

Missing and Abducted Children:

A Law-Enforcement Guide to Case Investigation and Program Management



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

**Fourth Edition
2011**

**Edited by
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Thanks also to the many individuals, both from within NCMEC and associated agencies and organizations, who assisted with prior editions of this guide and those who are always willing to share their experience, knowledge, and ideas to help ensure this guide contains the most meaningful and accurate information possible.

Letter

Dear Friends In Law Enforcement:

Congratulations on receiving this fourth edition of *Missing and Abducted Children: A Law-Enforcement Guide to Case Investigation and Program Management*. We are proud the U.S. Department of Justice was part of the development of this important guide to assist law enforcement in investigating missing- and abducted-children cases. The partnership between the Office of Juvenile Justice and Delinquency Prevention within the U.S. Department of Justice and National Center for Missing & Exploited Children® (NCMEC) allows us to provide key resources in your search for missing and abducted children. We commend the work you do to serve and protect families in your jurisdiction and hope you will call on us to help in these cases.

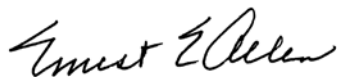
In the words of Attorney General Eric H. Holder, Jr., as stated to those assembled at the U.S. Department of Justice's National Missing Children's Day Ceremony on May 25, 2010, in Washington, DC

So many of you help to lead this work — both the award recipients we honor today, as well as the unsung heroes who work, day in and day out, to recover missing children and bring families back together. Many of the advocates here in this Great Hall have turned tragedy in their own homes into a commitment, and opportunity, to help others. Many of the officers have found ways to fuse cutting-edge technologies with traditional methods of law enforcement and recovery — harnessing the Internet in new ways while never losing sight of the value of knocking on doors and tacking up posters across town. And all of you have been strong, empathetic, and utterly determined in the face of devastating circumstances and difficult odds....

...[S]upporting and advancing this work is, and will continue to be, a top priority for the Department of Justice. Before the media, before the experts, before anyone else, families in crisis turn — first — to law enforcement. In these officers, desperate parents, grandparents, and guardians place their trust, as well as their hopes of seeing their missing children again. It's an extraordinary responsibility — one that our law enforcement community meets with great speed, compassion, and determination.¹

NCMEC is proud to join the U.S. Department of Justice and all law-enforcement agencies in this extraordinary work. You have the National Center for Missing & Exploited Children's every wish for continued success in helping child victims and their families.

Sincerely,



Ernest E. Allen
President and Chief Executive Officer
National Center for Missing & Exploited Children

¹ Attorney General Eric Holder Speaks at the National Missing Children's Day Ceremony. Washington, DC: U.S. Department of Justice, May 25, 2010, accessed on September 19, 2011, at www.justice.gov/ag/speeches/2010/ag-speech-100525.html.

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. Adam's mother, 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 & Exploited Children® (NCMEC) in 1984.

Since its creation NCMEC has worked closely with many officers and investigators from this nation's thousands of law-enforcement agencies in the search for missing, abducted, and sexually 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; a worldwide CyberTipline® for online reporting of the sexual exploitation of children; nationwide distribution of photos of and descriptions about missing children; preparation of age-enhanced photos of long-term missing children; and analysis of case information and leads — all provided free-of-charge from NCMEC's office in Alexandria, Virginia. As a result of this network, more complex cases have been resolved, more children have been recovered, and more searching families have been reunited with their children.

This guide, *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 step-by-step information about how to respond to and investigate missing-child cases
- Administrators with the programmatic framework to manage the missing-child response within their agency's jurisdiction

In addition this guide 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 available resources. Individual chapters offer information about topics ranging from an issue perspective to specific investigative techniques to be used in all phases of any type of missing-child case to investigative considerations and resources for conducting searches, working with the media, and assessing a law-enforcement agency's current operational policies and procedures related to these cases.

The format employed in this guide was chosen to serve as both a quick "how-to" and 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 tabbed divider and quick reference to highlight key topics presented within it.

This guide builds on NCMEC's more than 27 years of experience in this field. Every effort has been made to preserve the integrity and thoroughness of this guide. Much of the success of NCMEC training presentations comes from the distribution of many booklets, pamphlets, lists, and other handout materials accompanying each topic. Whenever possible the material contained in these handouts has been incorporated into the applicable section of this guide. When such inclusion is inappropriate, reference is made to the item and information provided about how it may be obtained. Great care was taken to help ensure readers are able to access all sources of information referenced in this guide. In case a source or reference cited cannot be accessed from the information provided, call NCMEC's Missing Children Division toll-free at **1-800-THE-LOST® (1-800-843-5678)** to request assistance in securing that information.

Revé and I hope the material presented in this guide 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 guide, however, allow me to share some of NCMEC's successes with you. Revé and I continue to reflect on the number of families and professionals NCMEC has already been able to help. Through December 2010 NCMEC has

- Received more than 2.4 million calls on its toll-free Hotline from people requesting assistance in cases of missing and sexually exploited children, reporting the sighting of a missing child or the sexual exploitation of a child, and requesting general information about the issue and safety tips to help better safeguard their families.²
- Assisted law enforcement and families in the recovery of more than 160,400 children.³
- Distributed thousands of photos nationally of the individual missing children reported to NCMEC. NCMEC's current recovery rate is 97.5%.⁴
- Implemented a unit to age-enhance the photos of long-term missing children.
- Printed more than 47.3 million copies of various publications for professionals offering assistance with these cases and families about how to help prevent these crimes.⁵
- Trained more than 286,500 law-enforcement, criminal/juvenile-justice, and healthcare professionals in the United States and many other countries in child-sexual-exploitation and missing-child-case detection, identification, investigation, and prevention.⁶

We are grateful to the dedicated law-enforcement officers who work these challenging and emotionally draining cases. We know one of the best ways to further our goal of bringing about 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 & Exploited Children and use the many other resources listed in this guide to assist in your efforts to help each and every family 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, Member NCMEC's National Advisory Board, and
Host of "America's Most Wanted"

² John B. Rabun, Jr. *NCMEC Quarterly Progress Report, January 26, 2011*. Alexandria, Virginia: National Center for Missing & Exploited Children, page 5 [hereafter *QPR*].

³ *Id.*, page 8.

⁴ *Id.*, page 6.

⁵ *Id.*, page 63.

⁶ *Id.*, page 47.

An Issue Perspective

by Stephen E. Steidel and Preston Findlay

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

Historical Overview

Historically children in obvious and immediate danger have generally struck a responsive chord with law enforcement. Law enforcement has unquestioningly perceived the need to immediately respond when a young child is abducted or missing. 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. This is especially true in the case of a missing child when there is no investigative explanation for the situation.

In the past the runaway child, especially the older teen, was viewed as a social problem best handled by families, teachers, or social-service professionals. Such attitudes resulted in law-enforcement practices including 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) system, 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.

Likewise the criminal-justice system's 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 addressing family-abduction issues, there was no requirement then for official law-enforcement involvement in those situations. During that time, when officers responded to calls initially thought to be domestic disturbances but later determined to be custody arguments with each party displaying conflicting court documents, the most common law-enforcement action was to refer all parties to the appropriate civil 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 family members.

Today many law-enforcement professionals have come to recognize all missing children, regardless of the reason they are missing, may be at-risk of violence, victimization, and exploitation. As a result agency administrators across the nation are evaluating their departments' response to reports of missing children and formulating effective policies and procedures aimed at the swift resolution of all cases.

Much of the progress made in law enforcement's response to missing and sexually exploited children may be traced to the enactment of effective legislation and creation of valuable resources. Some of the more significant milestones are listed in Figure 1.

Significant Measures Enacted to Assist Children At-Risk	
Year	Event
1932	Passage of the Federal Kidnapping Act
1934	Passage of the Fugitive Felon Act ⁷
1968-1983	Adoption of the Uniform Child Custody Jurisdiction Act by all states ⁸ 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	Institution of the NCIC Missing Person File by the Federal Bureau of Investigation (FBI)
1980	Passage of the Parental Kidnapping Prevention Act ⁹
1981	Signature of the Hague Convention on the Civil Aspects of International Child Abduction by the United States (Hague Convention)
1982	Passage of the Missing Children Act
1983	Institution of the NCIC Unidentified Person File by the FBI
1984	Establishment of the National Center for Missing & Exploited Children [®]
	Passage of the Missing Children's Assistance Act
1988	Ratification of the Hague Convention by the United States and implementation of it in the United States by passage of the International Child Abduction Remedies Act
	Amendment of Subchapter III of the Juvenile Justice and Delinquency Prevention Act to create what is now known as the Transitional Living Program for Older Homeless Youth
1990	Passage of the National Child Search Assistance Act
1993	Passage of the International Parental Kidnapping Crime Act
1994	Passage of the Violent Crime Control and Law Enforcement Act including the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act and Child Safety Act
1997	Drafting of the Uniform Child Custody Jurisdiction and Enforcement Act
2000	Passage of the Child Abuse Prevention and Enforcement Act and Jennifer's Law
2003	Passage of the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act
2006	Passage of the Adam Walsh Child Protection and Safety Act

Figure 1

⁷ Originally passed by the U.S. Congress in 1934, the Fugitive Felon Act applied only to murder, **kidnapping**, burglary, robbery, mayhem, rape, assault with dangerous weapon, or extortion accompanied by threats of violence, or attempt to commit any of the foregoing offenses. Later amendments increased the number of crimes covered by the Act, expanded it to include fugitives avoiding service of process, and moved the location of the statute.

⁸ Unless otherwise noted this guide uses the term "state" to also include American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the U.S. Virgin Islands. The authors have attempted to identify and note any situation in which specific programs, laws, or definitions may not include some or all of these jurisdictions.

⁹ The 1980 Parental Kidnapping Prevention Act also specified the U.S. Congress intended the Fugitive Felon Act to apply to interstate and international parental kidnappings.

The taking and holding of an individual, especially a child, for ransom or other illegal purpose, has always been viewed by society as a most serious crime deserving the harshest penalty. From the beginning state criminal laws 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 (FKA, 18 U.S.C. § 1201) authorizing U.S. Department of Justice 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 law enforcement to recover the victim and apprehend the criminal.

Less clear, however, was what society expected from law-enforcement officers when working with the runaway child or incidents of family abduction. Because children who voluntarily left home were often classified as **status offenders** and not criminals, law-enforcement officers were aware of their limited authority in such cases. In most cases the recovered child was either taken to a law-enforcement facility to await a parent/guardian's¹⁰ arrival or, if more appropriate, directly to the child's home.

Before the mid-1970s officers had an additional option when working with a habitual runaway or 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, a child might be placed in the jurisdiction's regular adult lock-up or jail, thus creating a controversy resulting in broad government action in 1974 as noted below.

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 addressing custody disputes both locally and from other jurisdictions and states. The need for such a strategy became more apparent 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 family member frequently abducted his or her children and settled in a state where custody would be granted without serious consideration of a previous determination. This process was known as **forum or judge "shopping."** The parent/guardian often found 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 a version of the **Uniform Child Custody Jurisdiction Act (UCCJA)**. Despite its limitations, as discussed on page 9 in regard to the **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)**, this model code attempted to establish which state has jurisdiction to make, modify, or enforce a custody determination.

