapter.

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**Videotape**

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# **Nonfamily Abduction Investigative Checklist**

Review all steps outlined in the "Initial Response Investigative Checklist" found on page 21. In addition, in cases of nonfamily abduction, consider the below listed steps. Please consult the text of this chapter for details on the items listed.

## **The Initial Investigation**

- ☐ Assign officer to victim's residence with the ability to record and "trap and trace" all incoming calls. Consider setting up a separate telephone line or cellular telephone for agency use.
- ☐ Conduct neighborhood/vehicle canvass.
- ☐ Compile list of known sex offenders in the region.
- ☐ Develop profile on possible abductor.
- ☐ Consider use of polygraph for parents and other key individuals.
- ☐ In cases of infant abduction, investigate claims of home births made in that area.
- ☐ Fully load NCIC Missing Person File (involuntary category) with complete descriptive, medical, and dental information.
- ☐ Utilize NLETS and other information systems to alert local, state, regional, and federal law enforcement agencies.
- ☐ Provide support for family through nonprofit missing children's organization.

## **The Prolonged Investigation**

- ☐ Reread all reports and transcripts of interviews.
- ☐ Revisit the crime scene.
- ☐ Review all potential witness/suspect information obtained in the initial investigation and consider background checks on anyone identified in the investigation.
- ☐ Review all photographs and videotapes.
- ☐ Reexamine all physical evidence collected.



- ☐ Review child protective agency records for reports of abuse on child.
- ☐ Develop time lines and other visual exhibits.
- ☐ Reinterview key individuals.
- ☐ Interview delivery personnel; employees of gas, water, electric, and cable companies; taxi drivers; post office personnel; garbage handlers; etc.
- ☐ Critique results of the on-going investigation with appropriate investigative resources.
- ☐ Arrange for periodic media coverage.
- ☐ Utilize rewards and crimestopper programs.
- ☐ Contact NCMEC for photo dissemination, age-progression, and other case assistance.
- ☐ Update NCIC Missing Person File information as necessary.

#### **Recovery/Case Closure**

- ☐ Arrange for a comprehensive physical examination of the victim.
- ☐ Conduct a careful interview of the child, document the results of the interview, and involve all appropriate agencies.
- ☐ Provide effective reunification techniques.
- ☐ Cancel alarms and remove case from NCIC and other information systems.
- ☐ Perform constructive post-case critique.

**Note:** Periodic updates will be made in this checklist. To obtain these updates and request technical assistance on specific cases, please call NCMEC at 1-800-THE-LOST (1-800-843-5678).

During their careers most law enforcement officers encounter cases that severely test their investigative knowledge and ability. Yet only a few will face what some describe as their most difficult and emotionally-charged investigative experience, namely the abduction of a child by an unknown individual. Although this is the least common type of missing child case, it is often the most dreaded. Time is the enemy in all missing child cases, but it is especially critical when a child is taken by a nonfamily member because these children are considered to be in great danger. Many times this type of investigation is conducted in an atmosphere in which there is sparse evidence, few leads, and community outrage over the crime. The intent of this chapter is to help law enforcement prepare for cases of nonfamily child abduction and to aid in the effort for the safe recovery and return of the child victim.

Since the subject of missing children first attracted the nation's attention in the early 1980s, **unsubstantiated** estimates of the number of children abducted by nonfamily individuals ranged from a few hundred to more than 50,000 each year. More realistic statistics emerged from the recent *National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children* (NISMART) which determined that there are actually two categories of nonfamily child abductions—the "legal definition" and the "stereotypical kidnapping." See Figure 3-1 for the NISMART estimates on nonfamily abductions in the United States.

The **legal definition of nonfamily abduction** is the coerced and unauthorized **taking** of a child into a building, vehicle, or distance of more than 20 feet; the **detention** of a child for a period of more than an hour; or the **luring** of a child for the purposes of committing another crime by someone other than a family member.

**Stereotypical kidnappings** require that the child is gone overnight, killed, transported a distance of 50 miles or more, and ransomed, or that the perpetrator evidence an intent to keep the child permanently.

<b>NISMART Data on Nonfamily Abductions</b>	
<b>Type of Case</b>	<b>Estimates Per Year</b>
Attempted Nonfamily Abductions	114,600
Nonfamily Abductions (Legal Definition)	3,200-4,600
Stereotypical Kidnappings	200-300

**Figure 3-1**

Data gathered by both the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the Federal Bureau of Investigation (FBI), as reported in the *Stranger Abduction Homicides of Children*, estimate that between 52 and 158 children are murdered each year during nonfamily abductions.

## **The Initial and Investigative Responses**

Since few nonfamily abductions are witnessed, the first responder, usually a uniformed patrol officer, plays an important role in assessing the disappearance of a child. To ensure that time is not wasted during the critical first hours of a case, the officer should not only be trained in case assessment, but should also be guided by clear, written policies and procedures.

While some cases are easily assessed as abductions, due to the age of the child or circumstances of the disappearance, others present the responding officer with conditions that might delay application of the required resources. For example, a toddler missing for 2 hours will normally produce a full agency response while the 10-year-old who is 2 hours late in returning from the store or a teenager who has not arrived home by the agreed upon curfew in his or her household might cause the untrained officer to view the situation as one needing little immediate action. To assess each incident thoroughly, officers must consider factors in the child's background such as any prior missing reports and conditions both at home and in school. Interviews with family members, combined with the officer's training and investigative intuition, will reveal if this episode is so out of character for the child that the potential for foul play is high, thereby requiring a full agency response. Agency policies and procedures should include guidance to aid the officer in recognizing "unusual circumstances" that would warrant an immediate, full-scale response and supervisors should reinforce this assessment process. See Figure 3-2 for a listing of unusual circumstances.

*Many experts believe that abducted children often face the greatest danger during the first few hours after the abduction.*

Many experts believe that abducted children often face the greatest danger during the first few hours after the abduction. Thus effective training of both the responding and investigative officer is critical to case resolution and, more importantly, victim survival. In cases of nonfamily abduction, law enforcement agencies are strongly urged to utilize the items listed in the "Initial Response Investigative Checklist" beginning on page 21 and the "Nonfamily Abduction Investigative Checklist" beginning on page 45. The suggested actions for the first responders and investigative officers, along with the listing of ways to handle the initial investigation are found in those checklists. Those actions are to be completed as thoroughly and quickly as possible in order to obtain the greatest amount of information and secure all available evidence.

When investigating the nonfamily abduction of a child, officers must be aware of two basic considerations. **First, and foremost, is the safe return of the victim.** Second, and equally important, is the building of a solid prosecution case against the abductor. To accomplish both goals, officers must be prepared to use, and the law enforcement agency prepared to provide, every available resource.

### Unusual Circumstances

- ☐ The missing youth is 13 years of age or younger.
- ☐ The missing youth is believed to be out of the zone of safety for his or her age and developmental stage.
- ☐ The missing youth is mentally incapacitated.
- ☐ The missing youth is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
- ☐ The missing youth has been absent from home for more than 24 hours before being reported to the police.
- ☐ Based on available information it is determined that the missing youth is in a life-threatening situation.
- ☐ Based on available information it is believed that the missing child is in the company of adults who could endanger his or her welfare.
- ☐ The absence is inconsistent with his or her established patterns of behavior and the deviation cannot be readily explained.
- ☐ Other circumstances are involved in the disappearance that would cause a reasonable person to conclude that the child should be considered "at-risk."

Figure 3-2

## Newborn/Infant Abductions\*

While **not** a crime of epidemic proportions, the abduction, by nonfamily members, of infants (birth through 6 months) from healthcare facilities has clearly become a subject of national and international concern. As noted earlier, with the goal of preventing crimes against children, NCMEC—in cooperation with the Federal Bureau of Investigation (FBI) Academy, the International Association for Healthcare Security and Safety (IAHSS), and the University of Pennsylvania School of Nursing—has studied infant abductions from hospitals, homes, and other sites and considers them preventable in large part by "hardening the target" to make it more difficult to abduct a newborn.

\* This section is reprinted with permission from *For Healthcare Professionals: Guidelines on Preventing Infant Abductions* by John B. Rabun, Jr., A.C.S.W., Arlington, VA: NCMEC © 1993. All rights reserved.

Based on a study of cases (begun in 1988) from 1983 through 1993, the best estimate for the nationwide incidence of infant abductions, by nonfamily members, is between 12 and 18 yearly. Because a number of cases may not be reported to NCMEC or other organizations, however, this estimate may be conservative. (As a point of comparison, there are approximately 4.2 million births yearly in the United States at approximately 3,500 birthing facilities.) Eighty-one (81) of the cases studied were abductions from hospital premises and 38 were infant abductions from the home, following many of the same patterns as the hospital abductions. Ten (10) additional infants were abducted from other places such as malls, offices, parking lots, etc. Of the facilities in which infants have been abducted (through 1992), 11 percent of the abductions occurred in facilities with no more than 200 beds, 39 percent of the abductions occurred in facilities with between 201 and 400 beds, 24 percent of the abductions occurred in facilities with between 401 and 600 beds, and 26 percent of the abductions occurred in facilities with more than 600 beds. Of all the infants abducted from the hospital, approximately 95 percent were located and safely returned, usually within a few days to two weeks. Anecdotal evidence would suggest that there may be numerous attempts at most birthing facilities each year.

*The typical hospital abduction case involves an "unknown" abductor impersonating a nurse, hospital employee, volunteer, or relative in order to gain access to an infant.*

The typical hospital abduction case involves an "unknown" abductor impersonating a nurse, hospital employee, volunteer, or relative in order to gain access to an infant. The obstetrics unit is an open and inviting one. It can be filled with medical and nursing staff, visitors, students, volunteers, and participants in parenting and newborn care classes. The number of new and changing faces on the unit is high, thus making the unit an area where a "stranger" is unlikely to be noticed. Because there is generally easier access to a patient's room than to the newborn nursery and a newborn infant spends increasingly more time with his or her mother rather than in the traditional nursery setting, most abductors "con" the infant directly from the mother's arms.

**The Offender** The offender is almost always a female, frequently overweight, ranges in age from 14 to 48 years, and generally has no prior criminal record. Many of these women are gainfully employed. While she appears "normal," the woman is most likely compulsive, suffers from low self-esteem, often fakes one or more pregnancies, and relies on manipulation and lying as a coping mechanism in her interpersonal relationships. Often she wishes either to "replace" an infant she has lost or to experience a "vicarious birthing" of a child she is for some reason unable to conceive or carry to term. The baby may be used in an attempt to maintain/save a relationship with her husband, boyfriend, or companion (hereinafter referred to as significant other). The abductor may be involved in a fertility program at/near the hospital from which she attempts to abduct an infant. Of the 124 cases where the abductor's race is known, 57 are caucasian, 49 are black, and 18 are of other races.

The race/skin color of the abductor almost always matches the infant's or reflects that of the abductor's significant other. See Figure 3-3 for a listing of an infant abductor's "typical" characteristics.

### **The "Typical" Newborn/Infant Abductor**

(Developed from an analysis of 129 cases occurring 1983-1993.)

- Female age 14-48, often overweight.
- Most likely compulsive; most often relies on manipulation, lying, and deception.
- Frequently indicates that she has lost a baby or is incapable of having one.
- Often married or cohabitating; companion's desire for a child may be the motivation for the abduction.
- Usually lives in the community where the abduction takes place.
- Frequently visits nursery and maternity units prior to the abduction; asks detailed questions about hospital procedures and the maternity floor layout; frequently uses a fire exit stairwell for her escape.
- Usually plans the abduction, but does not necessarily target a specific infant; frequently seizes on any opportunity present.
- Frequently impersonates a nurse or other hospital personnel.
- Often becomes familiar with hospital personnel and even with the victim parents.
- Demonstrates a capability to provide good care to the baby once the abduction occurs.

**There is no guarantee that an infant abductor will fit this description.**

**Figure 3-3**

More than half of the infants are 7 days old or younger when taken. The abducted infant is perceived by the abductor as "*her newborn baby*." Data does not reveal a strong gender preference in the abduction of these infants.

Although the crime may be precipitated by impulse and opportunity, the abductor has usually laid careful plans for finding another person's baby to take and call her own. In addition, prior to the abduction, the offender will often exhibit "nesting" instincts by announcing "her pregnancy" and by purchasing items for an infant in the same way that an expectant mother prepares for the birth of her child. The positive attention she receives from family and friends "validates" her actions. Unfortunately, this "nesting" activity feeds the need for the woman to "produce" a baby at the expected time of arrival.

Many of these abductors have a significant other at the time of the abduction, and a high percentage of them have already given birth to at least one child. Typically, of the women married/cohabitating/involved in a relationship at the time they abduct an infant, their significant other—sometimes a considerably older or younger person—is not known to be involved in the planning or execution of the abduction, but may be an unwitting partner to the crime. The significant other is often gullible in wanting to believe that his wife/girlfriend/companion indeed gave birth to or adopted the infant now in her possession and may vehemently defend against law enforcement's attempts to retrieve the child.

The vast majority of these women take on the "role" of a nurse and represent themselves as such to the victim mother and anyone else in the room with the mother. Once the abductor assumes this role, she asks to take the baby for tests, to be weighed, photographed, etc. Obviously, arriving at the decision to ask the mother if she can take the infant for a "test" or "photograph" takes forethought on the part of the abductor. Most often the abductor has no prior criminal record; however, the pretense of being someone else has been seen in those abductors who have a past history of passing bad checks or forgery. These women demonstrate a capability to provide good care to the baby once the abduction occurs. The infants who have been recovered seem to have suffered no ill effects and were found in good physical health. The offenders, in fact, consider the babies to be "their own." There is no indication that these are "copycat" crimes, and most offenders can be found in the same general community where the abduction occurred.

*Most often infants are recovered as a direct result of the leads generated by media coverage of the abduction.*

These crimes are not always committed by the stereotype of the "stranger." In most of these cases the offenders made themselves known and achieved some degree of familiarity with hospital personnel, procedures, and the victim parents. The abductor, a person with a compulsive personality, usually visits the nursery unit for several days before the abduction, repeatedly asking detailed questions about healthcare facility procedures and the layout of the maternity unit. Moreover, these women usually impersonate nurses or other healthcare personnel, wearing uniforms or other staff attire. They have also impersonated lab technicians, social workers, photographers, and other professionals who may normally work in a hospital. They often visit or surveil more than one hospital in the community to assess security measures and explore infant populations.

The abductor may not target a specific infant for abduction. When an opportunity arises, she may immediately snatch an available victim, often be visible in the hallway for as little as 4 seconds, and escape via a fire exit stairwell. Since the abductor is compelled to show off her new infant to others, use of the media to publicize the abduction is critical in encouraging citizens to report situations they

find peculiar. Most often infants are recovered as a direct result of the leads generated by media coverage of the abduction. The abductor should not be portrayed in the media as a "hardened criminal"—this may frighten the abductor into fleeing the immediate area, abandoning, or seriously harming the infant.

**The Response** When a newborn/infant is abducted, utilize the items listed in the "Initial Response Investigative Checklist" beginning on page 21 and the "Nonfamily Abduction Investigative Checklist" beginning on page 45 and be sure to call NCMEC at 1-800-THE-LOST (1-800-843-5678). It is in an excellent position to advise, provide technical assistance, network with other agencies and organizations, assist in obtaining media coverage of the abduction, and coordinate dissemination of the child's photograph as mandated by federal law (42 USC § 5771 and 42 USC § 5780).

Disseminating information to the general public about the abduction is one of the most effective ways to recover this type of missing child. Law enforcement should immediately solicit the assistance of the media in disseminating as much information as possible about the abduction to elicit vital information that members of the general public may have about the case. Any release of information concerning an infant abduction should be well planned and agreed upon by the healthcare facility and law enforcement authorities involved. Care should be taken to keep the family fully informed. As with any other type of missing child case, consider designating one law enforcement official to handle media inquiries for all investigative data.

Polygraphing the baby's parents early in the case is advised. See "Use of Polygraph" on page 54 for further details on this investigative technique. Be aware, however, that polygraphing the baby's mother within 24 hours of the delivery (or while medicated) is ill-advised.

Law enforcement should treat a case of infant abduction from a healthcare facility as a serious, felony crime requiring immediate response. To deter future crimes, the abductor should be charged and every effort made to sustain a conviction.

For further information on this topic call NCMEC at 1-800-THE-LOST (1-800-843-5678) to request a copy of *For Healthcare Professionals: Guidelines on Preventing Infant Abductions*.

## **Tactical Considerations**

Tactical considerations in *all nonfamily abduction investigations* include information management systems, use of polygraph, movement of the command post, family management, and liaison with community groups/nonprofit organizations.

**Information Management System** While each case of suspected nonfamily abduction has its own unique characteristics, one common factor can be found in every investigation. If this factor is anticipated and planned for before an actual



incident, measures can be put into place that will greatly increase the success of future investigations. If neglected, or left to chance at the time of an investigation, valuable leads are likely to be neglected, and important information may be overlooked. This common factor is the extraordinary volume of incoming information that is associated with a missing or abducted child case and the corresponding need for effective information management techniques.

Until recently law enforcement information management usually meant case folders overflowing with handwritten forms; clipboards full of investigative lead-sheets; file boxes with stacks of 3x5 index cards; walls covered with pin maps and cluttered bulletin boards; and drawers full of scribbled notes, unanswered call-back memos, and unlabeled or unexplained photographs. While this system was occasionally successful because someone could organize and retrieve meaningful information, it was more often the cause of aggravation, frustration, and inefficiency.

*While opinions may differ concerning the validity and effectiveness of the polygraph, officers who do advocate its use recommend holding examinations early in the investigative process.*

Fortunately today's affordable computer systems and the ongoing advancements in automated data collection software have provided law enforcement with a means to simplify information management in serious cases and significantly improve the likelihood of a successful outcome. Agencies and investigators should seek case management programs or develop individualized programs that can be designed to their own specific needs. Programs should be obtained that can file, index, analyze, and compare the large volume of data that is likely to be generated in a child abduction case. Finally, programs should be tested under trial situations not only to make corrections and adjustments, but to train those individuals who will be using the system during actual investigations. The National Center for Missing and Exploited Children has designed such a case management system. To request a copy call 1-800-THE-LOST (1-800-843-5678).

**Use of Polygraph** Volumes have been written about the polygraph as a law enforcement resource and when its use may be most valuable during an investigation. Some officers consider the simple mention of using the polygraph as an effective means of gauging an individual's reaction to specific questions during an interview.

While opinions may differ concerning the validity and effectiveness of the polygraph, officers who do advocate its use recommend holding examinations early in the investigative process. Among the reasons for such a decision are leads obtained early in the investigation are more easily followed-up when staffing levels are highest; individuals who are prime suspects and/or parents may not sense an

accusatory purpose in the test since it is probably being conducted on several people at the same time; certain suspects may be cleared by an effectively administered polygraph thereby permitting limited resources to be focused elsewhere; and tests administered later in an investigation are often viewed as placing some measure of blame upon the parents or an admission that officers remain far from a successful case resolution.

**Movement of Command Post** If the missing child has not been located within a reasonable period and on-scene investigative activities have essentially been completed, the difficult task of shutting down the command post and relocating case management to another location, most probably agency headquarters, must be addressed. If properly planned for, this action need not be viewed as anything other than a relocation of investigative activity to a more suitable site. To minimize criticism and perceptual problems in command post shutdown, do not set up a command post within the child's home or park a command vehicle in front of the house. In addition it is advisable to locate the command post out of direct sight from the home. Meet privately with the family and tell them that the investigation is being relocated. Explain the reasons for the move and assure them that relocation should not be construed as a reduced investigative effort. If a negative reaction is anticipated from the media, take control by issuing a press release stating that the investigation can be better managed from a new location.

**Family Management** Child abduction cases are unique situations that take an emotional toll on all involved, but most especially on parents. It is not uncommon for investigators to find victim parents in an emotional state that causes them to react in ways not in keeping with their "expected" role. Investigators should not automatically assume that such "inappropriate" behavior is an indicator of parental involvement in the disappearance. Seemingly hostile, unconcerned, or indifferent attitudes may be normal reactions for that particular individual. What is perceived to be "normal" behavior is often judged by how we think we would react in a similar situation or how other victim parents have acted in past nonfamily abductions. Research has shown that until someone actually experiences the loss of a child, there is no way to predict what individual reaction will be.

Consequently, investigators should be especially aware of their actions when dealing with victim parents. Parents and other immediate family members should be assured that every resource is being used to recover their child. For both investigative and support purposes, agencies should immediately assign an officer to remain with the family during the critical initial phase of an investigation. Many law enforcement agencies also use a certified social worker or psychologist to work with the family during every stage of the case. Explore use of victim witness support staff from the prosecutor's office.

*Parents ... should be assured that every resource is being used to recover their child.*

From an investigative standpoint the officer can secure the child's room to prevent evidence from being destroyed, maintain all recording and other communications equipment, develop rapport with family members who may reveal relevant information, and observe family routine and lifestyle.

In the role of family support, an officer assigned to the residence is able to

- Brief family members about what the investigation will entail.
- Prepare them for possibilities (ransom request, crank calls, threats, psychics, private investigators, etc.).
- Describe the stress factors that will evolve as the situation develops and how the family can influence the investigation in both positive and negative ways.
- Screen and record the names of all visitors to the home.
- Arrange for professional assistance to help the family cope with the emotional aspect of the situation.
- Prepare the family for an eventual outcome (recovery, reunification, injury, death, etc.).

In cases where the child is not quickly found, consider assigning at least one other officer to this detail so that law enforcement personnel can share this responsibility.

*In long-term investigations  
it is critical to ensure  
continued family  
cooperation.*

In long-term investigations it is critical to ensure continued family cooperation. One method to help ensure this cooperation is to periodically conduct a private, comprehensive meeting between the family and primary investigative personnel. The purpose of these meetings is to give the family an opportunity to offer their evaluation of the law enforcement response and suggest further investigative action that they feel would be productive. If a thorough investigation has been performed, their requests should be few and easy to accommodate.

Inform the family of future investigative techniques or efforts that will be employed and include information about any available silent witness/crime stoppers programs, award incentives, and media coverage that may help develop leads in the case. Explain the fact that the child's NCIC entry is available to every law enforcement officer in the United States and Canada. Give family members tasks that may assist in the investigation such as writing down their versions of the events surrounding the disappearance and compiling additional lists of friends and relatives. Assure the family that you will contact them on a regular basis to advise them of the status of the case. Also reassure them that they can contact the investigative team whenever necessary. And finally, reaffirm for them that the investigation will remain open and active as long as necessary.

**Liaison with Community Groups and Nonprofit Organizations** The emotions that arise during missing child investigations, especially in those cases where a nonfamily abduction is suspected, are not limited solely to immediate family members or assigned investigators. Residents of the child's town or city, in particular, closely share the sense of loss with the family and often focus their actions through the establishment of an organization dedicated to the youngster's safe return.

Even with all of the investigative demands created by high-visibility missing or abducted child cases, officers must not forget that these organizations—when their energies are channeled in positive directions—can provide services that may significantly enhance the possibility of a successful case outcome. Conversely, if left undirected or without close liaison to the investigative team, these same groups might overlook the meaningfulness of any important information that they receive and thereby inadvertently jeopardize case outcome.

The people who are drawn to participation in these groups come from all backgrounds and often bring with them real talents for organization and group management. While the printing and mass distribution of the missing child flier often becomes their earliest and most common task, other activities such as hotline staffing, lead management, computerized systems development, and media relations often follow. Because of the extensive tasks that these organizations often perform, it should be clear to investigators that a cooperative, professional relationship must be promptly established to avoid errors in case management, delays in case resolution, and even the loss of community support for the law enforcement effort.

While the involvement of these individuals and the many tasks they can perform are appreciated by the investigative team, law enforcement control of the overall investigation must be firmly established and understood. This control can best be accomplished by assigning an officer as direct liaison with the community group. The assigned officer should be viewed by the group as an active member of the investigative team, not just someone sent by the law enforcement agency to provide the appearance of cooperation. By initiating this liaison, law enforcement can educate the community group about the importance of investigative objectives.

*While the involvement of these individuals and the many tasks they can perform are appreciated by the investigative team, law enforcement control of the overall investigation must be firmly established and understood.*

In addition to "grass-roots" groups that form in direct response to a missing or abducted child case, officers also may seek assistance from an established nonprofit missing children's organization (NPO). While most NPOs in this category originally formed in response to a single missing child incident, several have developed into

multifaceted organizations that can offer a wide range of services to both law enforcement and the child's family. If police have not established working relationships with such a local organization in the past, officers should carefully assess the services they can provide and share with them case related information that may further the investigative effort. For more information about these groups see "Nonprofit Missing Children's Organizations" on page 156.

## **The Prolonged Investigation**

This phase in the investigative process occurs when it becomes apparent that the child will not be quickly located, when most immediate leads have been exhausted, and when command operations have been relocated away from the scene. While some observers might view this stage as one of passively waiting for new information to emerge, in reality, it presents an opportunity for law enforcement to restructure a logical, consistent, and tenacious investigative plan that will eventually lead to the recovery of the child and the arrest of the abductor.

For the checklist of actions that may prove beneficial during the prolonged investigative stage see "The Prolonged Investigation" on page 45. Following is a discussion of those actions and related procedures that law enforcement agencies may wish to consider at this point in the investigation.

Revisit the crime scene at the same time of day that the abduction supposedly occurred and carefully observe the surroundings. Keep in mind that many children are acquainted or familiar with their abductor before the abduction. Do not assume that the perpetrator had to be a "total stranger." The abductor can be a person who is at the child's bus stop every morning, the individual who gives him or her quarters at the video arcade, etc. While observing the site, determine who would be more likely as an abductor—a "stranger" or someone familiar to the child? Talk to persons entering the area to learn if they have been interviewed and if they were present on the day in question. An in-depth examination of the mentality and motivation of those individuals who prey on children for sexual purposes, can be found in *Child Molesters: A Behavioral Analysis*. This book was published in conjunction with the Behavioral Science Unit of the Federal Bureau of Investigation. To request a copy call 1-800-THE-LOST (1-800-843-5678).

Take the time to thoroughly reread all reports. Cross-check every supplemental report and checklist to ensure that all lead information was followed-up. Develop a clear picture as to what, when, and where every event actually occurred. The preparation of time lines and other graphic displays can be invaluable in this process.

Review and reevaluate any photographs taken and/or videotapes filmed at the scene on the day of the abduction. Observe faces in the crowd to determine their identities and show the photographs to the parents. Determine the accuracy of times

given by the parents and all witnesses. Accuracy should be based on their having looked at a clock or watch or relating their memory of the event to the airing of a particular television program, normal arrival times, etc., not just a guess. Reinterview witnesses to determine why they said a particular time.

A reinterview of all principal witnesses involved in the case could provide valuable new information. Be prepared by formulating questions before the actual interview and reviewing the original interviews.

Identify and list all possible suspects. The list should include individuals with a prior criminal history who had access to the child, who gave a questionable interview or unsubstantiated alibi, and/or who told "incorrect" or "untruthful" information during questioning. Focus investigative efforts on these individuals. Use the media to solicit new information. Also consider utilizing the services of NCMEC to disseminate photographs of and information about the missing child.

Refer the family to local support groups and/or a nonprofit missing children's organization specializing in the stresses created when a child is missing or abducted. NCMEC can be of assistance in locating appropriate organizations. Consider offering rewards through silent witness/crimestopper programs.

Encourage noninvolved investigators, such as NCMEC's Project ALERT volunteers and other law enforcement colleagues, to review actions taken in the case to date and ask for their suggestions. Prepare for the emotional stresses associated with a prolonged investigation. Remain focused on positive indications that a pragmatic, logical investigation with continual case review will eventually get results. Take encouragement from knowing that cases are routinely solved by tenacious investigators, even after many months or years have passed.

*Refer the family to local support groups and/or a nonprofit missing children's organization specializing in the stresses created when a child is missing or abducted.*

One caution for an agency with a prolonged missing child investigation is to safeguard against the "personalization" of the case by the lead investigator. When this happens the investigator can lose his or her objectivity leading to the investigator "fixing" on one theory of what happened to the child to the exclusion of all other possibilities and/or his or her unwillingness to share leads and information with other officers, agencies, and task forces assisting with the investigation. Such behavior is detrimental to case resolution. This should be monitored for and immediately corrected by the lead investigator's supervisor(s) if exhibited.

In addition there are times when derogatory information is revealed about the child's parents during the course of a prolonged investigation. Although law

enforcement needs to carefully investigate any allegations that surface to determine whether or not they have a bearing on the child's disappearance, care must be taken to ensure that this "new" information does not become the entire focus of the investigation. Law enforcement officers need to ask themselves if they are once again looking at the parents because they truly believe that the parents are involved in the disappearance or "just because there is nothing else to do in the investigation."

Such situations underscore the need to polygraph all appropriate persons/suspects—including the parents—early in the investigation. Although most people do not like to be polygraphed and investigators may be reluctant to make this request of parents, it is best to be honest and direct by informing them of the critical need to fulfill this investigative guideline early on in the investigative process. Doing so can help avoid awkward situations with the parent later in the investigation and can avoid the misdirection of valuable law enforcement resources during the investigation.

## Recovery/Case Closure

Planning for the eventual safe return or recovery of an abducted child is as essential as development of the many investigative techniques mentioned earlier in this chapter. *Note:* No missing child case should be closed without positive identification being made of the located child. Not only does proper case closeout ensure the future safety and health of the child, but information gathered during this stage is crucial to the successful identification and prosecution of the offender. For the checklist of items to consider when a child is recovered see "Recovery/Case Closure" on page 46. Following is a discussion of those actions and related procedures.

*No missing child case should be closed without positive identification being made of the located child.*

Arrange for an immediate, complete physical of the child that includes examination for and collection of evidence of possible sexual abuse. Also make arrangements to interview the child to determine what happened while he or she was gone. The selection of a suitable site to interview the child is extremely important, as is the order of questions to elicit the most meaningful replies. In preparation for interviews, when it is suspected that the abducted child has been the victim of sexual abuse, the investigator may wish to review *Interviewing Child Victims of Sexual Exploitation* published by NCMEC. To request a copy call 1-800-THE-LOST (1-800-843-5678).

While investigators involved in the case are anxious to immediately return the child to parents and family, thought should go into proper techniques for effective reunification. Try to ensure that the reunification meeting is held in private and not done before members of the media and general public. In cases of long duration, the child returned may differ in personality and appearance from the one originally abducted. Planning for effective reunification, including input from mental-health

specialists, can offer substantial long-range benefits for both the child and family no matter what the circumstances of the disappearance and subsequent reunification.

If the case has received wide media interest, preparation of a carefully worded press release that does not jeopardize any upcoming judicial action or the dignity of the victim and his or her family can prevent distribution of inaccurate or damaging information. As the prosecution case progresses, or if additional investigative information is needed from the victim, remain aware of the detrimental effect created for the child through excessive questioning. Limit interviews to the fewest possible.

Do not forget to delete the child and/or wanted person from NCIC. In addition to those tasks that are essential to close out the specific case, it is also the appropriate time to conduct a **post case critique** in order to evaluate agency response and make any modifications necessary for future incidents. Factors to evaluate include overall management, information management systems, computer usage, interagency communication, investigative strategies, evidence handling, training, media interaction, logistics, and legal issues.

*Do not forget to delete the child and/or wanted person from NCIC.*

## Conclusion

Incidents of nonfamily child abduction are among the most complex and difficult that a law enforcement investigator or agency will ever face. The emotional aspect of these cases, combined with an overwhelming sense of urgency to locate the child, places additional stresses on those involved in the investigation and often adversely affects the potential for a successful outcome. With proper pre-planning, however, investigators are able to implement guidelines and procedures that were rationally and logically developed well before a case actually occurs. Like any other type of case, child abduction investigations require the application of practical procedures in an orderly, systematic fashion. Pre-planning is the key. Being prepared with sound investigative techniques and an awareness of all available resources will greatly enhance the likelihood of successful case completion. For additional information on "Pre-Incident Planning" see page 163.

**Editor's Note:** Some of the investigative concepts discussed in this chapter were developed by a task force of investigators from federal, state, and local law enforcement agencies in the San Francisco Bay area who met in 1989 to design a coordinated response plan for reports of abducted children. NCMEC appreciates the task force members' willingness to share this valuable information with their law enforcement colleagues.

NCMEC is available, at **1-800-THE-LOST (1-800-843-5678)**, to offer resources and technical assistance with any of the suggestions presented in this chapter.



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### Videotape

*How to Raise a Street Smart Child* (1987). Useful for law enforcement not only as an internal training device, but also as part of an effective community awareness/outreach program. Distributed by Home Box Office Video, New York, NY.

*Safeguard Their Tomorrows* (1991). An educational videotape and printed materials for healthcare professionals on infant abductions. Available from Mead Johnson Nutritionals Representatives.

# Family Abduction Investigative Checklist

Review all steps outlined in the "Initial Response Investigative Checklist" found on page 21. In addition, in cases of family abduction, consider the below listed steps. Please consult the text of this chapter for details on the items listed.

## The Initial Investigation

- ☐ Examine court records.
- ☐ Conduct background investigation on both parents.
- ☐ Provide tasks for left-behind parent.
- ☐ Interview family and friends of suspect-parent.
- ☐ Enter information about the child and suspect-parent into NCIC Missing Person File (Involuntary Category).
- ☐ Obtain and evaluate all information that may indicate location of suspect-parent.
- ☐ Coordinate the issuance of an arrest warrant against suspect-parent with prosecutor.
- ☐ Assure entry of warrant information into NCIC Missing Person File (child) and Wanted Person File (suspect-parent).
- ☐ Confirm entry of warrant information into NCIC Missing Person File (child), and Wanted Person File (suspect-parent).
- ☐ Consider use of civil procedures such as writ of habeas corpus and writ of assistance.
- ☐ Provide support for family through nonprofit missing children's organization.

## The Prolonged Investigation

- ☐ Secure federal UFAP warrant, if facts support issuance.
- ☐ Identify and "flag" all pertinent sources of information about both child (school, medical, birth, etc.) and suspect-parent (employment, education, professional, etc.).

- [ ] Utilize information sources such as credit bureaus, database systems, motor vehicle bureaus, and the Federal Parent Locator Service (FPLS) to search for suspect-parent through identifiers such as social security number, name, date of birth, etc.
- [ ] Request U.S. Postal Service authorities to provide change of address information and assistance in setting up a mail cover on selected family members or friends of the suspect-parent.
- [ ] Identify and evaluate other information about suspect-parent that may provide whereabouts information such as employment records, occupational licenses, organization memberships, social interests, hobbies, and other lifestyle indicators.
- [ ] Assist left-behind parent in missing child poster preparation and distribution.

#### **International Abductions**

- [ ] Become familiar with laws of suspect-parent's country concerning custody matters.
- [ ] Contact U.S. Department of State for assistance in civil aspects of the abduction and potential for return of child through legal and diplomatic channels.
- [ ] Seek information from INTERPOL concerning criminal proceedings against the suspect-parent.

#### **Recovery/Case Closure**

- [ ] Arrest suspect-parent away from child, if possible.
- [ ] Notify child protective service workers about possible need for temporary shelter care until left-behind parent or investigator arrives.
- [ ] Conduct thorough interview of the child and abductor, document the results of the interviews, and involve all appropriate agencies.
- [ ] Provide effective reunification techniques.
- [ ] Cancel alarms and remove case from NCIC and other information systems.

*Note:* Periodic updates will be made in this checklist. To obtain those updates and request technical assistance on specific cases, please call NCMEC at 1-800-THE-LOST (1-800-843-5678).

Historically society has been intolerant of government intervention in matters involving the family. For example, even when overwhelming abuses and misconduct led to the creation of laws regarding crisis intervention in domestic violence and child abuse, law enforcement often found it difficult to impose itself in the privacy of the home. Like those two predecessors, the crisis of family abduction is faced with overcoming similar obstacles before these relatively new laws can become an effective deterrent.

The *National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children (NISMART)*, conducted in 1988, estimated that more than 350,000 family abductions occur throughout the country each year. Research has also begun to demonstrate what therapists and left-behind parents have known for some time, that children are deeply and permanently affected by family abduction.

The emotional scarring caused by these events requires that 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.

*The emotional scarring [of this crime] requires that officers recognize family abduction ... as an insidious form of child abuse.*

## Legislation

Laws and definitions regarding criminal custodial interference will vary considerably from state to state. Some do not apply to unmarried couples while others do not penalize a custodial parent for absconding with a child or denying visitation. Several legislative initiatives, however, have helped define law enforcement's response to the issue of family abduction. See Figure 4-1 for a listing of those initiatives. For the purposes of this chapter it will be a general premise that no parent should arbitrarily be denied access to his or her child and that criminal intent to do so should be considered a potential violation of law.

## The Child-Victim

To truly appreciate the plight of a child abducted by a family member, an officer must first realize what preceded the abduction. For this dramatic flight to occur one would have to assume it was prefaced by the impending breakdown of the family unit. In this process the child may well have been exposed to domestic violence, alcoholism, abuse, and other problems that commonly affect dysfunctional families. If a separation or divorce was in place, the child may have already been uprooted from the family home and the loss of neighbors and school friends is a normal casualty of relocation.

When the abduction takes place the child is then forced to adapt to the life of a "fugitive." A process of alienation begins immediately. The child may be told that the parent and/or family members left behind did not really love him or her. Often the child is told that Mom or Dad is dead. In one case two children in grade school were convinced by their mother that their father was a well-known serial killer and that he intended to murder them.