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

¹⁰ Unless otherwise noted this guide uses the term "parent/guardian" to refer to the child's biological parent, the people with legal custody or guardianship of the child, or those people acting in such a capacity on behalf of the child during a crisis whether a family member, friend, or governmental agency.

In 1974 people in the United States and their lawmakers made tentative steps toward addressing 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.

Many law-enforcement officers once considered the limited use of secure detention as the only option available in selected status-offender cases such as controlling the habitual runaway. But increasing numbers of social-service professionals and children's rights proponents argued such detention was inappropriate, and indeed harmful, for children 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** (JJJPA, 42 U.S.C. §§ 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 developing alternate procedural methods. Subchapter III of the JJJPA, referred to as the **Runaway and Homeless Youth Act** (RHYA) of 1974, also became part of the JJJPA (42 U.S.C. §§ 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. The NRS, at **1-800-RUNAWAY** or **www.1800RUNAWAY.org**, assists runaway and homeless children in communicating with their families and service providers by funding temporary shelters for these children, providing crisis intervention counseling to at-risk children and their families, and providing message delivery services between at-risk children and their families.

It quickly became clear communication among law-enforcement agencies concerning notification and information about missing children was in need of improvement. Recognizing that need, in 1975 NCIC, an automated, information-sharing system maintained by the 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 about the need for specific criminal sanctions 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; nonprofit, missing-children organizations; and families 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, 28 U.S.C. § 1738A) in 1980.

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 (FFA, 18 U.S.C. § 1073) to include parental kidnappings in which the abductor has been charged with a felony and is known to have fled the state. With the aid of the regional U.S. Attorney, an **Unlawful Flight to Avoid Prosecution charge** (UFAP, as enacted with the Unlawful Flight to Avoid Service of Process amendment to the FFA in 1970) could be placed against the abductor thereby enlisting the investigative resources of the FBI and U.S. Department of Justice. Another investigative method authorized by the PKPA involved extending the resources of the **Federal Parent Locator Service** (FPLS, 42 U.S.C. § 663) in the search for abducting family members in the same manner it attempts to trace child-support delinquents.

In the late 1970s and early 1980s three incidents occurred shocking the country and creating a nationwide focus on the subject of missing and exploited children. Those events were the murders of 29 boys and young men in Atlanta, Georgia, 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.

Families of missing children testified before U.S. Congressional committees and voiced the nation's concern about the tragedy of such incidents and need for additional resources to help in the investigation of each case. In response the U.S. Congress passed the **Missing Children Act** (MCA, amending 28 U.S.C. § 534) in 1982. Specifically the MCA called on 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/guardians. The MCA announced that the federal government viewed the protection of missing children as a priority issue.

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. A significant enhancement in that resource was obtained in 2000 with the passage of the **Child Abuse Prevention and Enforcement Act** (CAPEA, Pub. L. No. 106-177), and "**Jennifer's Law**" (U.S.C., Title 42, Chapter 140A). CAPEA amended three previous acts, the Crime Identification Technology Act, Omnibus Crime Control and Safe Streets Act, and Victims of Crime Act, expanding their existing grants to include preventing child abuse and apprehending offenders. Jennifer's Law created a new grant source to enable states to improve the reporting of unidentified and missing persons.

The U.S. Congress displayed its continuing commitment to the issue of missing and sexually exploited children by enacting the **Missing Children's Assistance Act** (MCAA, 42 U.S.C. §§ 5771 *et seq.*) in 1984. Recognizing "federal assistance is urgently

Families of missing children testified before U.S. Congressional committees and voiced the nation's concern about the tragedy...and need for additional resources....

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 to operate a national clearinghouse of information about missing and exploited children; maintain a toll-free, 24-hour, national Hotline to take information about missing and exploited children; provide technical assistance to law enforcement, nonprofit/missing-children organizations, and families to help locate missing children; develop training programs to aid law enforcement in the investigation of cases involving missing and sexually exploited children; and heighten the public’s awareness concerning the issues of missing and sexually 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 & Exploited Children** (NCMEC) opened.

Occasionally investigations of family-abduction cases are further complicated when the child is removed from the United States. Investigators and searching families found assistance in these situations in 1988 when the United States ratified the **Hague Convention on the Civil Aspects of International Child Abduction**, a treaty governing the return of internationally abducted children, and the implementing **International Child Abduction Remedies Act** (ICARA, 42 U.S.C. §§ 11601 *et seq.*) was passed. ICARA established procedures for bringing court actions in the United States seeking the return of abducted children pursuant to this Hague Convention. This Hague Convention has contributed to the successful return of many children when the other nation is also a signatory of the treaty. Through December 2010 this Hague Convention was in force between the United States and 68 other countries.

Also in 1988 Subchapter III of the JJDP A was amended to create the **Transitional Living Program for Older Homeless Youth** (TLP) in response to the growing concern for those who need long-term, supportive-assistance, emergency-shelter programs were not designed to provide. The TLP was designed to assist homeless children, ages 16 through 21, make a successful transition to self-sufficient living and avoid long-term dependency on social-service programs.

While many of the nation’s law-enforcement agencies came to realize all missing children, including those who left home voluntarily, were at-risk of victimization and exploitation, some agencies remained reluctant to take a report of certain missing children, most often runaways. In response the U.S. Congress passed the **National Child Search Assistance Act** in 1990 (NCSAA, 42 U.S.C. §§ 5779 and 5780), which mandated certain actions including

- Federal, state, or local law-enforcement agency will not establish or observe a waiting period before accepting a missing-child case
- All agencies will enter, without delay,¹¹ reports of missing children younger than 18 years of age¹² into the NCIC Missing Person File
- All agencies will update identifying information about each case in NCIC within 60 days
- Each case will receive proper investigative action
- All investigators will maintain a close liaison with NCMEC about appropriate cases

¹¹ The Adam Walsh Child Protection and Safety Act (Adam Walsh Act, Pub. L. No. 109-248) mandates entry must now be made by law enforcement within two hours of receipt of a report of a missing or abducted child.

¹² This was subsequently increased to the age of 21 by the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today (PROTECT) Act of 2003 referenced beginning on page 9.

The **International Parental Kidnapping Crime Act** (IPKCA, 18 U.S.C. § 1204) took effect in December 1993. This Act makes it a criminal offense to remove a child from the United States or retain a child, who has been in the United States, outside of the United States with intent to obstruct the lawful exercise of parental rights.¹³

The **Violent Crime Control and Law Enforcement Act** (VCCLEA, Pub. L. No. 103-322) was enacted in September 1994. The Act contains several provisions addressing the issue of missing and exploited children including the

- **Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act**, which requires any person convicted of a criminal offense committed against a minor or who is convicted of a sexually violent felony to register a current address with a designated law-enforcement agency for 10 years after release from prison, placement on parole, supervised release, or probation. The Act also permits law enforcement to disclose registration information to the community in the interest of public safety. **Note:** The Adam Walsh Child Protection and Safety Act (Adam Walsh Act, Pub. L. No. 109-248), enacted on July 27, 2006, places more comprehensive registration requirements on sex offenders and state registration programs. States must implement these new requirements within three years from the date of enactment. Guidelines on state implementation of the Adam Walsh Act were published by the U.S. Department of Justice in July 2008¹⁴ and supplemental guidelines were effective as of January 11, 2011.¹⁵
- **Child Safety Act**, which provides for the establishment of supervised visitation centers to permit children at-risk of harm from their families to visit them in a safer environment.

In 1997 the UCCJEA was drafted and has now been adopted by almost every state. The UCCJEA is intended as an improvement over its predecessor, the UCCJA. It clarifies UCCJA provisions that have received conflicting interpretations in courts across the country, codifies practices that have effectively reduced interstate conflict, conforms jurisdictional standards to those of the federal PKPA to help ensure interstate enforceability of orders, and adds protections for victims of domestic violence who move out of state for safe haven. **Note:** Additional information about the UCCJA, UCCJEA, PKPA, Hague Convention, and ICARA may be found in the NCMEC publication titled *Family Abduction: Prevention and Response*. The English- and Spanish-language versions of this guide may be viewed, downloaded, and ordered online from the “More Publications” section of NCMEC’s website at www.missingkids.com.

The **Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003**, otherwise known as the **PROTECT Act**, (Pub. L. No. 108-21)

- Gives law-enforcement authorities valuable tools to deter, detect, investigate, prosecute, and punish crimes committed against children
- Strengthens laws against child pornography
- Addresses deficiencies in federal sentencing policies and practices¹⁶

¹³ This was later amended to also include attempted removal or retention of a child.

¹⁴ *The National Guidelines for Sex Offender Registration and Notification*. Washington, DC: U.S. Department of Justice, July 2008, accessed on September 19, 2011, at www.ojp.usdoj.gov/final_sornaguidelines.pdf.

¹⁵ “Supplemental Guidelines for Sex Offender Registration and Notification.” *Federal Register*, Vol. 76, No. 7, January 11, 2011, pages 1630-1640, accessed on September 19, 2011, at www.ojp.usdoj.gov/smart/pdfs/SORNAFinalSuppGuidelines01_11_11.pdf.

¹⁶ See NCSAA description and accompanying footnote on page 8 for changes in that legislation based on provisions in the PROTECT Act.

- Provisions specifically relating to missing or abducted children include
- Base-offense level increase for kidnapping in U.S. sentencing guidelines
 - 20-year mandatory sentence for an adult offender whose kidnapping victim is a nonfamily-member minor
 - Attempt liability for international family kidnapping
 - **Suzanne’s Law**, which requires each federal, state, and local law-enforcement agency to enter information about missing children younger than the age of 21¹⁷ into the FBI’s NCIC database
 - **America’s Missing: Broadcast Emergency Response (AMBER) Alert™** program provisions calling for the national coordination of state and local AMBER Alert programs and the development of recommended criteria for the issuance and dissemination of AMBER Alerts
 - **Code Adam** program requiring designated authorities for public buildings to establish procedures for locating a child who is missing in the building

And, most recently, the Adam Walsh Act

- Provides consistency among state sex-offender-registration and community-notification laws
- Amends the requirements for entering information about missing children in NCIC
- Increases penalties for certain federal offenses involving children and gives law-enforcement authorities more resources to investigate and prosecute crimes committed against children on the Internet

Specific provisions of the Adam Walsh Act include

- Registration of sex offenders before release from prison
- In-person periodic verification of registry information
- Federal and state felony penalties for failure to comply with registration duties
- Tracking of fugitive sex offenders by the U.S. Marshals Service
- More comprehensive state sex-offender websites
- **Mandatory entry of missing-child reports into NCIC within two hours of receipt**
- Removal of a statute of limitations for federal felony child sexual offenses
- Mandatory minimum sentences for federal crimes committed against children
- Creation of additional Internet Crimes Against Children (ICAC) Task Forces
- Additional Forensic Analysts dedicated to cases of child sexual exploitation

It is important to note U.S. territories have joined the states in sustained progress over the past decades by implementing legislation and programs to improve their response to missing and abducted children. At the territory level the Commonwealth of Puerto Rico, Guam, and the U.S. Virgin Islands in particular have adopted various uniform statutes to prevent forum-shopping by abducting parents, jurisdictional competition, and conflicting custody orders between states. The territories have also joined the states in updating their criminal laws to properly address a wide array of crimes committed against children and remove many of the legal incentives parents once had to kidnap their own children. Some territories administer AMBER

¹⁷ This was an increase from the previous age of 18 established by the NCSAA of 1990 referenced on page 8.

Alert programs and have active missing-children clearinghouses. Federal law has also increasingly recognized the territories' involvement in this area with criminal and civil statutes that almost uniformly include the territories in their scope and definitions. NCMEC is pleased to partner with the territories and their agencies to continue these improvements and achievements.

Law-enforcement officers may take pride in knowing over the years their profession has been instrumental in the creation of significant child-protection measures — measures used across the nation today to more safely recover missing children and protect others from harm. Along with legislators, the courts, and other child-protection advocates, law enforcement will continue to play a key role in addressing future challenges.

The Numbers

Even before the early 1980s when the nation's attention became focused on the dangers faced by missing children, efforts were made to gain insight into the actual number of children who could be categorized each year as "missing." For example the *National Statistical Survey on Runaway Youth*, conducted in conjunction with the RHYA, estimated 1.7% of youth, equating to a range of 519,500 to 635,000 children age 10 to 17, had overnight runaway incidents in 1975.¹⁸

The U.S. Congressional hearings resulting in the MCA included testimony about the magnitude of the problem without substantiation of the numbers presented. Those numbers were repeated often enough to convince OJJDP a definitive survey was needed to provide credibility to the entire issue. As a result, and pursuant to the MCAA, OJJDP is required to conduct periodic national incidence studies to determine the actual number of children reported missing and number of missing children who are recovered for a given year. This ongoing information-gathering effort is known as the *National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children (NISMART)*.

The first such study, *NISMART-1*, collected and evaluated information from the target year of 1988 and concluded what had in the past been called the missing-children problem was in reality a set of at least five different and distinct problems of family abduction; nonfamily abduction; runaways; thrownaways; and lost, injured, or otherwise missing children. *NISMART-1* made it clear law enforcement needs to understand missing children is a multifaceted problem and often requires the expenditure of resources beyond those traditionally used to "find a missing child."¹⁹

NISMART-2 focused on the year 1999. Law enforcement should note *NISMART-2* **estimated** the number of all missing children, including those who were both reported and not reported to a law-enforcement agency or nonprofit, missing-children organization, such as NCMEC. See Figure 2 for details about *NISMART-2* findings.

¹⁸ *National Statistical Survey on Runaway Youth*. Princeton, NJ: Opinion Research Corporation, 1976, page i.

¹⁹ David Finkelhor, Gerald Hotelling, and Andrea Sedlak. *Missing, Abducted, Runaway, and Thrownaway Children in America; First Report: Numbers and Characteristics National Incidence Studies*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice, May 1990, NCJ 123667.

Key Findings From the Second National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children			
Children Reported Missing²⁰			
Episode Type	Estimated Total	Percent	Rate per 1,000 Children in U.S. Population
Nonfamily Abduction	12,100	>2% ²¹	0.17 ²²
Family Abduction	56,500	>7%	0.81
Runaway/Thrownaway	357,600	45%	5.10
Missing Involuntary/ Lost/Injured	61,900	>8%	0.88
Missing Benign Explanation ²³	340,500	43%	4.85
Ages of Reported Missing Children²⁴			
Age	Estimated Total	Percent	Rate per 1,000 Children in U.S. Population
0 to 5	96,500	12%	33
6 to 11	113,400	14%	34
12 to 14	235,500	30%	17
15 to 17	349,500	44%	17

Figure 2

Another method for determining statistical information about missing children is to evaluate **NCIC Missing-Person-File** records. In 2010, 531,928 records were entered for children younger than 18 by law enforcement into the FBI's NCIC databases.²⁵ **Note:** Along with its informational recordkeeping capabilities, NCIC is also a valuable investigative tool for law enforcement. Additional information about NCIC is found throughout this guide, including an in-depth description beginning on page 148.

Information about other sources of statistical information regarding the extent and nature of this problem is noted in Figure 3.

²⁰ Andrea J. Sedlak, David Finkelhor, Heather Hammer, and Dana J. Schultz. "National Estimates of Missing Children: An Overview," *National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice, October 2002, page 6, NCJ 196465 [hereafter Sedlak].

²¹ *Id.* Estimate is based on an extremely small sample of cases. Its precision, therefore, is unreliable.

²² *Id.* Estimate is based on an extremely small sample of cases. Its precision, therefore, is unreliable.

²³ As defined in *NISMART-2* a missing benign explanation episode occurs when a child's whereabouts are unknown to the child's caretaker and this causes the caretaker to be alarmed, try to locate the child, and contact law enforcement about the episode for any reason, as long as the child was not lost, injured, abducted, victimized, or classified as runaway/thrownaway. *Id.*, page 4.

²⁴ *Id.*, page 7.

²⁵ *NCIC Missing Person and Unidentified Person Statistics for 2010*. Washington, DC: Federal Bureau of Investigation, accessed on September 19, 2011, at www.fbi.gov/about-us/cjis/ncic/ncic-missing-person-and-unidentified-person-statistics-for-2010.

Sources of Statistical Information About Missing and At-Risk Children		
Organization	Type of Information	To Contact Call/Visit
National Center for Missing & Exploited Children	National data about missing children	1-877-446-2632 Extension 6111
National Crime Information Center	National data about entries made into NCIC Missing Person File	304-625-2000
Missing-Children Clearinghouses	Data about missing children within a particular state/region	NCMEC's website, www.missingkids.com , by clicking on the "More Services" link on the home page and then on the "Missing-Child Clearinghouse Program" link for contact information for individual clearinghouses
Nonprofit, Missing-Children Organizations	Local data about missing children	www.amecoinc.org
National Clearinghouse on Families and Youth	Information about runaway and homeless children	301-608-8098

Figure 3

Law Enforcement's Response to Reports of Missing Children

Along with accurately estimating the number of children reported missing each year, OJJDP recognized the need to measure the priorities and procedures 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 families and advocates of missing children who maintained law enforcement often placed "conditions" on accepting these reports.

Thus the U.S. Department of Justice's OJJDP funded the national study of *Law Enforcement Policies and Practices Regarding Missing Children and Homeless Youth*.²⁶ The study found law-enforcement agencies are faced with the need to make a number of decisions when they receive a report of a missing child including judgments about the

- Type of case being reported and any risks of harm involved
- Kind and level of resources needed to be committed
- Level of social-service posture needed to appropriately respond including such things as trying to mediate family conflicts²⁷

²⁶ James J. Collins, Linda L. Powers, Mary Ellen McCalla, Christopher L. Ringwalt, and Robert M. Lucas. *Law Enforcement Policies and Practices Regarding Missing Children and Homeless Youth: Research Summary*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice, December 1993, NCJ 145644, page 2. This survey consisted of three components. In 1987, 791 law-enforcement agencies throughout the United States responded to a mail survey sent to 1,060 randomly selected law-enforcement agencies. In 1988, 30 agencies responding to the mail survey were systematically selected to participate in on-site interviews. And between March and July 1989 interviews were conducted with 960 parents or caretakers who had reported a child missing.

²⁷ James J. Collins, Linda L. Powers, Mary Ellen McCalla, Christopher L. Ringwalt, and Robert M. Lucas. *Law Enforcement Policies and Practices Regarding Missing Children and Homeless Youth: Final Report*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice, November 1993, NCJ 143397, page 5 [hereafter Collins].

It also concluded the information provided to law enforcement about cases is often insufficient for accurate and unambiguous case classification and risk assessment. This absence of sufficient information for clear decision-making requires law enforcement to exercise discretion in its choice of response. In such cases factors such as departmental policy, resource availability, parental preferences, and the subjective evaluation of law enforcement all influence the investigative response.²⁸

Findings from this study determined detailed, written law-enforcement agency policies for responding to missing-child cases were associated with more proactive investigation and the exercise of discretion in cases is shaped by a variety of factors including the perceived risk of harm to the child and the wishes and attitudes of the parents.²⁹

In the years since the law-enforcement study was released, its recommendations have been implemented by agencies across the nation. In particular more officers are now guided by comprehensive policies and procedures addressing every stage of the case from call intake through the investigative response and on to successful resolution.

Model Policies

NCMEC, in association with various law-enforcement organizations, has created model policy and procedure documents. One model policy is specifically focused on an agency's response to, investigation of, and recovery of missing children. Another identifies the standards for calltakers when handling calls pertaining to missing and sexually exploited children. NCMEC's model policies may be viewed and downloaded from the "Training" section of NCMEC's website at www.missingkids.com.

Agency Accreditation

Law-enforcement administrators contemplating national accreditation for their agency should also note the Commission on Accreditation of Law Enforcement Agencies, Inc., (CALEA®) now requires the establishment of a comprehensive response policy about missing children. Additionally CALEA certified agencies will require such a policy before reaccreditation is approved.

Significant Trends, Projects, and Programs

Officers working on missing-children cases realize, along with learning the most current, up-to-date investigative techniques, they must be aware of other elements having an impact on how 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 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 law-enforcement professional may be especially interested in those listed below.

²⁸ *Id.*, page 7.

²⁹ *Id.*, page 12.

Law-Enforcement Training

Law-enforcement agencies across the country are steadily improving the training received by their officers about the subject of missing, abducted, and sexually exploited children. Some local jurisdictions and state criminal-justice training agencies are including blocks of instruction not only in recruit training, but during in-service programs as well.

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 about the investigation of missing-children cases have been included in several OJJDP-sponsored training courses, which are offered free-of-charge.

Information about these and other NCMEC specialized training opportunities, also offered free-of-charge, may be viewed at the "Training" section of NCMEC's website, www.missingkids.com, or by contacting the Training Division toll-free at **1-800-THE-LOST® (1-800-843-5678)** or jrletc@ncmec.org.

The AMBER Alert and Other Missing-Children Notification Programs

Prior to 1996, when a child was believed to be abducted, responding officers immediately broadcasted information about the incident over law-enforcement communications networks. Within minutes all officers within the agency along with personnel from surrounding jurisdictions were aware of the situation including information about the child and abductor. The hope was one of those officers would place him- or herself in a position where the abductor's vehicle would be seen or some other observation would lead to the child's safe recovery. Additionally, if it was believed informing the public about the child would be beneficial, media protocols were activated and information reached the public, usually as part of scheduled news broadcasts or daily newspaper coverage.

Today the AMBER Alert Program is a voluntary partnership between law-enforcement agencies, broadcasters, transportation agencies, digital-signage companies, Internet service providers, and the wireless industry to activate an urgent bulletin in the most serious child-abduction cases. The goal of an AMBER Alert is to instantly galvanize the entire community to assist in the search for and safe recovery of these missing children. While the AMBER Alert Program is a nationwide effort by the U.S. Department of Justice, it remains a grassroots program developed by local, county, or state representatives. AMBER Alerts are geographically targeted to the area defined by the investigative agency when the abduction meets specific criteria outlined by the activating agency. To learn who the AMBER Alert Coordinator is in a particular area, contact the missing-children clearinghouse in that area or NCMEC's Missing Children Division toll-free at **1-800-THE-LOST (1-800-843-5678)**. For more information about AMBER Alerts and training opportunities related to AMBER Alerts visit www.amberalert.gov.