Deception becomes a part of the child's life. The child may have to learn a new name, lie about where he or she is from, or invent a new family history. The child is taught to fear those he or she is supposed to be able to trust including the police, doctors, teachers, counselors, etc. Unable to share confidences, close relationships are hard to develop and isolation quickly sets in. Unfortunately the child may even blame him- or herself not only for the break-up of the marriage but for "their" new transient existence as well. Some parents will coach a child into "disclosing" abuse by the other parent so as to perpetuate his or her control either during or after an abduction.

<b>Legislative Initiatives Impacting Family Abduction</b>	
<b>Initiative</b>	<b>Description</b>
Uniform Child Custody Jurisdiction Act (UCCJA)	First drafted in 1968, the UCCJA has now been adopted in all 50 states and the District of Columbia. The UCCJA determines when a state has jurisdiction to make a custody order and provides procedures for interstate enforcement of orders in custody conflicts.
Parental Kidnapping Prevention Act (PKPA) of 1980 (P.L. 96-611)	This act requires authorities of every state to enforce and not modify orders made by the state court exercising proper jurisdiction. It also authorizes the use of the Unlawful Flight to Avoid Prosecution (UFAP) warrant and the Federal Parent Locator Service (FPLS) in family abductions.
Missing Children Act of 1982 (28 USC § 534)	Among other provisions this legislation ensures that complete descriptions of missing children can be entered into the National Crime Information Center's (NCIC) computer system, even if the abductor has not been charged with a crime.
National Child Search Assistance Act of 1990 (42 USC §§ 5779 and 5780)	This act includes mandates that eliminate waiting periods before taking a missing child report, including family abduction cases; require immediate entry of information into the NCIC Missing Person File; and require close liaison with the National Center for Missing and Exploited Children (NCMEC) on appropriate missing child cases.

Figure 4-1

## Investigative Issues

**Jurisdiction** Either through confusion or neglect, the criminal justice system often creates a dilemma for parents who, while trying to work within the system, get passed from agency to agency in an endless search for the right place to have their complaint investigated. The jurisdiction as to which court is the proper one to make a custody determination may be the same one where the original kidnapping occurred or it could be the jurisdiction in which the child was located. It is essential that the prosecutor's office within each state operate under a consensus regarding the issue of jurisdiction in custodial interference.

**Civil Law** A successful criminal charge in a family abduction incident often relies on whether or not a solid foundation has been laid in civil court. The union of both the civil and criminal process requires an officer to be familiar with the appropriate civil court and the effect its rulings may have on a criminal case. An officer investigating a fraud case involving embezzlement, for instance, must

- Determine the civil relationship of the parties.
- Distinguish the contractual rights of each.
- Consult with a specialist (auditor/accountant) in order to present a "prosecutable" case.

The course of a fraud investigation and its related elements are very similar to those found in a family abduction. What is the relationship of the parties to the child? Do those parties have "legal standing" in court? If there are no court documents filed, does that negate either party's rights? The answers to these and other questions are often complex and can vary from state to state. Consultation with a prosecutor, is highly recommended.

**Enforcement of Custody Orders** Officers should exercise extreme caution when considering actions that will directly affect the physical custody of a child. All too often "court" is convened in the field, and an exchange of custody is coerced. These decisions are often based on limited knowledge, invalid or unsupported court documents, or simply the persistent pressure of a parent or his or her attorney. The consequences of these arbitrary actions can be devastating.

**Liability** Inappropriate or unauthorized actions by an officer who has been called to "accompany and assist" in a child custody question can bring about significant liability concerns for both the officer and the municipality. Several recent litigants have asked courts to review claims alleging that officers acted contrary to their authority when intervening, at the request of the other parent, in a custody claim. In one case, *Shields v. Martin*, 706 P.2d 21 (Idaho 1985), the court found that a city police officer acted improperly when he "assisted" a mother to remove her child from a daycare center based on the contents of a 4-year-old custody decree from another state that was later found to be invalid. The officer was also criticized for

ordering the operator of the daycare center to release the child without calling the custodial father. As an outcome, the officer's liability resulted in a sizable award to the father.

In another case, *Hufford v. Rodgers*, 912 F.2d 1338 (11th Cir. 1990), a father presented a fraudulently altered custody document to a Florida sheriff's department and requested assistance in recovering his child. Deputies went to the home of the ex-wife at 11:30 pm, entered without permission, and forcibly placed the child in the father's custody. The father fled and more than 15 months elapsed before the child was recovered. The sheriff's department was found liable under the theory that deputies were improperly trained and supervised.

**Restraints in Civil Law** Officers must keep in mind two principles that are strenuously defended in society today. One is **parental rights**. Governmental interference with these rights is strictly controlled by legislation. The other is **due process** and the concept that one's civil rights cannot be abrogated without a fair and impartial hearing.

Court orders are not infallible nor obvious in their authority or scope. Do law enforcement officers have sufficient knowledge to interpret court documents? Is it an actual existing order or is it a proposed or conformed order (signed by an attorney instead of a judge)? Is the order still in effect or was it canceled by a superseding order? Is the order actually directed to a person or agency (*i.e.*, law enforcement) to carry out or has the "order" simply been filed to put a custody arrangement in effect?

*Inappropriate or unauthorized actions by an officer who has been called to "accompany and assist" in a child custody question can bring about significant liability concerns for both the officer and the municipality.*

Judges who issue orders related to child custody often rely on the integrity of law enforcement to act as an extension of the court. If, for example, an officer finds an informant's affidavit to be faulty, a judge would expect the officer to suspend any action on a search warrant that he or she had signed. In the same manner, while protection orders are a valuable tool for dealing with domestic violence issues, they are routinely abused. Parents trying to prevail in custody disputes commonly manipulate the court system by offering false affidavits in order to obtain an emergency, ex parte order (one-party testimony) giving them custody. These and other ex parte orders are plentiful, and it is not unusual for each parent to brandish conflicting orders obtained from different local courts. These orders should be served and the respondent notified of his or her obligation to comply. The police should also warn a reluctant party that he or she could face both civil and criminal sanctions by not complying with the current order. Forced removal of the children, however, is ill-advised. Such ex parte orders, in fact, are often the first strategic step in a parental abduction.

**Restraints in Criminal Law** The same cautions hold when a criminal warrant exists. A criminal action does not replace or negate the authority of civil law, nor allow for indiscriminate changes in custody. Officers must keep in mind that a criminal action or warrant is the extension of an investigation into allegations of wrongdoing, not a determination of guilt. Also, since the suspect-parent is usually absent when the situation is being formulated, the case is necessarily restricted to one party's statement. In such a situation, a subsequent warrant might be looked at as warily as the ex parte civil orders that were discussed previously.

**Exigent Circumstances** What happens, for example, when an officer responds to a confrontation between parents at an airport over custody of a child? A father has called claiming his ex-wife is abducting their children and that she is preparing to leave the country. Knowledge of state laws and how to readily access available resources is critical in these situations. If the person is not stopped, his or her departure could result in irreversible circumstances. An officer should know, or be able to immediately ascertain, if state laws on custodial interference provide for emergency intervention. Can the mother be detained long enough to determine the facts? If there is not sufficient criteria in the criminal statutes, can provisions to intervene be found in state statutes/definitions regarding "abuse" or "neglect"?

An officer will at least need to show "probable cause" in order to intervene in such a situation. Can criminal intent to deprive the other parent of rightful contact be demonstrated? If not, there are few laws that deny normal travel or vacations. Officers should immediately take steps to screen the complainant's allegations. Are they the one actually interfering with a lawful visitation period? Are they using this as a ploy to harass their ex-spouse? Interview the child separately. What is the child's understanding of this trip? A parent's patented alibi can often be undone by the candid observations of a child.

**Keep the Issues of Custody and Abuse Separate** In some cases where law enforcement agencies have initially failed to become involved in a family abduction case, a parent has been known to attempt to convince officers that his or her child is being exposed to a harmful environment and that, due to this, the child should be returned to him or her. At this point it is important for an officer to set aside the original issue of custody and focus on the standard procedures used in a "child at-risk" situation. Consult with Children's Services and, if appropriate, place the child in shelter care until an emergency hearing can determine continued placement.

**Summary** Law enforcement officers are often called on to make immediate, Solomon-like determinations regarding the custody status of a child. The merging of civil and criminal law in evaluating issues of custodial interference has made this task even more complex. Arbitrary or "best guess" resolutions are clearly not appropriate. Knowledge of state laws and awareness that consultation is often required will preclude unnecessary grief for families as well as liability concerns for the officer and agency. Utilization of special "pick-up" orders that guarantee a form of due



process can be a comprehensive answer to these very difficult situations by limiting law enforcement's role to one of only "picking-up" the child to take him or her to the appropriate court where custody can then be determined. See the section entitled "Use of Civil Orders in Family Abductions" on page 77.

## **The Initial Investigation**

**The Investigator's Perspective** The very nature of family abduction ensures that an investigating officer will be dealing with troubled families. It is important, therefore, for an officer to consider all sides of the case while keeping in mind that his or her "client" is the child. Success in locating a child and contributing to an appropriate reunification is directly linked to the insights an officer is able to develop concerning the left-behind parent, the child, the abducting parent, and others closely associated with the family. When receiving a report of a child who has been abducted by a family member, law enforcement officers need to review the procedures listed in the "Initial Response Investigative Checklist" beginning on page 21 and the "Family Abduction Investigative Checklist" beginning on page 65. Following is a discussion of those items and related procedures that law enforcement agencies may wish to consider in the initial investigation.

**Review of the Court File** One of the first steps in an investigation is to review the **original** court file where important information and evidence can be gathered. 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 often have limited access. 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/employment records, records from other states, mental health history, domestic violence history, correspondence, listing of prior residences/contacts, and a history of interference with custody/visitation.

Interestingly enough, a suspect or his or her attorney may decline to participate in any interview. Yet they will often fill the court file with motions, affidavits from friends/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.

**Background Investigation** With the perspective that the child is law enforcement's client, it is essential that an objective inquiry be made regarding both the suspect-parent and the left-behind parent. Depending on the case, this could include backgrounds on associated family members, fiancés/fiancées, or companions. The reality an officer must face is that **the child might very well be at risk with either parent**. In fact it is not unusual to have concurrent, related investigations develop

during an initial investigation (child abuse, neglect, incest, assault, etc.). Forewarned of problems, a judge or caseworker can make informed decisions on how to proceed, once the child is recovered. Investigative inquiries might include checks of criminal history, daycare facilities, prior police reports/contacts, Children's Services records, and school records.

**Child Abducted from Child Protective Services Custody** It is not unusual for families being supervised by Child Protective Services (CPS)/Juvenile Court to "fail to comply" with the conditions set by a court order or even deny caseworkers contact with the child. This is often remedied by a local pick-up order issued by the court. There are some cases, however, in which the abduction of a child in CPS custody by the parent presents an extreme hazard to the child and criminal charges must be considered. It is important that any decision to file charges involve the caseworker, his or her supervisor, the legal representative for the agency (Attorney General, County Attorney, etc.), and the child's attorney in those cases where such representation exists. At the time of the abduction, could the agency have been considered the legal custodian or was the action taken by CPS an informal placement? Had the court issued an order placing the child in the care and custody of CPS? What is the ultimate commitment of the agency? If the child is removed from the state, is the state/prosecutor prepared to return the child to their jurisdiction and continue supervision? If the child is recovered, CPS must continue to work closely with the prosecuting attorney so that the child and witnesses are available for trial. CPS recommendations, for disposition (in juvenile/family court) and the eventual sentencing recommendations (in criminal court), should parallel and/or complement each other.

**Dealing with the Left-Behind Parent** The loss of a child has a devastating effect on any parent regardless of who the abductor might be. The environment of a home is shattered, a relationship is severed, and everyday routine brings about reminders of the loss. These parents can be truly traumatized and will not always deal rationally with the situation.

The quality of the left-behind parent's relationship with the child and/or the suspect-parent might have a significant bearing on his or her demeanor. If, for instance, the parent perceives that he or she has been neglectful in any way, it can result in guilt and depression. Aggressive, overbearing behavior can be the result of a perceived unresponsiveness by the "system" or a reaction to the various stresses that may afflict him or her during the course of the investigation. In addition a parent will sometimes deal with the circumstances by depersonalizing the loss. The search may become more of a "cause" or obsession that may serve to distract from the pain that he or she is sure to experience.

*The very nature of family abduction ensures that an investigating officer will be dealing with troubled families.*

It is important for an investigator to establish a level of trust and a solid working relationship with the left-behind parent because both could be "partners" for an extended period of time. An officer should be candid with the left-behind parent about the time constraints caused by other cases but, at the same time, reassure him or her that there is a law enforcement commitment to find the child. If this trust is established, an officer can help ensure that the left-behind parent retains the proper focus and directs his or her energy in positive ways. If not, the left-behind parent may well become a divisive force that can jeopardize the outcome of the case.

It is important to utilize the left-behind parent's energy. His or her most important task will be to ensure that a solid foundation is laid in civil court. This could prove critical both at the time of the recovery and during strategic phases of the criminal process. The parent needs to understand that, although law enforcement may be able to initiate an investigation and even locate the child, without such a foundation in place the recovering agency/court system may not feel obligated to release the child to him or her if the custody issue has not been properly resolved.

*In some cases a parent's hysteria can also lead to thoughts of a snatch-back. This should be clearly discouraged under any and all circumstances.*

A civil attorney with a background in custodial interference situations can be a valuable asset to the left-behind parent and to the investigator. It is important, however, to understand that this attorney's role is to represent the interests of the parent, not the child. He or she will be obliged to present the parent and the case in a positive light. Thus it is unlikely that the attorney will volunteer any information that would reflect negatively on the parent. In these situations some civil courts appoint an advocate to assist or represent the child.

A parent must also be prepared, on short notice, to travel to the location where the child has been recovered to reassume custody. His or her presence might be crucial at a hearing regarding the release of the child. He or she may also wish to consider having a local attorney available. Another essential task of the left-behind parent is to provide documentation. He or she should be directed to compile a chronological history of the family (births, moves, etc.), significant events (domestic violence history, abuse, separation), and a listing of friends/family around the country who might assist the absconding parent.

The left-behind parent should also supply a wide range of photographs of the child, the absconding parent, and any accomplices to aid in the search process. A one-dimensional view of an individual is too narrow to rely on for an accurate identification. Whether searching an airport terminal or a school yard, a distinctive impression of an individual can make that person stand out in a crowd. Additional photographs will reveal side profiles, different hairstyles, and other details that may prove to be significant. Allow a photo lab to screen the photographs as well. They can tell which will offer the best quality reproduction.

During initial interviews with the left-behind parent it is important to establish the fact that to be effective the search should be coordinated through the assigned investigator. Some frantic parents will rally the community, media, and anyone else in a shotgun approach to the problem. Reputable private investigation firms will initially postpone any involvement until they know that their potential client has exhausted resources already available through law enforcement. If their expertise is called for later, the supplementary investigative role should coincide with the needs of the primary law enforcement investigation. In some cases a parent's hysteria can also lead to thoughts of a snatch-back. This should be clearly discouraged under any and all circumstances.

In a nonfamily abduction, immediate coordination with the media and a poster distribution campaign may be necessary because law enforcement's first obstacle is the anonymity of the suspect. In a family abduction, however, this approach often tends to work against a recovery. Since the suspect is known, there are numerous leads and contacts that need to be explored before such exposure occurs. An abducting parent may initially feel empowered because his or her move has put "them in control." He or she may assume that the other party will have no recourse or will offer a passive response. This complacency can be an investigative advantage and often leads to a relatively quick recovery.

The suspect-parent will usually try, directly or indirectly, to keep him- or herself informed about what is happening. The left-behind parent has an important role to play to ensure that the right message gets across—one that is believable while not provoking the suspect-parent into further harmful actions. Communications with the suspect's family and associates can convey hurt, frustration, confusion, and/or a sense of betrayal because these are emotions that would be expected. The tone of these expressions, however, must be controlled and nonthreatening. This approach can have a disarming affect on the suspect's family and friends, if not the suspect him- or herself. The suspect's conversations with mutual friends may be less guarded, and bits of information leaked in this way can resolve a case. While leaving lines of communication open, the left-behind parent should **not** infer that he or she is accepting the forced change in custody. This can not only make the strategy transparent but can also be misconstrued at civil or criminal hearings.

**Monitoring Communications** It can be beneficial for the investigator if the left-behind parent has a telephone recorder system. If the suspect or child leaves a message, the tape can be saved as evidence. If an operator asks the left-behind parent if he or she will accept a collect call, the left-behind parent should agree but, in a routine manner, ask the operator to call back with time and charges. When the operator calls back, the originating telephone number can be obtained. If a second person can listen in on the call, he or she can substantiate the conversations and act as a witness later. Telephone company billings can be an excellent source of information/evidence.

Investigators should view correspondence from the suspect-parent with suspicion. It is not uncommon for letters to be sent to an accomplice who then forwards them with distant or foreign postmarks as a form of disinformation. The envelopes and letters should be handled as evidence because fingerprints and handwriting samples could prove to be important later. Postmarks can give location and date and need to be compared with the return address, if supplied. Check to see if the envelope or stamp are of a foreign origin.

**Hidden Agendas** In dealing with the left-behind parent it is important to look for any possible hidden agenda. The motivations of the left-behind parent can vary from innocence to loathsomeness. In some cases his or her motivations may be based on practical matters such as a loss of his or her means of support. In others he or she is not so much concerned with the return of the child as with manipulating the estranged partner back into a relationship. Discovery of such an agenda should not cause an officer to abort the search, only to modify the approach concerning recovery and placement.

**Dealing with the Suspect-Parent** Any number of factors can precipitate an abduction including separation, a contested visitation schedule, domestic violence, differences in child rearing strategies, and/or conflicts over support payments. These are usually the excuses and not the motivating factor. The parent will often convince him- or herself that all hope of correcting a perceived problem has been exhausted. In that case he or she is persuaded that abduction is the only solution.

*An officer's first contact with a parent on the run may well be the most pivotal point in the entire investigation.*

In reality an abducting parent can be a self-centered individual who simply wants to have things his or her own way. He or she generally has a lack of healthy decision-making abilities and has difficulty in negotiating and working within the system. He or she literally does not feel obliged to adhere to a custody arrangement or include the other parent in child-rearing decisions. For that matter the suspect-parent is often reluctant to concede any authority to those empowered to intervene in family issues such as children's services, doctors, therapists, law enforcement, or judges. Unlike a nonfamily abduction, the investigator's potential for communication (direct or indirect) with the suspect is high. An officer can promote this by cultivating contacts within the suspect's circle of family and friends. Initially officers can anticipate natural obstacles such as loyalty and defensiveness from those family members and friends, however, this can be overcome if the contacts are able to sense the investigator's neutrality and genuine concern for the child.

An officer's first contact with a parent on the run may well be the most pivotal point in the entire investigation. Keep information on the suspect-parent in mind. The

officer's approach must not be judgmental. An officer's task is to take an obsessed, righteous-feeling parent and get him or her to reassess. Again, accepting officer impartiality is the key. As an agent of the left-behind parent an officer may be viewed as an adversary, a representative of the child, or a possible advocate. The first goal is to convince the abductor that he or she made a bad decision, but is not necessarily a bad person. A leading question might be, "What do you hope to achieve?" The response to this question will likely center around the welfare of the child and the need to provide protection. Some suggestions that may help in discussions with the suspect-parent include informing him or her that "capture is inevitable," an explanation of the "destructive effects" of the abduction and subsequent lifestyle on the child, and a listing of viable "alternatives" to resolve the situation. Make the abductor aware that if the child has suffered abuse, he or she is in no position to seek needed therapy and that without professional intervention the injury to the child could be compounded.

Tell the abductor that he or she will not be able to help the child from a jail cell and that by remaining on the run, this unwittingly puts their "ex" in control. Point out the civil and criminal sanctions that can strip the abductor of custodial rights and permanently damage his or her reputation. These could be sobering thoughts if the abductor had not given this much consideration beforehand.

Provide the abductor with some reasons for hope. Explain that a voluntary return would be a good faith gesture that could restore some credibility in the eyes of the court. Also assure him or her that any issues regarding abuse would receive immediate attention. Offer direction on how to utilize the system that the offender abandoned.

**Use of Civil Orders in Family Abductions** A number of states have succeeded in taking a proactive response to family abductions by utilizing special court orders authorizing immediate action by law enforcement in custodial interference situations. Existing state statutes will determine the type of (civil) order that can be utilized in each particular region including Writ of Habeas Corpus, Writ of Assistance, or Writ in Lieu of Writ of Habeas Corpus. Statutes will also determine the type of authority that can be incorporated into the order (search and/or arrest language). Petitions for these orders might be filed by a private attorney, the prosecutor's office, or the attorney general's office depending on the circumstances.

Such an order can be obtained on an expedited basis and directs a law enforcement agency to locate and take a child into custody for the purpose of an emergency hearing. Whatever limitations a criminal case may have, the authority of these orders stands alone and provides the police with the necessary tools or leverage to affect a quick, effective recovery. Ideally this order ensures due process under the law as well as providing protection for the child. Used properly it also addresses the **liability issues** that beset agencies attempting to intervene in these situations.

In dealing with out-of-state agencies, such orders demonstrate that the home state's courts have reviewed the current court file and feel the circumstances warranted the issuance of an exceptional order on behalf of the child. A corresponding order may then be issued from that jurisdiction. It is also important that the suspect and his or her attorney know that no motions or arguments on behalf of the absconding parent will be heard until the Court is satisfied that the child has been returned. *See* Figure 4-2 for an example of the Writ of Habeas Corpus that is utilized in King County, Washington.

### **Example of the Writ of Habeas Corpus**

The Writ of Habeas Corpus is treated as an emergency order and is issued by the Presiding Judge once a petitioner demonstrates that a child is unlawfully being withheld from the person having a right to custody. The Writ is normally obtained by a private attorney. Either the Prosecutor's Office or the Attorney General's Office may petition for a Writ under the following circumstances

#### **Prosecutor's Office**

- In conjunction with a criminal warrant for Custodial Interference obtained by their office.
- In conjunction with another jurisdiction's criminal warrant that is to be acted on within the County.

#### **Attorney General's Office**

- To recover a child removed from "protective custody" who is considered to be at extreme risk.
- In Hague Convention/International cases they respond to requests from the U.S. Central Authority.

#### **Authority Provided**

- Orders child be immediately taken into custody and authorizes placement with Children's Services *if necessary* (when court is not in session).
- Statewide search warrant for any location the child may be or where information pertaining to the child's whereabouts may be found.
- Statewide arrest authority for any individual who obstructs an order.
- There is no expiration date on the Writ.

**Figure 4-2**

**Evaluating/Filing a Criminal Charge** Officers will find that even in aggravated cases of family abduction the left-behind parent may not want to pursue a criminal charge. After all, the witnesses might include his or her child, family, and

close friends who have already undergone a trying episode. The testimony elicited by the defense could also tend to be extremely personal and exploitive. Parents need to be advised of this possibility when making a decision to support a criminal charge.

Left-behind parents should, however, be made aware of the **positive aspects** of a criminal charge. 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 might be the only consideration for some jurisdictions as to whether they will render assistance in locating an abducting parent and child. While civil remedies and sanctions can support family stability, (civil) enforcement against a noncooperative 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 the revocation of a suspended sentence and the issuance of a felony warrant. Sentencing requirements can ensure that treatment recommendations are pursued or supported. *See Figure 4-3* for a partial checklist of questions an officer should consider before filing a charge.

#### When Considering Criminal Charges

- Is there **sufficient documentation** (certified) to demonstrate parentage and the individual's right to physical custody or access?
- Can the suspect-parent actually be **identified** as the abductor?
- A vacation or change of address is not necessarily illegal. Can it be **clearly established** that the intent of the move was to unlawfully deny access to the complainant?
- If **removal from the state** is an element of the offense, can it be proven that the child has been physically taken across the state line? Can it be demonstrated that the suspect-parent is responsible for the removal?
- Have **mitigating factors** (domestic violence, abuse, etc.) been evaluated that, by statute, could undermine the filing of a charge?
- If an **accomplice** was involved, can it be proven that he or she had sufficient personal knowledge of the legal custody issues to form criminal intent? If the accomplice was the abductor, can the suspect-parent's complicity be demonstrated? How can he or she be directly implicated?

Figure 4-3

**Entries into NCIC** The victim of a family abduction should be identified in the NCIC Missing Person File as either an "Involuntary Missing" or an "Endangered Missing" (abuse/neglect involved), depending on the nature of the case. In addition there should be supporting documentation available in the agency's communica-



tions center or records division so that information is available when the investigator is not. The packet should include pertinent documentation from the case file, warrant information, civil orders, and photographs that can be faxed, if needed. The suspect-parent's name should be included in the miscellaneous field. Information listed in this field, however, will not result in a "hit" if run through NCIC. The supplemental sections of the NCIC field that will result in a "hit" are those where aliases and vehicles are listed.

Few jurisdictions are willing to hold a child indefinitely. They usually want an assurance that a parent or law enforcement representative will be responding immediately to take custody of the child. Some states are funded to handle such recoveries, but most are not.

## **The Prolonged Investigation**

**The Federal UFAP Warrant** Utilizing the federal Unlawful Flight to Avoid Prosecution (UFAP) charge, as authorized by the Parental Kidnapping Prevention Act of 1980, can prove effective for officers investigating family abductions. In these cases the federal statute incorporates an amendment that specifically addresses the applicability of the UFAP in parental kidnapping incidents in which the key elements of interstate travel and intent to avoid prosecution under the laws of the state from which one flees are required. In addition the statute does not require that a suspect be indicted or charged at the time of flight, however, the originating state must be willing to extend extradition to all 50 states.

A UFAP warrant is certainly not required in order to affect an out-of-state arrest. In fact, in less aggravated cases where the circumstances are relatively "simple," it might be considered inappropriate and time consuming. In any out-of-state flight that involves evasive behavior and/or a willingness to go into a transient or underground existence, however, a UFAP warrant will improve an officer's ability to conduct an effective investigation.

Absent a UFAP warrant, any federal agency (U.S. Department of State, Passport Services, INTERPOL) will be relegated to rendering relatively passive assistance to an investigation. For instance, without a UFAP warrant a regional FBI office would have to restrict its involvement to routine information requests (driver's license data, criminal rap sheet, etc.). Once the federal warrant is in place, however, an agent is assigned the warrant as part of his or her caseload. At that point requests can be made to other regional offices to respond to leads, interview witnesses, subpoena records, and supplement a local officer's search efforts in many strategic areas.

When it becomes clear to an investigator that early resolution of a family abduction case is doubtful, several investigative techniques can be employed to determine the whereabouts of an abducting parent. In addition to the investigative techniques noted below, officers should refer to the NCMEC publication that thoroughly

discusses these types of cases entitled *Family Abduction: How to Prevent an Abduction and What to Do if Your Child is Abducted*. It offers checklists, details avenues of search, and describes resources that are valuable for both parents and investigators. To request a copy of this publication contact NCMEC at 1-800-THE-LOST (1-800-843-5678).

**School Records** The federal Family Educational Rights and Privacy Act (FERPA), 20 USC § 1232g, allows a parent to ascertain if his or her child's school records have been transferred to a new school or if copies have been sent to the other parent. If the records have been forwarded, the parent is entitled to learn the name, address, and telephone number of the new school. Through use of a court order a parent has the right to block such a transfer of records. This is not recommended, however, as it eliminates a very successful means of tracing the suspect's movements. If an investigator suspects a new destination, do not overlook **private school** systems. In checking with school personnel an officer may find that the parent discussed the pending move. Even if there was an attempt to hide the move, the child may have confided in a classmate or teacher.

**Other Records to Flag** Other significant records that may be requested and/or flagged include court records, records at licensing agencies, birth records, insurance policies, passports and visas, college transcripts, military records, immigration files, union records, voter registration records, medical records, workers' compensation files, and employer references.

**Mailed Correspondence** Check with the U.S. Postal Service for a forwarding address or information concerning a post office box or mail drop. Work with the Postal Inspector's Office to obtain a mail cover if it is likely that the suspect will communicate with a friend or family member. For more information on the "U.S. Postal Service" see page 158.

**Bank Accounts/Credit Card Accounts** Check transactions for any leads through airline tickets, hotel reservations, gas purchases, etc. Also it is difficult for someone to simply throw away an established, respected credit history. If he or she does not continue with the same bank, it is likely that the abductor will at least refer future creditors to previous account records.

**Telephone Records** An abduction can involve considerable planning. Who has the abductor been in contact with? Is there a significant pattern? What long distance calls have been placed? Both home and office records should be checked. Allow some time to pass and then check the telephone records of those likely to maintain contact with the abductor. If a friend or relative is cooperative, see if a trace can be placed on that telephone line.

**Social Security Number** Since 1987 the U.S. Tax Code requires that a child's social security number be listed if claimed as an exemption on the parent's income tax return. There are a wide range of databases that can be accessed to trace the use of a social security number.

**Federal Parent Locator Service** This agency is able to access the information of several federal agencies. It is most useful in long-term cases where the abductor has attempted to resume a normal work experience. For more information on this resource *see* the "Federal Parent Locator Service" on page 159.

**Private Interests/Activities** An abductor will find life very difficult if he or she is unable to rely on references that establish a responsible, stable lifestyle. Also established pastimes are, at some point, likely to be renewed. Potential leads may develop by investigating the abductor's possible involvement in activities of interest to him or her such as computers/bulletin boards, recreational activities, campground memberships, little league, magazine subscriptions, hunting licenses, scouting organizations and clubs, video store memberships, civic groups (Rotary, Kiwanis, volunteer fire departments, etc.).

Officers should keep an open perspective on the approach of family abduction cases. If an investigation appears to be stalled in direct pursuit of the suspect's trail, look for other possible avenues. One technique is to focus on a **third party** in the search process. A suspect may go to great lengths to conceal him- or herself and the abducted child; however, a new spouse or companion is not always as vigilant or cautious with contacts or transactions.

## **Involving Other Jurisdictions in the Case**

Already complex family abduction cases are often further complicated by the involvement of authorities from other cities, counties, or states to which an abductor may flee. If an investigation reaches into other jurisdictions, an officer will need to identify the appropriate resources available and learn how to access them in the most effective manner. Each jurisdiction will vary in their approach to family abductions. In some areas the prosecutor's office assumes the investigative function as well as deals with related court actions. In others the State Police have that responsibility and will lead the investigation. Officers facing such situations can contact the following resources to learn the basic procedures of other jurisdictions

- State missing children's clearinghouse(s).
- National Center for Missing and Exploited Children.
- Appropriate local nonprofit missing children's organization.

If the suspect's location can be narrowed down to a specific county, an officer should inform the left-behind parent and his or her attorney of the appropriate court system so that he or she can establish a base in that jurisdiction to address the complaint. The court's file should be examined to determine if any new actions have been filed regarding custody. Be sure to check under maiden names and other known aliases. The left-behind parent's legitimate court documents should then be **registered** in that court. Once the decree is filed in that court system it can be enforced by any method recognized within that state (exceptional order). When the suspect's location has been determined it is extremely important that control be maintained over the subsequent events leading up to the recovery of the child. The temptation for a parent to act prematurely can be overwhelming; however, such actions are almost always disastrous (snatch-backs, domestic violence, further flight).

When requesting assistance from another agency, an investigator's approach can determine the level of assistance received. While law enforcement's attitude toward the issue of family abduction has changed dramatically over the past decade, an investigator may occasionally encounter some reluctance from jurisdictions that still view the issue as essentially a "civil matter." This reaction can usually be overcome if the investigator shares all particulars of the case and emphasizes the amount of time and effort that has already been expended. Also an officer may wish to summarize prior investigative steps so that the other jurisdiction is aware of the bulk of the work that has already been completed and that their role is only brief and supplemental. Be specific as to the type of assistance needed. It is also advisable to have an investigative packet already prepared. It can include

- Photographs of the victim, suspect, and accomplices.
- Police reports, case synopsis, key statements, suspect/victim fact sheet.
- Warrant information, confirmation of extradition.
- Civil court documents, certified copies of principal documents.
- Miscellaneous items including any psychological summary report or overview on the victim/abductor and any appropriate information from other governmental agencies.

This preparation not only provides another jurisdiction with a solid investigative foundation but encourages an equally professional reaction as well. In cases where an out-of-state hearing, following a recovery, may occur before the left-behind parent is able to appear, this documentation may be the only information the judge has to review in order to make a determination in the case.

## **International Investigations**

In many respects an officer's approach in an international case will parallel the preparations discussed in dealing with jurisdictions in other states. The officer needs to identify resources, provide documentation, specify the assistance needed, and become familiar with applicable laws in both countries. The focus of the

investigation, however, will now turn to diplomacy and utilization of international treaties.

When dealing with foreign governments it is important to recognize that an officer cannot expect to export laws of the United States to the targeted country, and that a UFAP or felony warrant cannot be executed by another country. Extradition, even if covered by treaty, is highly unlikely. The criminal warrant then becomes a strategic device, rather than a means of apprehension.

It is important to understand and, if possible, utilize the International Parental Kidnapping Crime Act and the Hague Convention on Civil Aspects of International Child Abduction in these situations. The International Parental Kidnapping Crime Act (P.L. 103-173) makes it a federal offense to remove a child, younger than 16 years of age, from the United States or retain a child outside of the United States with the intent to obstruct the lawful exercise of parental rights. Numerous conditions govern the use of this statute as well as a sense of the U.S. Congress that whenever applicable, the provisions of the Hague Convention should be the option of first choice of a parent who seeks the return of a child. Contact the U.S. Attorney's office within your community if this law applies in your case.

*As soon as it has been determined that a child may have been taken to a foreign country, the left-behind parent should immediately contact the U.S. Department of State at 202-736-7000 to discuss the filing of an application invoking the Hague Convention.*

The Hague Convention on the Civil Aspects of International Child Abduction, is an international treaty that calls for the prompt return of an abducted child, usually to the country of his or her habitual residence. To carry out the provisions of the treaty, each participating country established a **central authority**. In the United States, the central authority is the Office of Citizens Consular Services, U.S. Department of State.

As soon as it has been determined that a child may have been taken to a foreign country, the left-behind parent should immediately contact the U.S. Department of State at 202-736-7000 to discuss the filing of an application invoking the Hague Convention. Prompt action is essential in that—after a one-year residency in another country—the constraints of the accord may not be binding and the chances for a return to this country diminish.

While the parent is involved in the Hague application procedure, the investigator can begin coordinating with the U.S. Department of State and INTERPOL. Again, the role of these agencies is not one of enforcement or direct intervention. They support the efforts of citizens of the United States and law enforcement by providing information and access.

While the U.S. Department of State is the link to the diplomatic sector, INTERPOL, the International Criminal Police Organization, serves as a point of contact, for both

the United States and foreign police agencies seeking assistance in criminal investigations that extend beyond their national boundaries. Agents from a wide spectrum of federal law enforcement (FBI, IRS, Naval Intelligence, U.S. Customs Service, etc.) combine to allow for a comprehensive approach to international investigations.

For additional information regarding the U.S. Department of State and INTERPOL *see* pages 159 and 160 respectively.

## **Recovery of the Child**

Steps taken in the preliminary and sustained phases of an investigation should have set the stage for a smooth recovery once the child is located. The primary steps to have in place are

- Information and documentation readily available for the other jurisdiction.
- The left-behind parent prepared to travel and pick-up the child immediately.
- Sufficiently anticipated, through the background investigation and attorney's documentation, any contrived allegations that could cause delays.

On the other hand, if there are unanswered questions or an officer suspects a "hidden agenda," this needs to be shared with the recovering agency so appropriate steps can be taken. Whenever possible an officer should try to arrange for the arrest and recovery to occur separately. Apprehensions are not only potentially volatile, but the sight of a parent being arrested can leave a child unnecessarily affected.

It would be ideal if the investigator him- or herself could be designated to respond and recover the children in these cases. This solves many problems and enhances the criminal case. The officer can provide knowledgeable testimony at any hearings; conduct interviews with key witnesses (employers, teachers, daycare, police, etc.); interview the suspect; and often make the release of the child a much easier decision. Unfortunately few states are able to financially support this approach.

## **Reunification Issues**

An earlier discussion demonstrated some of the trauma suffered by the child-victim during an abduction. Ironically the recovery can bring about its own emotional trauma. When the police finally do make contact, the child is often confused and frightened. He or she may witness the arrest of Mom or Dad and then be deposited in an unfamiliar foster placement. Reuniting with the left-behind parent can also be an unsettling experience, especially if the child was taken at an early age or was missing for a long period of time. Sometimes the child will not even remember the left-behind parent. Now the child also has to distinguish between the lies he or she may have been told and the **truth**. Reality has also shown that the home these children return to may not be the stable, secure environment one would wish for them.

The left-behind family members may also experience an unsettling adjustment period. Will the child feel comfortable returning to a home in which major or minor changes may have occurred during the absence? Additionally, the years of uncertainty and possible abuse may return a child whose temperament and behavior have changed drastically.

*...in 80 percent of the recoveries (of all missing children) only an average of 15 minutes is devoted to the recovery process with no psychological or social service support provided.*

The needs of a recovered child and his or her family are often immediate and complex. There has been an assumption over the years that once a missing child is returned, a comprehensive community plan falls into place to support left-behind family members. Research has shown, however, that in 80 percent of the recoveries (of all missing children) only an average of 15 minutes is devoted to the recovery process with no psychological or social service support provided. This system needs to be improved upon. At the reunification meeting the investigator should anticipate the needs of the child and his or her family and involve appropriate agencies and services. Left-behind parents, as well as many professionals, do not always recognize the underlying complexity in successfully reuniting a child with his or her "other" family. It is necessary, then, to create an awareness in the left-behind family members of the inherent traumas involved in an abduction so that they can anticipate potential problems and be open to intervention and counseling.