Secondary Distribution of AMBER Alerts In addition to the primary AMBER Alert distribution system, including broadcast media and transportation officials, a mechanism has been created by NCMEC at the direction of the U.S. Department of Justice for the secondary distribution of AMBER Alerts through agreements between NCMEC and nationally known communication companies. When NCMEC receives AMBER Alerts from AMBER Alert Coordinators recognized by the U.S. Department of Justice, it disseminates the Alerts to the secondary distributors

who relay geographically targeted messages to customers through their networks such as cell phones, Internet Service Providers, social-networking websites, digital billboards maintained by the Outdoor Advertising Association of America, truck carriers participating in the AMBER Highway Network, and other vendors with the ability to reach large numbers of people in a geographically targeted manner. Access to the communication capabilities of these large companies increases the chances for abducted children to be safely recovered. From the inception of the program in 1996 through 2010, 525 children have been safely rescued specifically due to AMBER Alerts being issued.

Alternate Notification Systems When a missing-child incident does not meet the specific criteria required for activation of an AMBER Alert, officers should consider use of any other available alternate and targeted notification system. One such system is described as a high-speed, phone-communications service for emergency notifications capable of delivering customized, prerecorded emergency messages directly to homes and businesses. This technology, also referred to as “reverse 911,” is capable of placing thousands of recorded calls per hour. Other systems include use of local cable television systems to interrupt programming with information about a missing child; use of broadcast faxes, broadcast e-mails, placement of information on vehicles; and a cooperative effort between NCMEC and the U.S. Postal Inspection Service (USPIS) called Deliver Me Home®. When requested by the investigating law-enforcement agency, NCMEC creates a master missing-child flier, which is then duplicated and distributed by USPIS personnel throughout the target area.

Law-enforcement planners are encouraged to evaluate these and other alternate notification systems that may be employed in their community when the rapid dissemination of information about a missing child is needed. **For more information about the notification methods noted above, contact NCMEC’s Missing Children Division toll-free at 1-800-THE-LOST (1-800-843-5678).**

Child Abduction Response Team

The national Child Abduction Response Team (CART) initiative was established in 2005 by the U.S. Department of Justice’s Office of Justice Programs. CARTs are multiagency and often multijurisdictional law-enforcement teams trained and prepared to quickly respond to incidents involving missing, endangered, or abducted children. In many CART programs non-law-enforcement professionals provide unique multidisciplinary expertise to assist in the investigation of, search for, and recovery of child victims. CART programs were developed based on operational research supporting the practice that significant response to these types of incidents yields an improved likelihood of safely recovering child victims and apprehending offenders. CART programs provide a valuable tool and “force multiplier” agencies can employ to assist in the quick response to missing, endangered, or abducted children in their jurisdiction when it is believed a substantial initial response could lead to a speedy recovery. For more information about CART visit www.amberalert.gov, and from the home page click on the “Training” link.

Protecting Children From Online Victimization

Historically those who victimize children found their victims in places where children tended to gather — schoolyards, playgrounds, and shopping malls. Today the Internet provides a new place to target children for criminal acts. Officers

responding to the report of a missing child need to understand what is initially reported as a runaway may, in fact, be a child who has been “lured away.” With so many children online and vulnerable, it is extremely important for law enforcement to learn as much as possible about Internet crimes committed against children so they may prevent victimization and prosecute those who commit these crimes.

Law enforcement received a significant resource in 1998 when OJJDP initiated its ICAC Task Force Program, a national effort to combat the threat of those who use the Internet to sexually exploit children. Through this program state and local law-enforcement agencies may acquire the skills, equipment, and personnel resources to effectively respond to offenses committed online. The program encourages law-enforcement agencies to develop specialized multijurisdictional, multiagency responses to prevent, interdict in, investigate, and prosecute Internet crimes committed against children. Through December 2010 more than 60 **ICAC Task Forces** were participating in the program. Each Task Force is composed of federal, state, and local law-enforcement personnel; federal and local prosecution officials; local educators, and service providers such as mental-health professionals. These Task Forces serve as valuable regional resources for law-enforcement personnel and others who work on child-victimization issues. Information about the ICAC Task Force Program, including the location of each Task Force, is available at www.icactaskforce.org or 1-877-798-7682.

Developing and Delivering Child-Safety Programs

When law-enforcement officers take their initial oath of office they swear “to serve and protect” the people of their community. They soon learn, however, the word “protect” may take many different forms including one of becoming a safety educator. Because residents of a community tend to rely on law enforcement in times of need, there is a natural inclination to turn to law enforcement with requests related to crime prevention and personal safety. The concern, in particular, for the safety of the children in a community often results in the appearance of an officer before groups of children in schools, youth organizations, and other gatherings of children.

Children of all ages are more visually and educationally sophisticated today than ever before. The simple “Stranger-Danger” programs of the past are no longer effective for several reasons and they fail to take into account victimization by individuals the child might encounter on a regular basis. To help ensure their appearance will have the maximum effect on an audience of children, officers are urged to identify programs used successfully by their law-enforcement colleagues in other regions of the nation and evaluate presentations found on websites dedicated to child safety.

NCMEC is available to offer guidance about the development or selection of effective community-based, personal-safety programs for children by calling toll-free at **1-800-THE-LOST (1-800-843-5678)**. The publication titled *Guidelines for Programs to Reduce Child Victimization* provides recommendations of NCMEC’s Education Standards Task Force for communities when choosing programs to teach personal safety to children. Additionally NCMEC provides an assortment of prevention-based publications to supplement a child-safety presentation or event. These publications may be viewed, downloaded, and ordered from the “More Publications” section of NCMEC’s website at www.missingkids.com.

Investigation of Family-Abduction Cases by the Prosecutor’s Office

Because of the complexity associated with cases of family abduction, some jurisdictions developed cooperative agreements in which the prosecutor’s office

assumes investigative responsibility from local law enforcement to more efficiently use investigative resources.

Missing-Children Clearinghouses

Each of the 50 states, the Commonwealth of Puerto Rico, the District of Columbia, the U.S. Virgin Islands, Canada, and the Netherlands provide resources for missing children, their families, and the professionals who serve them through missing-child clearinghouses. The level of resources and services available vary from clearinghouse to clearinghouse. Each missing-child clearinghouse is diverse in the delivery of services based on the mandates within its state, territory, or country and the variety of agencies within which they exist. The primary areas of focus for missing-child clearinghouses are networking, information dissemination, training development and delivery, data collection, and provision of technical assistance in cases of missing and sexually exploited children. NCMEC and missing-child clearinghouses closely work together to help ensure a comprehensive approach to child protection is achieved. Law enforcement is encouraged to contact the missing-child clearinghouse in their jurisdiction to ascertain the level of services available before the need arises. For a listing of these clearinghouses visit NCMEC's website at www.missingkids.com and from the home page use the "More Services" link and then the "Missing-Child Clearinghouse Program" link.

Newborn/Infant-Abduction Program

While **not** a crime of epidemic proportions, the abduction, by nonfamily members, of **infants, birth through 6 months**, has clearly become a subject of concern for parents, maternal-child-care nurses, healthcare security and risk-management administrators, law-enforcement officials, and NCMEC. In cooperation with the FBI, International Association for Healthcare Security and Safety (IAHSS), and Boston College School of Nursing, NCMEC has studied infant abductions from birthing/healthcare facilities, homes, and other sites and considers them preventable in large part by "hardening the target" or making it more difficult to abduct an infant. Study details are found in the section titled "Regarding Newborn/Infant Abductions" beginning on page 63.

The recent trend seen in this area is, while traditionally there has been no use of violence committed against mothers within healthcare facilities, of the infants abducted from homes through December 2010, 30% involved some form of violent act committed against the mother including homicide. This trend shows the location of the abduction has recently moved primarily to the home. Thus the importance of patient education before postpartum discharge is paramount.³⁰ Mothers should remain vigilant as they approach their due dates in light of recent cases involving fetuses being taken from mothers prior to the birth of their children.

To bring this prevention message to as many families and facilities as possible, teams of professionals appear before healthcare administrators, nursing staff members, and security personnel to educate them about effective methods to lessen the likelihood of an abduction while newborn babies are in their care. In addition NCMEC has published several documents defining the issue and discussing prevention techniques. Resources and technical assistance concerning the subject

³⁰ John B. Rabun, Jr. *For Healthcare Professionals: Guidelines on Prevention of and Response to Infant Abductions*. Alexandria, VA: National Center for Missing & Exploited Children, ninth edition, 2009, page 48 [hereafter Rabun].

of newborn and infant abduction are available from NCMEC at **1-800-THE-LOST (1-800-843-5678)**. Law enforcement's role in the investigation of infant abductions is also covered in-depth in the section titled "Regarding Newborn/Infant Abductions" beginning on page 63.

Identifying and Tracking the Sex Offender

Law-enforcement officers are aware of information indicating those who sexually victimize children can also be the same people who are responsible for child abductions. As a result investigative efforts in such cases are often directed toward identifying those who either live, work, or frequent the area where an abduction took place. In support of their investigative efforts officers should be aware of several initiatives aimed at identifying and tracking sex offenders and obstructing their access to children including the

- Enactment of laws permitting fingerprint-based, criminal-history checks of all individuals who seek to volunteer in positions bringing them into frequent contact with children.
- Enactment of laws requiring convicted sex offenders, once released from prison or placed on parole or probation, to register their current address and identification information with law enforcement.
- Establishment of statewide genetic databases containing DNA samples from the blood or saliva of convicted sex offenders.
- Creation of state and federal databases designed to track the whereabouts of convicted sex offenders.
- Creation of a Sex Offender Tracking Team[®] (SOTT[®]) and National Sex Offender Targeting Center (NSOTC). SOTT responds to law-enforcement requests to search for noncompliant/absconded sex offenders using extensive data resources. To request these resources send an e-mail to NSOTC@ncmec.org.

A detailed discussion regarding the current status of sex-offender registration and problems it poses for law-enforcement is found at the "Sex-Offenders" section of NCMEC's website at www.missingkids.com/sexoffenders. This website also includes links to federal and state websites containing information about convicted offenders. Additionally NCMEC's Case Analysis Division and Exploited Children Division are available to offer sex-offender, case-related resources and technical assistance by calling toll-free at **1-800-THE-LOST (1-800-843-5678)**.

Extending Resources to Missing Young Adults

The PROTECT Act of 2003 contains a provision recognizing the concern of the U.S. Congress for the safety of missing young adults, ages 18, 19, and 20, especially those whose missing episode is out of keeping with their normal pattern of behavior. The provision, known as Suzanne's Law, amended 42 U.S.C. § 5779(a), and extends to these young adults the same reporting and investigative procedures already provided to children younger than 18. In accordance with Suzanne's Law, law enforcement is now required to enter the report of missing 18, 19, and 20 year olds into the NCIC Missing Person File without delay and conduct an investigation into the young adult's missing episode. Additionally this law enables NCMEC to include pictures and descriptive information regarding these cases on its website, www.missingkids.com, and distribute material regarding the person's case. *See*

“Appendix A: NCIC Missing-Person-File Categories” on page 193 for additional details about entering information about 18, 19, and 20 year olds into the NCIC Missing Person File.

Children Missing From Care Project

This project, a cooperative effort between NCMEC and the Child Welfare League of America, was initiated in response to the heightened awareness of the risk of harm faced by children who become missing from out-of-home care. Missing episodes result from actions taken by children themselves such as running away; other people such as abduction by a noncustodial parent/guardian, an acquaintance, or an unknown person; or entities such as through the inattentiveness of a custodial agency. The primary goal of this project is to provide comprehensive guidance to child-welfare and law-enforcement agencies with respect to monitoring the status of children in out-of-home care and responding effectively when such a child is missing. The issue of children missing from care and the law-enforcement/child-welfare relationship in reporting, recovering, and retaining these children is addressed in the chapter titled “Management Issues,” beginning on page 169. *Children Missing From Care: The Law-Enforcement Response*, a guide published based on this collaboration, may be viewed and downloaded from the “More Publications” section of NCMEC’s website at www.missingkids.com.

Recovery of Long-Term Missing Children

Not long ago it was presumed children missing for long periods of time were most likely deceased and sadly would never be found. The recent high-profile recoveries of long-term missing children found alive, some missing for more than 20 years, has gone a long way to dispel this presumption. This trend offers great hope to searching parents and reinforces the need for continued investigation and commitment of resources by law enforcement even years after an initial disappearance or abduction of a child. We now know there are children who have been held captive by their abductors for years and desperately need help in escaping that captivity in order to return to their families.

While resources are being devoted to finding captive children, the unfortunate reality is many are likely deceased. An additional tool is now available in that search — National Missing and Unidentified Persons System (NamUs). NamUs is a program created by the National Institute of Justice (NIJ) in response to the challenges involved in investigating and solving missing- and unidentified-person cases. It contains databases storing detailed information about missing people and unidentified remains and may be searched for possible matches between cases. NCMEC Case Managers, at **1-800-THE-LOST (1-800-843-5678)**, are available to talk about the benefits of using NamUs databases as another avenue in the search for a missing child. NamUs is a free, online system that may be searched by the public, law-enforcement officials, medical examiners, and coroners to help solve these types of cases. For more information regarding NamUs and the services offered visit their website at www.namus.gov.

Reunification of Missing Children

The recovery of a missing child may be a confusing and traumatic event for the child and family. Whatever the circumstances or type of case, a law-enforcement officer is usually the only nonfamily person present at the time of recovery. As a

result officers often need to manage reunification meetings with little training or support. Planning effectively for the initial reunification may set the stage for the child's recovery and reintegration into the family. Reunification resources and best-practice methods are available to assist officers in this important task. Chapters of this guide addressing nonfamily abduction, family abduction, and runaway children each include references to the issue of reunification and offer specific recommendations for successfully managing the effective return of a missing child.

National Emergency Child Locator Center

The National Emergency Child Locator Center was established within NCMEC to help expedite reunification of children with their families during national disasters in the United States.³¹ The assistance provided by NCMEC through this Center will complement essential services that help families cope after the devastation of a natural disaster. With an overall mandate to help reunite children with their parents and guardians, the main responsibilities of the Center are to

- Establish a toll-free hotline to receive reports of displaced children
- Create a website to provide information about displaced children
- Deploy staff members to the location of a declared disaster event to gather information about displaced children
- Provide information to the public about additional resources
- Partner with federal, state, and local law-enforcement agencies
- Refer reports of displaced adults to the Attorney General's designated authority and the National Emergency Family Registry and Locator System

Obtaining Resource Material

In addition to the many publications and other materials available from NCMEC's website at www.missingkids.com, law-enforcement professionals may use another significant resource for learning about innovative programs including information aimed at improving an agency's response to cases of missing and sexually exploited children. The **National Criminal Justice Reference Service (NCJRS)**, administered by the U.S. Department of Justice, collects and disseminates publications, research findings, and program evaluations concerning issues of interest to law enforcement. NCJRS has become a comprehensive information resource to assist law-enforcement officers and administrators in meeting the challenges presented by today's diverse criminal-justice issues. Additionally NCJRS has information specialists available to respond to inquiries by providing information, publications, and referrals. NCJRS resources are available for download at www.ncjrs.gov or by calling 1-800-851-3420.

Conclusion

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

³¹ The National Emergency Child Locator Center was established by Congress in 2006 and is codified at 6 U.S.C. § 774.

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Scholle, A. *Sex Offender Registration: Community Notification Laws*. July 2000.

U.S. Department of Justice's OJJDP. The publications listed below may be ordered through NCJRS at 1-800-851-3420 or on its website at www.ncjrs.gov. Many documents are available for download. NCJRS also makes available several electronic newsletters containing information of interest to law-enforcement professionals. Subscribe to these publications at www.ncjrs.gov/subreg.html.

Effective Use of NCIC (National Crime Information Center): AMBER ALERT Fact Sheet, (2005). NCJ 221763.

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by Stephen E. Steidel, Robert Hoever, and H. Wayne Sheppard

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Initial-Response Investigative Checklist

The purpose of this Investigative Checklist is to provide law-enforcement officers and agencies with a guide for the investigation of missing-child cases. Law-enforcement administrators should ensure 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, may result in efficient operations and 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 a framework of actions, considerations, and activities that may assist in performing competent, productive, and thorough missing/abducted-children investigations. Consult the text of this chapter for details about the items listed.

Note: The material contained in this Checklist is found in the National Center for Missing & Exploited Children® (NCMEC) Publication #88 titled *Investigative Checklist for First Responders*. This Checklist is laminated for durability and may be easily carried in a briefcase or kept in a glove compartment or other place within a law-enforcement vehicle. This Checklist, if not received with this guide, and additional copies of it may be viewed, downloaded, and ordered from the "More Publications" section of NCMEC's website at www.missingkids.com.

To request technical assistance for specific cases, call NCMEC toll-free at **1-800-THE-LOST® (1-800-843-5678)**.

Administrative

- Intake report from parent/guardian.

- Obtain basic facts about, details about, and a brief description of the missing child and abductor. Obtaining clothing descriptions and information about medical conditions can help develop strategies early such as in cases involving extreme cold, Autism, or a child who is not taking prescription medications for serious medical conditions.

- Dispatch officer to scene to conduct a preliminary investigation.

- Search juvenile/incident records for previous incidents related to missing child and prior law-enforcement activity in the area including prowlers, indecent exposure, and attempted abductions. Inform responding officer of any pertinent information.

- Broadcast known details, **on all law-enforcement communication channels**, to other patrol units, other local law-enforcement agencies, and surrounding law-enforcement agencies. If necessary, use the Nlets telecommunication network to directly alert agencies in multistate areas.

- Activate established **fugitive search plans**, prearranged plans among participating law-enforcement agencies designed to apprehend fleeing fugitives, if necessary.

- Maintain records/recordings of phone communications/messages.

- [] Conduct computer aided dispatch searches for any suspicious activity/calls related to the area in which the child was last seen/where the child lives and complete background checks of all people interviewed.
- [] Activate established protocols for working with the media including activation of an **America's Missing: Broadcast Emergency Response (AMBER) Alert™** or other immediate community-notification system if activation criteria is met.

First Responder

- [] Activate patrol-vehicle-mounted video camera, if circumstances warrant, when approaching the scene to record vehicles, people, and anything else of note for later investigative review.
- [] Interview parent(s)/guardian(s)/person who made the initial report.
- [] Confirm the child is in fact missing.
- [] Attempt to verify the child's custody status.
- [] Identify the circumstances of the missing episode.
- [] Determine when, where, and by whom the 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.
- [] Make an **initial assessment**, based on the available information, of the type of incident whether nonfamily abduction; family abduction; runaway; or lost, injured, or otherwise missing.
- [] Obtain a **detailed** description of the missing child, abductor, and any vehicles used.
- [] Secure photos/videos of the missing child/abductor, and don't forget photos that may be available on cell phones.
- [] Evaluate whether the circumstances meet **AMBER Alert criteria** and/or other immediate community-notification protocol if not already activated. Discuss plan activation with supervisor.
- [] Evaluate whether the circumstances warrant requesting NCMEC's Team Adam. If a Child Abduction Response Team (CART) is in the area, does the child's case meet their activation criteria?
- [] Relay detailed descriptive information to communications unit for broadcast updates.
- [] Determine need for additional personnel including investigative and supervisory staff.

- [] Brief and bring up-to-date all additional responding personnel.
- [] Identify and separately interview everyone at the scene. Make sure their interview and identifying information is properly recorded. To aid in this process, if possible, take pictures or record video images of everyone present. Video cameras affixed to patrol vehicles may be helpful with this task.
 - [] Note name, address, home/business phone numbers of each person.
 - [] Determine each person's relationship to the missing child.
 - [] Note information each person may have about the circumstances surrounding the missing episode.
 - [] Determine when/where each person last saw the child.
 - [] Ask each one, "What do you think happened to the child?"
 - [] Obtain names/addresses/phone numbers of the child's friends/associates and other relatives and friends of the family.
 - [] Determine if any suspicious activity or people were seen in the area.
 - [] Determine if any people were seen who seemed unusual, strange, or out-of-place.
- [] 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 **even if the premises have been previously searched by family members or others.**
- [] Conduct an immediate, thorough search of the missing child's home **even if the child was reported missing from a different location.**
- [] Seal/protect scene and area of the child's home, including the child's personal articles such as hairbrush, diary, photos, and items with the child's fingerprints/footprints/teeth impressions, so evidence is not destroyed during or after the initial search and to help ensure items that 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/take videos of these areas.
- [] Evaluate the contents and appearance of the child's room/residence.
- [] Inquire if the child has access to the Internet and evaluate its role. Do not overlook activity on social-networking websites and teen chatlines.
- [] Ascertain if the child has a cell phone or other electronic communication device and obtain the most recent records of their use.
- [] Extend search to surrounding areas and vehicles, including those that are abandoned, and other places of concealment such as abandoned appliances, pools, wells, sheds, or other areas considered "attractive nuisances."
- [] Treat areas of interest as potential crime scenes including all areas where the child may have been or was going to be located.

- Determine if surveillance or security cameras in the vicinity may have captured relevant information. This information may be used to help locate the child and/or corroborate or refute witness statements.
- Interview other family members, friends/associates of the child, and friends of the family to determine
 - When each last saw the child.
 - What they think happened to the child.
 - If the child had complained about being approached by anyone.
- Review sex-offender registries to determine if registered individuals live/work in the area or might otherwise be associated with the case. Call NCMEC toll-free at **1-800-THE-LOST (1-800-843-5678)** to request assistance with this step.
- Ensure information regarding the missing child is entered into the National Crime Information Center's (NCIC) Missing Person File no more than two hours after receipt of the report and any information about a suspected abductor is entered into the NCIC Wanted Person File. Carefully review NCIC categories, as noted in "Appendix A: NCIC Missing-Person-File Categories" on page 193, before entering the case, and be sure to use the Child-Abduction flag whenever appropriate.
- Prepare flier/bulletin with the child/abductor's photo and descriptive information. Distribute in appropriate geographic regions. Call NCMEC toll-free at **1-800-THE-LOST (1-800-843-5678)** for assistance with this step.
- Prepare reports/make all required notifications.