## Case Closure

The finality of an arrest and recovery should not deter an officer from completing necessary follow-through tasks. In an out-of-state apprehension the police or agents involved may simply clear the incident as a warrant arrest and recovery, and crucial information may be lost if an officer has not specifically requested **supporting documentation** for the case.

Post-recovery protection should also be in place. Civil and criminal court orders should complement each other and provide security for the reunited family. Any anticipated visitation by the suspect-parent should be supervised at a court approved location. Both school staff and daycare personnel should be provided with copies of any custody and/or protection orders. Hopefully, the abductor will not try to resnatch the child, but **preventive measures** should still be initiated by the parent to attempt to safeguard against such an action. Portrait quality photographs should be taken of the child. Fingerprints and a lock of hair should be secured as well.

Do not forget to delete the child and/or abductor from NCIC and notify all agencies that were asked to flag requests for records on or information about the child.

## Conclusion

The investigation of family abductions calls for familiarity with different dimensions of the law including civil custody, state criminal statutes, federal legislation, and international accords. Consultation and use of these established resources will be the key to any recovery. It should be apparent that the complexity of this issue begs for the exercise of caution in convening any "curbside hearings" regarding custody. The courtroom is the only proper forum that can offer both due process as well as protection for the child. At the same time, while arbitrary transfers of custody are to be avoided, parents do have the right to look to the criminal justice system for assistance. To dismiss such pleas for help could push an anguished parent into desperate actions. Offering guidance and a realistic avenue of approach can avert potential domestic violence and snatch-back incidents.

NCMEC is available, at 1-800-THE-LOST (1-800-843-5678), to offer resources and technical assistance with any of the suggestions presented in this chapter, especially when conflicts among laws, statutes, and accords impede case resolution.

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# Runaway Investigative Checklist

Review all steps outlined in the "Initial Response Investigative Checklist" found on page 21. In addition, in cases of runaway children, consider the below listed steps. Please consult the text of this chapter for details on the items listed.

## The Initial Investigation

- [ ] Check agency records for recent contact with child (arrests, other activity).
- [ ] Review school record and interview teachers, other school personnel, classmates.
- [ ] Check contents of school locker.
- [ ] Contact community, youth-serving organizations for information.
- [ ] Investigate child protective agency records for abuse reports.
- [ ] Utilize screening procedures to develop an accurate assessment of the child.
- [ ] Contact the National Runaway Switchboard at 1-800-621-4000 where parents can leave a message for their child and check to see if their child has left a message for them.

## The Prolonged Investigation

- [ ] Update initial NCIC entry by fully loading NCIC Missing Person File with all available information including medical and dental records.
- [ ] Consider upgrading the investigation to "Endangered" if facts warrant.
- [ ] Reinterview friends, classmates, and other information sources.
- [ ] Assist family members in the preparation and distribution of missing child posters.
- [ ] Provide support for family through nonprofit missing children's organization.
- [ ] Consider search of NCIC's Unidentified Person File, utilization of NCIC's Off-Line Search capabilities, and notification of state medical examiners by providing descriptive information and photograph of missing child.

### **Recovery/Case Closure**

- ☐ Conduct a thorough interview of the child, document the results of the interview, and involve all appropriate agencies.
  - ☐ Why did the child leave?
  - ☐ Where did the child go?
  - ☐ How did the child survive?
  - ☐ Who helped the child during absence?
  - ☐ Will the child leave again?
- ☐ Consider a comprehensive physical examination for the child.
- ☐ Make child/family aware of community services to deal with any unresolved issues.
- ☐ Complete an agency report of the episode that can be promptly accessed and reviewed if the child leaves again.
- ☐ Cancel alarms and remove the case from NCIC and other information systems.

**Note:** Periodic updates will be made in this checklist. To obtain those updates and request technical assistance on specific cases, please call NCMEC at 1-800-THE-LOST (1-800-843-5678).

The voluntary missing child, more often referred to as the runaway, is the most common missing child case that law enforcement officers encounter. According to the *National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children* (NISMART), approximately 454,000 children younger than the age of 18, voluntarily leave their homes each year in the United States.

The development of an effective response to the report of a voluntary missing child has been hampered by the belief that because of the "staggering number" of reports and the fact that many cases are resolved relatively quickly (NISMART reports that 49 percent of these children return home within 2 days), that little was required in the way of active case investigation. Law enforcement is now becoming more aware, however, that in this time of increasing violence toward children, all missing children—including runaways—are "at-risk" and need to be found as quickly as possible.

## **Why Law Enforcement Should Be Involved**

According to NISMART

*Today, we know that when many children run, it is often to escape from a protracted and painful family conflict or from physical, sexual, or psychological abuse. We also know what may lie in wait for the long-term runaway [including] homelessness, drugs, crime, sexual exploitation, and suicide.*

Life on the street or on the run for these children can be extremely dangerous and harmful. The longer children are on the street, the greater their chances of falling victim to criminal elements that wish to exploit them for monetary purposes. By finding these children and providing services to safeguard them from these dangers, communities do a better job of curbing illegal activities like prostitution and pornography.

In addition the 1987 *Longitudinal Study of Runaway Youths*, released by the National Institute of Mental Health, tracked a group of children who each ran away several times and found that these children suffered from drug use, behavior problems in school, and chronic unemployment/contact with adult criminal courts later in life. By finding runaways, determining the reasons for their runaway episode, and providing social service solutions to those problems early in the runaway's life, communities will provide a healthier and safer environment for children at-risk and for the community at-large, but the first step is finding the runaway child.

## **Investigating Cases of Runaway Children**

In a runaway case the first responder and investigator need to review the procedures outlined in the "Initial Response Investigative Checklist" on page 21 and the "Runaway Investigative Checklist" on page 91. Following is a discussion of those

items and related procedures that law enforcement agencies may wish to consider in the initial investigative stage.

**Role of the First Responder** The responding officer must verify that the child is missing. It is important to make sure that nothing is overlooked in this verification process. For instance frantic parents may not think to listen to their answering machine where they would find a message from their teen saying that he or she will be arriving home later than planned. In addition the officer needs to check the scene, secure a recent photograph and fingerprints of the child (if available), broadcast notifications, and enter information about the child into the National Crime Information Center (NCIC) Missing Person File. The proper NCIC classification, if no mitigating factors exist, is **Juvenile**. Many states have specific laws making it mandatory to immediately enter the child as missing into NCIC. In addition the federal National Child Search Assistance Act of 1990 requires immediate system entry.

When compiling the case report, the officer may wish to use the "Victim/Family Data Collection Questionnaire" found on page 198. It may assist him or her in gathering additional information about the child, family, and friends.

The reporting officer should also ascertain the number of previous runaway episodes whether reported or not. Officers are reminded that parents may not be completely truthful or may be ignorant of the behavior of their child. The initial responder should also check with friends and check the hangouts in his or her beat or district. As a regular practice, patrol officers should be encouraged to check all suspicious juveniles for the possibility that they are an active missing child.

**Role of the Assigned Investigator** After reviewing the initial missing child report for accuracy and verifying that all notifications and system entries have been made, the assigned investigator most often begins a case evaluation by focusing on the child's family, lifestyle, and friends. Prior to family contact, however, the officer should check law enforcement records for relevant information about the child including very recent contacts or arrests that may have prompted this missing child episode.

**Parents/Family/Residence** From the family an investigator will be able to learn if the child has been heard from since leaving, exhibited a noticeable change in personality, changed his or her appearance (clothes/hairstyle), been associating with a new group of friends, seemed unusually tired, displayed a change in musical taste, seen his or her grades drop, been absent or tardy from school, depleted savings from a bank account or other monetary source, experienced any prior "runaway" episodes, and/or exhibited any other behavioral changes that might help explain why he or she left.

To verify that the child is not at additional risk, an officer should seek confirmation from the parent that the child is not dependent on legal or illegal drugs including alcohol. Ask the parents about any other medical conditions that may complicate the case. Sensitive information may create some reluctance on the part of the parents. Remind them that all questions are directed at ensuring their child's prompt and safe return.

If circumstances warrant, an investigator may consider obtaining the parent's permission to inventory the child's room and secure certain items. In the child's room the investigator should be alert for notes the child has written in diaries, book covers, notebooks, and/or letters. Is the overall appearance of the room unkempt or neat? (If neat, ask if parents cleaned up)? Look for lifestyle indications such as decorations, music, posters, and clothing. If the child or family has a computer, check the hard drive and review diskettes. Secure items such as the child's hairbrush, a handwriting sample, any item with the child's fingerprints, his or her diary/address book, and additional photographs of the child.

Is anything missing from the child's room? Attempt to determine if the victim had a piece of favorite music, photograph, or some other proprietary item and see if it is missing. Seek the advice of individuals who can help identify what is important to the victim. The parents may know or it could be a close friend or sibling. Officers can obtain many clues about the disappearance by looking for what is in the room and what may be missing from the room. In addition investigators should keep in mind that the child may be the victim of foul play. They should be alert to information and observations that are suspicious in nature and do not fit the fact pattern of a "typical" runaway case.

*...investigators should keep in mind that the child may be the victim of foul play. They should be alert to information and observations that are suspicious in nature and do not fit the fact pattern of a "typical" runaway case.*

**Friends** Another important investigative step is to interview friends of the missing child including the reinterview of those who may have already been questioned. Since friends are likely to know more about a child than even the missing youngster's own family, a great deal of investigative information can be learned during these interviews.

Reassure friends that whatever they confide about the case will be kept in confidence. Ask if they have heard from the missing child. If so, when and what did they discuss. Are they surprised that this child would have run away or were there some indications that such an event was possible? Inquire about other friends of the missing child and how they can be contacted. Continue to check friends' homes and hangouts. NISMART reveals that runaways sought help from a friend in 60 percent of the cases studied. Reinterview friends and associates of the missing child. Many

times they will have done some checking themselves and are becoming concerned by the child's continued absence. With time they may also relate additional information that they initially would not mention, such as possible abuse at home, pregnancy, etc.

**School/Teachers** The missing child's school, teachers, and counselors can also be important sources of information if the case remains unresolved. Often school records will reveal material that will be of significant investigative value. Teachers can help develop a more in-depth behavior analysis of the child and also may be able to provide names of other friends or acquaintances. The school counselor may be able to verify that the child has disclosed information concerning case-relevant emotional or other problems. School resource officers (SRO) who are well established with the students can also be called upon to overtly assist in the investigation. The SRO can contact the missing child's friends for leads and, if the SRO has established a trusting relationship with the students, will elicit information that no other officer could obtain. Search the child's locker. Depending on state law and school policies, parental permission or a search warrant may be required. Again, as in searching the child's room, look for notes, letters, book covers, etc.

**Community Agencies/Organizations** Other agencies or organizations within a jurisdiction may also be able to provide information and assistance during the initial investigative stage. Child Protective Services (CPS) files should be inspected for any complaints that may have been filed against the parent(s) concerning the missing child or, for that matter, any other child. If the parents have moved from another city or state, CPS records in those jurisdictions should be checked. Positive information in CPS files can be of significant investigative value in determining reasons for the child's actions. Local runaway shelters and similar facilities may have records indicating that the child has sought lodging or guidance there in the past. Many communities have public and/or private counseling services where a child might seek advice about problems that may have prompted this incident. Any agency reluctance to share confidential information can usually be overcome when the investigator stresses that the child is probably on the street and at-risk of victimization.

**Assessing Runaway Child Cases** One of the major obstacles law enforcement faces is determining which voluntary missing case to investigate first, and how can the most critical cases be identified? Learning the actual circumstances of why the child left home will enable an officer to determine the severity of the situation and thereby help in prioritizing the case.

Today law enforcement agencies are faced with the reality of providing effective public protection with limited available resources. Even in larger agencies with officers assigned exclusively to missing child investigations, administrators are seeking methods to screen voluntary missing child cases in order to identify youth who require a more intensive level of investigation.

If circumstances involved in the report of a missing child indicate that one or more of the conditions (or "unusual circumstances") listed in Figure 5-1 exists—even if the child originally left home voluntarily—the child should be categorized as an **Endangered Runaway** and strenuous efforts to locate the child should be immediately put into effect.

<b>Endangered Runaway</b>
<input type="checkbox"/> Is the missing youth younger than 13 years of age?
<input type="checkbox"/> Is the missing youth believed to be out of the zone of safety for his or her age and developmental stage?
<input type="checkbox"/> Is the missing youth mentally incapacitated?
<input type="checkbox"/> Is the missing youth drug dependent, including prescribed medication and/or illegal substances, and the dependency life-threatening?
<input type="checkbox"/> Was the missing youth absent from home for more than 24 hours before being reported to police?
<input type="checkbox"/> Is the missing youth believed to be in a life-threatening situation?
<input type="checkbox"/> Is the missing youth believed to be in the company of adults who could endanger his or her welfare?
<input type="checkbox"/> Is the child's absence inconsistent with his or her established patterns of behavior and the deviation not readily explained?
<input type="checkbox"/> Are there other circumstances involved in the disappearance that would cause a reasonable person to conclude that the child should be considered "at-risk"?

**Figure 5-1**

In addition officers working in conjunction with social workers and/or runaway outreach workers may wish to utilize the screening mechanism noted in Figure 5-2 to elicit information about the child's disappearance from his or her family members and friends. This screening mechanism was developed by Douglas Worthington of Harmony Family Services in Abilene, Texas, and law enforcement officer Lee Reed of the Abilene (Texas) Police Department.

Determining this information will help assess the seriousness of the runaway episode and formulate the level of investigative response that needs to be expended in the search.



### **Runaway Screening Mechanism**

- ☐ [ ] How many times has the child run away?
- ☐ [ ] Is the child mature and well-adjusted for his or her age?
- ☐ [ ] Is the family setting reasonably "normal"?
- ☐ [ ] Did the child appear to have his or her life under control?
- ☐ [ ] Did the child seem potentially alienated either at home or with peers?
- ☐ [ ] Is the child most likely to return on his or her own accord?
- ☐ [ ] Did the runaway seem to be rejected by parents?
- ☐ [ ] Did the runaway appear powerless, fearful, and/or angry before leaving?
- ☐ [ ] Did the runaway exhibit little or no self-control and tend to be impulsive?
- ☐ [ ] To what degree is the child "street-wise"?
- ☐ [ ] Was the child extremely dependent on home and peers?
- ☐ [ ] Did the child respond well to a structured environment?
- ☐ [ ] Is the child a good candidate for therapy?
- ☐ [ ] Would the child gain some power over his or her own destiny by running away?
- ☐ [ ] Has the child recently modified his or her value system in order to be able to survive?
- ☐ [ ] Has the child developed survival techniques? Has the power that these survival techniques provided over his or her life offered another reason to stay on the streets?
- ☐ [ ] Had the child become ambivalent about being home?
- ☐ [ ] Did the child employ lying and manipulation as a prime method of coping?
- ☐ [ ] Had the child become aggressive and exploitive of others?
- ☐ [ ] Does the child have any motivation to return home under any circumstances?
- ☐ [ ] Is the child unable to live or function in any type of structured environment?
- ☐ [ ] Does the child have an above average probability of becoming an offender?

**Figure 5-2**

**Caution:** When making any assessments in a missing child case remember that the assumptions made about a child will be based on the accuracy of the information and evidence obtained in the investigation. When interviewing the runaway's family members, friends, teachers, etc., keep in mind the fact that some persons may not be totally honest about the child's behavior or lifestyle. People are especially reluctant to share all the details of a child's life if doing so could call into question their possible neglect/abuse of the child or reveal information that could potentially damage their credibility or the credibility of the child who has run away.

**Prolonged Investigation** If a significant period of time elapses without recovery or contact with the child, the assigned officer must consider taking steps to expand investigative efforts beyond those normally required to resolve most runaway cases. The term "significant period of time" will differ from case to case depending upon the officer's knowledge of the circumstances surrounding the runaway episode.

Update the initial NCIC entry by fully loading all identifying information into the NCIC Missing Person File. This will require contacting the parents to gather all available dental and medical information including x-rays. Fingerprints should also be entered if available. Three items the investigator should obtain from the child's dentist are the dental chart, all available x-rays, and the "billing chart." All three should match. Check with the dentist about special notations in the records and ask for a complete explanation of anything that is unclear.

As time passes without information about the child, an investigator should also consider upgrading the NCIC classification from Juvenile to Endangered. Classification criteria regarding such a change is available from each agency's NCIC control terminal operator.

Case information concerning the child's disappearance should be forwarded to the state missing children's clearinghouse. Clearinghouse personnel can be a valuable resource to the officer in this and other missing child investigations.

Officers can obtain technical assistance on endangered runaway cases from the National Center for Missing and Exploited Children (NCMEC). NCMEC case managers have extensive law enforcement experience and can offer investigative suggestions that may enhance the possibility of case resolution. For the criteria used by NCMEC to classify a runaway as "endangered," see Figure 5-1.

Consider putting the family in touch with a local nonprofit missing children's organization (NPO) that deals with missing children and their families. Many NPOs provide services that can help the family cope during an extremely stressful period. They may be able to develop and distribute a flier or bulletin of the missing child. If possible enlist the assistance of the NPO and other community organizations or

businesses to produce and distribute the bulletin. Ensure that copies of the flier are sent to hospitals and clinics where the youngster may have sought medical treatment.

Investigators can also utilize various law enforcement and business related database systems to inquire if the child has been arrested, obtained a driver's license/credit card, or begun an employment or credit history.

Consider reinterviewing friends, classmates, and other information sources. The reinterview may elicit new information that was forgotten prior to that point in time or some people may be more candid as time goes on and concerns for the child's safety grow. Also consider searching NCIC's Unidentified Person File and utilizing their Off-Line Search capabilities. Both can be excellent sources of information. For details on these capabilities and how to access them, *see* pages 154-156.

Another source to consider would be state medical examiners. The provision of descriptive information and a photograph of the missing child to these examiners will help cover another possibility that must be considered in any thorough investigation.

**Case Closure** The role of the assigned officer does not end when the child returns or is located. The closure stage provides an opportunity for the investigator to learn not only why the child left and how he or she survived but how to prevent future episodes. The prevention of future occurrences is especially important for law enforcement since children who run away repeatedly learn how to remain concealed longer thereby increasing their risk of exploitation.

Children who run away from home on a repeated basis are usually running away from a situation that they perceive as being harmful or "unsolvable." These youths often have fallen through the cracks of the social service system and believe that their community is "unable" to help them. Such children may "act out" from fear when apprehended by law enforcement and resist their efforts to help. Officers may find it helpful to work with staff members from an appropriate child serving agency, such as their local runaway and homeless youth shelter, in these cases. The presence of someone from outside the law enforcement profession, when interviewing these children once found, often results in a relaxed atmosphere that prompts more meaningful disclosures. Ongoing, cooperative agreements with these organizations and agencies will provide significant, long-term benefits to the law enforcement agency.

After the child's recovery or return, certain procedural and investigative concerns remain. Cancel alarms and alerts, including notifications to state and NCIC information systems. Notify organizations and agencies that have become involved in the investigation such as CPS, schools, state clearinghouses, NCMEC, and the NPO that has been assisting the family.

Interview the child alone, if possible, to ascertain his or her reasons for leaving and actions while away. It is important for the child to know that the officer/social worker is concerned about his or her welfare and will utilize the systems in place within their community to ensure that the child is not returned to a dangerous living situation. The officer and/or social worker should enumerate the services that are available to the child to ensure that he or she knows that there are viable options other than "just" returning to the home or foster care placement from which he or she ran. To aid in the interview, questions should be contained on a pre-printed agency form so that answers can be recorded and made part of the file. See Figure 5-3 for a list of suggested questions.

<b>Questions to Ask the Returned Runaway</b>
<ul style="list-style-type: none"><li>• Why did you leave?</li><li>• Where did you go?</li><li>• With whom did you stay?</li><li>• Did anyone encourage you to leave?</li><li>• How did you survive?</li><li>• Have you run away before?</li><li>• Why did you return?</li><li>• Is it safe for you to return home?</li><li>• Will you run away again?</li><li>• Is there anything I can do for you now?</li></ul>

**Figure 5-3**

By evaluating the responses to these and other case related questions, officers accomplish two important objectives. First, meaningful recommendations and referrals can be provided to help the youngster deal with immediate problems and lessen the likelihood of recurrences. Second, officers can gain valuable intelligence/information about the dangers that exist in their community to at-risk children and the identities of individuals or groups who may be engaged in child exploitation. Youth should be debriefed about street crimes, potentially dangerous people and locations, victimization, and drugs.

## **Evaluation of Agency Policies Regarding Runaway Children**

Even as the demand for increased police services continues to strain law enforcement agencies' budgets and resources, many agencies have recognized that their current response to missing children cases may require a thorough organizational reassessment. This assessment may find that the agency's current missing children's program is essentially adequate with only minor modifications needed. Or, on the other hand, it may discover that the present response has developed unplanned with few effective management practices.

As noted earlier, the *National Study of Law Enforcement Policies and Practices Regarding Missing Children and Homeless Youth*, published in 1992, stated as one of its major findings, "law enforcement agencies with written policies and procedures regarding missing children are clearly associated with more aggressive and successful investigative efforts." As a result of these "aggressive...investigative efforts," missing children, including runaways, are more commonly recovered or located before victimization or exploitation.

Agencies that are considering a reassessment of their missing children's response or individual officers who are seeking a method to prompt their agency to undertake such a study may find the material offered in "Chapter 9: Management Issues" beginning on page 175 to be of value. In addition the "Cases of Runaway Children: Agency Self-Evaluation Form" on page 105 may be useful in assessing an agency's need for program review regarding runaway cases.

Regardless of what method an agency utilizes to reexamine its current missing child philosophy and procedures, the result will most certainly be an increased awareness of law enforcement's critical role as a protector of all children.

## **Proactive Programs**

As law enforcement becomes more aware of the benefits associated with aggressively investigating cases of voluntarily missing children, many proactive policies and programs are emerging including support for the development of shelters and counseling programs, media coverage and public presentations, and collaboration with local nonprofit organizations.

Law enforcement agencies can promote the need for runaway shelters and counseling programs that can assist youth and their families prior to, during, and following a runaway episode. Such efforts are consistent with law enforcement objectives since fewer reports result in a decreased caseload. More importantly, incident reduction results in fewer children being subjected to victimization and exploitation. Work with your local runaway shelter or social service agency to inform the public about what your community is doing to protect children, and advise them

about counseling or treatment programs available to the parent and child so that services can begin prior to a runaway episode.

Utilize newspapers, radio, and television to not only describe how the agency responds to missing child cases but also to alert both children and parents about the dangers associated with running away.

Organizations that offer support to law enforcement and families of missing children can be beneficial in helping an agency investigate individual cases as well as deal with the overall issue of missing and exploited children. Participation by law enforcement can help such an organization remain focused on practical issues.

## **Conclusion**

With few exceptions, voluntary missing children are also children at-risk of victimization and exploitation. While missing they are often exposed to the elements of society that they lack the maturity to resist or even understand.

Running away may be the most dangerous act children can commit because they simply do not perceive themselves as potential victims. In most cases a law enforcement officer stands as the only defense between a voluntary missing child and someone who is all too willing to be an exploiter or victimizer. With continued training, diligence, and awareness, that line of defense will grow stronger and more effective.

For further information on the many resources available to assist with runaway youth, contact the National Runaway Switchboard at 1-800-621-4000 and National Clearinghouse on Runaway and Homeless Youth, PO Box 13505, Silver Spring, Maryland 20911-3505, 301-608-8098.

NCMEC is available, at 1-800-THE-LOST (1-800-843-5678), to offer technical assistance with any of the suggestions presented in this chapter.

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#### **Videotape**

*Streetwise* (1984). A feature length, Academy Award® nominated film, depicting the plight of runaways on the street in Seattle, Washington. Distributed by New World Video, Los Angeles, CA.

## **Cases of Runaway Children: Agency Self-Evaluation Form**

- ☐ Does your agency observe a waiting period before accepting the report of a runaway child?
- ☐ Is descriptive information concerning the runaway child immediately entered into the NCIC Missing Person File?
- ☐ Are cases of runaway children considered an investigative priority?
- ☐ Does your agency require contact with parents on a continuous basis while the case is being investigated?
- ☐ After the child returns, is a system in place to refer the child/family for counseling or treatment?
- ☐ Does your jurisdiction have an interagency network set up to provide any of the following
  - ☐ Prevention/education activities?
  - ☐ Shelter for runaways?
  - ☐ Counseling prior to runaway episode?
  - ☐ Counseling after the runaway episode?
  - ☐ Information sheet for return to the law enforcement agency that seeks case intelligence?
- ☐ Does your agency seek out and prosecute individuals who either exploit or harbor a runaway?
- ☐ Does your agency allow for proactive program development in reference to runaway children?
- ☐ Does your agency allow an officer to serve on the Board of Directors of a nonprofit missing children's organization or runaway shelter?
- ☐ Does your agency keep accurate statistics on all categories of missing children including runaways?
- ☐ Does your agency utilize its largest resource base (patrol) to maintain the search for runaways?



Even though most missing child reports are quickly resolved with little need to expend extensive investigative efforts, a significant number of cases are not. To resolve these lengthy cases, officers must remain aware that there is no substitute for a systematic, comprehensive investigation. An effective missing child investigation, especially those involving abducted or at-risk children, requires an unusual commitment of time and resources and a clear recognition of the special features involved in these cases.

While the first responder to the report of a missing child case is an essential component of the investigation and often is responsible for immediate case resolution, this chapter shifts focus to the prolonged investigative efforts that begin when it appears that immediate case resolution is unlikely. General investigative topics and techniques discussed in this chapter include

- Information management.
- Tracking tips and leads.
- Gathering victim/family data.
- Crime scene evaluation.
- Searches and the searching process.
- Search warrants and physical evidence.
- Interview and interrogation techniques.

## Information Management

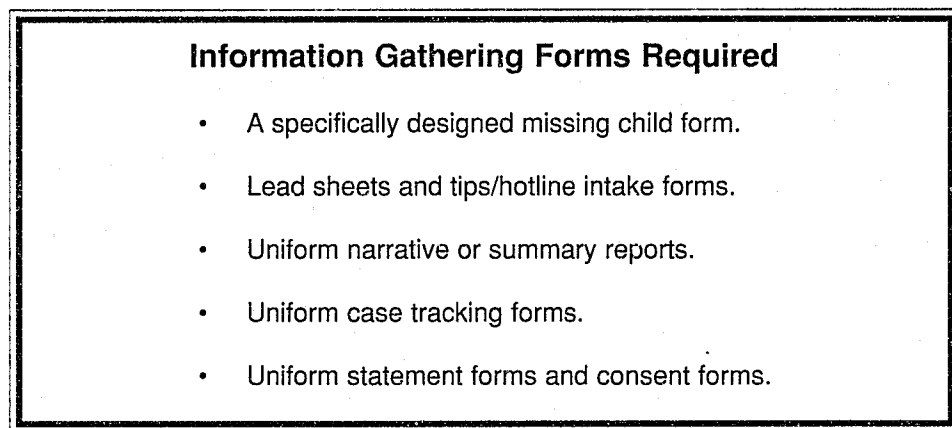
In missing children cases, information gained is often needed more than once during the investigation. Being able to manage (retain, retrieve, use, etc.) the information is of utmost importance—even more important than the management of personnel.

A case manager's first and foremost concern is **centralization** of information. Centralization mandates that one person or section be responsible for receiving everything pertaining to the case. Without a central repository it is likely that valuable information may become misdirected and possibly lost. A missing child unit, joint task force, intelligence bureau, or violent crimes bureau is the type of unit that might be delegated as recipient of all missing children information. The development of an effective system for the storing and retrieval of information is essential. The system may utilize computers and databases or may be a simple card system in which facts are indexed for cross-reference and available for prompt review. The method of filing does not matter as long as it **works**. As data begins to collect, simple visual aids such as flow charts, time lines, and graphs help to show the analytical correlation between activities and data.

A case manager's second most important concern is that of establishing responsibility for the evaluation of all case information. One person should be accountable for the upkeep and dissemination of case information. The centralization of data does not negate the need for assigning a lead investigator who is ultimately answerable

for the case. Case leads may be assigned to a supervisor, case agent, or investigator. It is his or her duty to ensure that the information is followed-up, properly collected, analyzed, and compared. Everyone associated with the case is responsible for information input and all must be aware of where the information is to be delivered. In addition the information provided must be available to all investigators working on the case. This will require open files and regular case briefings which are essential when multi-agency missing child task forces are put into effect.

By utilizing standardized information gathering forms, the collection of data will be consistent with the database used by the lead investigative agency. When multiple agencies are working as a task force on a single or similar series of cases, 1 set of report forms should be used to eliminate the confusion of filing and comprehension. These information gathering report forms should consist of the items listed in Figure 6-1.



**Figure 6-1**

Some officers might speculate that information is gathered through investigation. In reality information is more specifically received through communication since communication encompasses all facets of the investigative process. Many investigations have been conducted where critical case information was available, uncovered, or discovered but never communicated and, therefore, never used. It is significant to note that when more than one individual or agency is involved in an investigation, emphasis rests with the case manager(s) to ensure that thorough communication becomes an ongoing process. Communication involves seeing, verbalizing, and learning. To see an investigator needs to be a good observer, have the facts readily available for review, have information placed in reports when first obtained, and utilize uniform reporting procedures. To verbalize an investigator needs to hold regular meetings of all personnel directly involved in the case, establish good communication networks for information flow, be a good listener, and actively seek information from colleagues. Investigators can learn more about the case by listening and comprehending the facts being presented, being able to interpret the facts provided, ensuring that participants take the time to read all reports generated on the case, and drawing upon personal experience and from educational knowledge.

NCMEC can provide a lead management software program to assist with this process. To request a copy call 1-800-THE-LOST (1-800-843-5678).

## Tracking Tips and Leads

The use of forms and procedures specifically designed to track tip and lead information represents the organized management of information in an attempt to eliminate lost, misidentified, and improperly investigated leads. Specially designed forms, called **lead sheets**, also help to account for productivity in the case thereby ensuring that each lead is assigned to a specific investigator or investigative entity. Law enforcement agencies need to establish a tracking system when the investigation has developed an unusual amount of tips and leads, more than one case may be connected or more than one agency has a similar incident, more than one investigative group is involved in the investigation, and/or a multi-agency task force has been initiated. Figure 6-2 highlights sample lead tracking policies and procedures that should be considered when implementing such a system.

Sample Lead Tracking Policies and Procedures	
Policy Considerations	Procedural Considerations
Determine system needed.	Determine tasks needed to support system.
Secure and install system.	Assign appropriate personnel to perform each task.
Train personnel in use of system.	
Monitor system's efficiency and effectiveness.	

Figure 6-2

Any system employed needs to capture all leads and tips received by the law enforcement agency. Design or secure a comprehensive lead sheet form to capture as much detail as is known by the source or that the source is willing to report. Consider use of telephone recording, caller identification, and other such systems to aid in the accurate recording and identification of sources who call the law enforcement agency with tips and leads.

Train all appropriate personnel on proper use of the lead sheet form, techniques to elicit as much information as possible from sources, how to prioritize leads, and how to thoroughly investigate each lead. Specific policies on how to capture, maintain, and investigate tips and leads will vary from agency to agency based on the number of staff members and resources available. Figure 6-3 highlights a model that agencies may wish to consider.

## Personnel Responsibilities in a Sample Leads Management System

Staff Member	Responsibilities
Lead Room Manager	<ul style="list-style-type: none"> <li>• Secure location of, maintain, and store all leads.</li> <li>• Maintain cross-index system or database of all information derived from leads.</li> <li>• Ensure that all lead information is retrievable via key information.</li> <li>• Monitor further investigation of any "uncleared" lead.</li> </ul>
Lead/Tip Taker (includes both communication/ hotline operators and investigators)	<ul style="list-style-type: none"> <li>• Obtain lead information <b>first</b> before pressing source for his or her name and any other identifying information.</li> <li>• Immediately forward the completed lead sheet to lead room for review and assignment.</li> <li>• Concurrently document leads developed during the investigative process on both a lead sheet and the officer's supplemental report.</li> </ul>
Lead Room Supervisor	<ul style="list-style-type: none"> <li>• Acknowledge receipt of all leads by signature.</li> <li>• Record all leads using a centralized lead sheet log form.</li> <li>• Assign the lead a sequential lead number for tracking.</li> <li>• Read and issue a priority level for all leads based on the need for immediate action.</li> <li>• File a copy of the lead sheet in the lead pending file by lead number.</li> <li>• Place a second copy with the agency's central records section files.</li> <li>• Place lead information in a database, if available.</li> </ul>
Investigative Supervisor	<ul style="list-style-type: none"> <li>• Pick up all leads directly from the lead room/manager.</li> <li>• Assign an available case investigator to do a follow-up on the lead and note, on the lead room copy, the name of the investigator assigned plus the date and time of assignment.</li> </ul>
Initially Assigned Investigator	<ul style="list-style-type: none"> <li>• Conduct a brief follow-up investigation and determine the potential of the lead.</li> <li>• Examine facts to determine if the lead is "clearable" or "not-clearable."</li> <li>• Complete a report of the findings and document on lead sheet form.</li> <li>• Deliver "cleared" leads back to lead room for filing.</li> <li>• File the original, "cleared" lead by name or other indexable method.</li> <li>• Update the lead room's previous copy with the clearance and refile by lead number.</li> <li>• Update the log sheet to reflect return of the lead and any applicable comments.</li> <li>• Forward to the "investigative team" any leads that cannot be quickly cleared through an initial investigation. The team should conduct a thorough follow-up investigation.</li> <li>• Ensure that each lead is maintained by the "investigative team" until it is either cleared or the information is proved valid.</li> </ul>

**Figure 6-3**

To assist in this process, samples of an "Investigative Lead Sheet" and a "Lead Sheet Log" are on pages 142 and 143 respectively.

## Gathering Complete Victim/Family Information

The typical missing child incident is recorded on either a Standard Offense Report or Missing Child Report that gather relatively basic information. While useful for managing the missing child incidents in the initial stage of an investigation, these "basic" reports supply insufficient information for a complicated case that may involve months or even years of investigation. To fill in the many gaps that exist, special emphasis must be placed on creating a form that gathers pertinent victim and family data. The "Victim/Family Data Collection Questionnaire" on page 198 contains a series of questions that provide an in-depth look at the victim in regard to relationships, physical identifiers, personal belongings, available funds, medical history, mental state, vehicle accessibility, associates, acquaintances, prior runaway experiences, survivability skills on the street, and a complete family tree.

The information gleaned from the completed "Victim/Family Data Collection Questionnaire" is invaluable in protracted cases where this type of background material can provide otherwise unknown investigative facts and potential leads. For example, while investigating a family abduction, investigators may know the suspect's mother and father but rarely do they know uncles, aunts, and other relatives who may be involved in supplying vehicles, places to stay, or concealing the child and abductor. In addition even the most prepared runaway child or abducting parent frequently seeks the assistance of friends and relatives. This information will help to identify relatives potentially close to the child's cause. In-depth questioning may also reveal hidden causation behind the disappearance, or evidence indicating a falsified report, used to cover another type of criminal offense.

## Crime Scene Procedures

Many think of a crime scene as those dimly lit, small, dank rooms where pedophiles reside, children are assaulted, or homicides take place. What tends to be forgotten is that even simple crimes have a scene of some extent, variety, and significance. A crime scene is, in essence, any location where physical evidence can be located that substantiates or disproves a crime, theory, or fact. Realistically a house, room, car, yard, field, remote location, or even a body surface itself may become a crime scene of consequence. Figure 6-4 lists the basic crime scene rules.

### Basic Rules to Consider at a Crime Scene

- Begin each crime scene processing assignment with a "worst case scenario" in mind.
- Respond immediately, determine the circumstances, and use all appropriate resources for that situation.
- Think abstractly.

Figure 6-4

Each scene must be viewed with a worst case scenario in mind. This does not imply that the worst case results are anticipated. Rather, by observing the scene with such a mind-set, one hopes that no matter what the final result of the case, the appropriate and best evidence was obtained at all phases of the investigation. Officers are reminded that the current case being worked may not be the only incident committed by this offender. Cases can be related even when occurring years and miles apart from one another.

*Because the successful investigation and prosecution of many crimes hinge on the proper collection of physical evidence, be sure to use an evidence collection specialist in this process.*

A prompt response to the location where an offense took place is essential in determining the type of method required to process the scene. Taking a few moments before entering the scene to evaluate exactly what evidence may or may not be available, assembling facts, and reconstructing the events assists with processing the scene in a systematic manner most conducive with recovering evidence. Each scene must be evaluated to not only determine what evidence is available, but also to judge the importance of any evidence that is potentially available. For example, searching for hair and fibers would not be a viable response in an interference with custody investigation where the offender is known. Yet it would be critical in an abduction investigation where the offender is not known.

Thinking "abstractly" is one of the most desired traits an investigator can possess. The ability to view the situation with a broad perspective, or the ability to think abstractly (without mental blinders), enables an investigator to observe case scenarios, crime scenes, witness information, and suspect testimony with a careful and watchful eye—always wary of the unseen and unsaid. This cognitive approach to investigation provides the investigator with the advantage of being prepared for any case or incident outcome.