Supervisory Officer

- Obtain briefing and written reports from the first responding officer and other personnel at the scene.
- Decide if circumstances meet the protocol in place for activation of an **AMBER Alert** and/or other immediate community-notification systems if not already activated.
- Determine if additional personnel are needed to assist in the investigation.
- Establish a command post away from the child's residence.
- Determine if additional assistance is necessary from
 - State³² Police.
 - Missing-Children Clearinghouse.
 - Federal Bureau of Investigation (FBI).
 - Specialized Units.

³² Unless otherwise noted this guide uses the term "state" to also include American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the U.S. Virgin Islands. The authors have attempted to identify and note any situation in which specific programs, laws, or definitions may not include some or all of these jurisdictions.

- Victim-Witness Services.
- NCMEC's Project ALERT®/Team Adam.
- CARTs.

- Confirm all the required resources, equipment, and assistance necessary to conduct an efficient investigation have been requested and expedite their availability.
- Ensure coordination/cooperation among all law-enforcement personnel involved in the investigation and search effort.
- Verify all required notifications are made.
- Ensure all agency policies and procedures are in compliance.
- Be available to make any decisions or determinations as they develop.
- Use media including radio, television, and newspapers to assist in the search throughout the duration of the case.

Investigative Officer

- Obtain briefing from the first responding officer and other on-scene personnel.
- Verify the accuracy of all descriptive information and other details developed during the preliminary investigation.
- Initiate a neighborhood canvass using a standardized questionnaire.
- Obtain a brief, recent history of family dynamics.
- Correct and investigate the reasons for conflicting information offered by witnesses and other individuals.
- Collect article(s) of the child's clothing for scent-tracking purposes.
- Review and evaluate all available information and evidence collected.
- Secure the child's latest medical and dental records.
- Contact landfill management and request they delay or at least segregate garbage and dumping containers from key investigative areas in cases where it is suspected there may be imminent danger to the missing child.
- Develop and execute an investigative plan.
- Conduct a criminal-history background check on all principal suspects, witnesses, and participants in the investigation.
- Determine what additional resources and specialized services are required.

- [] Ensure details of the case have been reported to NCMEC.
- [] Prepare and update bulletins for local law-enforcement agencies, missing-children clearinghouse, FBI, and other appropriate agencies.
- [] Establish a phone hotline for receipt of tips and leads. Consider establishing an e-mail address and other methods of electronically receiving leads as well.
- [] Establish a leads-management system to prioritize leads and help ensure each one is reviewed and followed up on. **Note:** NCMEC has developed software, named the Simple Leads Management System, designed to manage and prioritize leads associated with missing-child investigations. It is available at no cost by calling NCMEC's Missing Children Division toll-free at **1-800-THE-LOST (1-800-843-5678)**.

In cases of **Nonfamily Abduction** *see* chapter beginning on page 49

Family Abduction *see* chapter beginning on page 77

Runaway Children *see* chapter beginning on page 107

Unknown Missing Children Treat as Nonfamily Abduction

The purpose of this chapter is to provide law-enforcement officers with information enabling them 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 impact 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 also a vital part of being able to accurately assess the situation.**

The case intake is the very foundation of how the investigative approach to locate or rescue the reported missing child will be built. The first responder is often the telecommunicator monitoring the 911 or emergency-response system in the location from where the child is believed to be missing. At that point a partnership should be formed between the telecommunicator and officers who will be responding to the scene. **This partnership is critical from the early stages until the investigation reveals what type of missing-child incident has taken place.**

The critical importance of an effective initial response was also made dramatically clear in findings from *Investigative Case Management for Missing Children Homicides: Report II*, a key law-enforcement study conducted for the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP) by the Washington State Attorney General's office.³³ This nationwide study found in cases **when a child is killed during an abduction** 46.8% will die within an hour of the abduction and 76.2% will be killed within 3 hours of the abduction.³⁴ It is important, however, to **note not all children will be killed at the hands of their abductors. These statistics only reflect those of children actually killed by their abductors. In fact far more missing children are located and safely returned home than those who are abducted and murdered.**

In addition documentation is critical right from the start of the investigation. That same study indicated, in cases in which the abducted child was killed, the killer's name immediately surfaced in 21.9% of the cases, 39.8% of the time within 24 hours, and 57% within the first week. In more than half of the cases law enforcement had contact with the suspect **before** that person became the suspect.³⁵

Life is anything but normal for a parent once a child is discovered to be missing. The response parents/guardians receive from law-enforcement agencies when calling to report a missing or abducted child is unquestionably one of the most critical in the entire missing-child investigative process.

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. This information can only be determined by investigating facts at the scene, not trying to make an assessment over the phone. The assessment and approach an agency and its officers take during the initial response to these situations have profound implications for whether the child is recovered and returned home safely or remains missing for months; years; or, worse yet, is never located. This initial reaction,

³³ Katherine M. Brown, Robert D. Keppel, Marvin E. Skeen, and Joseph G. Weis. *Investigative Case Management for Missing Children Homicides: Report II*. Olympia, Washington: Office of the Attorney General, State of Washington, and U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention, May 2006, NCJ 218936 [hereafter Brown].

³⁴ *Id.*, page 13.

³⁵ *Id.*, page 49-50.

starting with the telecommunicator receiving the initial missing-child report must be considered a **critical stage** in the entire law-enforcement response.

If first responders approach these cases with a preconceived opinion 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 typically may overlook many details they are otherwise trained to observe. By forming such a premature assessment 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 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 law-enforcement agencies respond to every report of a missing child as if the child is in immediate danger until the investigation proves otherwise. And, in the case of child abductions ending in homicide, 60.2% of the cases were initially reported as “missing child,” 9.7% began as “abduction investigations,” and 8.5% began as “reports of a runaway child.”³⁶

An assessment of the risk potentially facing the child, seriousness of the situation, and probable danger the child is in will need to be made to allow for the proper assignment of resources to the search. In making this initial assessment be sure to position the investigation so as not to preclude other more serious situations. Assume the child is at-risk until investigative 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 threatening 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

A landmark study conducted by the U.S. Department of Justice determined detailed, written law-enforcement agency policies for responding to missing-child cases were associated with more proactive investigations.³⁷ As well as describing the roles and responsibilities of officers or units assigned to specific investigative functions, search and rescue, and analytical functions, comprehensive policies and procedures should include directions concerning the actions to take place when a report is first received such as a comprehensive investigative operational plan for missing children. These investigative, search and rescue, and analytical functions often occur simultaneously, which necessitates clearly defined roles and responsibilities to avoid duplicating efforts or overlooking critical areas.

For a Checklist of actions law-enforcement administrators should consider in these situations *see* the section titled “Administrative” beginning on page 27. Below is a discussion of those actions and related procedures 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 people who are emotionally distraught. These telecommunicators have

³⁶ *Id.*, page 12.

³⁷ Collins, *op. cit.*, n. 27, page 12.

found an effective technique for both calming the caller and obtaining the most valuable information is to inform the caller an officer is responding to the scene. Once an individual is assured assistance is en route, he or she is more likely to think logically and provide direct answers to the operator's questions. During the initial call standard, predetermined questions should be asked with the responses relayed to the responding officers. Telecommunicators need to obtain the basic facts and details of the situation while obtaining a brief description of the missing child and any suspected abductors. Since the ability to accurately assess a missing-child report begins with the quality of information received, telecommunications personnel should be able to immediately provide responding officers with an overview of agency records concerning the child and family and area in which the child was last seen. This should include information contained in any available criminal or Child Protective Services records, reports of suspicious activity in the area, and any transient or construction activity in that area. Such information permits responding officers to make more informed decisions. NCMEC offers resources to assist in this process including a console flip-chart titled *Checklist for Public-Safety Telecommunicators When Responding to Calls Pertaining to Missing, Abducted, and Sexually Exploited Children*. This Checklist and other resources for telecommunicators and the agencies maintaining 911 call centers are available by visiting NCMEC's website at www.missingkids.com. From the home page respectively click on the "Law Enforcement" and "9-1-1 Call Center Program" links. For more information about the relationship between abductions ending in murder and these abductors with prior criminal records involving crimes committed against children, visit www.ncjrs.gov to review *Investigative Case Management for Missing Children Homicides, Report II*. From the home page search for NCJ 218936.

Radio Broadcasts Rather than wait for the responding officer to reach the scene and gather additional information, it is recommended agencies broadcast an **immediate** alert, on **all law-enforcement** communication channels, to **all** other patrol units providing as much information as possible about the child and circumstances. 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 especially if vehicle information is known. As more information is obtained, either by the telecommunicator or responding officer, additional broadcasts need to supplement the original announcement. **Note:** If the media monitors frequencies used by law-enforcement agencies, steps need to be taken to direct any media response.

Besides agency-wide notifications, agencies should prepare radio bulletins for broadcast throughout the region, again on **all** law-enforcement communications channels. As in the case of the initial local broadcast, information forwarded to agencies within the immediate region needs to be updated as more facts become known. Delaying the initial regional broadcast until all information is gathered not only slows the resources these agencies may offer but further jeopardizes the safety of the missing child. **Note:** Those responsible for NCIC entries should also review "Appendix A: NCIC Missing-Person-File Categories" on page 193 to help ensure the child's record is entered in the correct NCIC Missing-Person-File category.

...it is recommended agencies broadcast an immediate alert, on all law-enforcement communication channels, to all other patrol units providing as much information as possible about the child and circumstances.

Nlets To help ensure thorough dissemination of all facts surrounding the case, local and regional radio broadcasts should be immediately followed with written communications. By using Nlets, The International Justice & Public Safety Network, hard-copy information regarding the case may be directed to law-enforcement agencies throughout the county or state as well as in any or all regions of the country. As with radio broadcasts, initial information entered in the Nlets system should 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 may be effective in cases when a child has been abducted and the abductor is attempting to transport the child out of the immediate area. For additional information about searching *see* the sections titled “Neighborhood Canvassing” and “Roadblock Canvassing” on page 45.

Special Tipline or Hotline If the investigating agency wants to distribute posters, activate an AMBER Alert, or request any other media or public assistance, the agency must decide what law-enforcement phone number will be used. The success of such public distribution of information depends on the ability of the investigating law-enforcement agency to receive, record, process, and prioritize leads and tips in a timely manner without dropping calls on a 24-hour basis for the duration of the tipline or hotline’s activation. For law-enforcement agencies without comprehensive operational plans for the activation of such tiplines or hotlines, call NCMEC toll-free at **1-800-THE-LOST (1-800-843-5678)**.

Media Relations A final administrative responsibility concerns the activation of protocols for working with the media during high-profile, missing-child cases such as the AMBER Alert program. Since observation by the public may be an effective supplement to an ongoing investigation, agency spokespersons or Public Information Officers should be prepared to immediately use an array of information-dissemination methods. Such methods should be used only in those situations when public awareness may realistically assist in case resolution.