**The 7 "Ps" of Basic Crime Scene Search** There is no single "right way" to process a crime scene. Every forensic specialist has his or her own approach and technique. In crime scene evaluation, as with any acquired skill, there is no substitute for experience. Practicing a consistent, systematic, and calculated approach to crime scenes will usually produce successful results. The adage that, "Everyone entering a crime scene brings something with them and everyone leaving takes something away," remains true today. Also true is, as a crime scene processor, it is the investigator's task to identify and evaluate those items. In order to simplify the process of crime scene processing, remembering the 7 "Ps" of Crime Scene Basics, as listed in Figure 6-5 will provide a conceptual foundation to align the investigative pattern.

It is not the intent of this chapter to provide a step-by-step guide on how to process a crime scene. The ideas are offered, however, in an effort to emphasize the vital

importance of crime scene processing procedures. Because the successful investigation and prosecution of many crimes hinge on the proper collection of physical evidence, be sure to use an evidence collection specialist in this process.

### The 7 "Ps" of Basic Crime Scene Search

Prepare  
Protect  
Preserve  
Precise  
Process  
Packaging  
Progress

Figure 6-5

**Prepare** Being prepared for any type of missing child crime scene is a true sign of professionalism. As one of the most important "Ps," preparation saves time and eliminates confusion. Agency effectiveness depends on the ability to prepare for the high-profile crime that one day may occur. Preparing consists of much more than developing a system of "policies and procedures" that mandate or direct actions. It must also entail deliberate preparatory action. One aspect of being prepared for missing child cases involves establishing a bank of information and resources available for use in the event a high-profile case occurs.

**Protect** Common sense dictates that a crime scene must be protected and access limited to only those persons requiring entry. Yet crime scenes are routinely and unnecessarily damaged due to a lack of adherence to simple procedures. What is most often forgotten is that once a scene is damaged, tainted, contaminated, or violated it is often irreversible and can compromise the integrity of not only the scene but the entire case as well. Protection must begin at the arrival of the first responding officer who becomes responsible for the safety and security of the scene. The underlying purpose of scene protection is to preserve all potential evidence so that it may be reviewed in detail by a qualified crime scene processor.

The first responder must determine the dimensions of the crime scene; however, there are no hard and fast rules in making this decision. Generally the majority of evidence is located in the vicinity of the critical action area. In order to make this decision it is important for the first responder to obtain as much information as possible concerning the crime's extent. Scenes that contain multiple sub-scenes must be identified and prioritized to afford them immediate protection from damage.

The crime scene's core area should immediately be secured and protected. Even after the basic perimeter is established, extension of the crime scene perimeter to surrounding areas remains a distinct possibility. Once the scene is secured, all

unauthorized persons should be excluded. Under no circumstances should a suspect be led back to or allowed to enter the crime scene. This would likely compromise the entire scene invalidating the relevance of any evidence that is associated with the suspect.

**Preserve** Evidence can usually be observed and identified rather quickly when processing a crime scene. Preserving it, however, may be a considerably difficult process. Prior to the processing of any item of evidence, the first step in preserving its presence is by photographic documentation. Should the evidence be obliterated during processing or collection, the photographed record may be the only tangible proof remaining for presentation at trial.

Preserving the chain of custody for evidence is accomplished by ensuring that each item is properly documented and placed in a protected evidence storage facility. Placing information pertaining to the case on each item (etching or marking) or attached to each item (tag, label, etc.) will aid in the prevention of lost and misplaced evidence.

An important part of evidence preservation is documentation. All evidence requires the recording of its location, placement, description, and relevance. Even though photographs were made of a scene, these recordings will be critical when needing to reconstruct the scene to scale and/or prepare evidence such as drawings for trial.

**Precise** Knowing precisely what procedure to follow in handling a scene and the recognition of evidence is not an easy task. Sorting the facts of a case and determining the relevance of what may be located within the scene is a decisive process. Determining the relevance of a particular piece of evidence may be spontaneous or developed after many hours of investigation.

Some evidence may not be immediately discovered during the recognition phase. For example, with the recovery of a partially clothed deceased child the immediate area surrounding the body becomes a search focus. The lack of clothing at the scene, however, should necessitate further search, thereby expanding the perimeter of the scene.

**Process** Knowing what process is best for each type of evidence being collected requires considerable training. Some collection methods may destroy the very evidence that is sought to be preserved. Collection methods must be used in the proper progressive manner. For example, the use of black powder latent techniques may negate the ability to later utilize cyanoacrylate acid fuming (super glue).

Evidence collection is an integral part of processing and should not take place until the item is adequately documented, photographed, and measurements taken. Care must be given to minimize changes in the item when collecting so that the item presented for analysis is in the same condition as it was at the scene. For example,



if blood stains on an item of clothing are to be studied to coincide with a particular investigative theory or match a potential suspect, folding of the item may destroy the stain or transpose blood onto an otherwise clean portion of the garment thus destroying the significance of the stain.

**Packaging** The manner in which evidence is packaged and transported, first from the scene to an evidence storage facility, then to a laboratory, and then back to evidence storage is crucial in its admissibility at trial. The primary purpose of packaging is to protect the item from exposure to the risk of contamination from the outside or inside, and to prevent its escape from the container. Utilizing the proper container for all collected evidence is usually mandated by the lab that will receive the item.

Marking of evidence is necessary to assure subsequent identification. Frequently the storage container may be marked; however, this may later be cause for questioning the "originality" of the evidence. It is always best to mark each item of evidence in some manner.

Transportation of items to a laboratory or examining facility generally follows two simple rules. First, package the items so that they will not break, leak, or mix with other evidence. Second, ship items at the right time. Laboratories commonly obtain blood samples and other perishable or biological evidence in a putrefied state, because it was shipped without refrigeration or delivered on a holiday.

*Do not leave any scene  
until it has been checked a  
second time.*

**Progress** Progressing slowly and methodically through any crime scene is a necessity because, although evidence is often easily discovered, collection may be a lengthy, tedious, and time-consuming exercise. Go through the scene completely taking whatever time is necessary to collect the evidence sought. There are many situations where evidence, once located, must be quickly processed to prevent it from being lost or damaged. There are other times when the evidence collection is intentionally delayed awaiting a more conducive time to employ a specific technique.

**Crime Scene Reevaluation** Effective processing of a crime scene is an art. In the same manner that an artist steps back and critiques a canvas, the investigator also should step back and reevaluate what has been accomplished. Whenever a scene is thought to be completely processed, an investigator, independent from the original evaluation, might be requested to examine the site for potentially missed evidence. This quick walk through is indispensable in enhancing the perspective of the investigators at the scene. Knowing a crime laboratory's abilities and limitations on analysis is a significant factor in determining whether an article of evidence is processible, collectable, or relevant. During any investigative response, utilize fresh ideas and attitudes, whenever possible, to reduce the risk of overlooking an

important fact. Utilizing mental reconstructions of the suspect's and victim's actions are a crucial aid in determining the relationship of evidence and its relevancy. Do not leave any scene until it has been checked a second time.

## **Searches and the Searching Process**

One basic search philosophy holds that "all searches must start from the center and work out." This does not mean that the searcher carelessly walks into a possible crime scene's center and begins to search for clues. Rather the searcher identifies the core or focus area of the search and begins there by progressing toward areas of lesser concern. Searching is a task that should be conducted at the very onset of the investigative process beginning with the first responding officer. Searching is too often delayed until later in the investigation and, too often, completed as a follow-up process rather than as a first responder's initial investigative obligation.

When a child is reported missing *always search the home*; even if the child is missing from another location because/to

- The child may have returned home on his or her own.
- The child may have returned home for personal possessions.
- Search for clues to the disappearance.
- Search for evidence left behind by the child/suspect.
- Search for a child concealed by the parents.

During the search for the child always be alert for potential evidence and look for a motive or causation for the disappearance. Search places of enticement, specifically those areas that are natural draws to inquisitive children that may also be an entrapment or hiding place including wells, mines, tunnels; vacant buildings or other places children use as "hide-outs"; frequented areas like game rooms, neighborhood hang-outs; and bodies of water such as pools, creeks, rivers, canals, swimming areas.

Request permission to search the homes of friends and neighbors because abductors can often live in the same neighborhood, a runaway may seek assistance from friends, and/or the child may be visiting a friend/neighbor without the knowledge or permission of his or her parent.

Conduct door-to-door searches, neighborhood canvasses, and vehicle checks because/to

- People may have information that they do not know they have.
- Search for potential witnesses.
- Check for inconsistent and consistent information being provided.

A large scale search may be warranted based on the initial investigation of the disappearance. Other searches may be prompted by results of a medical examiner's inquiry, from a child's preliminary statement, or a variety of other sources. When reconstruction of the crime scene/evidence or further investigation has indicated the necessity for a search, it should begin as soon as practical. Large-scale searches, however, should never be conducted until careful selective searches of key areas have been completed by small numbers of knowledgeable and skilled personnel. Searches for further evidence, within a crime scene, should always be delayed until all obvious evidence has been documented and collected.

**Managing Search Personnel** Knowing who is assisting in the search is extremely important. In every search pattern or operation carried out, identify and log all searchers utilizing a "Volunteer/Searcher Log" that captures relevant information on each search participant. This will provide information on potential witnesses and enable the investigator to question the completeness of a search performed in a particular area. In addition the offender may return to the scene and provide direct assistance to lead the investigation astray, keep current on the focus of the case, draw attention away from him- or herself, or receive satisfaction for "their" crime. To assist in this process *see* the sample "Volunteer/Searcher Log" on page 144.

When searchers are needed, assemble them in one central staging area where they can be properly briefed. Advise them of exactly what is expected, what areas they are responsible for, the pattern of the search, what they are to do when evidence or information is discovered, and what they are looking for.

When organizing a search

- Establish a command post for centralization of all information and record-keeping.
- Assign a representative to control the media at the search scene.
- Always follow a pre-designed operational plan.
- Log every searcher into and out of the search scene.
- Make a copy of each searcher's photo ID.
- Issue searcher ID's to all participants.
- Maintain discipline and control among ground searchers.
- Once a search has begun, restrict all nonsearchers from the area.
- Establish a separate evidence collection/processing team.
- Direct searchers to stay in place if something is found.
- Be wary of anyone overly anxious to search a certain area.

For vehicle and neighborhood canvasses use canvassing forms, use pre-determined/standardized questions, and identify every vehicle or house and individual within the canvass area. To assist in this process *see* the sample "Neighborhood Canvass Log" and "Vehicle Canvass Log" on pages 143 and 144 respectively.

**Search Patterns** The use of search patterns can be a valuable aid in looking for missing children, victims, or evidence. The nature of the scene, its location, and terrain must be considered prior to deciding which search process to use. Search patterns include grid; line; quadrant, area, or zone; and spiral. A grid pattern is recommended for use in large open areas or in small areas where a hands-and-knees search for minute evidence is being conducted. A line search is good for rough terrain where searchers can spread out at varying distances depending on the size or type of item being sought. A quadrant, area, or zone search is practical when the area to be evaluated is divided into smaller segments that can be searched using any means (grid, line, spiral), or for residential areas where boundaries are pre-established by property lines, yards, and streets. A spiral search is uncommon, but sometimes an effective search pattern that begins in the center of the search area and spirals outward. It is commonly used in underwater searches where the divers are tethered to a pivot point and conduct patterns sweeping outward.

When conducting water searches, determine whether the area is a tidal or nontidal body of water. In tidal waters determine, if possible, the approximate time that the victim may have entered the water. Correlating that time with information on whether the tide was going in or out will aid the investigator in determining whether the victim would likely be up- or downstream of that entry point and how far the current could have carried the victim from the time of entry.

## **Search Warrants and Physical Evidence**

**The Concept of Lawful Search and Seizure** During the interview and investigation process close attention to detail may develop information concerning the probable location of physical evidence. The importance of acting quickly to retrieve this evidence cannot be over-emphasized. A thorough investigation necessitates the gathering of any physical evidence that may exist. The use of search warrants in this process is perhaps the most neglected area in the missing child investigation.

Physical evidence, discovered by use of search warrants and the searching process, is usually more crucial in cases where the child is missing and believed deceased, kidnapped, injured, or exploited. The presence of evidence that links a subject to the investigation most likely will have limited or restricted accessibility requiring the application of a search warrant. Obtaining evidence thought to be within a suspect's home, inside a suspect's vehicle, or contained on the body of the suspect will require either voluntary permission or a written order issued by a judge that permits a law enforcement officer to look for particular items.

**The Search Warrant Process** While the process of obtaining a search warrant varies somewhat by jurisdiction, there are two general methods used by law enforcement to obtain an approval to seek a search warrant. First, the law enforcement investigator conducting a criminal investigation discovers the probable

existence of evidence that can only be obtained through the execution of a search warrant. The investigator then completes, has notarized (if required in that state), and submits an affidavit to a judge who may approve the issuance of a search warrant. In this process, consultation with appropriate legal authorities is advisable. Second, a prosecutor initiates the search warrant at the investigator's request submitting it for approval during a motion set before a judge. When the affidavit and search warrant are drafted they must substantiate several things including who, what, where, and when.

State the name of the suspect, victim, and affiant, and details on his or her involvement in the case. Determine possible characteristics of the kidnapper, child molester, abuser, or pedophile, if necessary. Whenever possible the person from whom items will be seized or the person believed to be in possession of the items must be clearly listed. When the person is known, supply name, date of birth, and description. If unknown, complete document as a "John/Jane Doe" warrant. Describe precisely what is being searched for and what will be proved with the recovery. Completely describe items to be seized and searched for and point out the relevance of each to the case. Indicate the violation of law alleged or being investigated by listing the alleged crime including state statute number and any applicable sub-paragraphs. Describe where the evidence sought was observed, or where it is suspected to be. The location to be searched must be described with exact certainty and specificity. A photograph and map showing specific travel directions to the location should accompany the affidavit. Provide time and date of occurrence. When was the evidence observed? Is there an ongoing pattern of criminal activity?

*The importance of acting quickly to retrieve ... evidence cannot be over-emphasized.*

*The use of search warrants in this process is perhaps the most neglected area in the missing child investigation.*

For information on obtaining and using expertise search warrants in cases of preferential child molesters, call NCMEC at 1-800-THE-LOST (1-800-843-5678) to request a copy of *Child Molesters: A Behavioral Analysis* which contains a guide on drafting such warrants.

**Items to Search For** Some of the things that can be searched for during the execution of a search warrant will greatly depend on the nature of the crime. When a search warrant is executed the location immediately becomes a crime scene; therefore, proper documentation and evidence preservation is essential. Generally items being searched for include those pieces of evidence that will prove or disprove the testimony of a witness, victim, or suspect. Figure 6-6 lists items that, if secured, may be helpful in this process.

## Sample Items to Search for at a Crime Scene/Suspect's Home

Item	Types
Tangible Records	<ul style="list-style-type: none"> <li>• Work records.</li> <li>• School records including grades, observations, and counseling information.</li> <li>• Medical records.</li> </ul>
Elements from Crime Scene	<ul style="list-style-type: none"> <li>• Semen (sexual abuse).</li> <li>• Blood (whole, stain, spatter).</li> <li>• Runaway/suicide notes.</li> <li>• Photographs of the victim.</li> <li>• Suspect's bedding.</li> <li>• Suspect's dirty laundry.</li> <li>• Weapons or implements used during the offense.</li> <li>• Drugs or alcohol used to sedate the victim.</li> <li>• Documentation of the crime recorded by the offender including video, audio, photographs, and undeveloped film.</li> <li>• Pornography or erotica observed by the victim or known to be in the suspect's possession.</li> <li>• Sexual paraphernalia as described by the victim or consistent with the type of offense.</li> <li>• Any item that is unique or distinctive and corroborates the victim's testimony.</li> <li>• Items left by the child at the scene or with the suspect.</li> <li>• Items belonging to the child intentionally retained by the suspect.</li> </ul>
Comparative Evidence	<ul style="list-style-type: none"> <li>• Hairs.</li> <li>• Fibers.</li> <li>• Stains (blood, semen, bodily fluids).</li> <li>• Fingernail scrapings.</li> <li>• Whole samples (blood, saliva).</li> <li>• Dental impressions.</li> <li>• Fingerprints.</li> <li>• Handwriting.</li> <li>• Voice samples.</li> </ul>
Physical Evidence	<ul style="list-style-type: none"> <li>• School lockers that can provide leads to undisclosed friends.</li> <li>• Victim's room/home/yard.</li> <li>• Suspect's residence, place of business, storage locker.</li> <li>• Cameras, photographic equipment used to document activity.</li> <li>• Records maintained by the offender documenting activity in a computer, diaries, ledgers, journals, calendars, or an address book.</li> <li>• Suspect's work, telephone, bank and credit records.</li> <li>• Rental or occupancy papers documenting residences.</li> <li>• Photographs of the suspect that show special changeable features including beards, moustache, hair style.</li> <li>• Suspect's trash containers.</li> <li>• Clothing worn by suspect during the offense.</li> </ul>

Generally, when executing a search warrant for items that will disprove or confirm testimony, search for anything that can aid in substantiating case testimony. These may be items that confirm descriptions provided or time of accessibility and location.

### **Investigative Recommendations for Crimes Against Children Involving Computers**

The prevalence today of computers, both at home and in the workplace, should alert investigators to the fact that important evidence concerning a missing or abducted child case might be found within a suspect's computer itself or on a related storage medium such as tape backups or floppy disks. Based on several studies that suggest pedophiles and others who victimize children are meticulous record-keepers, officers applying for search warrants should include a request to seize computer files along with the usual written records, correspondence, and documents. Beyond using computers for record-keeping purposes, some pedophiles and molesters have begun using computer bulletin boards to attempt to contact potential victims through electronic-mail messages (E-mail) like the sample in Figure 6-7.

#### **Sample Electronic-Mail Message**

FROM: (HANDLE NAME)  
TO: ALL MEMBERS  
REF: WORK FOR RUNAWAYS/LONERS/CONFUSED...  
ANYONE AGED 13-16 INTERESTED IN PART-TIME  
WORK FOR PROFESSIONAL PHOTOGRAPHER...  
PLEASE SEND ME E-MAIL

**Figure 6-7**

Complex investigations involving computer systems are unique and should be viewed on a case-by-case basis. Investigators preparing to look for criminal evidence in computers must be concerned with the technical, legal, and operational aspects that are peculiar to computers. Factors such as necessary search warrants, limited undercover operations, real expectations of privacy, E-mail protection and intrusion, unintended entrapment, predisposition of offenders, and proper seizure/back-up methods are a few of the issues that investigators are confronted with in these cases. It is recommended that law enforcement agencies consult with their local prosecutor/legal advisor on these issues before beginning an extensive investigation.

The following investigative checklist is primarily designed for the investigator looking for evidence of child pornography, child sexual exploitation, and nonfamily abductions where evidence of these crimes may be found in computers. This

checklist, designed by Officer John J. McLean of the Medford (Massachusetts) Police Department, is not intended to provide an all-inclusive procedural outline for computer investigations involving child pornography and missing/abducted children. Instead it should be used as a guide, applying only the recommendations that your agency sees as reasonable and practical.

**Undercover Operations on Computer Systems (Modem Communications)** In undercover operations, probable cause is developed and the investigator is basing his or her tactics on the reasonable belief that the bulletin board system (BBS), on-line service, network, or personal computer system under investigation contains information and/or evidence of crimes against children.

In keeping with the above, before the execution of the search warrant, the methods that the investigator employs will be crucial when developing the case. Consider the below listed items, when applicable, in a computer investigation.

- [ ] Establish goals and objectives of the undercover operation. In some jurisdictions investigators may find it necessary to secure authorization or obtain a search warrant while investigating electronically by modem. Usually, however, search warrants come later when investigators are ready to seize the targeted system.
- [ ] Gather key intelligence information on victims and operators (sysops, co-sysops, co-conspirators) and log-in conventions (telephone numbers, passwords, user accounts, etc.).
- [ ] If available, review system user agreements; conditions of use; and disclosure rules for the BBS, on-line service, or computer system under investigation.
- [ ] Install a dedicated telephone line or lines ensuring that
  - [ ] No police/agency caller identifiers are used, instead use secure "Hello Lines."
  - [ ] Utilize caller ID blocking prefixes.
  - [ ] Separate telephone billing with toll-call/long-distance/local receipts recording (if possible).
- [ ] Connect, configure, and set-up a modem, telephone lines, and computer after consultation with a technician or qualified person to ensure proper installation.
- [ ] Utilize communication software that
  - [ ] Is capable of recording your sessions in History/Log files (automatic).



- [ ] Is capable of recording specific measurable events such as dates, times, users' handles, and on-line downloads/uploads.
  - [ ] Captures specific CHAT/on-line conversations (**your conversations with others only**).
  - [ ] Is capable of printing to file or printer the captures/sessions/logs.
  - [ ] Automatically record for dialing scripts (auto-dialing using logons and passwords).
- 
- [ ] Utilize local, national, and international telephone directory listings to confirm and search for registered numbers. In addition look for other databases, networks, and BBSs that advertise the targeted system. Often similar sexually oriented bulletin board systems will share the same files and network mails.
  - [ ] Establish money-/postal-order payments for investigator's membership and user fees. Ensure that they are traceable to the receiver not the sender.
  - [ ] Begin communication with the specified BBS or computer system. Be careful with revealing informants and users who may have helped you.
  - [ ] Use an alias name logon with "undercover" biographical data, PO Box, and "Hello Line" telephone numbers.
  - [ ] Do not change your handle name or biographical data unless the operation is detected. Investigators should be consistent with their information to help avoid suspicions.
  - [ ] Start slowly building remote relationships with the users and sysops. Talk their language and share their interests. Get to know as many users, co-sysops, and sysops as possible on the targeted BBS.
  - [ ] Attempt to gain access to all of the sub-boards and sections on the BBS/computer system. Be aware that sub-boards can be hidden/disguised. Note the existing gateways/doors to other systems and databases.
  - [ ] Ensure that the entire accessible BBS file listings and board structures are captured, printed, and analyzed. Check for matching files associated with other obscenity and "kiddie" porn prosecutions. Investigators can send NCIC/NLETS messages requesting file identifications to agency headquarters.
  - [ ] Pay particular attention to graphic-image files. Note their names, descriptions, and characteristics. Begin downloading/uploading selected materials. Ensure that before you make specific requests for "certain image files" that you have examined the files that are currently available. Some sysops have

been known to remove files from their systems after they got suspicious because of "outsider requests."

- [ ] Begin to introduce, through E-mail, CHAT modes and other methods, specific requests, information, and offers relating to your investigation. Investigators should not make any offers without first establishing some prior disposition or intent on the part of the target. Also keep in mind that this is an undercover operation. There are other overt methods by which inquiries can be made for missing children and posted on other BBS systems. For instance the National Center for Missing and Exploited Children has established a program with CompuServe Information Service for the distribution of image files depicting missing children to bulletin board systems throughout the United States.
- [ ] Evaluate feedback and reactions to your requests. Readjust strategies and approaches based on new information.
- [ ] Based on the welfare of the victims, the evidence gathered and the amount of probable cause, investigators should decide on obtaining search/arrest warrants or continuing the undercover operation. If the undercover operation is successful and has led to the identification of victims and/or additional targets, then hold off on the search warrant. Remember, however, do **not** allow the operation to get "overly involved or entrenched in illegal activities."
- [ ] Prepare for the search warrant, the raid, crime scene processing, and careful seizures. Check with properly trained personnel on matters relating to detailed forensic investigations of computers, seizure of computer systems, and raid preparation kits. SEARCH, Inc., 7311 Greenhaven Drive, #145, Sacramento, CA 95831, offers consultation services on these topics.

**After Seizure Examination/Evidence Preparation of Computer System** Consider the below listed items, when applicable, after seizing a computer system.

- [ ] Do an entire back-up image of the seized storage devices (both floppy and hard disks). If possible make two complete copies that are accessible for examination. There are a number of good commercially available software products for backing-up systems. Safeback, by Sydex Inc., is one back-up software specifically made for law enforcement.
- [ ] If the computer in question is located and used at a place of business, precautions should be taken to provide a minimum disruption of lawful activities of the business. These precautions include making an image copy of the hard disk and preliminary search for contraband. If the preliminary search was negative, steps should be taken to immediately return the

equipment. If the search reveals contraband, attempts must be made to return materials contained on the hard drive that are used within the business.

- [ ] If the computer is being used to operate a BBS, it is necessary to determine if the BBS is being used for profit as a source of income for the sysop, or is a free access system. If it is for profit, then the information from the above listed note applies. If it grants free access, then there is no disruption of business and there are no time constraints regarding speedy return of seized materials.
- [ ] If the BBS contains an E-mail system, private or unopened E-mail cannot be viewed without first obtaining a separate search warrant. Open or public E-mail messages are not covered under this protection.
- [ ] Remember, do **not** write anything to the seized disk, preserve for best evidence, and attempt to operate as much as possible from the floppy disk drives. If possible, examine one of the accessible backed-up copies.
- [ ] Do a system's virus check. If any viruses exist, note the type and contact a viral technician. If there is a virus on the system that has been seized, do not attempt to fix or erase the virus until a qualified technician can assist you. Take notes as to the type of virus and the damage caused.
- [ ] Do a system's information report that contains key information about the seized computer (e.g., config.sys, autoexec.bat, system.ini, network configurations, disk type and sizes, etc.)
- [ ] Do a complete file listing of every file on the system, hidden, erased, or otherwise. Print out a tree structure.
- [ ] Look for hidden, condensed, condensed-encrypted, encrypted, erased/deleted, and suspiciously modified files. Note their locations, sizes, dates, and file types.
- [ ] Copy selected hidden files to a floppy disk drive or other external storage device for examination. Do not attempt to execute or run seized files on the seized hard disks. They may be destructive causing unpredictable outcomes and writings to the hard disk.
- [ ] Decompress compressed files to a floppy disk drive or other external storage device for examination.
- [ ] Encrypted "password protected" files may contain key evidence. Look for passwords written down near computers. Ask for the suspect's passwords during interviews. Inquire from close friends and relatives about passwords that the subject may have used. If need be, send out evidence for deencrypting with nondisclosure agreements.

- [ ] Unerase/undelete restorable files and examine them on accessible back-up copies (if these files were properly backed-up). When examining the original system, return files to their deleted status after review for evidentiary value. If the erased/deleted files indicate that they cannot be recovered, it may still be possible to restore them by utilizing private and government specialized services that exist. The use of these services on major, high-profile cases is recommended.
- [ ] Prepare to search for case specific evidence. Prepare a list of key words for searching. These key-word lists are specific words, numbers, symbols, and characters that are important to the investigation (*e.g.*, victim names, graphic file names, dates, addresses, etc.). Investigators need to compile a list of key words that pertain to their investigation. These key words need to be case specific and not too general.
- [ ] Systematically search for key-word evidence, using an acceptable search program that examines entire disks for matching key-word strings. Be aware that some search type programs are not capable of searching for encrypted, condensed, and otherwise coded files.
- [ ] Do a file extension search for graphic-image files that end in GIF, MAC, PCX, TIF, and other popular formats like AI, ART, AVS, BMP, CAL, CGM, CLP, CUT, DXF, EPS, FAX, FIF, GEM, HPG, HPL, IFF, IMG, IMJ, JPG, MSP, PCL, PCS, PCT, PIC, TGA, WMF, and WPG. Also look for multimedia applications and their created files that contain graphic images.
- [ ] Look for graphic image/multimedia files that are pornographic in nature, depicting sexually explicit conduct with children. These images can take many forms such as obscene sexually explicit acts of a deviant nature. Investigators may discover images of bestiality; sado-masochistic acts; defecation/urination; and bizarre sexual behaviors with and between animals, adults, and children.
- [ ] Utilize a recognized pediatric expert for Tanner Scale age determination, especially for teenagers whose specific age may be difficult for investigators to estimate.
- [ ] Look for history, audit, log, and session files within the BBS software directories and communications software directories. Sometimes these files are hidden, erased, and backed-up. They may appear as different names and extensions than the default names. Check BBS and communications software manuals for the default names and the software's ability to write these types of files. During key-word searches investigators often come across these types of files, and they ultimately become key pieces of evidence.

- [ ] Concerning the above files, be on the lookout for specific data such as
  - [ ] Download/upload recordings containing the dates, times, users' handle names, and what files were downloaded and uploaded.
  - [ ] Users' profiles/questionnaires that contain identification data.
  - [ ] E-mail, messages, captured CHAT-sessions that refer to specific items/names that you are looking for.
  - [ ] Specific communications relating to offers, sexual solicitations, missing children, child pornography, and obscene materials.
- [ ] Besides standard subpoenas for records and documents pertaining to your investigation, a more specific request for information pertaining to newly discovered telephone numbers looking for records of toll and long-distance calls made to and from designated users. These records can support and validate some of the evidence discovered. Also other subpoenas for bank accounts, computer sales information, and other "second-party" information may prove important. Some telephone services provide computer BBS operators and users with less-expensive, long-distance services.
- [ ] Examine, correlate, and plot computer evidence for possible case expansion and eventual court presentation. The evidence you gather may uncover other victims and other potential targets.
- [ ] Seek support and assistance from local, state, and federal law enforcement authorities. Cases that carry international and interstate elements should be reported to the appropriate federal agency.

For further information on this topic, a 10-minute *Crime Scene Computer* videotape is available (NCJ129394) from NCJRS, 1-800-851-3420.

**Search Warrant Execution** It is imperative that any discussion of search warrants include a clear understanding of the "tactical edge" that must be employed with the execution of any search warrant. Sometimes referred to as "lawful invasions," the use of a search warrant to invade someone's person, residence, business, or property should be undertaken with utmost care. A search warrant is a court order to conduct a search, it is not permission from the person who is the subject of the search to conduct that search.

Always design a written "Operational Plan" for the execution of a warrant and ensure that all involved adhere to it. A search warrant operational plan should include a pre-operational briefing and specific logistics. During the pre-operational briefing review all suspect/victim information and case facts. Based on that information, devise a plan for executing the search warrant. The plan needs to include "specific logistics" including entry tools, body armor, number of personnel

needed; communications; transportation; counter surveillance and security devices including booby traps, protecting belongings, and secured hiding places for evidence; and pre-determined assignments and positions including photography, evidence processing and collection; child interview, control, management; and suspect interview, control, management.

**Searching Without a Warrant** Unless exigent circumstances exist, a search warrant must be authorized in order to conduct a lawful search. The courts have interpreted the word "exigent" differently from case to case, but generally, searches incidental to arrest and searches involving the Plain View Doctrine have been upheld. When an individual is lawfully arrested, the police may automatically, and without obtaining a warrant, search the "person" for weapons or evidence of a crime. This type of search is very limited and does not involve an open invitation to search entire surroundings such as the residence of the arrested subject. Recently, courts have included terms such as "area of immediate control" in their interpretation.

Searches conducted pursuant to the Plain View Doctrine are much more permissible in nature. They allow for the search of a location for additional evidence once contraband or evidence of a crime has been viewed by the officer. The courts have held that "viewing" by the officer must be **natural and not by means of additional, deliberate actions**. For example, if the subject has a 6-foot fence, observations made by the officer standing on a ladder would not be considered "plain view."

**Consent Searches** In lieu of obtaining a warrant, permission to search may be obtained from the person in care, custody, and control of the items to be seized or location to be searched. There are three elements to the consent doctrine. First, to be valid, the consent must be **voluntary**, not the product of duress, coercion, or the show of authority by the police. The second element involves the problem of **third-party consent**, and the rights of persons in shared-living environments. Is a tenant protected from unreasonable searches granted by a landlord, co-tenant, or live-in friend? The third element of the consent doctrine is that of **mistake**. Suppose an officer reasonably believes the person giving consent had authority to do so, but in fact did not. Courts stand divided on this issue. In some cases the courts have focused on "reasonable belief" while others favor the rights of the individual. When the question of authority to grant permission to search arises, consultation with appropriate legal authorities is advisable.

An additional consideration regarding consent searches involves the person who has initially given permission to search but, while the operation is underway, revokes the consent. At that point the search must be terminated until a search warrant is obtained. It would follow, therefore, that the obtaining of a search warrant should always be considered in lieu of obtaining voluntary permission.

As a final point, officers who have secured and are about to execute a search warrant may benefit from obtaining permission to search before displaying the warrant. Should the warrant later be thrown out, the consent waiver by the caretaker may be sufficient to allow the evidence to remain admissible.

**Physical Evidence** Remember, because the successful investigation and prosecution of many crimes hinge on the proper collection of physical evidence, be sure to use an evidence collection specialist in this process. In the forensic analysis and interpretation of physical evidence, the ultimate goal is to provide the investigator with useful information that helps make the facts of the case clear. This information may

- Establish elements of the crime (*corpus delicti*) or the essential facts which show that a crime has taken place. For instance vaginal lacerations may prove sexual assault of a child and injuries to a hand may suggest that the victim tried to defend him- or herself.
- Provide a *modus operandi* that could direct the investigation toward a certain type of offender based solely on his or her actions at a scene. Cases that were previously treated as separate incidents, may be linked by the discovery of similar physical evidence.
- Confirm or disprove testimony through the analysis of physical evidence. The version of an incident told by a witness or suspect can often be proved or disproved by the examination of physical evidence. If the suspect states that the child was not in his or her vehicle, that statement would be proven incorrect if the child's prints were actually found in the vehicle.
- Establish case direction. A case that has no identifiable leads may be focused in a certain direction once all the evidence has been examined. The investigation of a small child's skeletal remains, for instance, may reach a stand-still until additional examination is conducted by a competent anthropological authority.
- Identify a suspect. Individuals not initially considered as being involved in a case may be identified as suspects based on the discovery of certain evidence such as latent prints and DNA. A latent print in an unsolved abduction case may have been in file for years without a match. With new technology, such as Automated Fingerprint Identification Systems (AFIS), random searching may establish a suspect.
- Place a person at the scene. Placing a subject at a crime scene is often an essential link in the investigation. The identification of matching physical evidence can be accomplished by fingerprints, blood, hair, fibers, glove markings, footprints, soil, and semen. In an abduction case, fingerprints are the most common item of physical evidence placing a subject at a scene.
- Link a suspect to the victim. With a recovered victim it is important that his or her clothing be handled carefully to preserve any physical evidence that may be present to link the victim and suspect (hair, semen, blood, fibers, etc.).

With the identification of a possible suspect the same care should be maintained to identify evidence belonging to the victim.

A significant function of analysis is the performing of comparisons between questioned and known samples. Depending on the quantity and quality of the samples, the following conclusions may be drawn: either the items submitted **do not** match, or the items **do** match, or examination resulted in an **inconclusive** analysis.

## **Interview and Interrogation**

In general, interviewing has two purposes. First, for information gathering where something is being sought that is not yet known, whether it is a fact or denial of a fact. Second, for evidence gathering where attempts are made to establish critical elements of the case or to prove something by means of correlating physical evidence with testimony.

With the many resources available on the topic of interviewing it is important to understand that being a good interviewer is an acquired ability, developed through an extensive learning process, of practice, patience, and more practice. The interviewing techniques presented here are **basic concepts** aimed at helping an officer hone his or her interviewing skills.

**How Witnesses are Found** Some witnesses will be identified immediately upon the first responders arrival in which the parent, child, or caretaker will describe the situation to the officer. During the balance of the missing child investigation, many other witnesses will be identified during interviews when officers frequently identify additional witnesses; at a scene search when witnesses may be found who come forward or are obvious by their relevance to the scene; during neighborhood canvasses that may identify persons who saw something of relevance but did not know it, and/or during in-depth victim/suspect background checks that may identify persons who are involved by virtue of their relationship to the other person(s) involved.

**Interview versus Interrogation** The terms interview and interrogation are not interchangeable. Each has integral parts and factors that make them different processes aimed toward different goals.

An **interview** is generally conducted at the witness level. The interview is a cooperative process in which one witness statement is compared to another to determine a uniform response to a series of questions. An interview is conversation used to develop facts of an investigation generally prior to a full and complete understanding of the case scenario. During an interview it may be possible to establish probable cause and prove elements of an offense. Also, during the course



of conducting an interview, information may develop that transforms the witness into a suspect. At this time the interview mode can easily change to an interrogation.

An **interrogation** includes the use of any words or actions on the part of the police that are reasonably likely to elicit an incriminating response from the suspect. These accusatory, cognitively based questioning sessions are directed toward obtaining information from a suspect through a variety of methods. At some point during this process the suspect may be reluctant, deceitful, and hesitant in responding to questions due to his or her vested interest in the outcome of the process. Once an investigator assumes an interrogative posture, it is difficult to change the tone back to the softer interview mode.

Note that in some jurisdictions law enforcement officers are required to provide *Miranda* warnings to a person at the point in time when he or she becomes a suspect—even before being interrogated and/or placed into custody. Thus check with local authorities to determine when your law enforcement agency is required to inform a suspect of the *Miranda* Rule. See “The Use of *Miranda*” below.

**The Corpus Rule** It is important to realize that a defendant cannot be convicted solely on his or her own words. Before a confession may be introduced, there must be some independent evidence (*prima facie*) of the crime.

**The Use of *Miranda*** Understanding the impact of the *Miranda* Rule as it relates to the interrogation process is essential to the admissibility of the information gained. *Miranda v. Arizona*, 384 US 436 (1966), created one of the most important changes in law enforcement within the United States. In the years since this landmark decision, the ruling itself has not changed but what has changed is its interpretation.

The *Miranda* Rule, as it is “viewed in the court,” relates to a complicated perspective and is a view to which law enforcement must adhere. In order to survive an assault on a subject’s voluntary admissions under *Miranda* an officer must understand the importance of burden of proof, knowledge, understanding, voluntariness, and waiver problems.

Burden of proof is the task of convincing the trial court that the defendant was adequately advised, understood all of his or her rights, and voluntarily waived those rights. Proving knowledge is easily accomplished by reading rights from a *Miranda* card, having the defendant sign a waiver (and/or having the waiver recorded on audio/videotape), or by reciting the right from memory (not recommended). The waiver must be knowingly and intelligently made. It is not necessary to parrot the exact language of *Miranda*, but a “fully effective equivalent” must be given. The defendant must understand and indicate that he or she understands, and the waiver must be by “free and deliberate choice.” Even though an officer thinks the defendant understands his or her rights, there must be a clear indication of the

ability to understand based on the suspect's age, education, occupation, mental/emotional state, communication ability, ability to comprehend, and prior involvement in the legal system (arrests).

In order to ensure the admissibility of any statements made by the suspect, officers must be prepared to defend the statement against allegations of coercion, threats of harm, subterfuge, promises of leniency, and misunderstanding. Voluntariness is judged on the "totality of circumstances," and it is not necessary to advise the suspect of all the contemplated charges that may be filed. The waiver of rights must be straightforward. Ambiguous, uncertain waivers or waivers presented with legal questions should be clarified. Engaging in conversation prior to the advisement of rights is still permissible; however, do not engage in conduct that is designed to make the suspect want to waive his or her rights before the rights are even given.

Officers should understand what the *Miranda* decision means in terms of police procedures. Most important is the concept of when a person is "in custody" for purposes of giving *Miranda* warnings. Sometimes it is difficult to determine at what point a person is considered to be in custody. Generally it is not at the point when the police officer determines a person to be a suspect, but rather when the reasonable person in the position of being questioned perceives that his or her freedom to leave is restricted. Know your agency's policy on when *Miranda* rights are to be given to the person being questioned.

**Benefits of an Early Interview** During the course of a missing child investigation the principals involved need to be identified and their statement(s) clarified early in the case to

- Provide for the quick discovery of details regarding identification of a suspect or location of the child, identification of critical evidence in the case, and the need for obtaining a search warrant.
- Avoid the loss of evidence due to accident, time, weather, or direct tainting. Officers need to be aware that the suspect may attempt to discard evidence when word circulates of his or her involvement.
- Prevent statements that have been changed to make the incident look more serious including a reported missing child who fabricated a story to cover tardiness in coming home and relatives who begin to take sides in a family abduction.
- Avoid forgetfulness on the part of the witnesses.

Conducting a timely interview or interrogation is a difficult task. Witnesses are best interviewed as soon as they are identified. Suspects may be interviewed as witnesses. As long as they are not directly accused, the likelihood of their being alerted is minimal. It is common for suspects to have been interviewed early in the investigation. This often provides testimony for impeachment at trial. Preparation

for an interview or interrogation is essential. Internal and external sources of information regarding the victim, suspect, home environment, evidence, and crime scene often proves to have been well worth the effort.

**Three Phases of the Interview Process** There are many variables that can affect the outcome of an interview. Not all interviews can be conducted in the time allotted. Once an interview begins it may last hours. Be prepared for the long haul, if necessary. A well-prepared officer is more knowledgeable about the mechanics of conducting an interview and more likely to obtain reliable information. Many of the interviewing techniques presented here may be used for suspects, witnesses, and family members. While they occasionally become or act like suspects, witnesses generally are not reluctant to supply information. This eliminates the need for many of the preliminary aspects of the interviewing process when interviewing a witness. See the "Interview/Interrogation Checklist" on page 145 for sample questions that may assist in this process.

**The Pre-Interview Phase** consists of determining the interview's purpose, gathering case background information, interviewing psychology, conducting cursory interviews, interviewing tools, and interviewing conditions.

Knowing the reason or purpose for the interview and what the interview is meant to accomplish directs the interviewer into a systematic process aimed at developing an environment conducive to gathering facts or obtaining a confession. Officers need to determine if the interview is criminal or noncriminal in nature; he or she is interviewing a witness, victim, or suspect; he or she is trying to gain the cooperation of relatives/witnesses; he or she is trying to educate the family concerning facts of the case; and/or he or she is trying to eliminate allegations of a "false report."

*During the course of a missing child investigation the principals involved need to be identified and their statement(s) clarified early in the case.*

**Suspect interviews** are conducted to help solve cases, generate impeachment evidence, develop leads on other cases or suspects, eliminate suspects, and eliminate or rebut possible defenses that could be raised later at trial. **Data interviews**, on the other hand, may develop nothing pertaining directly to the incident itself. In contrast they will be used to corroborate supposition. They are as important in the investigation as any other type of interview such as interviews with persons to establish the credibility of the victim (playmates, teachers, family friends, parents, caretakers, etc.) and specialists such as psychologists, behavioral analysts, or criminal profilers to determine a profile of the offender.

Through gathering background information for the case, the investigator knows the current facts and any conflicting or damaging evidence. This will give him or her an ability to differentiate between truthful and untruthful replies. It also affords the

interviewer the opportunity to know relevant case facts and help formulate effective questions. The officer should review all physical evidence developed in the case; review other witness statements and officer statements; review police reports, medical reports, and other material; reconstruct the offense based on available information and facts; know all elements of the crime(s) being investigated; and anticipate all possible defenses that may be raised at trial.

Should the interview lead towards statements that are essential in proving the criminal offense, the questions should be designed so that **all** elements of the crime are satisfied.

Understanding interviewing psychology allows the investigator an opportunity to consider the mental and physical relationship of the subject to the victim and will help him or her determine barriers that may impede the development of a factual statement. These relationships are also tools that may be used to solicit specific responses to specific questions. For example, is the subject of the interview a victim, parent, friend of the family, person unknown to the family, close relative, distant relative, suspect from within the family circle, or suspect from outside of the family circle?

What type of suspect is being interviewed? Is he or she a logically based offender who may only react to questions that provide no alternative but to confess? Or is the suspect an emotionally based offender who is not moved by logic but rather the emotional aspects of his or her deed? Or is the subject perhaps an emotionally disturbed offender who will not react to emotionally based or logically based questions due to his or her psychologically-impaired condition?

Interview strategy and potential questions should also be developed beforehand. Will the interview style be harsh and straightforward or compassionate and understanding? Is the intent one of simple information gathering or is confrontation and challenge needed to uncover vital information?

When conducting cursory interviews, determine who has already provided statements regarding the investigation and how that applies to the statement about to be taken. Different witnesses can see the same incident differently. What different information is expected from this interview? Each interview should be conducted in a logical progression that provides information in order of occurrence. Begin by interviewing the initial responder, then the victim or family, continue with all identified witnesses, move next to suspect's spouse/friend, and conclude with the actual suspect(s).

Once the interview subject is identified, select the interview tools and techniques that are appropriate for the process. Being prepared with all of the necessary tools will keep the interview running smoothly. Consider the use of **recording devices** (video, audio, pens and pads, etc.); **techniques/items that may be used/shown**

during the interview including line-up of suspect, photograph of missing child, evidence found, excerpts from other statements, photographs (injuries, area of disappearance); **forms and documents** including oath signing forms, case notes for review, confession forms, permission to search, statement forms; and **child interview aids** including anatomically detailed dolls/drawings, coloring books, drawing paper, role playing materials.

The final aspect to consider during the pre-interview stage is the interview conditions. Specifically consider those conditions that are sometimes nondescript, yet can greatly influence the outcome of the interview including location, setting, time, and interview participants. Choosing a quiet, private, neutral territory location that is nonthreatening will be instrumental in making the subject feel comfortable. Be sure the location is selected outside of his or her "comfort zone" in a controlled atmosphere. Selecting a safe, secure (not custodial) atmosphere with no distractions, interruptions, or environmental problems that may impede the gathering of complete information. Choose the proper time (am, pm, now, later, or tomorrow) for the interview that will **not** deter the child from talking, witness from remembering, and abductor from confessing. It is important to select the most appropriate interview participants. Will one person or a team conduct the interview? Who will take the lead role? Is the case investigator really the best one to conduct the interview?

*Consider the use of recording devices ... and child interview aids including anatomically detailed dolls/drawings, coloring books, drawing paper, role playing materials.*

Remember, conducting a suspect interview without proper preparation can create a precarious situation. Suppose the suspect is confronted early in the case and is made aware that the investigation is focusing on him or her. Without probable cause he or she will be free to leave the interview. The likelihood of being able to voluntarily talk to him or her again will be minimal, and the possibility of influencing witnesses, fabricating evidence, or destroying critical evidence still in his or her possession is more likely.

**The Interview Phase** consists of interview preliminaries, actual facts disclosure, and interpreting answers.

Once the individual being interviewed has been assessed and the tactics within the pre-interview phase have been addressed, the next step is to begin the interview itself. It is advisable not to immediately confront the subject with intense questions. A period of interviewer-subject adjustment must take place.

Begin the interview with a brief introductory phase that may involve explaining the purpose of the interview; detailing everyone's role in the process; reading *Miranda*

warnings or administering an oath, if needed; establishing rapport; developing a level of trust; being empathetic; having the suspect talk about him- or herself; asking if the suspect knows why he or she is being questioned; exchanging some personal experiences to begin free flowing conversation; playing on the subject's responses to keep the conversation going; getting the subject relaxed; asking "qualifying questions" to establish levels of education, understanding, and knowledge; maintaining eye contact; and striking a balance between being professional, firm, and objective while still being friendly and understanding.

Once facts pertaining to the investigation or statements of confession begin, the interviewer must use care when formulating questions being cautious not to deter further responses. Questions should be open ended to solicit free-form responses rather than yes/no responses. Do not put words in the subject's mouth. Avoid leading questions. Remain open, neutral, and objective. Assist the subject to answer all questions completely. Always provide him or her a way to save face—a way out. Having the subject feel cornered can interfere with a productive process.

Anticipate defenses that may arise at trial, and ask questions that will cover those defenses. Look for responses that are excuses for the suspect's deeds instead of straight-out denials. Do not, however, settle for excuses—go for a confession.

*Anticipate defenses that may arise at trial, and ask questions that will cover those defenses.*

Is the subject minimizing or diminishing what he or she has done? Is the subject responding in terms of reality? Make sure the subject confronts reality in his or her answers realizing that misplaced blame can be an admission of the act. Is the subject saying what he or she means? Does the body language match the verbal language? Is the subject purposely leaving details out? Are replies haphazard, partial, or incomplete? The subject should be aware of the futility of resistance. Do not act adversely to descriptive statements. Do not act angry or surprised by anything he or she says because acting shocked may put the subject in control.

Remember that a quick confession may be a poor confession. Confessions that are given quickly are often too generic and nonspecific to withstand trial scrutiny. The officer's excitement of obtaining a quick confession could override obtaining a complete confession.

An important part of the interview process is obtaining complete answers to questions. Obtaining a confession, or the relating of facts, can not be considered as the final accomplishment. During the disclosure of facts the interviewer must be watchful of both the investigative and evaluative components. The investigative components are the answers and replies to the questions being asked that need to be answered in order to make a case—the who, what, when, where, and why. The

evaluative component is the process of thoroughly listening not only to what is being said, but how the answer is given. The truthfulness of the answer must be evaluated by looking at body language and the manner in which the replies are given. Do they match? Do the person's emotions appear to fit the answers, topic, and situation? Often when one reply is being given, body language will indicate another reply should have been given. This process is best accomplished after gaining considerable insight into the subject's behavioral patterns.

A genuine statement should provide details that show little variation of the peripheral facts, but should not contain major discrepancies concerning key or core elements of the offense. Keep in mind, especially when interviewing suspects, that when a person has been interviewed a number of times he or she begins to develop a style of relating information in which it is difficult to discover discrepancies.

*At the conclusion of an interview the investigator is left to assess the validity of the statement.*

**The Interview Wrap-Up or Conclusion Phase** consists of a closing discussion, interview alternatives, and the possible decision to arrest.

Once the interview has been completed and information obtained, the interviewer should re-cap the facts by quickly going through them with the subject. Ensure that the information provided is consistent with other information received and contains no blanks or misunderstandings. If gaps or conflicting or inconsistent information is present, this is the time to let the subject know offering him or her an opportunity to correct any discrepancies prior to the conclusion of the interview.

A brief closing discussion regarding the information obtained and its relevance to the case may be presented at this time. The subject should be made aware that by completing the interview he or she has been of help, done a good job, and done the right thing. Letting him or her know that the information provided will advance the investigation tends to leave the conversation open for resumption later, if necessary.

Some interviewers find it necessary to close an interview with derogatory comments towards the person being interviewed when in fact this action may well "burn the bridge" with little chance of resumption later. This would be a serious mistake should there be a need to talk to the interviewee later concerning newly discovered evidence.

At the conclusion of an interview the investigator is left to assess the validity of the statement. This validity assessment is accomplished by comparing the subject's behavioral and emotional characteristics to their answers and the available evidence. Even though intuitive interviewing and behavior analysis skills can be very accurate, there are other alternatives available to assist including polygraph, psychological evaluations, personality profiling, and computer voice stress analysis (CVSA).

During the re-cap of an interview try to analyze the information obtained to determine if any violations of law can be proved that might implicate the subject as a principal or accomplice. Knowing the elements of the alleged criminal offense and its possible lesser included offenses is important at this point. If a particular element has not been addressed, this is the time to do so. A decision whether or not to arrest should be addressed in this phase. Questions officers need to ask themselves include: Did the suspect admit to the essential elements of the criminal offense (confess)? Is there a likelihood that the suspect will flee upon learning of the allegation? Is it likely that the suspect will taint, damage, or destroy evidence upon release from the interview? Is it possible that the suspect will present a clear danger to him- or herself, the victim, or others? Could the subject's immediate arrest alienate the victim and deter from obtaining a good victim statement?

Conducting a premature arrest can be a case damaging experience. Officers should confer with their local prosecutor and obtain guidance concerning warrantless and probable cause arrests.

NCMEC is available, at **1-800-THE-LOST (1-800-843-5678)**, to offer technical assistance with any of the suggestions presented in this chapter.

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# Investigative Lead Sheet

**SAMPLE**

Case Number:

Lead Number:

Priority Level: <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High		
SUBJECT		INFORMANT
Name: Address: Race:            DOB:            Sex: Hgt:            Wgt:            Eyes:            Hair: Identifying Features: Employed:                                  Occupation: Phone Numbers:            Home:                                  Work: Vehicle Make:            Yr:            Model:                                  Color:                                  Condition:                                  Tag: Associates: ID Confirmed: <input type="checkbox"/> Yes <input type="checkbox"/> No    How?		Name: Address:  Home Phone: Other Phone: How Informant Knows Subject:
Details of Lead:		
Lead Received By:		Date/Time:
Lead # Assigned:		
Lead Status: <input type="checkbox"/> Good Lead <input type="checkbox"/> Questionable Lead <input type="checkbox"/> Suspicious Informant <input type="checkbox"/> Insufficient Information		
Lead Assigned To:		Date/Time:
Findings:		
___ Open Lead: <input type="checkbox"/> Additional Investigation Required <input type="checkbox"/> Subject Has Weak Alibi <input type="checkbox"/> Could Not Locate Subject <input type="checkbox"/> Other:		
_____ Closed Lead: <input type="checkbox"/> Unfounded <input type="checkbox"/> Subject has Alibi <input type="checkbox"/> Cleared by Evidence <input type="checkbox"/> Other:		
Other Lead Number References:		
Report Completed: Y/N            Report #:		
Investigative Supervisor:		Date:
Lead Room Supervisor:		Date:

# Lead Sheet Log

## SAMPLE

Case Number:

Log Sheet Number:

Lead No.	Assigned To	Date	Lead Summary	Completed	Comments

- Notes:
1. Each lead should be logged into this central registry. Each lead must be accounted for.
  2. Every lead is tracked by the "Lead No." and assigned to an investigator for follow-up.
  3. All investigated leads must have an accompanying narrative report.

# Neighborhood Canvass Log

## SAMPLE

Case Number:

Date:

Officer's Name:

Time	Street Address	Contact: Name & DOB	Phone No.	Comments

- Notes:
1. List all residences within canvass area. Each residence must be contacted. Lack of occupants should be noted.
  2. Multiple occupants of a residence should be interviewed separately. Obtain full name and date of birth.
  3. Questions should be asked from a pre-selected list of inquiries concerning suspicious activities, vehicles, persons, visitors, neighbors.

# Vehicle Canvass Log

## SAMPLE

Case Number:

Date:

Officer's Name:

Time	Location	Tag No.	Color	Make & Model	Remarks (circumstances, occupants, etc.)

- Notes:
1. List all vehicles observed on both sides of the street, whether parked on street, in driveways, or public parking areas.
  2. All vehicles in the canvass area must be fully documented.
  3. Occupants of vehicles must be fully identified, field interviewed, and completely described.

# Volunteer/Searcher Log

## SAMPLE

Case Number:

Date of Search:

Officer's Name:

Search Location:

I.D. No.	Name	Address/ Phone	DOB	Area Searched/Remarks

- Notes:
1. Every individual involved in the search should be logged and provided with some form of numbered ID.
  2. Be wary of individuals anxious to search, with insufficient ID, or not from the immediate area.
  3. All searchers must return their issued ID at the conclusion of search activity.

# Interview/Interrogation Checklist

## Sample Questions for Parents/Family Members

- [ ] Tell me everything that happened.
- [ ] Reconstruct everything you did/said/heard from the time you last saw your child.
- [ ] What does the child look like?
- [ ] What was the child wearing when last seen?
- [ ] What was the attitude, behavioral temperament when you last saw the child?
- [ ] Has the child talked about running away or suicide?
- [ ] What places does the child frequent?
- [ ] Are their family problems affecting the child?
- [ ] Does the child use drugs or alcohol?
- [ ] Are there any school or boyfriend/girlfriend problems?
- [ ] When and where was the last time each family member saw the child?
- [ ] In whom would the child confide?
- [ ] Was there anyone with the child when last seen?
- [ ] Has anything happened like this before?
- [ ] Discuss recent unusual behaviors, problems, actions.
- [ ] What else is going on in the child's life (friends/court/illness/recent moves)?
- [ ] Type of people child does or would associate with?
- [ ] What habits or survival skills does the child know?
- [ ] If the child became frightened or intimidated, what would he or she do?
- [ ] Have you ever seen anyone suspicious in the area?
- [ ] When did you last see the child/suspect?
- [ ] What reason would the child have for leaving?
- [ ] What reasons would ... ( the suspect) ... have for taking the child?
- [ ] Is there a reason someone would want to hurt you/your family?
- [ ] Since the disappearance, has anyone's behavior changed?
- [ ] Have you heard any rumors concerning anyone who may be involved?
- [ ] Why do you think someone would do this?
- [ ] Who do you suspect?
- [ ] Do you suspect anyone close to you as being responsible?

## Sample Questions for Friends

- [ ] Do you know where the child is?
- [ ] Do you know where the child might go?
- [ ] Who do you think would help conceal this child?
- [ ] Is there any place or anyone in the area that children fear?
- [ ] What type of problems has ... discussed with you?
- [ ] Where are the hangouts/gangs/clubs/associates that ... would seek assistance from?
- [ ] Did the child discuss his or her intentions with you?
- [ ] Do you think your friend will go somewhere in particular? Why?
- [ ] Is there a reason why your friend is gone?

## Sample Questions for Neighbors/Neighborhood Canvass

- [ ] Do you know the ... family?
- [ ] Have you heard what has happened?
- [ ] What have you heard?
- [ ] Were you near the area at the time of the incident?
- [ ] Have you had any similar problems or attempts?
- [ ] Do you know of anyone who could do this?
- [ ] What should happen to someone who did this type of thing (kidnap a child)?
- [ ] Can you recall what you were doing when the incident happened?

## Sample Questions for Suspects

- [ ] What do you think should happen to someone who would do this?
- [ ] Have you ever done this before?
- [ ] Have you ever thought of doing this before?
- [ ] Did you do it?
- [ ] Do you know who could have done this?
- [ ] Explain to me why...
- [ ] Do you keep a diary, calendar, notebook, computer? Can I look at it?
- [ ] Have you ever been arrested for this type of crime?
- [ ] Have you ever been questioned about this type of crime before?
- [ ] Do you own, possess, or have access to (items described by witnesses)?
- [ ] Do you know this child? His or her family? The family's business?
- [ ] Is there any reason why someone would accuse you of this?
- [ ] If it becomes necessary would you...(submit to a polygraph, give fingerprints, stand in a line-up)?
- [ ] Would you let me search your...(car, house, storage locker, other places)?
- [ ] How do you react to stress?
- [ ] What is your general mode of transportation?
- [ ] Do you drive around a lot? ...go places unannounced?
- [ ] What are your sleeping habits?
- [ ] Do you ever lie? If so, how frequently, under what circumstances, and why?

## Interview Do's

- [ ] Treat subject with consideration.
- [ ] Be firm.
- [ ] Size up the person (intelligent, emotional, intoxicated).
- [ ] Be prepared.
- [ ] Gather as many facts as possible.
- [ ] Be a good listener (less talking, more listening).
- [ ] Concentrate on the answers.
- [ ] Encourage subject to tell it in his or her own words.
- [ ] Encourage subject to tell all facts.
- [ ] Let nothing shock you during the interview.
- [ ] Be empathetic (if need be).
- [ ] Be patient (do not expect to settle all questions quickly).
- [ ] Ask questions requiring more than a yes/no answer.
  - [ ] "Tell me what happened then ..."
  - [ ] "I'd like to hear more about ..."
  - [ ] "And what happened then ..."
- [ ] Allow ample time for the interview.
- [ ] Explain what information is needed, do not make the subject guess.
- [ ] Be direct and professional.
- [ ] Allow subject to "save face."
- [ ] Avoid technical jargon.
- [ ] Time orient facts (in chronological order).
- [ ] Observe due process rights (4th and 5th Amendments).
- [ ] Be aware of what is not said.

## Interview Don'ts

- [ ] Do not resort to violence, vulgarity, profanity, threats.
- [ ] Do not brand the subject with epithets such as
  - [ ] liar.
  - [ ] child molester.
  - [ ] pervert.
  - [ ] creep.
  - [ ] murderer.
- [ ] Do not show frustration with inadequate replies.
- [ ] Do not place blame.
- [ ] Do not reveal sources of other information.
- [ ] Do not lose your temper. To do so admits inferiority, tells the subject that he or she is "getting" to you, and permits the subject to gain control.
- [ ] Do not take notes until the time is right.
- [ ] Do not rush through the statement or confession.
- [ ] Do not get excited when he or she begins to confess.
- [ ] Do not forget to cover all aspects of the offense.

Law enforcement personnel involved in cases of missing or abducted children realize that the likelihood of a successful outcome is greatly enhanced when officers utilize the most effective investigative techniques. In addition to learning about these specific techniques, officers are also becoming increasingly aware of the many agencies and organizations that are able to provide unique services and assistance in the search for missing children.

The intent of this chapter is to highlight some of those groups and briefly illustrate how they can be of assistance during a missing child investigation. Officers are encouraged to make contact with some or all of these organizations **before** an actual case occurs to discuss roles and responsibilities and to identify key contact personnel for future reference. Experienced officers know that one of the greatest resources a missing child investigator can develop is a comprehensive, up-to-date file that contains the names, addresses, telephone numbers, and titles of contact individuals from groups that can be called upon for specific case assistance.

*...officers are ... becoming increasingly aware of the many agencies and organizations that are able to provide unique services and assistance in the search for missing children.*

Obviously the organizations highlighted here constitute only a partial listing of the many dedicated and skilled groups, both public and private, that play a valuable role in the issue of missing children. Officers are encouraged to supplement this list by identifying and including information about other federal, state, and local resources that can be utilized during investigations of missing and abducted children.

## **Resource Agencies and Organizations**

**National Center for Missing and Exploited Children** Law enforcement officers first became aware of the National Center for Missing and Exploited Children (NCMEC) soon after it began operation in 1984. Since that time NCMEC has not only become an important investigative resource, but has also formed a partnership with many of the nation's 17,000 law enforcement agencies in developing a network to protect children, exchange information, and share expertise. Today more officers than ever before are utilizing the services offered by NCMEC. This increase has been attributed both to the exchange of positive information about NCMEC between officers and agencies and the passage of the National Child Search Assistance Act in 1990 that required of them, "close liaison with NCMEC...in missing children cases." For additional information and a copy of a 19-minute videotape about NCMEC entitled *The Center of the Search*, contact NCMEC at 1-800-THE-LOST (1-800-843-5678).

An officer's contact with NCMEC usually begins with a call to the nationwide, toll-free **Hotline** whose operators and case assistants work around the clock answering the approximately 600 calls that come in to the recorded 800 number each weekday

at 1-800-THE-LOST (1-800-843-5678). From 1984 through June 1994 NCMEC's Hotline has registered the cases of more than 38,000 missing children and has played a significant role in the recovery of more than 25,000 youngsters. Cases usually fall into one of the categories listed in Figure 7-1.

NCMEC Case Types	
Type of Case	Percent of Total Registered Cases
Endangered Runaway	59
Family Abductions	32
Lost/Injured/Otherwise Missing	5
Nonfamily Abductions	4

Figure 7-1

Pursuant to the definition of a missing child in the Missing Children's Assistance Act (MCAA), NCMEC becomes involved in cases of runaway children when certain conditions exist to classify the child as an **endangered runaway**. In general an endangered runaway is a child who meets one or more of the following criteria

- [ ] The missing youth is 13 years of age or younger.
- [ ] The missing youth is believed to be out of the zone of safety for his or her age and developmental stage.
- [ ] The missing youth is mentally incapacitated.
- [ ] The missing youth is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
- [ ] The missing youth has been absent from home for more than 24 hours before being reported to police.
- [ ] Based on available information it is determined that the missing youth is in a life-threatening situation.
- [ ] Based on available information it is believed that the missing child is in the company of adults who could endanger his or her welfare.
- [ ] The absence is inconsistent with his or her established patterns of behavior and the deviation cannot be readily explained.
- [ ] Other circumstances are involved in the disappearance that would cause a reasonable person to conclude that the child should be considered "at-risk."



After Hotline personnel obtain details on the missing child and circumstances of the disappearance, the report is electronically forwarded and reviewed by the **Case Management Section**. Through its staff of case managers, NCMEC works directly with law enforcement officers offering advice, technical assistance, information dissemination, and an array of other services. These case managers, all former law enforcement or social service professionals, act as coordinators by providing guidance and responding to the needs of parents and the local law enforcement agency. Case managers also serve as the point of contact to access other NCMEC services.

In keeping with the provisions of the MCAA, all lead information developed or received by NCMEC is shared **only** with law enforcement agencies responsible for actual case investigation. NCMEC does not provide this information to parents, private investigators, or the media. Depending upon the timeliness of the information involved, NCMEC will notify agencies either through first class mail, express delivery service, fax transmission, computer modem, or via the National Law Enforcement Telecommunications System (NLETS) using the agency's NCIC-ORI number. As the only nonlaw enforcement agency in the nation with NCIC terminals, NCMEC has been assigned **ORI VA007019W**.

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enforcement agency in the  
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terminals, NCMEC has  
been assigned  
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Since many missing or abducted children cases often generate hundreds or even thousands of calls, NCMEC's **Case Enhancement and Information Analysis Unit (CEIAU)** uses a series of information filters that help screen a case so that leads are transmitted to the local agency in a priority manner. The CEIAU also utilizes a sophisticated computer mapping program that can identify similarities and patterns in reports from across the country helping to tie cases together and coordinate investigation and response.

Investigators are also able to query NCMEC's automated information systems to search active missing child cases based upon any of a series of identifiers. If a police officer is suspicious regarding a particular child and thinks the youngster may be missing, a search of all NCMEC records can be quickly performed for possible matches. NCMEC can search the database and bring up a photograph of a child that fits the description. The requesting agency can even be provided with a photograph of the abductor and age-progressed image of the child, if available, along with text information regarding circumstances of the case. All these items can be immediately transmitted to the police by computer modem or fax machine. In addition NCMEC also has access to a number of specific database systems that can be utilized to search for both the child and abductor. Case management personnel can provide the investigator with more information about accessing these systems.

Through a network of private sector partners, NCMEC's **Photo Distribution Unit** has been able to circulate literally millions of pictures of missing and abducted children throughout the United States, Canada, and Mexico. Approximately 1 in every 7 children featured in the photo program has been recovered as a direct result of the program. NCMEC will also work with the officer to obtain maximum media exposure for an active case.

*The National Crime Information Center (NCIC) is a nationwide, on-line computer/telecommunications system maintained by the FBI that makes millions of records including files on ... wanted, missing, and unidentified persons that is instantaneously available to local, state, and federal criminal justice agencies throughout the United States and Canada.*

One of the most recent developments in the search for missing and abducted children can be found within the **Age-Progression Unit**. Through this unit, NCMEC is able to assist the investigator by providing a computerized "age-progression" of the photographs of long-term missing children, reconstructing facial images of unidentified deceased juveniles, composing sketches of suspects or victims, and offering training in imaging applications and techniques. This service can help law enforcement keep a case alive, generate new leads and information, and increase the likelihood of success. In virtually every case, the production and distribution of an updated image stimulates new leads and, most importantly, provides hope for the families demonstrating that law enforcement remembers, cares, and is still looking.

NCMEC has also designed and distributed many **publications** ranging from investigative guidelines for law enforcement officers to safety tips for children and parents. Single copies are available free of charge.

NCMEC also supports an active **outreach program** by coordinating its efforts with state missing children's clearinghouses and nonprofit missing children's organizations that aid locally in the search and recovery of missing children. In addition, through an ongoing program of mutual cooperation, NCMEC is able to call upon agencies such as the FBI, NCIC, U.S. Department of State, U.S. Customs Service, U.S. Postal Service, and INTERPOL for information and assistance.

NCMEC, in cooperation with leading law enforcement associations, recently launched a national effort called **Project ALERT (America's Law Enforcement Retiree Team)** that utilizes retired law enforcement professionals to provide special consultative assistance to local jurisdictions in difficult cases involving missing and exploited children. At no expense to the local agency, NCMEC can call upon a pool of volunteer Project ALERT consultants, all with extensive law enforcement knowledge, experience, and expertise, to provide low profile, on-site support in areas such as information management, lead follow-up, and investigative review of complex cases. Local law enforcement officers have attributed the successful conclusion of several long-standing cases to contributions made by Project ALERT consultants.

In addition the **Morgan P. Hardiman Task Force on Missing and Exploited Children** was recently designed to assist in complex missing child cases. Through the leadership of U.S. Senator Dennis DeConcini, this federal task force, with agents from 7 different federal agencies, works cooperatively with NCMEC to target the most serious cases by providing specialized expertise—in an advisory capacity—to the law enforcement agency in charge of the investigation.

**National Crime Information Center** The National Crime Information Center (NCIC) is a nationwide, on-line computer/telecommunications system maintained by the FBI that makes millions of records including files on stolen goods, vehicles, and boats and information on wanted, missing, and unidentified persons that is instantaneously available to local, state, and federal criminal justice agencies throughout the United States and Canada. Inquiries and replies, available around the clock every day of the year, are provided to authorized agencies through the use of an identifying NCIC-ORI number. Established in 1967, NCIC has since created a number of specialized information files and data retrieval programs that are of significant benefit to the law enforcement officer. When investigating cases of missing or abducted children, officers will find 3 NCIC files to be of particular value when used along with the Wanted Person File (WPF)

- Missing Person File (MPF).
- Unidentified Person File (UPF).
- Off-Line Search Procedure.

**The Missing Person File** Created in 1975, the NCIC Missing Person File is an automated database system that stores descriptive information about a missing person using a specific set of identifying factors. Since the Missing Person File is divided into 5 individual classifications it is extremely important for the reporting officer to accurately assess each case and designate the proper category. Figure 7-2 describes those categories.

Figure 7-3 lists the average percentages in each NCIC category that are active on any given day. These percentages have remained fairly constant over the past 10 years while yearly totals have steadily increased as more agencies utilize the system. These percentages reflect cases in which the missing person is *younger than 18 years of age*.

While certain, basic identifying information such as name, date of birth, sex, race, height, weight, and hair color are required for the original Missing Person File entry, NCIC has included many additional descriptive entry fields that can significantly enhance the likelihood of recovery or case resolution. With the assistance of parents, investigators can obtain specific information about the child's physical and medical characteristics as well as a complete description of jewelry worn and personal property carried. While most of these fields can be group searched for specific comparisons about the child, investigators should note that information entered in

the miscellaneous information section, including comments about a possible endangering companion, is not compatible with group search and will only be revealed if the specific entry is queried. See "Appendix A: NCIC Missing Person Report Form" on page 195 for a sample of the form used by NCIC to enter information into their Missing Person File.

NCIC-MPF Categories	
Category	Designation
Disability	A person of any age who is missing and under proven physical or mental disability or who is senile, thereby subjecting him- or herself or others to immediate danger.
Endangered	A person of any age who is missing and in the company of another person under circumstances indicating his or her physical safety is in danger. <i>Note:</i> Use this category for an endangered runaway.
Involuntary	A person of any age who is missing under circumstances indicating that the disappearance was not voluntary, such as abduction or kidnapping. <i>Note:</i> Use this category for family and nonfamily abductions.
Juvenile	A person of any age who is missing and declared unemancipated as defined by the laws of his or her state and does not meet the entry criteria set forth in the other categories. <i>Note:</i> Use this category for the voluntary missing child/runaway. Information concerning a missing child in this category remains in the file even after the child reaches the age of emancipation.
Catastrophe	A person of any age who is missing after a disaster.

Figure 7-2

**The Unidentified Person File** The Unidentified Person File was established by NCIC in 1983 to facilitate the identification of unknown deceased persons and living persons whose identity could not be positively ascertained. Law enforcement officers and coroners who encounter such situations are able to use the Unidentified Person File reporting system to enter a complete description of the unknown body or individual using much the same entry format as the Missing Person File. Then, each night, NCIC cross-references 1 file against the other and determines those unidentified persons who significantly match descriptions of individuals reported as missing. When such a match takes place, NCIC immediately notifies both agencies through their ORI numbers.

Essential to the success of both the Missing and Unidentified Person Files is the entry of complete, up-to-date dental records. Since, in many cases, dental comparisons may be the only means to identify a recovered body, investigators should collect and

enter complete records as an integral segment of their investigation. To facilitate the gathering of these records NCIC has devised a standard, forensic charting form. See "Appendix B: NCIC Unidentified Person Report Form" on page 196 for a sample of the form used by NCIC to enter information into their Unidentified Person File.

NCIC Active Cases on a Daily Basis		
Type of Case	Percentage	
Juvenile		95.0
Involuntary		3.0
Endangered		1.5
Disability	less than	1.0
Catastrophe	less than	0.5

Figure 7-3

**The Off-Line Search** While most law enforcement officers are familiar with how NCIC's various files can be searched for timely and accurate information in the common, "on-line" method, few are aware of the investigative benefit that can be found by using the "off-line" search format. An example of how NCIC's off-line search capability was instrumental in solving a recent case can be found in its use by a Phoenix, Arizona, detective investigating the abduction of a small boy by his noncustodial mother. Since the mother left driving a car registered in Arizona, the description of the car and license plates was immediately entered into both the NCIC Missing (child) and Wanted (mother) Person Files. After months went by with little in the way of leads, the detective learned that the suspect's father, living in Florida, had been listed with the Arizona Department of Motor Vehicles as a co-owner of the vehicle just a few weeks before the abduction. After finding that the father had then registered the car in Florida, and may have mailed the new plates to the suspect, the detective decided to run an NCIC Off-Line Search using the Florida plates as the subject. Within a few days the detective was informed that the same car, with Florida plates, was the subject of a routine NCIC stolen vehicle inquiry by an officer in Houston, Texas, just 1 month after the abduction. The Houston officer was contacted and remembered not only where the inquiry was made, but also knew that the car was still in a local motel complex. As a result, the child was recovered and the suspect arrested and returned to Arizona.

In brief, the Off-Line Search is a special technique that can be used by investigators in a number of circumstances to obtain NCIC information not normally retrievable in the usual, on-line manner. Missing child investigators may wish to review active cases to evaluate the suitability of using this valuable investigative technique.

General information on NCIC can be obtained by contacting NCIC, J. Edgar Hoover Building, 9th Street and Pennsylvania Avenue, NW, Washington, DC 20535, 202-324-2606. In addition NCIC has prepared *Data Entry Collection Guides* to assist in the

correct completion of both Missing Person File and Unidentified Person File entries. Each *Guide* contains a section describing proper collection and classification of dental records. These guides may be obtained through NCIC State Control Terminal Agencies or directly from NCIC at 202-324-2602. Information and assistance about Off-Line Searches can be obtained by calling NCIC User Services at 202-324-NCIC or by sending an NLETS message to ORI DCFBIWAT8.

NCIC has also produced a series of informative videotapes, including segments on the Missing Person File, the Unidentified Person File, and the Off-Line Search. Copies of these and other NCIC videotapes are available from the National Audiovisual Center, 8700 Edgeworth Drive, Capitol Heights, MD 20743-3701, 301-763-1891.

**State Missing Children's Clearinghouses** Whether within the officer's own state or in other states across the nation, missing children's clearinghouses can be a significant resource for investigators. Usually affiliated with the state police agency or state bureau of investigation, missing children's clearinghouses are often able to perform tasks ranging from case registration and photo dissemination to prevention programs and law enforcement training. Not only are clearinghouses an excellent investigative resource for officers, they also are able to offer support assistance to families of missing children and may be of help in arranging for transportation of recovered youngsters. Investigators who need information and assistance from another region of the country should consider contacting the appropriate state clearinghouse to learn about applicable state statutes and the names of other officers and agencies that can facilitate investigative inquiries. A list of state clearinghouses can be found in "Appendix E: State Clearinghouse Contact List" on page 203.