First-Responder Component

As the first responding officer to the report of a missing child, the patrol officer is best situated to access the situation and conduct the preliminary investigation. In

If there is no investigative explanation for the child being missing, typically that child is in the most danger.

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 people.

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. Those activities are more appropriately handled by other patrol units in the area. If the first-responder’s vehicle is equipped with a patrol-mounted video camera, activate the camera when approaching the scene to record vehicles, people, and anything else of note for later investigative review.

On-Scene Activities When first arriving 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 a Checklist of activities to consider at this point in the investigation *see* the section titled "First Responder" beginning on page 28. Following is a discussion of those items and related procedures 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 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 developmental 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. Also look for evidence indicating any foul-play.

Keep in mind there are most likely multiple locations from where the child was last seen, including locations within the child's home, that could end up being classified as a crime scene where contents should not be disturbed. Responding officers are responsible for safeguarding the integrity of those locations to preserve any items eventually identified as evidence. In a manner appropriate for the situation and child's age, law enforcement needs to check the child's bedroom, entire home, and key locations around the home. Obtain and note permission to search the home and any other key areas where the child could be located. Remember young children are known to lie down and sleep wherever they are when becoming tired. This sometimes leaves the illusion the child has "disappeared." In other cases young children are known to play in dangerous but "attractive" areas such as behind a washer or dryer and in/around outbuildings; pools; hot tubs; and abandoned wells, vehicles, and appliances. Older children may leave notes in their room in obvious or not-so obvious spots such as on mirrors and electronic devices. A thorough examination of the child's room should include checking items in garbage containers and note pads including indented writing. For online devices enlist the help of forensic examiners to look for any clues including programs used to secure directions, obtain travel schedules, and communication with others that could reveal meeting or travel plans. In addition look for clues such as key personal items that are present or missing. Be sure to search any surrounding areas including vehicles and other places of concealment. Care should be taken to avoid contamination of the area where the child was last seen. Search dogs, if needed, will be more effective if the area has not been compromised by large groups of people. Likewise the use of diesel and other air-contaminating vehicles and devices should be discouraged until the search has been completed. If aerial support is requested, such as low-flying helicopters, that will disturb any left-behind scents as well.

If there is no investigative explanation for the child being missing, typically that child is in the most danger.

Note: When interviewing the complainant and all people at the scene, it would not be unusual for the person reporting the crime or someone at the crime scene to somehow be involved in the missing episode. Be observant. There have been occasions when a person being interviewed had blood on his or her clothing or shoes or bite marks and scratches. A key child-homicide study noted the cause of death for 33.2% of children who were abducted and murdered was strangulation. Evidence transfer during strangulation tends to be great, especially under the perpetrator's

fingerprints. Other causes of death noted in the study included 23.9% by blunt force trauma, 23.3% by stabbing/cutting, 12.2% by asphyxia/unknown means, 11.8% by firearms, and 3.7% by drowning.³⁸ Any such evidence noted at the scene needs to be discreetly and immediately reported to investigators.

When the initial interview is completed the officer needs to make an **initial assessment** of the case and gather enough information to commence investigative actions. Answers obtained to interview questions will help 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 family member should also be raised during this interview. Parents/guardians 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 assessing a missing-child case. Incorrectly assessing a case as belonging to a category generally considered as “less urgent” will often negatively impact initial agency response and how information is gathered. Even if the initial information suggests such a classification, it is strongly recommended officers consider a worst-case scenario taking all possibilities into account until the facts prove otherwise.

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 missing episode or insight into recent events in the life of the missing child. Each should be interviewed separately in an attempt to obtain honest answers not influenced by the presence of other individuals. It is also recommended officers record the names of all individuals present at the scene for future investigative reference. If possible those names should be forwarded to headquarters and a background check conducted. Telecommunicators can be enlisted to play a vital role in researching the backgrounds of each person at the scene.

Remember distraught parents/guardians may not completely check the house for a young child who could be playing hide-n-seek or listen to the answering machine to hear a message from their teenager saying he or she is coming home later than planned. Discuss with the parents/guardians every obvious location as to where the child could be to make sure no area or possibility has been overlooked. The responding officers should assist parents in searching the home and outer perimeter to help ensure nothing is overlooked.

Officers should remain alert to any risk factors involved requiring immediate action and the mobilization of all available resources. *See* Figure 4 for a listing of **risk factors**. When risk factors exist, law-enforcement agencies should “pull out all the stops” by calling in additional personnel, supervisory investigative assistance, special support units such as K-9 and aviation, and any other available resources.

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

³⁸ Brown, *op. cit.*, n. 33, page 37.

Risk Factors	
Risk factors include the child	
<input type="checkbox"/>	Is 13 years of age or younger
<input type="checkbox"/>	Is out of what is believed to be the zone of safety for his or her age and developmental stage
<input type="checkbox"/>	Has mental or behavioral disabilities
<input type="checkbox"/>	Is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening
<input type="checkbox"/>	Has been absent from home for more than 24 hours before being reported to law enforcement
<input type="checkbox"/>	Is determined to be in a life-threatening situation as based on available information
<input type="checkbox"/>	Is believed to be in the company of an individual who could endanger his or her welfare as based on available information
<input type="checkbox"/>	Is absent in a way inconsistent with his or her established patterns of behavior and the deviation cannot be readily explained
<input type="checkbox"/>	Is determined to be "at-risk" based on other circumstances involved causing a reasonable person to conclude the child should be considered as such

Figure 4

Officers must make every effort to assume immediate control of any site filled with people who may contaminate a possible crime scene. Crime-scene tape should be used as soon as possible to mark off areas requiring more attention. The investigating agency may consider calling in surrounding agencies to assist at this point, per mutual aid agreements, not only to assist with the investigation but also to assist in answering regular calls for service while officers are concentrating on this case. Once additional help has arrived the officer may direct some volunteers to carry out tasks such as walking or driving through local parks, playgrounds, and construction sites or checking places in the neighborhood that may be attractive to children. **Note:** All volunteers should have background checks performed before they assist. Missing children are vulnerable and law enforcement needs to take great care not to accept assistance from convicted sex offenders, child exploiters, or those with a violent criminal background. Advance planning in this area, perhaps training with any volunteer firefighters in the area, is critically helpful. Care also needs to be taken to prevent use of any volunteer who could be criminally involved in the case to avoid giving anyone the opportunity to destroy evidence found at the scene or gain insights into the investigation. For instance in one case a perpetrator volunteered to distribute fliers and help with the search. When the perpetrator learned K-9 units were going to be used in the search, he returned home and cleaned areas where the child was murdered with ammonia to try to hide any scents left behind. A key child-homicide study revealed 10% of killers interjected themselves into the investigation.³⁹ See Figure 5 for a listing of key post-offense behaviors by these killers.

Additionally family members or friends may be asked to provide contact information for all neighbors or places where there is a possibility the child may be found. This should not be done with the residence phone, parent's cell phone, or any phone the child may call seeking help. If the child does have an opportunity to call, these lines need to remain open. Officers may ask for help to ensure **everyone** at the scene is properly identified, his or her relationship to the child is noted, and his

³⁹ *Id.*, page 41.

or her observation about “what happened to the child” is recorded. When possible, officers should take photos and video recordings of all bystanders at the scene. As previously mentioned, using the video cameras mounted on patrol vehicles is an excellent tool to document this information. And officers should consider asking anyone at the scene who is filming to share the recordings with them. Both methods could document the presence of any abductors and/or their accomplices present to “assist” or try to impede the investigation in any way. A carefully compiled record of all people present at the scene may be beneficial later in the investigation.

Post-Offense Behavior of Killers	
23.7%	Returned to the Body-Disposal Site
16.1%	Left Town
16.1%	Confided in Someone
14.3%	Followed Case in the Media
10.0%	Interjected Self Into Investigation
9.7%	Contacted Victim’s Family
9.7%	Contacted Law Enforcement or Media
8.3%	Changed Residence ⁴⁰

Figure 5

Officers are urged to undertake a thorough search of the child’s home, even if the parents/guardians 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 photos and videos 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 regarding 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. Also secure any items that may contain the child’s DNA such as toothbrush, hairbrush, chewed gum, hat, or blood/used bandage.

As initial interviews are being conducted and potential crime scenes are being searched or secured, the responding officer should help ensure a complete description of the child and circumstances surrounding the missing episode are immediately entered in the NCIC Missing Person File no more than two hours after receipt of the report. Care should be taken to verify the proper file category is designated. Categories include Disability, Endangered, Involuntary, Juvenile, and Catastrophe. For a complete description of NCIC filing categories and a description of the “flags” to be used when entering a missing child’s record *see* “Appendix A: NCIC Missing-Person-File Categories” on page 193 and “Appendix B: NCIC Child-Abduction Flag” on page 194. Officers should confer with their agency’s NCIC data-entry person for more information regarding NCIC requirements. The originating agency entering information about the child into NCIC should anticipate a call from NCMEC if the agency has not already contacted NCMEC by that point in time. All available information about the missing child and circumstances of the missing episode

⁴⁰ *Id.*

should be reported to NCMEC as soon as possible. NCMEC offers a wealth of resources from photo distribution to placement of personnel for on-site technical assistance. In addition call and advise the local FBI office of the situation. The FBI has many investigative resources to offer especially in cases of nonfamily abduction. If there is a CART in the area, they have investigative resources to offer as well.

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 long-term investigation. Information gathered by the responding officer, such as people present at the incident location, comments of the complainant, and appearance of the scene, 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 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.

To help ensure proper handling of tips and leads, establish a dedicated phone line for their receipt. Also establish a leads-management system to prioritize incoming information. As noted earlier, NCMEC has developed software, named the Simple Leads Management System, designed to manage and prioritize leads associated with missing-child investigations as well as search capabilities. It is available at no cost by calling NCMEC's Missing Children Division toll-free at **1-800-THE-LOST (1-800-843-5678)**.

...the responding officer should help ensure a complete description of the child and circumstances surrounding the missing episode are immediately entered in the NCIC Missing Person File no more than two hours after receipt of the report.

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 immediate implementation of other investigative resources as needed. 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 specifically assigned tasks.

For a Checklist of these responsibilities *see* the section titled "Supervisory Officer" beginning on page 30. Below is a discussion of those items and related supervisory procedures to consider at this point in the investigation.

Debriefing the First Responder Supervisors arriving at the scene 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 pass along initial impressions and opinions, especially if they might be challenged or misconstrued by others. Supervisors should verify the first responder has performed the essential activities as noted beginning on page 28 such as securing the scene, searching the home, gathering descriptive information and photos, and ensuring all pertinent information was entered into NCIC files no more than two hours after receipt of the report. Agencies should have a plan in place designating the person responsible for NCIC entry.

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 and/or search efforts may be directed. A command post is a field headquarters/office for scene management; used to organize people, search and rescue operations, and investigative efforts; used to decide the division of investigative labor on-site; a location in which on-site chain of command may be administered; a focal point for inquiries and intelligence-gathering; and a communications center.

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, creating an implied hazard to the community.