**Nonprofit Missing Children's Organizations** From a law enforcement standpoint, missing children's organizations perform two important functions. First, they can be called upon to provide support services to families and friends of a missing child. Second, they often conduct community child safety programs that can result in a greater awareness of the issue of child protection and a possible reduction in reported incidents. While some organizations are limited in the number and scope of services that they provide, others can aid an investigation with a wide-range of services such as photo distribution, examination of database information systems, search and rescue, and victim support.

On behalf of OJJDP, NCMEC maintains a list of nonprofit missing children's organizations from the United States, Canada, and Europe that includes information such as names of the executive director and staff members, addresses, telephone/facsimile numbers, number of years in existence, and types of services offered. The official OJJDP list is provided as a public service. NCMEC does not sponsor nor endorse any group listed. To obtain a copy of the list contact NCMEC

at 1-800-THE-LOST (1-800-843-5678). State missing children's clearinghouses may also be able to provide information on reputable organizations in their area.

**National Association for Search and Rescue** Associated with many cases of missing and abducted children is the need for a carefully planned and precisely executed area search. Whether the object of the search is to locate the child or gather clues and evidence related to a probable abduction, law enforcement officers are aware that an improperly conducted search, where untrained or unsupervised volunteers wander about in a haphazard manner, can have an adverse impact on proper case management.

When the need arises, investigators know that they can enlist the services of a number of community organizations such as fire departments, scouts, military, etc., to assist in a large scale search that cannot be conducted solely by law enforcement personnel. In situations where community organizations are not available or not suited to specific search needs, however, officers may wish to establish contact with the National Association for Search and Rescue (NASAR) for consultation and assistance. NASAR is a nationwide organization of volunteers and paid professionals dedicated to "finding and aiding people in distress." A request to NASAR Headquarters will provide the investigator with information on how to contact ground, water, air, and dog search and rescue units that operate in the vicinity and can respond to the jurisdiction in the event of a missing or abducted child report.

In addition NASAR has designed and regularly presents training courses that are targeted specifically at missing or lost person searches. Among the courses offered are *Fundamentals of Search and Rescue* and *Managing the Lost Person Incident*. Also available are several publications that are regarded as definitive texts on the subject including *Managing the Search Function* and *Analysis of Lost Person Behavior*.

*...officers should consider notification of the FBI as one of the first steps in organizing an effective investigative base.*

For further information about the National Association for Search and Rescue contact NASAR, PO Box 3709, Fairfax, Virginia 22038, 703-352-1349.

**Federal Bureau of Investigation** Contrary to popular belief, local law enforcement officers do not have to wait for ransom demands or proof of interstate victim transportation before requesting the assistance of the Federal Bureau of Investigation (FBI) in cases of suspected child abduction. In fact officers should consider notification of the FBI as one of the first steps in organizing an effective investigative base. Prompt assistance from the FBI will not only secure certain resources and technical capabilities not normally available to local agencies, but may also enlist the help of agents who have experienced similar cases in the past and can provide valuable on-site investigative direction.

General information about the Federal Bureau of Investigation's role in child abduction cases can be obtained by contacting the FBI, J. Edgar Hoover Building, 9th Street and Pennsylvania Avenue, NW, Washington, DC 20535, 202-324-3000. For assistance in actual case related matters contact the nearest FBI field office.

Along with on-scene investigative assistance, officers may also utilize the FBI to access the services of the National Center for the Analysis of Violent Crime (NCAVC). NCAVC can assist by consulting on major violent crimes and providing profiles of unknown offenders, personality assessments, investigative strategies, and interview techniques. NCAVC can also provide investigative support through the Violent Criminal Offender Program (VICAP) by alerting law enforcement agencies that may be seeking the same offender for crimes in their jurisdictions.

To obtain more information about NCAVC, contact the FBI Academy, Quantico, Virginia 22135, 1-800-634-4097 or 703-640-6131.

*In addition to assistance in nonfamily abduction cases, involvement of FBI resources can also be included in certain family abduction cases.*

In addition to assistance in nonfamily abduction cases, involvement of FBI resources can also be included in certain family abduction cases. If the abducting parent or family member is the subject of a state felony custodial interference charge, the state prosecutor can request the U.S. Attorney to authorize issuance of a federal Unlawful Flight to Avoid Prosecution (UFAP) warrant. Once the UFAP warrant is issued, the FBI is authorized to begin an investigation to locate and apprehend the abducting family member. Officers are reminded that abducted children located during the course of a UFAP investigation do not come under FBI authority and are usually placed with local child protective authorities. To avoid the possibility of the child being inadvertently turned over to a friend or relative of the abductor, investigators should secure a local court order that prevents any release until the legal custodian is present.

For additional material concerning federal Unlawful Flight to Avoid Prosecution warrants, contact the FBI Violent Crimes and Fugitive Section at FBI Headquarters, 202-324-4294.

**U.S. Postal Service** In addition to their role in uncovering illegal use of the mail to distribute and exchange child pornography materials, inspectors from the U.S. Postal Service can also be of assistance to officers who are investigating child abduction cases. The U.S. Postal Service maintains an automated database that contains the names of all individuals anywhere in the nation who have filed **Change of Address** forms. This information can be especially valuable when attempting to locate a known abductor who has traveled far from the original jurisdiction and feels



secure in using a correct name or known alias in certain transactions that involve use of the mails.

In addition postal inspectors can be of assistance in the establishment of a **mail cover** which is an investigative tool whereby postal authorities will provide law enforcement with return address and postmark information on mail destined for a specific address. While authorized for only 30 day intervals and applicable to cases where the suspect faces more than 1 year in jail, mail covers placed on the incoming mail of close family and friends of the abductor, especially during likely periods of correspondence such as birthdays or holidays, have often been successful in developing valuable lead information.

To learn more about the U.S. Postal Service as an investigative resource contact the USPS, Inspection Division, Room 3100, 475 L'Enfant Plaza, SW, Washington, DC 20260-2100, 202-268-4267.

**Federal Parent Locator Service** As a unit of the U.S. Department of Health and Human Services' Office of Child Support Enforcement, the Federal Parent Locator Service (FPLS) was originally established to locate absent parents in order to enforce a child support order. In 1980 the Parental Kidnapping Prevention Act broadened its use by allowing authorized persons, including law enforcement officers, to access the FPLS in family abduction cases. Investigators searching for a known family abductor can submit the suspect's name to FPLS through their state or local child support enforcement office and receive the latest information on file about the individual as recorded with the Social Security Administration, Internal Revenue Service, National Personnel Records Center, Department of Defense, Department of Veterans Affairs, Selective Service System, and State Employment Security Agencies.

For information about using the Federal Parent Locator Service in family abduction investigations contact FPLS, 370 L'Enfant Promenade, SW, Washington, DC 20447, 202-401-9267.

**U.S. Department of State** In 1988, when the United States became a signatory to the Hague Convention on the Civil Aspects of International Child Abduction, the U.S. Department of State's Child Custody Division was designated as the U.S. Central Authority for providing assistance to searching parents involved in international family abductions. While not a law enforcement agency, the Child Custody Division is able to provide information to officers who are assessing the impact of international involvement on a local missing child investigation.

If the other country is a signatory to the Hague Convention, the Child Custody Division is able to invoke certain provisions of the treaty that compel other members to take appropriate actions. While the abduction case goes through various hearing

stages in the Hague signatory country, the Child Custody Division is authorized to request that country's Central Authority to conduct a Welfare and Whereabouts check to verify the child's location and assess his or her safety and well-being. If the other nation is not a signatory to the Convention, the Child Custody Division can arrange for a Welfare and Whereabouts check to be conducted by U.S. Embassy personnel stationed in that country. Officers should remember that international child abduction, as applied by the Hague Convention, treats the abduction as a civil rather than criminal matter. As such, the goal of the Convention, and of the U.S. Department of State, is to secure the safe return of the child, not to arrest or punish the abductor.

*INTERPOL ... serves as  
a point of contact and  
international interface  
for law enforcement  
authorities in the  
United States who are  
seeking criminal  
investigative assistance  
abroad.*

Information about the role of the U.S. Department of State's Child Custody Division in international child abductions can be obtained from the Bureau of Consular Affairs, CA/OCS/CCS, Room 4817, U.S. Department of State, Washington, DC 20520-4818, 202-736-7000.

As the agency responsible for the issuance of United States passports, the U.S. Department of State also has authority to revoke the passport of citizens of the United States who are the subject of a federal UFAP warrant or under court order not to leave the country. If a foreign country is made aware that a passport has been revoked, the suspect becomes an undocumented alien and may be deported back to the United States. Unfortunately such action against an individual who holds dual citizenship may not create a significant hardship for the suspect.

For more information concerning passports, contact the Office of Passport Services, U.S. Department of State, Room 300, 1425 K Street, NW, Washington, DC 20524, 202-326-6168.

**International Criminal Police Organization** More commonly known as INTERPOL the International Criminal Police Organization serves as a point of contact and international interface for law enforcement authorities in the United States who are seeking criminal investigative assistance abroad. While other federal organizations may work to secure the return of an abducted child through civil channels, INTERPOL focuses its resources on locating and, if possible, securing the arrest of the abductor.

Working with police authorities within one or more of the many countries that support the international association, INTERPOL can be of assistance to the local law enforcement investigator who is tracking an identified abductor. If, for example, the abductor is wanted on felony charges and the federal or state prosecutor is willing to extradite, investigators can request INTERPOL to issue an international wanted

alert called a **Red Notice**. Directed to police and border authorities in countries through which the abductor may travel, a Red Notice can be especially useful if the suspect's country of residence does not consider the abduction to be a criminal or extraditable matter.

INTERPOL can be contacted through the U.S. National Central Bureau, U.S. Department of Justice, Bicentennial Building, Washington, DC 20530, 202-272-3838. INTERPOL may also be reached via NLETS at ORI DCINTER00.

**U.S. Immigration and Naturalization Service** It is not uncommon for foreign nationals who are charged with child abduction to flee the United States and later attempt reentry. Many Immigration and Naturalization Service (INS) border checkpoints are equipped with telecommunication systems able to access NCIC files that can identify wanted persons. If NCIC files have been properly loaded to indicate that the individual is the subject of a felony criminal warrant, INS agents may be able to place the abductor under arrest when he or she tries to return to the United States. Additional requests that an investigator may discuss with the INS include entering the abductor's name in the INS "Look-Out Book" and revocation of any existing visas or work permits (green cards).

Contact the U.S. Immigration and Naturalization Service, Room 7100, 425 I Street, NW, Washington, DC 20536, 202-633-2829.

**U.S. Customs Service** Identities of citizens of the United States returning to this country from abroad are occasionally checked by the U.S. Customs Service against names of individuals contained in the NCIC Wanted Person File. By ensuring that complete descriptive data about the abductor, including aliases and information about the existence of a felony warrant, is entered into NCIC, investigators increase the possibility of apprehension should the abductor pass through a U.S. Customs Service checkpoint.

For more information on this agency contact the U.S. Customs Service, Room 3136, 1301 Constitution Avenue, NW, Washington, DC 20229, 202-566-2101.

**U.S. Department of Defense** To obtain information about the current assignment of an active duty member of the Armed Forces who is believed to be involved in a child abduction or to determine an individual's past assignment for investigative purposes, law enforcement officers may deal directly with the **Military Locator Service** for the appropriate service branch. In addition to the locator services, assistance may also be available from the **Office of Family Policy, Support and Services**, especially in the areas of mediation and conflict resolution to expedite the return of an abducted child.

Information about Military Worldwide Locator Services for each branch of the Armed Forces is listed in Figure 7-4.

### **Military Worldwide Locator Services**

<b>Branch</b>	<b>Telephone Number</b>
Air Force	210-652-5774
Army	317-542-4211
Navy	703-614-3155
Marines	703-640-3942
Coast Guard	202-267-1615 (enlisted personnel) 202-267-1667 (officers)

**Figure 7-4**

Further assistance may be available through the Office of Family Policy, Support and Services; 4015 Wilson Boulevard; Suite 903; Arlington, Virginia 22203; 1-800-336-4592 or 703-696-4555.

**U.S. Office of Personnel Management** For current address information about any retired member of the Armed Forces or retired federal civil service employee, officers may contact the U.S. Office of Personnel Management. Updates about where a retiree's federal pension payment is mailed, even if to a post office box or as an electronic transfer directly to a bank, can provide valuable investigative leads in locating the abductor and recovering the child.

The U.S. Office of Personnel Management can be reached at 1900 E Street, NW, Washington, DC 20415, 202-606-2424.

**Local, State, and Regional Resources** As noted earlier, the agencies and organizations described in this chapter are only a few of the resources that an officer might utilize during the course of a missing or abducted child investigation. In fact, since the groups noted above may only be of value in special cases, it is likely that an investigator will routinely seek assistance from local, state, and regional resources. Among these resources may be Air National Guard, airport security staff, CB-React groups and ham radio operators, Child Protective Services, Civil Air Patrol, dog handlers, fire departments, local police agencies, media contacts, missing children's groups, printing resources, runaway shelters, school resources, search and rescue units, telephone companies, transportation systems, utility systems, and youth organizations.

By compiling a comprehensive list of these and other identified resources, prior to an actual episode, officers can avoid wasting the time and personnel that would be needed to make these contacts in the midst of an intensive investigation.

## **Pre-Incident Planning**

Upon conclusion of many abduction cases, when investigators are able to review and evaluate their response, most stress the need for extensive pre-incident planning. As one officer stated, "Once it started, it was too late to plan. There was only time to react."

Essential to the success of pre-incident planning is the development of an interagency response protocol that clearly defines the specific type of cases that will activate interagency support and what form that support will take. Once agreed to and signed, this interagency agreement not only spells out specific agency responsibilities, but also serves as the basis for ongoing, interagency communication and cooperation.

In an effort to more efficiently investigate, manage, and resolve cases of missing and abducted children and to minimize the emotional stresses associated with these incidents, law enforcement agencies, with increasing frequency, are holding **pre-incident planning** sessions to assess roles and agree on responsibilities. Most commonly conducted on a county or regional level, all law enforcement agencies within the area are brought together to develop a strategy for an organized, prompt, and effective response to certain missing child reports. Included as participants in these sessions, along with local agency representatives, are members of state, regional, and federal investigative agencies that would normally be expected to assist in these cases.

Other benefits and outcomes of pre-incident planning sessions can include

- Development of a comprehensive investigative resource list.
- Compilation of lists containing the names and telephone numbers of key contact individuals from law enforcement agencies and resource organizations.
- Design of a standardized interview format to be used by all investigators.
- Agreement on the type of case management system that will be used to gather, store, and retrieve information.
- Development of common forms to collect information in a prescribed format.
- Sharing of investigative expertise.
- Identification of local print and electronic media sources, prior to an incident, to determine the most appropriate person to contact in these situations (both during and after business hours) and their policies on the production of fliers/public service announcements that could be utilized in these situations.

- Identification of any permits that may need to be obtained to comply with local zoning ordinances when setting up a command post. Determine how quickly needed utilities can be connected both during and after regular business hours. If the incident occurs after regular business hours, how can other governmental agencies needed to assist in this function be reached?
- Identification of any nonprofit missing children's organization that is likely to respond to such a missing child case in your jurisdiction. Once identified, consider asking them to join the "team" of organizations that are needed to mobilize in these situations. A proactive stance with these organizations can greatly enhance the resource base needed in a community when a child is missing. Be advised, however, that law enforcement should do background checks on and train these volunteers in preparation for their utilization.

Many missing child cases, especially those involving suspected child abduction, are often made more difficult because of their emotional, high-profile impact on the community. When the responding law enforcement authorities operate without a plan, precious time is lost and opportunities are wasted. By adopting some pre-incident strategies, officers will be able to exercise more control over events, react more effectively to unexpected occurrences, and enhance the possibilities for swift and successful case resolutions.

For an example of pre-incident planning see, Gordy, R.J. *Abducted Children: A Plan and Demonstrated Application for California Law Enforcement*. Sacramento, California: Center for Executive Development, 1990. Available on microfiche from NCJRS, 1-800-851-3420.

## References

### Related Reading

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Culligan, J. *You, Too, Can Find Anybody*. Miami, FL: American Police Academy Books, 1993. A reference manual containing information on how to access public records.

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Howell, J. *Selected State Legislation: A Guide for Effective State Laws to Protect Children*. Arlington, VA: National Center for Missing and Exploited Children, 1993.

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Lesko, M. *Lesko's Info Power*. New York, NY: Infobusiness USA, 1990. A comprehensive, all-in-one directory of government agencies, services, videos, publications, and hotlines. Also available on computer disk and CD-ROM.

Levine, M. and D. Martin. "Have You Seen Me? Aging the Images of Missing Children." *Law Enforcement Technology*, June 1991, pp. 34-40. Describes a newly developed software program called Photosketch, currently used by NCMEC and the FBI to computer age-progress photographs of missing and abducted children.

MacArthur Foundation. *North American Directory of Programs for Runaways, Homeless Youth, and Missing Children*. Washington, DC: Department of Health and Human Services, 1994. Lists programs for runaways, homeless youth, and missing children on a state-by-state basis. Available from the American Youth Work Center, 1751 N Street, NW, Washington, DC 20036.

Office of Juvenile Justice and Delinquency Prevention. *Juvenile Justice*. A bi-monthly publication dealing with important issues in the field of juvenile justice including occasional articles on missing and abducted children. Subscribe by contacting NCJRS, 1-800-851-3420.

Texas Education Agency. *Status of the Missing Child Prevention and Identification Program in the Public Schools*. Austin, TX, 1989. Report presented to the Governor updating findings and recommendations regarding the Texas voluntary missing child prevention and identification pilot program on school campuses. Available on microfiche from NCJRS, 1-800-851-3420.

Ullman, J. and J. Colbert. *The Reporter's Handbook: An Investigator's Guide to Documents and Techniques*. New York, NY: Investigative Reporters and Editors, 1991. A comprehensive work on the subject of general investigation.

Williams, Wilson M. "Abused and Missing Children." *Help for Children From Infancy to Adulthood*. Shepherdstown, WV: Rocky River Publishers, 1991. Lists and describes information clearinghouses, hotlines, programs, and advocacy groups that address needs of missing children. Available (NCJ133576) from NCJRS, 1-800-851-3420.

Wishon, P. and B. Broderius. *Missing and Abducted Children: The School's Role in Prevention*. Bloomington, IN: Phi Delta Kappa Educational Foundation, 1987. A handbook designed to involve the schools in preventing and remedying child abductions.

## Videotapes

*NCIC and Missing Children* (1990).<sup>\*</sup> Explains how the Missing Person File can be used to locate missing persons, especially children.

*NCIC Delayed Inquiry System* (1991). Highlights the usefulness and success of the Delayed Inquiry Quality Control Program in establishing leads on wanted and missing persons.

*NCIC Investigative Off-Line Search* (1988). Details this specialized inquiry of the NCIC system that can obtain data not readily available through normal on-line transactions, such as information concerning inquiries made upon files.

*NCIC Missing and Identified Files - Updating the Record* (1992). Provides an overview of the Automated Update System instituted in conjunction with the National Child Search Assistance Act of 1990.

*NCIC Overview* (1990). This video gives an introduction to the types of files maintained on the NCIC system, including missing and unidentified persons, foreign fugitives, U.S. Secret Service Protective file, vehicle, gun, boat, articles, and securities.

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<sup>\*</sup> NCIC videos are available from the National Audiovisual Center, Customer Service Section, 8700 Edgeworth Drive, Capitol Heights, MD 20743-3701, 301-763-1896.

*NCIC Unidentified Person File* (1990). Describes the file's design and intent and explains how records are checked against missing person file entries.

*NCIC Wanted Person File* (1990). Explains what kinds of wanted persons to enter and types of information necessary.

*The Center of the Search* (1992). Describes the National Center for Missing and Exploited Children as a resource for law enforcement. Color VHS, 19 minutes, narrated by John Walsh. Available from NCMEC, 1-800-THE-LOST (1-800-843-5678).



Law enforcement officers know that a significant number of cases have been resolved through prompt and effective use of the media. Nowhere is this success more evident than in cases of missing and abducted children. Often police officers seeking witnesses to an abduction or information about the whereabouts of a missing child have had prompt, positive results when the general public has been alerted about the case by the media.

In missing or abducted child cases, officers have employed the media successfully both locally and on the national level. Local newspaper, radio, and television coverage has been instrumental in raising awareness about a case and soliciting valuable information from the public. Nationally broadcast programs such as "America's Most Wanted," "Unsolved Mysteries," and many more have increased the entire country's knowledge of the plight of missing children and helped officers successfully conclude complex and lengthy investigations.

For the most part professionals in both law enforcement and the media understand each other's roles and realize that occasions will arise when one or the other must more closely guard certain sources of information or aggressively strive to gather all pertinent facts. Reporters, for example, usually understand and accept the fact that investigators must withhold certain sensitive information that, if disclosed, might jeopardize a case's outcome. Investigators, on the other hand, realize that reporters probe for information to share with the public.

As in any relationship, occasional misunderstandings and disagreements between the police and media are certain to take place. Most commonly, law enforcement investigators involved in missing or abducted children cases and news reporters covering those inquiries find themselves at odds over access to certain information. They soon become involved in debates about whether the First Amendment takes precedence over the Sixth Amendment. Before long an impasse develops in which investigators think that the integrity of an investigation is jeopardized while the media believe that freedom of the press has been abridged.

*Law enforcement officers know that a significant number of cases have been resolved through prompt and effective use of the media. Nowhere is this success more evident than in cases of missing and abducted children.*

Usually these differences of opinion are minimal and quickly settled with explanations offered, points of view explored, and compromise reached. On a few occasions, however, the pressures on the police to find a missing child and the media to uncover and report every detail create a sensationalized atmosphere where cooperation and common sense can give way to accusation and mistrust.

To avoid becoming enmeshed in adversarial situations, law enforcement agencies should review and put into practice some of the policies, procedures, and guidelines that have been identified as useful in predicting, minimizing, and defusing conflicts with the media. This chapter, therefore, will explore many of the issues that lead to

these conflicts and methods of working productively with the media during a high-profile missing or abducted child case.

## Legal Review

**At the Scene** Before investigators can deal adequately with the media during a major event they need to know the ground rules that have been set by the U.S. Constitution and the courts. Courts, including the U.S. Supreme Court, have dealt frequently with these issues, because the conflict often reverts to a struggle between the First and Sixth Amendments.

<i>First Amendment:</i>	Freedom of the press, free speech.
<i>Sixth Amendment:</i>	Right to a fair trial, impartial jury.

Either one side or the other takes precedence. The media often accuse the police of violating their constitutional rights of free press and speech while the police blame them for interfering with their duty to protect the integrity of an investigation in order to ensure a defendant's right to a fair trial.

More often than not, courts will support the side of the First Amendment. One key to this position can be found in the 1972 U.S. Supreme Court decision *Branzburg v. Hayes*, 408 U.S. 665 (1972), which affirms that the U.S. Constitution protects certain "constitutional rights of the media to access and gather news" without unreasonable constraints imposed by law enforcement agencies. An important phrase in the opinion states, "...the press has the right to gather news from any source by means within the law." *Branzburg*, however, also states, "...the media cannot claim right of access when the general public is excluded."

When armed with an understanding of *Branzburg*, investigators can accomplish a great deal. For example, the ruling clearly states that police should leave the media alone when they are doing something legally. The media, however, do not have a legal right to be in a place where the public has been excluded. So, by understanding *Branzburg*, an experienced investigator learns that restricting media from within a protected crime scene area is neither improper nor illegal. Evidence must be preserved and protected. Keeping the media two miles from a scene, however, for no reason except on a whim is both wrong and foolish. It only serves to antagonize and create the impression that the police are "keeping secrets." At the scene, investigators should get on with the job of collecting evidence, effecting emergency procedures, and solving the crime. Let the media do their job as long as what they do does not jeopardize the investigation.

**Access to Records** Although nearly every state has its own peculiarities about access to law enforcement records, an investigator must remain aware of the fact that certain investigative documents are subject to media scrutiny at some point. The controversy concerning access to police records is nationwide in scope and, as noted

earlier, courts have historically ruled on the side of the First Amendment. Investigators, therefore, should keep in mind that certain papers, reports, and court applications may eventually be obtained, reviewed, and published.

## **Perceptions**

Perception is best defined as "...the ability to grasp something mentally." Frequently a key element in dealing with the media, and ultimately the public, is how something about the case is perceived. An officer should ask: How is the investigation being grasped mentally by the public? Has it expanded beyond control because of unfounded rumors? Has someone else beyond the officer's control taken over direction of the case?

Why is it important to be concerned with these things during an investigation? The answer is simple: the public controls an investigator's effectiveness, and their faith in law enforcement's ability to handle the situation is critical. There are reasons for needing that "perceived faith" including

- Loss or lack of faith by the public leads to vulnerability of other information.
- Loss or lack of faith allows someone else (usually an outspoken critic) to become the authority.
- Lack of faith leads to unnecessary panic.

## **Crisis Forecasting**

A dictionary generally defines a crisis as "...a turning point or an emergency." That is exactly what happens when law enforcement agencies yield management of an investigation to the media simply by failing to recognize that incorrect—and potentially damaging—perceptions are forming.

Law enforcement agencies should develop procedures that address when to provide the facts of the case to the public and limits of what can be released without jeopardizing the investigation and/or the subsequent trial. It should be understood that the greater the intensity of the case, the greater the likelihood that it will escalate to crisis proportions.

## **Managing High-Profile Cases**

Previous research on "high-profile" investigations indicates that several factors impact on police thereby causing a case to get "out of hand." Among these factors are when officers failed to realize that the case had the potential for concentrated media attention, visualize an impact if the case turned "nasty," consider community reaction to the case, and disseminate accurate and timely information during the developing hours of the case.

Immediately after Hurricane Hugo hit Charleston, South Carolina, an emergency preparedness official stated, "You don't manage a crisis; you tolerate it." Essentially, that is true. There are certain "toleration" steps, however, that can be taken for managing high-profile investigations.

Basic guidelines to assist law enforcement in managing a missing or abducted child investigation with the media include

- Asking for media assistance in disseminating information to the public that may lead to the recovery of the child and arrest of the abductor(s).
- Determining the degree of impact the case will have on the public.
- Establishing the set of facts that have happened and doing it quickly.
- Disseminating that information within the first 2-6 hours of the event.
- If the public needs to be warned, making sure that law enforcement does it. It needs to come from law enforcement.
- Making sure the public has a two-way conduit for information.
- Whether working alone or with a team of professionals within your community on the case, the law enforcement agency in charge of the investigation needs to designate one press spokesperson to avoid miscommunication of the facts.

Information given to the press should be of good quality and accurate in order to set the tone for the law enforcement/media relationship. It is important to go to the press first with the information rather than having them obtain it from auxiliary investigations. This will reduce the number of "unconfirmed" rumors that tend to circulate in these cases. Do not, however, feel pressured into releasing information before it is expedient to do so. The inappropriate release of information can seriously jeopardize the investigation.

Based on what has been learned from dealing with the media during high-profile investigations, there are no hard set of facts that determine what to do first. According to the above listed guidelines, the tips listed below may be of value to the agency or investigator involved in a missing child case

- Consider having a prosecutor at the scene to advise as to what items, if any, should be denied to the media.
- At a crime scene let the media in as close as is reasonable while still protecting the integrity of the scene and the dignity of the victim and the victim's family.
- Have the designated media spokesperson meet as often as possible with media representatives to ensure a continual flow of appropriate information about the case.

## Things to remember

- Very little information is so critical that a case would be jeopardized if it got out.
- In most cases, if the police know it, so do the media.
- If an agency does not want to discuss a case, someone else will (e.g., the janitor, delivery person, next door neighbor).
- Realize how many "nonpolice" people also have information about the case (e.g., coroners and emergency medical personnel).
- Inaccuracies can be corrected if there is an open exchange of information between law enforcement and the media from the beginning.

## Recommendations and Suggestions

An officer's job is to investigate and solve a missing or abducted child case. To that end, he or she must remember that the media remain the most powerful single resource available for gaining public assistance in securing leads. By instituting and following procedures and policies that deal with the media in a fair and professional manner, officers can ensure that the public receives law enforcement's message clearly, accurately, and promptly.

As in most other situations in law enforcement, a proactive stance reduces the need for many reactive positions later. Proactivity means

- Being first to provide information.
- Taking control of the information going out.
- Actively opening doors for community feedback.

When media relations during high-profile cases is left unattended, the media can control an investigator's case. Because public perceptions are formed quickly, it is critical that these perceptions be based on the facts of the case—as provided by law enforcement.

Remember, when a child's life may be at stake there is no room for needless misunderstandings between law enforcement and the media.

*At a crime scene let the  
media in as close as is  
reasonable while still  
protecting the integrity of  
the scene and the dignity of  
the victim and the victim's  
family.*

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### Related Reading

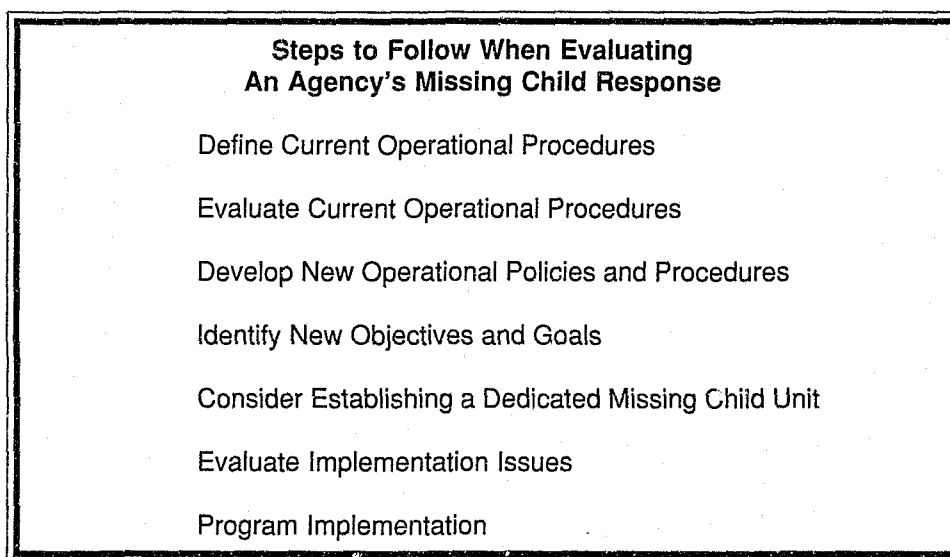
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Most law enforcement officers who read this manual will do so to gain information about investigative techniques that can enhance their ability to solve missing child cases. Due to limited resources, many agencies' response to the issue of missing children depends on the skills learned by an individual investigator who is considered to be their missing and exploited child expert. In other agencies a dedicated missing child unit may be fully staffed with members specializing in a particular type of missing child case. This chapter outlines management practices agencies may wish to employ to support that lone expert, a fully staffed unit, or whatever level of resources that are currently able to be utilized in the search for missing children. Additionally it offers guidelines on how to develop a dedicated missing child unit, if an agency wishes to create one.

Because of internal policy and procedure evaluation, criticism experienced by another agency's handling of a missing child case, or the efforts of a nonprofit missing children's organization, many law enforcement agencies are realizing that they have allowed their missing child response to develop without clear direction or structure and are actively seeking new methods and procedures to deal with their entire "missing person" responsibility.

In keeping with the current management practice of enlisting employees to help problem solve, it is highly likely that an administrator will seek input from those members of the agency who have received training in missing children investigations or who have exhibited a willingness to handle such cases. Since the officer reading this manual will probably fit into one or both of these categories, it seems appropriate to address the management issues associated with an effective missing person investigation.

Figure 9-1 outlines the steps an agency may wish to follow when evaluating their missing child response.



**Figure 9-1**

## Define and Evaluate Current Operational Procedures

To determine if an agency's response to missing children requires modification, revision, or complete reorganization, a thorough evaluation of current procedures must be conducted. To do so, those procedures must be accurately identified to provide the reader with a meaningful point of reference for this discussion.

First, complete the "Missing Child Unit Self-Evaluation" questionnaire on page 186. This diagnostic is intended to stimulate reflection regarding the existing response and should provide the reviewer with an accurate survey of their agency's current response to cases of missing children.

Second, determine the type of missing child program now in effect. Is the current program fully developed with policies that clearly describe organizational procedures and define investigative responsibilities? Is it a partially developed program in which the missing child function is generally described along with other investigative activities? Is it a newly implemented or pilot program where methods of response are under study and evaluation? Or is it a program with little or no official agency guidance or support?

*To determine if an agency's response to missing children requires modification, revision, or complete reorganization, a thorough evaluation of current procedures must be conducted.*

Third, identify the structure of the present program. Is the current missing child program located in a full-time unit responsible only for the investigation of missing children? Is it a part-time unit that handles missing child cases along with other investigative responsibilities? Is it a unit within a missing person bureau or the juvenile division? Is it a single officer program where all or certain types of missing child cases are assigned to one investigator? Is it a clerical unit where the missing child function is basically that of record-keeping with only certain, serious cases forwarded for investigation? Or is the program conducted by some other person, such as a volunteer, who is assigned to review reports and forward long-term or serious cases to an investigative unit?

Fourth, review unit(s) responsible for report-taking and initial investigation. What part of the agency is responsible for these duties? Is it the regular patrol force, a designated patrol officer with specialized training in missing child cases, the front desk (where the public is told to respond to make a report), the investigative section, or a specialist assigned to missing children cases who is responsible for report-taking and the initial investigation?

Fifth, review the procedure for distributing missing children reports. How widely is the missing child report distributed, and how promptly does it reach destinations



such as the records division, the front desk, the patrol division, the investigative division, and the missing child unit?

Sixth, determine areas of responsibility. Who currently assumes responsibility for duties such as teletype entry and cancellation? In addition, if the initial evaluation fails to locate the missing child, who continues the investigation?

Seventh, review written policies/procedures. Are initial investigative procedures clearly described? Are there written guidelines on subjects such as follow-up investigations, family abductions, juvenile pick-ups, custody orders, and authority to detain a missing child who is recovered?

Eighth, review readiness assessments. Have evaluations been conducted to assess subjects such as training level, investigative expertise, personnel availability, willingness to problem solve, and relationship to the media. Law enforcement agencies need to ask the following series of questions: How much training concerning missing children is received during recruit and in-service classes? Do investigators or officers assigned to missing child cases receive specialized training? Is any form of local, state, or regional certification required/available? Are policies and procedures that are to be followed in missing child cases formalized and documented? If a particularly serious case arises, are additional investigative personnel immediately available? If so, do they have any specialized missing child training? Does the agency encourage an open relationship with the media that can be used to facilitate appropriate missing child investigations? Does the agency work cooperatively with any missing and exploited children's organization and runaway shelters within its jurisdiction that offer services to victim families and children at-risk?

Once defined, an agency's policies and procedures should regularly be evaluated to identify strengths and weaknesses. This evaluation should also include a review of agency records to determine the actual extent and nature of the missing child problem within the jurisdiction. Learning the extent and nature of the problem will be of help in determining what, if any, procedural changes are needed.

As a result of this critical analysis, a need for organizational or managerial improvement may be identified. If so, agencies should consider modifying current operational policies and procedures and/or developing new ones to address areas that may need to be improved upon.

## **Develop New Operational Policies and Procedures**

Defining new operational procedures is a complex task, yet it remains one of the most important aspects in any implementation concept. It is at this stage that all new ideas are developed and placed into perspective.

The goals of effective policies and procedures include defining objectives, setting responsibilities, offering guidelines, developing a standard of measure, and providing a level of public expectation. To accomplish this agencies need to have a "policy statement." This is where the agency clearly announces its procedural purpose, such as, "It shall be the policy of this department to aggressively investigate all cases of missing children...." With clearly stated policies and procedures, members of the force are made aware of their role in all missing child cases. Additionally policies standardize agency response to missing child cases by describing general investigative procedures and creating a method by which the effectiveness of those procedures can be evaluated. Often a public made aware of an agency's priority response to missing child reports will tend to view the entire law enforcement agency in a more professional light.

There are many components to consider when implementing effective policies and procedures. For instance the goals and objectives of all policies should be clearly outlined in such a manner as to reinforce the need for each change. Each new procedure should be clearly identified and properly assigned. Members of the agency should be able to understand and follow case procedures, even if they have no specialized training in missing child investigations. Concise procedures that eliminate uncertainty among personnel not only lead to more effective case management but also diminish exposure to liability; however, a policy should not be so rigid that investigative creativity is restrained. The policy should provide for discretion without jeopardizing the case, but not be so ambiguous that it allows excessive discretion by members of the agency.

Ensure that opportunities for different units within the law enforcement agency, such as the juvenile division and the missing child unit, to share information and leads are identified and formalized. Each policy should be complete and the language used should ensure standardization of terminology. The policy should define the expected case activity. Members of the agency should not have to refer to other rules or regulations to find guidance on missing child cases.

Keep in mind that missing child report procedures should indicate what happens to the case from time of report through closure. For instance reports need to be centrally logged, locatable, and well prepared. The procedure should provide that each case is checked for proper NCIC entry, including updates of dental and medical records when warranted; ongoing investigative review; periodic updates; utilization of all local, state, and national resources; coordination with NCMEC; correct case clearance/closure; NCIC cancellation; and proper storage of all case related information.

## **Identify New Objectives and Goals**

An **objective** is a precise, quantifiable task that must be accomplished to reach a particular goal. A **goal** is the result when properly identified objectives are attained,

while achieving the concise expression of the ideal sought. Keep these definitions in mind when formulating short- and long-range goals. This formulation process is time consuming, but cost effective when setting policies and procedures. Figure 9-2 offers sample goals and objectives that agencies may wish to consider during this process.

Goal	Sample Goals and Objectives
Objectives to Attain Goal May Include	
To develop a proposal for the creation of a centralized missing child unit.	<ul style="list-style-type: none"> <li>• Conducting an analysis of current operational procedures.</li> <li>• Identifying existing system gaps.</li> <li>• Determining needed changes to existing policies and procedures.</li> <li>• Evaluating implementation issues.</li> <li>• Preparing and submitting a comprehensive report through the chain of command.</li> <li>• Developing illustrative material (charts, graphs, etc.) if called upon to support the proposal.</li> </ul>
To ensure timely entry, review, and cancellation of NCIC messages.	<ul style="list-style-type: none"> <li>• Informing agency personnel regarding importance of NCIC system.</li> <li>• Proposing change in agency forms to include NCIC check-off box.</li> <li>• Recommending change in procedure to require supervisory approval of NCIC entry, update (dental/medical additions), and cancellation.</li> <li>• Developing a standard procedure to respond to NCIC unidentified child messages.</li> <li>• Conducting an audit of selected cases to evaluate compliance.</li> </ul>
To produce specialized missing child bulletins.	<ul style="list-style-type: none"> <li>• Encouraging reporting officers to obtain a photograph of the missing child.</li> <li>• Preparing a "master bulletin" to use as a format for all fliers. See "Appendix C: Sample Missing Child Flier/Poster" on page 197.</li> <li>• Evaluating cost factors (paper, printing, etc.).</li> <li>• Seeking cooperation of local printing businesses.</li> <li>• Developing a distribution network, including local community groups, private businesses, etc., to circulate fliers and remove them once no longer needed.</li> <li>• Designing a bulletin board for display of fliers in agency's lobby.</li> <li>• Maintaining a file of all bulletins prepared, received, removed.</li> <li>• Coordinating with NCMEC.</li> </ul>

Figure 9-2

Other goals might include to develop/maintain a positive yet controlled media relationship, design/present training programs on missing children for all members of the force, and establish a communication network with community resource agencies.

## **Consider Establishing a Dedicated Missing Child Unit**

Due to the unique and sensitive nature of missing child investigations, most law enforcement agencies will find ample justification to support the creation of a specialized unit to investigate these cases. Advantages of a centralized missing child unit include uniform model, development of investigative expertise, improved service to at-risk children, centralized case control, reduction in trial and error, faster case completion, and a basis for statistical analysis. Similar missing child units can be found in law enforcement agencies throughout the nation. When such units are established and fully operational they can help speed the flow of incident information when dealing with cases that cross-jurisdictional lines. Officers assigned to a centralized unit will gain specialized knowledge in the investigation of missing child cases, thereby enhancing case resolution. Missing child officers develop an awareness concerning troubled children and are able to recommend needed resources. All records regarding missing children can be properly maintained and promptly accessed. Being familiar with the unique nature of missing child investigations, officers assigned to a specialized unit are able to conduct a case more efficiently. More effective investigative efforts result in quicker case closure and reduced risk of victimization to the missing child. Centralized record-keeping promotes the study of case histories and encourages proactive program implementation.

## **Evaluate Implementation Issues**

After determining that creation of a centralized missing child unit would significantly enhance an agency's response to cases of missing children, the next step is to decide on the unit's organizational structure. A number of factors need to be considered and decided upon before the unit can begin operation including type of program, location of unit, necessary support equipment and material, personnel selection, personnel training, and utilization of the media. Agencies should ask: Will the unit function fully from the start or will a pilot project be instituted? Will the unit be located within the main agency building or will it be housed in some other facility? Organizationally will the unit be placed in the Criminal Investigation Division, Juvenile Division, Community Relations Division, or some other division?

One key to any successful missing child unit is staffing. This should be accomplished with proper planning and recognition of the special skills and personality traits needed including good human relations skills, an inquisitive demeanor, an ability to deal compassionately with distraught individuals, a willingness to interact with

other community resources, and an ability to deal with family members over an extended period of time. Training for personnel in the unit should be ongoing to enhance the specialized expertise of unit members. Areas of instruction might include identifying runaways, investigating family abductions, case management, international family abductions, interviewing techniques, recognizing abuse and neglect, custody laws, and interagency cooperation.

Key personnel to consider placing in the unit include supervisory staff, investigative personnel, clerical support, and volunteers. *See "Use of Volunteers in Missing Child Units"* on page 189 for more information about the use of volunteers in these units. Figure 9-3 offers a potential division of responsibilities among staff members in a dedicated missing child unit.

<b>Potential Division of Responsibilities in a Dedicated Missing Child Unit</b>	
<b>Staff Member</b>	<b>Responsibility</b>
Supervisor	<ul style="list-style-type: none"><li>• Oversee investigation.</li><li>• Ensure effective case management.</li><li>• Direct all unit personnel.</li><li>• Establish and maintain a media relations program.</li><li>• Develop a community network.</li></ul>
Investigator	<ul style="list-style-type: none"><li>• Investigate case.</li><li>• Maintain case file.</li><li>• Develop resources.</li><li>• Share information with appropriate colleagues and agencies.</li></ul>
Clerical Staff	<ul style="list-style-type: none"><li>• Assist in record-keeping.</li><li>• Provide administrative support.</li><li>• Understand unit responsibilities.</li></ul>
Volunteers	<ul style="list-style-type: none"><li>• Offer assistance as needed.</li><li>• Maintain case confidentiality.</li><li>• Understand limits of authority. <i>See "Volunteer Assigned to Missing Child Unit"</i> on page 190 for a sample job description for volunteers assigned to such units.</li></ul>

**Figure 9-3**

## Program Implementation

After the procedural guidelines have been completely evaluated and approved, the new missing child response program can be implemented. Dissemination of information is the key to the success of any new process. All personnel within the agency and the community at-large must be made aware of the new policies and procedures and of what the new program is to achieve.

First, conduct agency-wide training by distributing copies of new policies/procedures to all members of the agency, describing new programs at roll calls/inspections, preparing brief video training tape, addressing administrative staff meetings, and spot checking to evaluate understanding of the program.

Second, develop an ongoing monitoring process within the new unit by conducting regular staff evaluations concerning program effectiveness, instituting a program whereby all unit personnel participate in constant evaluation of policy goals and objectives, and continuing to set realistic new goals.

Third, enlist public support for the program by designing and executing a "media" or "public relations" plan to promote the program within the community. A word of caution is in order regarding "going public" with the new program. Be certain that all contact points between your agency and the public are aware of the new procedure, understand what it is attempting to achieve, and know how to access any services advertised.

As the missing child program becomes fully implemented and further needs are identified, opportunities for additional programs and procedures will arise. Community awareness, in particular, can play a key role in lessening the incidence of missing youth, especially those who leave home voluntarily. Thus agencies should consider implementing such a program in their community.

In addition consider developing interagency agreements, sponsoring community awareness programs, formulating contingency plans, and considering the establishment of written protocols with other youth serving agencies and organizations in the community. Such arrangements can speed the flow of valuable information to both expedite recoveries and ensure provision of assistance, from the community's social service agencies, for at-risk children. Sponsor community awareness programs by hosting public presentations at schools, youth groups, clubs, etc., with displays and demonstrations on child safety and programs to photograph, fingerprint, and document identifying information on children. Child safety seminars and classes that involve parents can be effective just before school begins or before summer break and on a continuing basis throughout the school year to ensure that age-appropriate safety messages are reinforced year-after-year for elementary-age school children and to help teenagers continue to identify at-risk situations as they increase the sphere of individuals with whom they interact. Such educational

opportunities can also reinforce the local services available to assist teenagers, especially those who may be considering running away or are faced with a "throwaway" situation within their families. For a list of child safety prevention information available through NCMEC to assist in this educational effort call 1-800-THE-LOST (1-800-843-5678).

Formulate contingency plans by holding meetings with area law enforcement agencies, rescue squads, and search groups to discuss future cooperation; organizing an investigative task force made up of pertinent agency personnel to be activated when the need arises; developing case screening methods to quickly identify high-risk missing children; designing a master format for a missing child bulletin/flier; and prearranging for mass poster printing.

## Conclusion

The elements of this chapter are offered to help law enforcement agencies evaluate their current policies and procedures and provide guidance to those agencies that are considering making revisions. It is understood that the material in this chapter is not specific but rather is intended to provoke critical evaluation of your agency's capability to safely recover a missing child. Since the development of effective policies and procedures are very agency specific, please combine the information in this manual with knowledge of your agency and community to develop an effective response. To assist in this process consider reviewing *Standards for Law Enforcement Agencies* by the Commission on Accreditation for Law Enforcement Agencies, Inc., which can be ordered by calling 1-800-368-3757.

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## Missing Child Unit Self-Evaluation

Conducting a simple awareness survey of an organization's policies and procedures can be an enlightening experience. This type of diagnostic exam is designed to help assess an agency's current level of proficiency while, at the same time, develop ideas to enhance program performance. Be sure to respond to the questions regarding key functions as they exist at present, not as the reader would like them to be.

Answer the following questions as accurately as possible. If unsure about an answer, enter a question mark.

- ☐ An officer is dispatched on all missing child reports.
- ☐ Is your agency aware of the National Child Search Assistance Act (42 USC §§ 5779 and 5780) that mandates coordination with NCMEC and immediate entry of all missing child cases into NCIC?
- ☐ All missing child reports are sent to one central location.
- ☐ Each report is entered in a central log for easy case management.
- ☐ Each report is checked for proper teletype entry and/or removal.
- ☐ Each report is checked for valid/accurate information.
- ☐ The person reporting the case is contacted promptly for initial case follow-up.
- ☐ The person reporting the case is contacted regularly to update him or her on the case.
- ☐ Photographs are obtained in all cases.
- ☐ A photo bulletin can be prepared and distributed within 3 days.
- ☐ Is it clear as to who investigates missing child cases?
- ☐ Are you familiar with your state's missing children's clearinghouse?
- ☐ Does your state have a law requiring you to work with this clearinghouse on missing child cases?



- [ ] Are your local records checked to determine if the missing child/suspected abductor have pending criminal charges or are they being investigated by a separate section within your agency?
- [ ] Are the dental records of all children missing for more than 30/60 days entered into NCIC?
- [ ] Do you have a specifically assigned missing child officer?
- [ ] If you utilize a missing child volunteer/clerk/cadet, does he or she have specific guidelines as to what cases should be referred to an investigator such as those involving foul play or family abduction?
- [ ] When a missing child returns/is recovered, are all cases cleared by use of a supplemental report?
- [ ] Is the recovery/return of each missing child confirmed by sight?
- [ ] Does your agency have a waiting period before taking a runaway report?
- [ ] Can you readily identify your jurisdiction's habitual runaways?
- [ ] Is there a runaway shelter in your community?
- [ ] If so, what procedures are in place to work with this runaway shelter?
- [ ] Once located, are runaways sensitively interviewed to determine their reasons for leaving home, gather valuable intelligence information, and refer them for follow-up treatment and assistance?
- [ ] Is each recovered/returned missing child immediately removed from NCIC?
- [ ] Are all unidentified body teletypes from other agencies compared to your active cases for possible matches?
- [ ] Do you reply to inquiring agencies in regard to the teletypes that they have sent, even if there is no match?
- [ ] Are you aware of alternative resources within your community that can aid in locating missing children?

- [ ] Is there a nonprofit missing children's organization (NPO) in your community or region of the country?
- [ ] If so, are you utilizing its services?
- [ ] Is there a policy regarding the publishing of missing child bulletins by the local media on a regular basis?
- [ ] Is there an agreement with local printing firms to professionally print missing child fliers for distribution?
- [ ] Is there an officer in your agency who is knowledgeable about the laws pertaining to family abduction, Unlawful Flight to Avoid Prosecution (UFAP) warrants, the Uniform Child Custody Jurisdiction Act, the Parental Kidnapping Prevention Act, and the Federal Parent Locator Service (FPLS)?
- [ ] Does your agency have an active public relations response to missing children cases?
- [ ] Is there a highly visible Missing Child Bulletin Board displaying fliers of missing children and information to the general public for instance in the lobby of the courthouse or law enforcement agency?
- [ ] Can you provide accurate statistics on the number of missing children reported to your agency annually and break down the total by ages and categories?
- [ ] Has your agency established linkages with social service providers to assist in the reunification of missing children with their families?
- [ ] Do you utilize the resources of your intelligence and/or crime analysis unit(s), if operational in your agency, to generate leads and locate victims and potential offenders?

## Use of Volunteers in Missing Child Units

Each year law enforcement agencies strive to "do more with less." Many municipal, county, and state agencies are being forced to reduce personnel in order to operate within restricted budgets. In those jurisdictions, agency administrators often seek long-term, alternative solutions to those budget constraints. One such solution is the use of citizen volunteers to bolster resources.

Law enforcement agencies have often used auxiliaries, special deputies, police reserves, college interns, workstudy students, and police explorers to support their investigative efforts. The use of other volunteers, perhaps members of an NPO (see "Nonprofit Missing Children's Organizations" on page 156), has only recently evolved. Law enforcement administrators are realizing the valuable assistance that qualified volunteers can offer to their agencies when faced with decreasing budgets, spending limits, and revenue reductions. With personnel costs consuming an estimated 75 to 85 percent of agency budgets, utilizing the services of dedicated, capable, and trained volunteers makes sound fiscal sense. Although the use of these individuals may be limited in certain areas of law enforcement, a significant number of agency functions are well within the realm of volunteerism.

One such law enforcement function, where volunteers have been utilized successfully, is as an investigative aide within a missing child unit. With a qualified volunteer assigned to such administrative responsibilities as file management, routine call-back, record-keeping, statistical summaries, and clerical case close-out, an agency's limited number of missing children unit personnel are freed to perform the investigative tasks that speed case resolution.

*...agency administrators  
often seek long-  
term, alternative solutions  
to ... budget constraints.  
One such solution is the use  
of citizen volunteers to  
bolster resources.*

Another function that volunteers can help implement and administer would be the agency's community-awareness programs. Volunteers are invaluable when agencies are hosting community child fingerprinting/identification events and coordinating school and community group presentations on child safety. For information on available programs to implement and literature to distribute, call NCMEC at 1-800-THE-LOST (1-800-843-5678).

For those law enforcement agencies that wish to further evaluate and, perhaps, implement a volunteer program in their missing child unit or other sections of the agency, additional information on such volunteers can be obtained from the Criminal Justice Services Program Department, American Association of Retired Persons, 601 E Street, NW, Washington, DC 20049.

## **Volunteer Assigned to Missing Child Unit: Sample Job Description Statement**

- Purpose:* To utilize the services of a qualified volunteer to catalog, follow-up, and maintain the agency's efforts to locate missing children, thereby relieving a sworn officer for other investigative duties.
- Objective:* To prevent backlogs and delays in the investigation of reported missing children and to improve communication within the agency, with other concerned and appropriate organizations and agencies, and with affected families.
- Goal:* To provide an efficient, prompt, and reliable response to the handling, investigation, and recovery of missing children through the supervised efforts of a trained volunteer.
- Position Title:* "Volunteer Investigative Aide"
- Qualifications:* Good human relations skills.  
Ability to deal with distraught individuals.  
An inquisitive demeanor.  
Dependability.  
Respect for confidentiality.  
Willingness to provide referral services to families in need.  
Ability to follow supervisory direction.
- Schedule:* 10 hours per week, minimum of 2, 5 hour days. Hours may increase as caseload dictates.  
Time: 1 to 6 p.m. or 2 to 7 p.m.  
Days: Mondays and Thursdays (preferred)  
*Note:* This schedule facilitates close supervision by an investigator. It allows the volunteer to deal with schools before dismissal, parents during work hours, and parents at home after work. The necessity for split days is derived from the various time constraints and events often experienced in a missing child case.
- Job Scope:* The volunteer will review all missing child reports. He or she will log each report into the central missing child's log noting its status and other appropriate information. Checks will be made to ensure the completion of proper reports and correct entries into the NCIC system.

In cases when the missing child returns following a short disappearance, a check will be made to ensure completion of the proper supplemental reports along with removal from the NCIC system.

When a subject has not returned within a few days it is the volunteer's responsibility to notify the officer assigned to the case so that he or she can contact the person who made the report to gather appropriate information about the case. At that point preparations should be made to continue the investigation with Be-On-the-Look-Out (BOLO) bulletins and extended search parameters.

In extended cases, when the subject has not returned within 10 days, contact should be made with the person who reported the case to obtain additional photographs and dental/medical records for submission to state and local missing child programs.

An investigator will be immediately apprised when

- [ ] The missing youth is 13 years of age or younger.
- [ ] The missing youth is believed to be out of the zone of safety for his or her age and developmental stage.
- [ ] The missing youth is mentally incapacitated.
- [ ] The missing youth is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
- [ ] The missing youth has been absent from home for more than 24 hours before being reported to police.
- [ ] Based on available information it is determined that the missing youth is in a life-threatening situation.
- [ ] Based on available information it is believed that the missing child is in the company of adults who could endanger his or her welfare.
- [ ] The absence is inconsistent with his or her established patterns of behavior and the deviation cannot be readily explained.

[ ] Other circumstances are involved in the disappearance that would cause a reasonable person to conclude that the child should be considered "at-risk."

The volunteer may be involved in aiding the assigned investigator as an investigative assistant throughout any phase of a missing child case.

As a matter of safety, the volunteer will **not** be required to perform duties outside of the agency's facilities or to physically search for a missing child. He or she will, however, occasionally meet with reporters and witnesses at the missing child unit to obtain supplemental information concerning specific cases.

# Appendix A: NCIC Missing Person Report Form

1-694 (Rev. 9-9-93)

## MISSING PERSON REPORT FOR NCIC RECORD ENTRY

Message Key (See definitions on page 1) (MKE) <input type="checkbox"/> Disability (EMD) <input type="checkbox"/> Juvenile (EMJ) <input type="checkbox"/> Endangered (EME) <input type="checkbox"/> Victim (EMV) <input type="checkbox"/> Involuntary (EMI) <input type="checkbox"/> Caution		Reporting Agency (ORA)		Name of Missing Person (NAME)		Date																																																																																							
Sex (SEX) <input type="checkbox"/> Male (M) <input type="checkbox"/> Female (F)		Race <input type="checkbox"/> Asian or Pacific Islander (A) <input type="checkbox"/> Black (B) <input type="checkbox"/> American Indian/Alaskan Native (I)		(RAC) <input type="checkbox"/> Unknown (U) <input type="checkbox"/> White (W)		Place of Birth (POB)																																																																																							
Date of Birth (DOB)		Date of Emancipation (DOE)		Date of Birth (DOB)		Date of Emancipation (DOE)																																																																																							
Height (HGT)		Weight (WGT)		Eye Color (EYE) <input type="checkbox"/> Black (BLK) <input type="checkbox"/> Hazel (HAZ) <input type="checkbox"/> Blue (BLU) <input type="checkbox"/> Maroon (MAR) <input type="checkbox"/> Brown (BRO) <input type="checkbox"/> Multicolored (MUL) <input type="checkbox"/> Gray (GRY) <input type="checkbox"/> Pink (PNK) <input type="checkbox"/> Green (GRN) <input type="checkbox"/> Unknown (XXX)		Hair Color (HAI) <input type="checkbox"/> Black (BLK) <input type="checkbox"/> Brown (BRO) <input type="checkbox"/> Blonde/Strawberry (BLN) <input type="checkbox"/> Gray/Partially Gray (GRY) <input type="checkbox"/> Red/Auburn (RED) <input type="checkbox"/> White (WHI) <input type="checkbox"/> Sandy (SDY) <input type="checkbox"/> Unknown (XXX)		FBI Number (FBI)																																																																																					
Skin Tone (SKN) <input type="checkbox"/> Albino (ALB) <input type="checkbox"/> Black (BLK) <input type="checkbox"/> Dark (DRK) <input type="checkbox"/> Dk Brown (DBR)		Fair (FAI) <input type="checkbox"/> Light (LGT) <input type="checkbox"/> Lt Brown (LBR) <input type="checkbox"/> Medium (MED) <input type="checkbox"/> Med Brown (MBR)		Olive (OLV) <input type="checkbox"/> Ruddy (RUD) <input type="checkbox"/> Sallow (SAL) <input type="checkbox"/> Yellow (YEL)		Scars, marks, tattoos, and other characteristics (SMT) (See check list)																																																																																							
Fingerprint Classification* (FPC)		Other Identifying Numbers (MNU)		Social Security Number (SOC)		Operator's License Number (OLN)																																																																																							
Operator's License State (OLS)		Operator's License Year of Expiration (OLY)		Missing Person (MNP) <input type="checkbox"/> Missing Person (NPI) <input type="checkbox"/> Catastrophe Victim (DV)		Date of Last Contact (DLC)																																																																																							
Originating Agency Case Number (OCA)		Miscellaneous (MIS) Include build, handedness, any liness or diseases, clothing description, hair description, etc.		Miscellaneous Information		Below is a list of clothing and personal effects. Please indicate those items the missing person was last seen wearing. Include style, type, size, color, condition, labels, or laundry markings. (MIS)																																																																																							
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Item</th> <th>Style/Type</th> <th>Size</th> <th>Color</th> <th>Markings</th> </tr> </thead> <tbody> <tr><td>Head Gear</td><td></td><td></td><td></td><td></td></tr> <tr><td>Scarf/Tie/Gloves</td><td></td><td></td><td></td><td></td></tr> <tr><td>Coat/Jacket/Vest</td><td></td><td></td><td></td><td></td></tr> <tr><td>Sweater</td><td></td><td></td><td></td><td></td></tr> <tr><td>Shirt/Blouse</td><td></td><td></td><td></td><td></td></tr> <tr><td>Pants/Skirt</td><td></td><td></td><td></td><td></td></tr> <tr><td>Belt/Suspenders</td><td></td><td></td><td></td><td></td></tr> <tr><td>Socks</td><td></td><td></td><td></td><td></td></tr> </tbody> </table>		Item	Style/Type	Size	Color	Markings	Head Gear					Scarf/Tie/Gloves					Coat/Jacket/Vest					Sweater					Shirt/Blouse					Pants/Skirt					Belt/Suspenders					Socks					<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Item</th> <th>Style/Type</th> <th>Size</th> <th>Color</th> <th>Markings</th> </tr> </thead> <tbody> <tr><td>Shoes/Boots/Sneakers</td><td></td><td></td><td></td><td></td></tr> <tr><td>Underwear</td><td></td><td></td><td></td><td></td></tr> <tr><td>Bra/Girdle/Slip</td><td></td><td></td><td></td><td></td></tr> <tr><td>Stockings/Pantyhose</td><td></td><td></td><td></td><td></td></tr> <tr><td>Wallet/Purse</td><td></td><td></td><td></td><td></td></tr> <tr><td>Money</td><td></td><td></td><td></td><td></td></tr> <tr><td>Glasses</td><td></td><td></td><td></td><td></td></tr> <tr><td>Other</td><td></td><td></td><td></td><td></td></tr> </tbody> </table>		Item	Style/Type	Size	Color	Markings	Shoes/Boots/Sneakers					Underwear					Bra/Girdle/Slip					Stockings/Pantyhose					Wallet/Purse					Money					Glasses					Other				
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LICENSE PLATE AND VEHICLE INFORMATION																																																																																													
License Plate Number (LIC)		State (LIS)		Year Expires (LYT)		License Plate Type (LIT)																																																																																							
Vehicle Identification Number (VIN)		Year (VYR)		Make (VMA)		Model (VMO)																																																																																							
Style (VST)		Color (VCO)		Does the missing person have corrected vision? (SMT) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Glasses <input type="checkbox"/> Con Lenses		Has missing person ever donated blood? <input type="checkbox"/> No <input type="checkbox"/> Yes Where?																																																																																							
Has the missing person ever been fingerprinted? <input type="checkbox"/> No <input type="checkbox"/> Yes If so by whom?		Blood Type (BLT) <input type="checkbox"/> A Positive (APOS) <input type="checkbox"/> B Positive (BPOS) <input type="checkbox"/> AB Positive (ABPOS) <input type="checkbox"/> O Positive (OPOS) <input type="checkbox"/> A Negative (ANEG) <input type="checkbox"/> B Negative (BNEG) <input type="checkbox"/> AB Negative (ABNEG) <input type="checkbox"/> O Negative (ONEG) <input type="checkbox"/> A Unknown (AUNK) <input type="checkbox"/> B Unknown (BUNK) <input type="checkbox"/> AB Unknown (ABUNK) <input type="checkbox"/> O Unknown (OUNK)		Circumcision (CRC) <input type="checkbox"/> Was (C) <input type="checkbox"/> Unknown (U) <input type="checkbox"/> Was not (N)		Footprints Available (FPA) <input type="checkbox"/> Yes (Y) <input type="checkbox"/> No (N)		Body X-Rays (BXR) <input type="checkbox"/> Full (F) <input type="checkbox"/> None (N) <input type="checkbox"/> Partial (P)																																																																																					
Corrective Vision Prescription (VRX)		Jewelry Type (See check list) (JWT)		Jewelry Description (JWD)		Aliases																																																																																							
Reporting Agency Telephone Number		Reporting Officer		Complainant's Name		Complainant's Address																																																																																							
Complainant's Telephone Number		Relationship of Complainant to Missing Person		Missing Person's Address		Missing Person's Occupation (MIS)																																																																																							
NCIC Number (NIC)		Places missing person frequented		Close friends/relatives		Possible destination (MIS)																																																																																							
Investigating Officer and Telephone Number (MIS)		Complainant's Signature		Date		Submit fingerprints to the FBI Identification Division, 10th and Pennsylvania Ave., Washington, D.C. 20537																																																																																							

# Appendix B: NCIC Unidentified Person Report Form

1-695 (Rev. 9-9-93)

## UNIDENTIFIED PERSON REPORT FOR NCIC RECORD ENTRY

<b>Message Key</b> (see definitions on page 1) (MKE) <input type="checkbox"/> Unidentified Deceased (EUD) <input type="checkbox"/> Unidentified Living (EUL) <input type="checkbox"/> Unidentified Catastrophe Victim (EUV)		<b>Reporting Agency</b> (OR) _____		<b>Date</b> (BPS) _____	
<b>Body Parts Status</b> (if incomplete body or skeleton, see body diagram for coding corresponding parts) (BPS) 1 2 3 4 5 6 7 8 9 10 11 12 13 14 _____		<b>Sex</b> (SEX) <input type="checkbox"/> Male (M) <input type="checkbox"/> Female (F) <input type="checkbox"/> Unknown (U)		<b>Race</b> (RAC) <input type="checkbox"/> Asian/Pacific Islander (A) <input type="checkbox"/> Black (B) <input type="checkbox"/> American Indian/Alaskan Native (I) <input type="checkbox"/> White (W) <input type="checkbox"/> Unknown (U)	
<b>Estimated Date of Death</b> (EDD) _____		<b>Date Body Found</b> (DRF) _____		<b>Estimated Year of Birth Range</b> (EYB) ____-____	
<b>Estimated Date of Death</b> (EDD) _____		<b>Approximate Height Range</b> (HGT) ____-____		<b>Approximate Weight Range</b> (WGT) ____-____	
<b>Eye Color</b> <input type="checkbox"/> Black (BLK) <input type="checkbox"/> Gray (GRY) <input type="checkbox"/> Blue (BLU)		<input type="checkbox"/> Brown (BRO) <input type="checkbox"/> Hazel (HAZ) <input type="checkbox"/> Maroon (MAR) <input type="checkbox"/> Pink (PNK) <input type="checkbox"/> Unknown (XXX)		<b>Hair Color</b> <input type="checkbox"/> Brown (BRO) <input type="checkbox"/> Black (BLK) <input type="checkbox"/> Gray/Partially Gray (GRY) <input type="checkbox"/> Red/Auburn (RED)	
<b>Scars, Marks, Tattoos, and Other Characteristics</b> (SMT) (See attached Personal Descriptors check list)		<b>Fingerprint Classification*</b> (FPC) 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 _____		<input type="checkbox"/> Sandy (SDY) <input type="checkbox"/> White (WHI) <input type="checkbox"/> Unknown (XXX)	
<b>Reporting Agency's Case Number</b> (OCA) _____		<b>Miscellaneous</b> (MIS) Information such as build, clothing description, handedness, weather conditions at the time of death, place where the body was found, etc. should be included. If additional space is needed, attach additional sheet.			
Below is a list of clothing and personal effects. Please indicate those items that have been found with the person or body. Include style, type, size, color, condition, etc.					
Item	Style/Type	Size	Color	Markings	Item
Head Gear					Shoes/Boots/Sneakers
Scarf/Tie/Gloves					Underwear
Coat/Jacket/Vest					Bra/Girdle/Slip
Sweater					Stockings/Pantyhose
Shirt/Blouse					Wallet/Purse
Pants/Skirt					Money
Belt/Suspenders					Glasses
Socks					Other
Other					Other
<b>Blood Type</b> <input type="checkbox"/> A Positive (APOS) <input type="checkbox"/> B Positive (BPOS) <input type="checkbox"/> AB Positive (ABPOS) <input type="checkbox"/> O Positive (OPOS) <input type="checkbox"/> A Negative (ANEQ) <input type="checkbox"/> B Negative (BNEG) <input type="checkbox"/> AB Negative (ABNEG) <input type="checkbox"/> O Negative (ONEQ) <input type="checkbox"/> A Unknown (AUNK) <input type="checkbox"/> B Unknown (BUNK) <input type="checkbox"/> AB Unknown (ABUNK) <input type="checkbox"/> O Unknown (OUNK)		<b>Circumcision</b> (CRC) <input type="checkbox"/> Was (C) <input type="checkbox"/> Unknown (U) <input type="checkbox"/> Was not (N)		<b>Footprints Available</b> (FPA) <input type="checkbox"/> Yes (Y) <input type="checkbox"/> No (N)	
<b>Body X-Rays Available</b> (BXR) <input type="checkbox"/> Full (F) <input type="checkbox"/> Partial (P) <input type="checkbox"/> None (N)		<b>Corrective Vision Prescription</b> (VRX) _____			
<b>Manner of Death</b> (CDA) <input type="checkbox"/> Natural Causes (N) <input type="checkbox"/> Accidental (A) <input type="checkbox"/> Homicide (H) <input type="checkbox"/> Suicide (S) <input type="checkbox"/> Unknown (U)		<b>Cause of Death</b> (CDA) _____			
<b>Jewelry Type</b> (See check list) (JWT)		<b>Jewelry Description</b> (JWL)			
<b>Medical Examiner/Coroner Agency Name and Case Number</b> (MAN)		<b>Medical Examiner/Coroner Locality</b> (MAL)		<b>Medical Examiner/Coroner Telephone Number</b> (MAT)	
<b>NCIC Number</b> (NIC)		<b>Investigating Officer and Telephone Number</b> (MIS)			

\* If fingerprints are available, submit a copy to the FBI, Identification Division, 10th and Pennsylvania Ave., Washington, D.C. 20537.  
 \*\* All dental information should be recorded on the dental report and entered in NCIC as a supplemental record.



## Appendix C: Sample Missing Child Flier/Poster

### Have You Seen This Child?

**Wanted:  
Arrest Warrant  
Issued**

**Missing Child**

OPTIONAL  
PHOTO  
OF ABDUCTOR  
(if warrant issued  
for arrest)

CHILD'S PHOTO

CHILD'S PHOTO  
DIFFERENT ANGLE

(Date of Photo)

(Date of Photo)

(Date of Photo)

NAME OF ABDUCTOR

NAME OF CHILD

Date of Birth:

Date of Birth:

Age:

Race:

Ht.: Wt.:

Grade in School:

Hair: Eyes:

Ht.: Wt.: Hair: Eyes:

Complexion:

Complexion:

Scars, etc.:

Scars, etc.:

Occupation:

Hobbies, sports, etc.:

Race:

Details of Abduction—Date, Place:

Indicate violation of court order, warrant on file. Indicate if abuse has occurred.

### IF YOU HAVE ANY INFORMATION, PLEASE CONTACT:

Officer's Name, Police Department:

Telephone Number:

Case Number:

Warrant Number (if secured):

National Center for  
Missing and Exploited Children

1-800-THE-LOST  
(1-800-843-5678)

**NOTE:** A missing child **MUST** be registered with the National Center for Missing and Exploited Children before adding NCMEC's name and telephone number to this flier.

# Appendix D: Victim/Family Data Collection Questionnaire

## SAMPLE

Case Number:

Date Form Completed:

### MISSING CHILD

Last:

First

M:

Address:

SSN:

Nicknames/Aliases:

Nationality:

Date of Birth:

Sex:

Age: (current)

(when missing)

Appearance (check one): Age

Older than Age

Younger than Age

Birth State: City:

Birth Hospital/Address:

School Name:

Address:

Grade:

Hair:

Color:

Hair Samples Collected From:

Eyes: Color:

Style:

Mother:

Father:

Vision Rating:

Length:

Victim:

Pets:

Glasses:

Facial:

Siblings:

Others:

Contacts:

Teeth:

Appearance:

Braces (Y/N):

Dentist:

Phone:

Address:

Skeletal:

Stature:

Stance:

Fractures:

Abnormalities:

X-Rays Available:

From:

Size:

Height:

Weight:

Size for Age: Small

Average

Large

Identifying Features:

Complexion:

Scars:

Birth Marks:

Tatoos:

Right/Left Handed:

Pierced Ears:

Hearing Impaired:

Speech Impaired:

Accent:

Other Features:

General Description of Subject:

Clothing: (Describe clothing available or usually worn)

Item Type

Style

Size

Color

Description/Comments

Coat/Jacket

Pants/Skirt

Shirt/Blouse

Sweater

Shoes

Socks

Hat

Belt

Other

Unusual Clothing With Subject:

Purse/Wallet: Jewelry:

**Additional Information:** Religion: Nontraditional Religious Activity:  
Gang Member: Gang Name:  
Hobbies: Occupation:  
Place of Employment: Trade License:  
Supervisor Name: Phone:

**Identification:** Driver's License No: State: Immigration No:  
Military ID No: Passport/Visa No:

**Available Funds:** Cash: Checks:  
Credit Card Issuer: Card Holder Name: Account Number:  
Name of Bank/Account Holder: Account Number: Balance:

**Medical:** Medication: Prescribed for: Prescription Expires:  
Disability: Blood Type: Pregnant:  
Uses Illegal Drugs: Type: Uses Alcohol: Extent:  
Doctor: Address: Phone:

**Mental Condition:** Depressed: Despondent: Changes in Behavior:  
Peer Relationships: Family Problems:  
Other:

**Prior Episodes:** Missing Before (Y/N) Where Recovered:

**Identification Methods:** Footprints Available: Date Taken:  
Fingerprints Available: Date Taken:  
Fingerprint Class (NCIC):  
Photograph Available: Date Taken:

**Vehicle:** Owner: Relationship: Address:  
Make: Model: Year: Type/Style: Color:  
Condition: Tag Number: State: VIN #:

**Other Information:** History of Custody Orders:  
History of Court Involvement (arrests, etc.)  
Knowledge of Survival Skills:  
Possible Destination:  
Why:

**Last Seen By:** Name: DOB: Age: Address:  
Phone #: Relationship/Circumstances:  
Date Last Seen: Location Last Seen:  
In the Company of:

**Acquaintances/Boyfriends/Girlfriends:**

Name:                      DOB:                      Age:                      Relationship:  
Phone No:                      Address:  
Comments:

Name:                      DOB:                      Age:                      Relationship:  
Phone No:                      Address:  
Comments:

Name:                      DOB:                      Age:                      Relationship:  
Phone No:                      Address:  
Comments:

Name:                      DOB:                      Age:                      Relationship:  
Phone No:                      Address:  
Comments:

Name:                      DOB:                      Age:                      Relationship:  
Phone No:                      Address:  
Comments:

Name:                      DOB:                      Age:                      Relationship:  
Phone No:                      Address:  
Comments:

**The Family Tree**

Guardians:                      Current Address:                      Phone:  
Prior Address:                      Phone:

Mother:                      Name:                      DOB:                      Age:  
Address:                      Phone:  
SSN:                      D.L. #:                      Passport #:  
Occupation/Employer:  
Biological/Step/Adoptive:  
Other Information:

Father:                      Name:                      DOB:                      Age:  
Address:                      Phone:  
SSN:                      D.L. #:                      Passport #:  
Occupation/Employer:  
Biological/Step/Adoptive:  
Other Information:

Sister:                      Name:                      DOB:                      Age:  
Address:                      Phone:  
SSN:                      D.L. #:                      Passport #:  
Occupation/Employer:  
Other Information:

Brother:	Name:	DOB:	Age:
	Address:	Phone:	
	SSN:	D.L. #:	Passport #:
	Occupation/Employer:		
	Other Information:		

**Mother's Side of Family**

Grandmother:	Name:	DOB:	Age:
	Address:	Phone:	
	SSN:	D.L. #:	Passport #:
	Occupation/Employer:		
	Other Information:		

Grandfather:	Name:	DOB:	Age:
	Address:	Phone:	
	SSN:	D.L. #:	Passport #:
	Occupation/Employer:		
	Other Information:		

Aunts:	Name:	DOB:	Age:
	Address:	Phone:	
	SSN:	D.L. #:	Passport #:
	Occupation/Employer:		
	Other Information:		

Name:	DOB:	Age:
Address:	Phone:	
SSN:	D.L. #:	Passport #:
Occupation/Employer:		
Other Information:		

Uncles:	Name:	DOB:	Age:
	Address:	Phone:	
	SSN:	D.L. #:	Passport #:
	Occupation/Employer:		
	Other Information:		

Name:	DOB:	Age:
Address:	Phone:	
SSN:	D.L. #:	Passport #:
Occupation/Employer:		
Other Information:		

Grandmother:	Name:	DOB:	Age:
	Address:	Phone:	
	SSN:	D.L. #:	Passport #:
	Occupation/Employer:		
	Other Information:		

Grandfather:	Name:	DOB:	Age:
	Address:	Phone:	
	SSN:	D.L. #:	Passport #:
	Occupation/Employer:		
	Other Information:		

Aunts:	Name:	DOB:	Age:
	Address:	Phone:	
	SSN:	D.L. #:	Passport #:
	Occupation/Employer:		
	Other Information:		

Name:	DOB:	Age:
Address:	Phone:	
SSN:	D.L. #:	Passport #:
Occupation/Employer:		
Other Information:		

Uncles:                      Name:                                      DOB:                                      Age:

                                    Address:                                      Phone:

                                    SSN:                                      D.L. #:                                      Passport #:

                                    Occupation/Employer:

                                    Other Information:

Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Age: \_\_\_\_\_  
 Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
 SSN: \_\_\_\_\_ D.L. #: \_\_\_\_\_ Passport #: \_\_\_\_\_  
 Occupation/Employer: \_\_\_\_\_  
 Other Information: \_\_\_\_\_

## **Appendix E: State Clearinghouse Contact List**

Following is the list of state missing children's clearinghouses and their respective telephone numbers as of this print date. **Please call the National Center for Missing and Exploited Children (NCMEC) at 1-800-THE-LOST (1-800-843-5678) to request any updated information on missing children's clearinghouses.**

**Alabama Department of Public Safety**  
Missing Children Bureau  
205-260-1100  
1-800-228-7688

**Alaska State Troopers**  
Missing Persons Clearinghouse  
907-269-5497  
1-800-478-9333

**Arizona Department of Public Safety**  
Criminal Investigation Research Unit  
602-223-2158

**Arkansas Office of the Attorney General**  
Missing Children Services Program  
501-682-1323

**California Department of Justice**  
Missing/Unidentified Persons  
916-227-3290  
1-800-222-3463

**Colorado Bureau of Investigation**  
Missing Children Project  
303-239-4251  
303-239-4222

**Connecticut State Police**  
Research and Planning/Missing Persons  
203-238-6575

**Delaware State Police**  
State Bureau of Identification  
302-739-5883

**District of Columbia Metro Police Department**  
Missing Persons/Youth Division  
202-576-6771

**Florida Department of Law Enforcement**  
Missing Children Information Clearinghouse  
904-488-5224  
1-800-342-0821

**Georgia Bureau of Investigation**  
Intelligence Unit  
404-244-2554  
1-800-282-6564

**Hawaii Department of the Attorney General**  
808-586-1416

**Illinois State Police**  
I-SEARCH  
217-782-6053  
1-800-843-5763

**Indiana State Police**  
Indiana Missing Children Clearinghouse  
317-232-8310  
1-800-831-8953

**Iowa Department of Public Safety**  
Division of Criminal Investigation  
515-281-5138  
1-800-346-5507

**Kansas Bureau of Investigation**  
Special Services Division  
913-296-8200  
1-800-572-7463

**Kentucky State Police**  
502-227-8799  
1-800-222-5555

**Louisiana Department of Social Services**  
Louisiana Clearinghouse for Missing and  
Exploited Children  
504-342-4011

**Maine State Police**  
Criminal Investigation Division  
207-624-7097  
1-800-452-4664

**Maryland Center for Missing Children**  
Maryland State Police  
410-290-0780  
1-800-637-5437

**Massachusetts State Police**  
Missing Persons Unit  
617-727-8972  
1-800-622-5999

**Michigan State Police**  
Prevention Services Unit  
517-336-6603  
(This office is not a clearinghouse, but an  
unofficial contact for police assistance or leads.)

**Minnesota State Clearinghouse**  
Bureau of Criminal Apprehension  
612-642-0610

**Mississippi Highway Patrol**  
601-987-1592

**Missouri State Highway Patrol**  
Missing Persons Unit  
314-751-3313  
1-800-877-3452

**Montana Department of Justice**  
Missing/Unidentified Persons  
406-444-3625

**Nebraska State Patrol**  
Criminal Records and Identification Division  
402-479-4019  
402-479-4938

**Nevada Office of the Attorney General**  
Nevada Missing Children Clearinghouse  
702-486-3539

**New Hampshire State Police**  
603-271-2663  
1-800-852-3411

**New Jersey State Police**  
Missing Persons/Child Exploitation  
609-882-2000  
1-800-709-7090

**New Mexico Department of Public Safety**  
Communications  
505-827-9187  
(This office is not a clearinghouse, but an  
unofficial contact for police assistance or leads.)

**New York Division of Criminal Justice Service**  
Missing and Exploited Children  
518-457-6326  
1-800-346-3543

**North Carolina Center for Missing Persons**  
Crime Control and Public Safety  
919-733-3914  
1-800-522-5437

**North Dakota Clearinghouse, Missing Children**  
North Dakota Radio Communication  
701-224-2121  
1-800-472-2121

**Ohio Missing Children Clearinghouse**  
Office of the Attorney General  
614-644-0122  
1-800-325-5604

**Oklahoma State Bureau of Investigation**  
Criminal Information Unit  
405-848-6724

**Oregon State Police**  
Missing Children Clearinghouse  
503-378-3720 ext. 4412  
1-800-282-7155

**Pennsylvania State Police**  
Bureau of Criminal Investigation  
717-783-5524

**Rhode Island State Police**  
Missing and Exploited Children Unit  
401-444-1125  
1-800-286-8626

**South Carolina Law Enforcement Division**  
Missing Person Information Center  
803-737-9000  
1-800-322-4453 (SC only)

**South Dakota Attorney General's Office**  
Division of Criminal Investigation  
605-773-3331

**Tennessee Bureau of Investigation**  
Criminal Intelligence Unit  
615-741-0430



**Texas Department of Public Safety**  
Criminal Intelligence Service  
512-465-2814  
1-800-346-3243

**Vermont State Police**  
802-773-9101

**Virginia State Police Department**  
Missing Children's Clearinghouse  
804-674-2026  
1-800-822-4453

**Washington State Patrol**  
Missing Children Clearinghouse  
206-753-3960  
1-800-543-5678

**Wisconsin Department of Justice**  
Crime Information Bureau  
608-266-7314

**Wyoming Office of the Attorney General**  
Division of Criminal Investigation  
307-777-7537

#### **National Clearinghouses**

##### **Canada**

Royal Canadian Mounted Police  
Missing Children's Registry  
613-993-1525

##### **United States**

National Center for Missing and Exploited Children  
703-235-3900  
1-800-THE-LOST (1-800-843-5678)

## Appendix F: Testifying in Court

As noted earlier, the overall purpose of this manual is to provide those individuals who are charged with the responsibility of the investigation of a missing child case with the necessary tools and skills to bring that investigation to a successful conclusion. To be able to do this, the investigator must investigate the case; prepare the case for presentation; and, in some cases, testify in court. He or she must be able to accurately gather and process information, organize all case information in an understandable fashion, and present the facts of the case in a concise and professional manner.

While it is true today that few missing and abducted child cases go to trial, we, fortunately, are beginning to see a trend toward prosecution. As more and more prosecutors develop skills in bringing these cases to trial, securing the resources to do so, and utilizing new laws that provide for stiffer penalties in these situations, more of these cases are going to trial rather than being plea bargained to a lesser charge. When cases do go to trial, they can be demanding and the ability of the investigator to relate the information about the case in an organized, professional, and believable manner has a great deal of influence on this judicial process.

The purpose of this appendix is to provide the investigator, who may never have had the opportunity to learn this information, with the basic "do's" and "don'ts" to testifying in any type of case. For the investigator who does have experience in testifying, it provides a handy review of those basics.

To achieve success as an effective investigator in missing and exploited child cases—as in any other type of case—an officer must not only be able to prepare a case by organizing information, conducting interviews, and formulating provable conclusions but must also be prepared to credibly present and support these efforts in a courtroom setting. A disheartening experience for any investigator is to successfully work a case, gather information, prepare witnesses, and then see the case lost or dismissed because of failure to follow through with this final, important stage.

The purpose of this appendix is to present practical advice on testifying in court that may benefit an investigator when called upon to present the results of a case to judge and jury. Even though some of the responsibility for effective testifying is shared with the prosecutor, officers should still strive to develop competent habits that will prove helpful in every courtroom appearance. In an effort to provide the investigator with useful information, this appendix presents several components that should be considered when preparing to testify in court including

- Basic guidelines for effective testifying.
- Understanding common defense tactics.
- Surviving cross-examination.

### Basic Guidelines

**Proper Dress** When a case goes to trial the investigator must remember that the interview/interrogation process at which he or she is so skilled is reversed. The investigator is no longer the seeker of facts, but now a provider of answers. While testifying in court is a part of the investigator's role, it is a part over which he or she has little control. Investigators are expected to come into court just as any other witness, take the stand, and provide information about the case.

Judges and juries determine the credibility and believability of a witness in much the same manner that an investigator determines the truthfulness of a suspect. The establishment of the credibility of a witness who is testifying begins the very moment he or she enters the courtroom and comes into the view of judge and jury. Prior to any verbal communication between the witness and the court, the jury begins the credibility process by evaluating the overall appearance of the witness. Most individuals assume that if a police officer is normally assigned to routine patrol, whatever the

uniform-of-the-day calls for is sufficient. While this may be true in some cases, the amount of equipment, identification, or decoration the officer displays on that uniform may be distracting to the jury and cause them to overlook vital parts of the testimony. Such distraction might occur, for example, when an officer enters the courtroom and on the uniform belt, in addition to the normally expected service weapon and other essential equipment, is a nightstick, a Mag flashlight, a walkie-talkie, speed loaders, etc. In addition the jury expects an individual wearing a law enforcement uniform to appear professional. An officer who enters the courtroom in a uniform that is wrinkled or soiled, shoes that are unshined, or who is poorly groomed can also create a negative impression on the jury.

Officers appearing in court in plainclothes should follow the basic guideline of wearing clothes that are both professional and comfortable. Jurors expect law enforcement personnel to appear confident and capable when presenting testimony in court. An investigator who appears uncomfortable or who wears clothes that are obviously ill-fitting or inappropriate may project an image that can actually affect a jury's impression concerning the officer's credibility.

**Prepare Ahead of Time** An officer should avoid waiting until the last minute to review the investigative case folder or ensure availability of courtroom evidence. Cases have been lost and the law enforcement agency's credibility questioned as a result of failure to locate evidence that may be critical to the case. Even if the evidence is located later, the negative image has been firmly established with the jury.

The investigator should also consider making contact with witnesses a few days before the case comes to trial. A well-placed word of confidence from the investigator will often alleviate many fears and concerns that a witness may have about testifying. The degree of contact the investigator has with witnesses will be dictated by many factors, such as the amount of time that has elapsed from the time of the incident to the time of the trial and the complexity of the case.

The investigator should also insist on pre-trial conferences with the prosecutor presenting the case. Most jurisdictions and agencies have protocols established for investigator-prosecutor conferences prior to the case but, in some cases, the conference may have occurred months before the actual trial. The investigator, therefore, should contact the prosecutor several days or weeks prior to the scheduled trial date to determine if any points need to be reviewed. Another valid reason for a pre-trial conference involves the prosecution's use of expert witnesses. It is in the best interest of the investigator to be aware of who these expert witnesses are and what they will be testifying about.

**Know the Facts Thoroughly** It is imperative for the investigator to be completely familiar with all aspects of the case, especially as they pertain to potential courtroom testimony. Failure to adequately review the case file prior to offering testimony will result in the officer either presenting inaccurate testimony or leaving out important investigative facts. A thorough review of the case prior to trial may also assist officers in identifying weak points that need further investigation or review.

**Do Not Memorize Testimony** Memorizing may have worked well for a high school history exam but can prove disastrous in court. It is important to remember the significant difference between knowing the facts of a case thoroughly and committing them to memory. Memorization may work well if the investigator is allowed to relate the facts associated with the case in an unchallenged chronological order. A defense attorney who senses that the investigator has memorized the facts of the case in a particular order, however, may intentionally ask specific questions about the case out of the chronology the investigator has memorized.

As a result, questions about memorized information asked in an "out-of-order" sequence may cause the officer to hesitate and appear confused while searching for an answer. Any undue hesitation or show of uncertainty may cause members of the jury to question the credibility of the witness.

Committing facts to memory in chronological order is a trait that most individuals do unwittingly. To avoid this, and the potential for courtroom embarrassment, it may be helpful for the investigator to review the case once from back to front and even skip around to different components to ensure complete familiarization.

**Expect to Feel Anxious** Regardless of the number of times an officer appears in court there will always be some degree of nervousness associated with testifying. Anxiousness is a normal reaction that may actually prove beneficial since it helps an individual totally focus on the material in question. In that regard it is essential that the level of nervousness not be permitted to reach the point where it has an adverse impact on the officer's appearance or manner of response. Simple steps such as thorough preparation, attention to detail, proper dress, and even a good night's sleep before testifying will aid in limiting pre-trial apprehension.

**Project Voice/Speak Slowly** Because of nervousness, it is natural for an individual who has been placed at the center of attention to speak more softly and with a lower tone than he or she would under normal circumstances. The investigator should recall this while testifying and ensure that his or her voice is projected so that everyone in the courtroom can hear and understand.

While many courtrooms are equipped with public address systems, this, in itself, can create a problem. Most public address systems are designed to pick up the voice of the person testifying while seated normally in the witness chair. There is no need for the officer, or any other witness, to bend down after each question and blare his or her answer into the microphone. Constant movement or adjustment of the microphone should also be avoided.

Just as the projection of an individual's voice is controlled by nervousness, so is the speed at which he or she speaks. The more nervous a person becomes, the faster he or she tends to talk. If a testifying officer is unsure whether his or her voice is at the proper level or speed, it is helpful to watch jury members' reactions. If any member appears to be straining to hear what is being said, the officer should adjust the speed and volume accordingly.

**Be Sincere and Professional** An officer should also strive to project sincerity and professionalism into the information being presented to the court. If the jury senses an officer's personal disgust or dislike for the accused, that feeling may influence their perception concerning the officer as an impartial gatherer and presenter of facts. That perception may also be utilized by a defense attorney to challenge the officer's credibility as a witness.

**Use Appropriate Language** The use of profanity or slang is never acceptable as a part of general testimony. Its use is warranted only when relating a direct quote. In addition officers should avoid the use of unclarified police abbreviations such as NCIC, NLETS, BOLO, etc. In the same way that expert witnesses must frame their answers in language understandable to the court, so also must law enforcement witnesses.

In most cases jurors are being exposed for the first time to criminal justice oriented terminology and are often struggling to understand the importance of the testimony offered. An officer who takes the time to include simple explanations to technical or occupational terms will most likely enhance his or her credibility before the jury.

**Answer Only the Question That Is Asked** Providing too much information or offering evidence out of sequence with the prosecution plan, can affect the jury's perception of the entire case. When an investigator offers information beyond what was specifically asked, those comments can provide defense attorneys with new avenues from which to attack the credibility of the prosecution's case.

**Never Guess at Answers** As in an actual investigation, guessing has no place in court testimony. If an officer faced with such a situation simply states, "I don't know," or, "I'm not sure, may I refer

to my notes?" no question about credibility or truthfulness is likely to arise. Remember, however, that any notes used or referred to on the stand are discoverable.

**Allow the Prosecutor to Develop Testimony** Officers must keep in mind that the prosecutor is responsible for ensuring that case-related information is delivered to the jury in the most effective order and form. During the essential pre-trial conferences, the prosecutor and the officer/witness should determine the form and order of questioning and not deviate unless by mutual knowledge.

**Keep Proper Eye Contact** While everyone has heard the phrase "body language" before, few can list all of the various physical motions or movements that are associated with the term. Even so, most people, including jurors, have developed informal methods of judging what others are "really" saying by the way they speak or act. One of the most significant traits that people use as a gauge for truthfulness is "eye contact."

The failure or reluctance of an individual to establish eye contact when answering a question often creates the impression that the answer may be untruthful. For this reason it is essential for an officer/witness to maintain eye contact either with those individuals who are asking the question or those to whom the answer is directed (e.g., "Officer, please tell the jury..."). When at all possible, the investigator should make every effort to, in the process of answering a question, establish eye contact with each member of the jury.

## Common Defense Tactics

Listed below are 7 of the tactics most commonly utilized by defense attorneys when cross-examining prosecution witnesses. They are presented here to enhance the officer's ability to avoid some of the common traps that may be used to damage case credibility and develop juror doubt.

The extent to which a defense attorney will be able to utilize these tactics will depend on the judge and the prosecutor. If the judge hears no challenge from the prosecutor or feels that the witness is not being totally truthful, defense attorney latitude may be permitted. On the other hand, an attentive prosecutor should be able to identify what the defense attorney is attempting and, if a negative effect on the officer/witness is noticed, objections should be raised to alert the witness to what is taking place.

**Rapid Fire or Multiple Questions** This tactic is used to ask a number of questions all at once without providing the witness time to offer a competent individual reply. Its main purpose is to confuse the witness in hopes of eliciting an incorrect or inappropriate answer. This tactic may also include asking a question that requires a multiple response in the hope that the witness will answer only one part of the question while leaving other parts of the question unaddressed, thereby affecting credibility and thoroughness.

An officer encountering this situation should simply ask the defense attorney which one of the questions he or she would like answered first, or to repeat the question so that it may be answered in the sequence asked. Officers should realize that there is nothing inappropriate in asking for question repeats or clarifications. In most cases the jury will be confused and in need of clarification as well.

**Condescending Counsel** This tactic is commonly used by defense attorneys to irritate or anger the witness by, in essence, talking down to him or her. It is achieved by asking the officer a question in a very condescending or questioning manner that implies to the jury that the officer must be incompetent if he or she did not perform a particular task. Using this tactic the defense attorney can make even the most simple of tasks appear to be major flaws in the case:

The officer in this situation should continue to respond in a professional manner and not allow anger or emotion to control his or her responses. A professional reply clarifying the significance of the supposed omission should nullify any advantage gained by the defense.

**Friendly Counsel** Defense attorneys will most often attempt this tactic on young or inexperienced law enforcement personnel. The initial approach will be markedly nonthreatening including a soothing voice, ready smile, and even compliments. The officer, no longer sensing danger, relaxes and even feels that the defense attorney is actually a friend. Once an officer exhibits this sense of relief, however, the stage is set for a quick change of approach to one that is more aggressive and combative. When this happens the officer is usually taken by surprise and often responds with flustered, inappropriate answers. All officers, regardless of experience, are encouraged to stay alert and on guard while in the witness chair.

**Badgering Counsel** This technique is probably the most widely known and recognized of all defense tactics simply because it is widely portrayed on television and in the movies. In reality, situations where the defense attorney is permitted to yell, accuse, or use other offensive methods to challenge a witness is seldom permitted in a trial setting. If, however, a judge feels that the witness is untruthful or is not answering appropriately, some form of badgering may, within limits, be permitted.

The badgering of a witness does not have to continue long in order for it to damage the credibility or believability of a witness. It should be remembered that an officer who survives this badgering, however, will generally be perceived as most credible by the jury.

**Mispronouncing the Name of a Witness** As simplistic as this technique may sound it still remains a very effective defense tactic. All individuals have a certain amount of pride in their name and the way it is pronounced. In addition there is a certain degree of sensitivity to correcting people who mispronounce names. Defense attorneys play off this sensitivity in an effort to get an officer's mind off investigative facts and focus on assuring a correct pronunciation.

**Suggestive or Leading Counsel** This, too, is a simple, yet effective defense tactic in which the attorney not only asks the question but provides most of the answer thereby soliciting only a "yes" or "no" response from the witness. The most effective protection against the success of this tactic is an attentive prosecutor who objects to the line of questioning as leading and suggestive.

**Staring Counsel** This tactic is often utilized by defense attorneys to solicit more of a response from the officer than is necessary to answer the question. Most people are familiar with the reporter's technique of continuing to hold a microphone in front of a person even after the initial question has been answered. Reporters have learned that the nervousness of people being interviewed will prompt them to say more and even offer unexpected comments. On occasion this same nervousness can create a similar problem for the testifying law enforcement officer. Most commonly the attorney will ask a question, wait for the answer, and then continue to look or stare at the witness. As a result, the witness may believe that he or she has either answered the question inappropriately or has not supplied enough information and will then add unnecessary comments.

## **Surviving Cross-Examination**

The remainder of this appendix will focus on some basic recommendations an officer can use to not only survive cross-examination, but to retain control while presenting courtroom testimony.

**Keep Calm** As difficult as it may be on occasion, the officer must always remain calm. Remaining calm does not demand that the officer cannot be nervous or anxious about presenting facts in the imposing surroundings of a courtroom. More specifically it means that the officer must strive to project the image of a professional who has acquired the skill of competence under pressure. In

addition posture, bearing, appearance, response, eye contact, and composure all combine to establish the impression of a credible professional.

**Be Conscious of How Testimony Sounds to Others** In addition to remaining conscious of what is being said while on the witness stand, an officer must also be aware of how it sounds to others in the courtroom. This awareness is needed to gauge the impact of the information given. To ensure that the testimony provided is accurate and complete, officers should listen carefully to the exact wording of the question, briefly formulate a response in their mind, and clearly present a reply directly to the jury, if appropriate. By doing so an officer will avoid situations where a question is only partially answered or requires elaboration later.

**Answer All Questions Positively** An officer who provides positive, straightforward answers to questions from both the prosecutor and the defense attorney is, in essence, telling the jury, "This is the way it took place; this is the way it happened." This business-like, professional demeanor favorably affects the critical factors of credibility and believability.

**Answer Two-Part Questions in Two Parts** The officer should be aware that a single question soliciting two answers is best answered as such. In addition responding to the question by commenting, "That question cannot be answered with a yes or no," or "Which part of the question would you like answered first?" generally will bring this tactic to the attention of the judge or the prosecutor who should assist the officer in correctly answering the question.

**Never Answer Questions Immediately** Common sense dictates that it is inappropriate for an officer to immediately provide an answer without taking sufficient time to evaluate the question or formulate a reply. To avoid a premature response, some experienced investigators count from 1 to 5 before answering all questions, while others fully repeat the question in their mind before replying. While a brief amount of "consideration" time is acceptable, officers are cautioned to avoid too long of a period that could be construed as uncertainty.

**Watch for Trick Questions** The officer should also be aware that a defense attorney may ask what are, in effect, trick questions designed solely to make the witness appear unprepared or indecisive. As noted earlier, the best protection against being forced into answering trick or misleading questions is to carefully consider what is being asked and request clarification if necessary.

## Conclusion

Appearing in court to describe the conduct and results of an investigation are as much a part of an officer's duties as interviewing, evidence gathering, and report writing. It is, however, a part that often receives little consideration in the way of agency training and individual preparation. While actual experience is valuable in building effective testifying skills, law enforcement personnel can help ensure a successful appearance by understanding the psychology at work in a courtroom and preparing ahead for tactics often employed by defense attorneys. Careful attention to these details will greatly improve the conviction rate of the guilty and confirm the officer as a competent investigator.

For additional information on this topic consider reviewing the International Association of Chiefs of Police's "Officer in Court" in their *Training Key Series*, Key #248, Arlington, VA, 1989, and B. Mogil's "Maximizing Your Courtroom Testimony" in the *FBI Law Enforcement Bulletin*, May 1989, pp. 7-9.

## Appendix G: Training

The U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP) offers programs designed to help law enforcement agencies learn more about juvenile issues and increase the effectiveness of their juvenile programs. Based on the Police Operations Leading to Improved Children and Youth Services (POLICY) approach, the programs adopt a community-oriented strategy for addressing the issues of juvenile delinquency and missing/exploited children.

For details and registration information on the below listed OJJDP training programs contact: OJJDP Training, Criminal Justice Department, Fox Valley Technical College, 1825 North Bluemound Drive, PO Box 2277, Appleton, Wisconsin 54913-2277, 1-800-648-4966, FAX 414-735-4757.

*Child Abuse and Exploitation* This seminar is designed for full-time, law enforcement investigators responsible for cases involving child abuse, sexual exploitation of children, "kiddie" pornography, and missing children. The program seeks to help investigators recognize signs of child abuse and neglect by providing information and training in state-of-the-art techniques.

*Missing and Exploited Children—Advanced* This training program helps experienced investigators develop advanced techniques, principles, and concepts in missing and exploited children cases. Participants learn a cooperative interagency process and develop a concrete plan that should improve the quality of their investigations.

*POLICY I and II* *POLICY I* is designed to help law enforcement executives improve police productivity, increase services to juveniles, and integrate juvenile services into other law enforcement activities. The *POLICY II* seminar demonstrates step-by-step how to implement the management principles presented in *POLICY I*.

*SAFE POLICY* School Administrators for Effective Police, Prosecution, Probation Operations Leading to Improved Children and Youth Services (*SAFE POLICY*) focuses on how chief executives of schools and criminal justice organizations can coordinate their efforts and share information to improve school safety, supervision, control, and delinquency prevention efforts.

*Gang and Drug POLICY* Recognizing each community's unique make-up, this seminar's goal is to help jurisdictions develop an interagency plan to combat gangs and drugs.

*Managing Juvenile Operations* is an intensive program designed for the juvenile unit commander, whether the head of a large division or the sole officer to whom juvenile contacts are referred. The program provides sound strategies to improve the unit's ability to plan and deliver juvenile services.



## Appendix H: Resource Organizations

Following is a listing of organizations that can offer information or assistance regarding the victimization of children and related topics.

**American Bar Association Center on Children and the Law**

1800 M Street, NW, Suite 200, South  
Washington, DC 20036  
202-331-2250

**American Humane Association**

Children's Division  
63 Inverness Drive, East  
Englewood, Colorado 80112-5117  
303-792-9900

**American Professional Society on the Abuse of Children (APSAC)**

407 South Dearborne, Suite 1300  
Chicago, Illinois 60605  
312-554-0166

**Clearinghouse on Child Abuse and Neglect Information**

PO Box 1182  
Washington, DC 20013-1182  
703-385-7565  
1-800-FYI-3366

**Juvenile Justice Clearinghouse**

PO Box 6000  
Rockville, Maryland 20850  
1-800-638-8736

**C. Henry Kempe National Center on Child Abuse and Neglect**

1205 Oneida  
Denver, Colorado 80220  
303-861-6919

**Military Family Resource Center**

Military Family Clearinghouse  
4015 Wilson Boulevard, Suite 903  
Arlington, Virginia 22203-5190  
703-696-5806  
1-800-336-4592

**National Adoption Information Clearinghouse**

11426 Rockville Pike, Suite 410  
Rockville, Maryland 20852-3007  
301-231-6512

**National Association of Counsel for Children**

1205 Oneida Street  
Denver, Colorado 80220  
303-322-2260

**National CASA Association**

**(Court Appointed Special Advocates for Children)**

2722 Eastlake Avenue, East, Suite 220  
Seattle, Washington 98102  
206-328-8588

**National Center for Prosecution of Child Abuse**

**(Resource for Prosecutors)**

American Prosecutors Research Institute  
99 Canal Center Plaza, Suite 510  
Alexandria, Virginia 22314  
703-739-0321

**National Clearinghouse on Runaway and Homeless Youth**

PO Box 13505  
Silver Spring, Maryland 20911-3505  
301-608-8098

**National Committee to Prevent Child Abuse**

332 South Michigan Avenue, Suite 1600  
Chicago, Illinois 60604  
312-663-3520

**National Council of Juvenile and Family Court Judges**

PO Box 8970  
Reno, Nevada 89507  
702-784-6012

**National Criminal Justice Reference Service (NCJRS)**

PO Box 6000  
Rockville, Maryland 20850  
301-251-5500  
1-800-851-3420

**National Organization for Victim Assistance**

1757 Park Road, NW  
Washington, DC 20010  
202-232-6682  
1-800-879-6682

**National Resource Center on Child Abuse and Neglect**  
63 Inverness Drive, East  
Englewood, Colorado 80112  
303-792-9900  
1-800-227-5242

**National Resource Center on Child Sexual Abuse**  
(Information Line for Professionals)  
107 Lincoln Street  
Huntsville, Alabama 35801  
205-534-6868  
1-800-543-7006

**National School Safety Center**  
4165 Thousand Oaks Boulevard, Suite 290  
Westlake Village, California 91362  
805-373-9977

**National Victim Center**  
2111 Wilson Boulevard, Suite 300  
Arlington, Virginia 22201  
703-276-2880  
1-800-FYI-CALL

**National Victims Resource Center**  
PO Box 6000  
Rockville, Maryland 20850  
301-251-5500  
1-800-627-6872

**People of Color Leadership Institute on Child Abuse**  
714 G Street, SE  
Washington, DC 20003  
202-544-3144

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# National Center for Missing and Exploited Children

The National Center for Missing and Exploited Children (NCMEC), established in 1984 as a private, nonprofit organization, serves as a clearinghouse of information on missing and exploited children; provides technical assistance to citizens and law enforcement agencies; offers training programs to law enforcement and social service professionals; distributes photographs and descriptions of missing children nationwide; coordinates child protection efforts with the private sector; networks with nonprofit service providers and state clearinghouses on missing persons; and provides information on effective state legislation to ensure the protection of children per 42 USC §§ 5771 and 5780. NCMEC, in conjunction with the U.S. Postal Inspection Service, U.S. Customs Service, and U.S. Department of Justice, serves as the **National Child Pornography Tipline (1-800-843-5678)**. In addition the U.S. Congress designated that NCMEC serve as the Hotline for the National Alzheimer Association's Safe Return Program (1-800-572-1122).

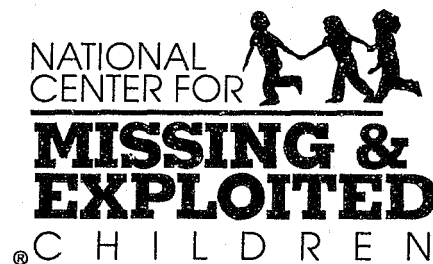
A 24-hour, toll-free telephone line is open for those who have information on missing and exploited children: **1-800-THE-LOST (1-800-843-5678)**. This number is available throughout the United States, Canada, and Mexico. The TDD line is 1-800-826-7653. The NCMEC business number is 703-235-3900. The NCMEC facsimile number is 703-235-4067.

In April 1990 NCMEC merged with the Adam Walsh Centers. For information on the services offered by our branches please call them in California at 714-558-7812, Florida at 407-848-1900, New York at 716-242-0900, and South Carolina at 803-254-2326.

A number of publications addressing various aspects of the missing and exploited child issue are available free-of-charge in single copies by contacting the National Center for Missing and Exploited Children's Publications Department.



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*(Continued from backcover)*

- [ ] Request investigative assistance if necessary.
- [ ] Request supervisory assistance if necessary.
- [ ] Brief and bring up to date all additional responding personnel including supervisors and investigative staff.
- [ ] Ensure that everyone at the scene is identified and interviewed separately. Make sure that their interview and identifying information is properly recorded. To aid in this process, if possible, take pictures or record video images of everyone present.
  - [ ] Note name, address, home/business telephone numbers of each person.
  - [ ] Determine each person's relationship to missing child.
  - [ ] Note information that each person may have about the child's disappearance.
  - [ ] Determine when/where each person last saw the child.
  - [ ] Ask each one, "What do you think happened to the child?"
  - [ ] Obtain names/addresses/telephone numbers of child's friends/associates and other relatives and friends of the family.
- [ ] Continue to keep communications unit apprised of all appropriate developing information for broadcast updates.
- [ ] Obtain and note permission to search home or building where incident took place.
- [ ] Conduct search to include all surrounding areas including vehicles and other places of concealment.
- [ ] Treat the area as a crime scene.
- [ ] Seal/protect scene and area of child's home (including child's personal articles such as hairbrush, diary, photographs, and items with the child's fingerprints/footprints/ teeth impressions) so that evidence is not destroyed during or after the initial search and to ensure that items which could help in the search for and/or to identify the child are preserved. Determine if any of the child's personal items are missing. If possible, photograph/videotape these areas.
- [ ] Evaluate contents and appearance of child's room/residence.
- [ ] Obtain photographs/videotapes of missing child/abductor.
- [ ] Prepare reports/make all required notifications.
- [ ] Ensure that information regarding missing child is entered into the NCIC Missing Person File and that any information on a suspected abductor is entered into the NCIC Wanted Person File.
- [ ] Interview other family members, friends/associates of the child, and friends of the family to determine
  - [ ] When each last saw child.
  - [ ] What they think happened to the child.
- [ ] Ensure that details of the case have been reported to NCMEC.
- [ ] Prepare and update bulletins for local law enforcement agencies, state missing children's clearinghouse, FBI, and other appropriate agencies.
- [ ] Prepare a flier/bulletin with the child/abductor's photograph and descriptive information. Distribute in appropriate geographic regions.
- [ ] Secure the child's latest medical and dental records.
- [ ] Establish a telephone hotline for receipt of tips and leads.
- [ ] Establish a leads management system to prioritize leads and ensure that each one is reviewed and followed up on.

*(Continued on next page)*

### **Investigative Officer**

- ☐ Obtain briefing from first responding officer and other on-scene personnel.
- ☐ Verify the accuracy of all descriptive information and other details developed during the preliminary investigation.
- ☐ Obtain a brief, recent history of family dynamics.
- ☐ Correct and investigate the reasons for any conflicting information offered by witnesses and other individuals submitting information.
- ☐ Review and evaluate all available information and evidence collected.
- ☐ Develop an investigational plan for follow-up.
- ☐ Determine what additional resources and specialized services are required.
- ☐ Execute investigative follow-up plan.

### **Supervisory Responsibility**

- ☐ Obtain briefing and written reports from first responding officer, investigators, and other agency personnel at the scene.
- ☐ Determine if additional personnel are needed to assist in the investigation.
- ☐ Determine if outside help is necessary from
  - ☐ State Police.
  - ☐ State Missing Children's Clearinghouse.
  - ☐ FBI.
  - ☐ Specialized Units.
  - ☐ Victim Witness Services.
  - ☐ NCMEC's Project ALERT.
- ☐ Ensure that all the required resources, equipment, and assistance necessary to conduct an efficient investigation have been requested and expedite their availability.
- ☐ Establish a command post away from the child's residence.
- ☐ Ensure coordination/cooperation among all police personnel involved in the investigation and search effort.
- ☐ Ensure that all required notifications are made.
- ☐ Ensure that all agency policies and procedures are in compliance.
- ☐ Conduct a criminal history check on all principal suspects and participants in the investigation.
- ☐ Be available to make any decisions or determinations as they develop.
- ☐ Utilize media (including radio, television, and newspapers) to assist in the search for the missing child and maintain media relations, per established protocols, throughout the duration of the case.

In cases of	<b>Nonfamily Abduction</b>	<b>See Chapter 3 on page 43</b>
	<b>Family Abduction</b>	<b>See Chapter 4 on page 63</b>
	<b>Runaway Children</b>	<b>See Chapter 5 on page 89</b>
	<b>Unknown Missing Children</b>	<b>Treat as Nonfamily Abduction</b>

**Note:** Periodic updates will be made in this checklist. To obtain those updates and request technical assistance on specific cases, please call NCMEC at **1-800-THE-LOST (1-800-843-5678)**.

## Initial Response Investigative Checklist

The purpose of this Investigative Checklist is to provide law enforcement officers and agencies with a generic guide for the investigation of missing child cases. Law enforcement administrators should ensure that their agencies have established effective policies and procedures for the handling of missing/abducted child investigations. Compliance with an agency's standard operating procedures, by officers conducting missing child investigations, can result in efficient operations and successful resolution of the incident.

This checklist is not intended to be followed step-by-step by officers during each missing child investigation. It is meant to provide them with a framework of actions, considerations, and activities that can assist them in performing competent, productive, and successful missing/abducted children investigations. Please consult the text on pages 19-42 for details on the items listed.

### Administrative

- ☐ Intake report from parent/caller.
- ☐ Obtain basic facts, details, and a brief description of missing child and abductor.
- ☐ Dispatch officer to scene to conduct a preliminary investigation.
- ☐ Search juvenile/incident records for previous incidents related to missing child and prior police activity in the area including prowlers, indecent exposure, attempted abductions, etc. Inform responding officer of any pertinent information.
- ☐ Broadcast known details, **on all police communication channels**, to other patrol units, other local law enforcement agencies, and surrounding law enforcement agencies and, if necessary, use NLETS telecommunication network to directly alert agencies in multi-state areas.
- ☐ Activate established **fugitive search plans** (prearranged plans among participating police agencies designed to apprehend fleeing fugitives) if necessary.
- ☐ Maintain records/recordings of telephone communications/messages.
- ☐ Activate established protocols for working with the media.

### First Responder

- ☐ Interview parent(s)/person who made initial report.
- ☐ Verify that the child is in fact missing.
- ☐ Verify child's custody status.
- ☐ Identify the circumstances of the disappearance.
- ☐ Determine when, where, and by whom missing child was last seen.
- ☐ Interview the individuals who last had contact with the child.
- ☐ Identify the child's zone of safety for his or her age and developmental stage.
- ☐ Based on the available information, make an **initial** determination of the type of incident whether nonfamily abduction; family abduction; endangered runaway; or lost, injured, or otherwise missing.
- ☐ Obtain a **detailed** description of missing child/abductor/vehicles/etc.
- ☐ Relay detailed descriptive information to communications unit for broadcast updates.
- ☐ Request additional personnel if circumstances require.

*(Continued on page 218)*