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 inside the home for a short period of time for family 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, with minimal disruption to the victim's family. The victim family should be informed of any intent to remove or relocate a command post when a case is still active. The victim family needs to be assured even though the command post is being relocated or downsized the case is still being actively investigated. Communication with the victim family is critical throughout the entire investigation and even throughout any subsequent prosecution.

Mobilizing Investigative Resources Once it has been determined 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. At this point in time contact should have been made with NCMEC to explore possible Team Adam activation and available assistance from the missing-children clearinghouse. *See*

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 chapter titled "Investigative Resources" beginning on page 141 for additional information about agencies and resources available to assist in these cases. This mobilization may be accomplished swiftly and efficiently if the groups involved have participated in preincident planning sessions where an organized response strategy has been agreed upon. For additional information about this topic *see* the section titled "Preincident Planning" beginning on page 156.

Implementing Perimeter Patrol To intensify efforts aimed at locating a missing child or obtain information about events surrounding a missing episode, 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 such as 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 using smaller groups of officers in the geographic areas radiating out from that initial point. This technique works well when there is a known suspect vehicle.

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 preplanning for these types of incidents has been conducted, and guidelines for working with the media are in place, a supervisor need only activate those predetermined procedures. If not, the immediate supervisor should request or delegate someone from the agency with media experience to be the media liaison.

If the investigation would be aided by immediate broadcast of the child’s description and photo, such as the activation of an AMBER Alert or other type of missing-child alert, a press conference held at a location other than the command post may be of value. Any and all press conferences should not be held at the command post to minimize confusion and freely allow investigators to do their job. A likely place to hold a press conference would be the law-enforcement agency’s headquarters. Broadcast the department’s phone number for use by individuals who have information about the case. This number should be a dedicated phone line or newly established hotline staffed by personnel who are able to quickly relay leads to investigators. *See* the section titled “Special Tipline or Hotline” on page 36 for more information about this concept. Press releases or conferences should be distributed/held at regular intervals regardless of case progress. Keeping the media informed with the most recent and accurate information helps keep confusion to a minimum and develop rapport. For additional information about this topic *see* the chapter titled “Crisis Media Relations” beginning on page 159.

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 help ensure 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 help ensure reports are completed by **all** assigned personnel. Copies of each report should be collected, reviewed, and stored within the master file containing all documents generated by the incident. Besides the master file, the supervisor should direct a case-activity log be maintained chronologically listing the various investigative and administrative efforts conducted in relation to the incident.

In addition the supervisor needs to identify and secure all appropriate support services for the family. These may include social services, mental-health professionals, victim-witness programs, and media relations. NCMEC’s Family Advocacy Division

(FAD) may also assist with this step. For more information about the many services offered through FAD *see* the section titled “Family Advocacy Division” beginning on page 146 or contact them at familyadvocacy@ncmec.org or toll-free at 1-800-THE-LOST (1-800-843-5678).

Investigative Component

While subsequent chapters in this guide will present specific investigative techniques for handling subjects such as nonfamily abductions, family abductions, and runaways, there are certain common activities applying to the role of investigative personnel during the initial response to a missing-child report. For a Checklist of activities to consider at this point in the investigation *see* the section titled “Investigative Officer” beginning on page 31. Below is a discussion of those items and related procedures law-enforcement agencies may wish to consider at this point in the investigation. A key tool in this process is communication among all parties involved in the search and investigation.

Debriefing the First Responder(s) After assuming control of the investigation, but before meeting with the family of the missing child and witnesses who may have been identified during earlier stages of the case, investigators should conduct a thorough debriefing of all agency personnel at 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/guardians, other 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 people 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 on which to structure future case directions.

It is critical to obtain a brief family history from the people present at the scene and verify, to the best of the agency’s ability, the accuracy of that information. Such information may 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 of the fact the longer an individual is delayed between observing something and describing it to an officer, the less accurate his or her description will be. The “door-to-door” or neighborhood canvass of the area or location where the child was last seen is of critical importance. This investigative activity should be commenced as soon as possible when the circumstances indicate the missing child

has been abducted or is missing and believed to be in a life-threatening situation. Written documentation is critical in helping to ensure everyone who needs to be interviewed, and canvassing forms help ensure consistency in the questions asked.

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.

Developing Assessment Criteria Information gained from witnesses, family members, 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 questions below 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?**
- **Have the mental/physical/behavioral characteristics of the abductor been determined?**
- **Have the mental/physical/developmental characteristics of the child been determined?**
- **Is the incident a misunderstanding rather than an abduction in cases in which the abductor is a parent/guardian?**
- **Is the violation of a court order involved?**
- **Is there probable cause to believe a criminal offense has occurred?**
- **Has anyone made a false report in this case?**

Neighborhood Canvassing A neighborhood canvass is critical when looking for a missing child and is often overlooked or not taken seriously. The objective of the canvass is to identify and interview, in person, any individual within the area where the child was last seen. From the time the child was last seen until the child was discovered missing is the time frame of most concern to the investigation. This is also referred to as the “window of opportunity.” Depending on the age of the child, canvassing could start with seeking permission to search backyards and other areas where a child could be hiding. For best results a flier with the child’s photo should be used when making inquiries. Ultimately each person interviewed should be done so in a thorough and systematic fashion to ascertain if he or she saw the child; noticed any suspicious activity; or noticed any person who seemed to be unusual, strange, or out-of-place. A key child-homicide study found there were unknowing witnesses in 32.9% of the cases studied.⁴¹ An unknowing witness is someone who observed some aspect of the crime but did not realize he or she was witnessing part of a crime or potential abduction. Neighborhood canvasses need to be documented with scripted questions and biographical data as obtained from each person interviewed.

...commence this preliminary investigation as soon as possible....

Roadblock Canvassing Depending on the area in which the child was last seen, roadblocks may be used in many ways when legally allowed in a jurisdiction. The most common way to use roadblock canvassing would be similar to roadblocks used for driving-while-intoxicated, seat-belt, or investigative checkpoints. There

⁴¹ *Id.*, page 44.

are two main areas of focus when looking for a missing child. The first focus in the early stages of an abduction involve law enforcement stopping all vehicles leaving the immediate area of the suspected abduction site to search for the child. The second focus is searching for unknowing witnesses in the same manner as is done in a neighborhood canvass. In each instance all occupants and statements need to be documented for later investigative analysis. It is important for law enforcement to review their agency's policy about and seek legal opinions from their prosecutors or district attorney's office before conducting this canvassing activity. In addition traffic volume, weather, lighting, and adequate space to stop vehicles must be carefully considered when implementing such a canvass to help ensure safety remains a paramount consideration. Roadblock canvasses need to be documented with scripted questions and biographical data as obtained from each person interviewed.

Activating Response Protocols In most missing-child investigations the resources of local law enforcement are sufficient to undertake the case. 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.

Identifying available resources and evaluating their services while in the midst of an immediate, high-visibility investigation are tasks requiring significant personnel time and also delay the response of urgently needed assistance. The time to identify and arrange assistance of resource agencies and organizations

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

is **not** while a case is underway, but beforehand when collaborative protocols may be more easily agreed upon and appropriate response methods developed. For additional information about resources to consider having in place in preparation for an agency's missing-child response *see* the section titled "Preincident Planning" beginning on page 156.

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 about circumstances under which such immediate action is warranted *see* the criteria for assessing "risk factors" in Figure 4.

For additional information about searches, including managing the search process, *see* the chapter titled "Searches for Critically Missing Children" beginning on page 125.

Conclusion

Efforts undertaken by law-enforcement agencies during the initial stages of a missing-child report may often make the difference between a case with a swift conclusion and one evolving 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 absence of a child. When not anticipated and prepared for, this stress may negatively impact the outcome of a missing-child case.

Preparation and preincident planning are central to the development of an effective law-enforcement response to missing-child cases. Obviously preincident planning does not just happen. It comes about when an agency, jurisdiction, or region recognizes 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 about this concept *see* the section titled "Preincident Planning" beginning on page 156.

NCMEC's Missing Children Division is available toll-free at **1-800-THE-LOST (1-800-843-5678)** to offer resources and technical assistance for any of the suggestions presented in this chapter.

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Nonfamily Abduction

by Charles Masino; Robert G. Lowery, Jr.; and H. Wayne Sheppard

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Nonfamily-Abduction Investigative Checklist

Review all steps outlined in the “Initial-Response Investigative Checklist” beginning on page 27. In addition, in cases of nonfamily abduction, consider the steps listed below. Consult the text of this chapter for details about the items listed.

Initial Investigation

- [] Assign an officer to victim’s residence with the ability to record and “trap and trace” all incoming calls. Consider setting up a separate phone line or cell phone for agency use.
- [] Conduct neighborhood/vehicle canvass.
- [] Compile list of known sex offenders in the region.
- [] Develop profile of possible abductor.
- [] Consider use of polygraph for parents/guardians and other key individuals.
- [] Investigate claims of home births made in that area in cases of infant abduction.
- [] Upload National Crime Information Center (NCIC) Missing Person File within two hours of report receipt (involuntary category) with complete descriptive information, medical information, dental information, and use the Child-Abduction (“CA”) flag as described in “Appendix B: NCIC Child-Abduction Flag” on page 194.
- [] Use Nlets and other information systems to alert local, state,⁴² regional, and federal law-enforcement agencies.
- [] Review records found in various law-enforcement databases, including Nlets, for attempted abductions with case similarities.
- [] Provide support for family through nonprofit, missing-children organization (NPO).

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 for anyone identified in the investigation.

⁴² Unless otherwise noted this guide uses the term “state” to also include American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the U.S. Virgin Islands. The authors have attempted to identify and note any situation in which specific programs, laws, or definitions may not include some or all of these jurisdictions.

- [] Review all photos and videos.
- [] Reexamine all physical evidence collected.
- [] Determine if case file contains DNA evidence from child and biological parent(s).
- [] Review child-protective-agency records for reports of sexual exploitation/abuse about the child.
- [] Develop timelines and other visual exhibits.
- [] Reinterview key individuals.
- [] Interview individuals such as delivery personnel; employees of gas, water, electric, and cable companies; taxi drivers; post-office personnel; and garbage handlers.
- [] Critique results of the ongoing investigation with appropriate investigative resources.
- [] Arrange for periodic media coverage.
- [] Use rewards and crime-stopper programs.
- [] Contact the National Center for Missing & Exploited Children® (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 to this Checklist. To obtain those updates and request technical assistance for specific cases, contact NCMEC toll-free at 1-800-THE-LOST® (1-800-843-5678).

Definition of Nonfamily Abduction

A nonfamily abduction involves a child who has been wrongfully taken by a nonfamily perpetrator through the use of physical force, persuasion, or threat of bodily harm.

During their careers most law-enforcement officers encounter cases severely testing their investigative knowledge and ability. Yet only a few will face what some describe as their most challenging and emotionally draining investigative experience — the abduction of a child by an unknown individual. Although this is the least common type of missing-child case, it is among the most dreaded. While time is the enemy in all missing-child cases, it is especially critical when a child is taken by a nonfamily member because these children are often in great danger. This type of investigation may be conducted in an atmosphere in which there is sparse evidence, few leads, no witnesses, and intense public pressure driven by community outrage over the crime. This chapter is designed to provide law-enforcement officers with a framework for creating a comprehensive, tactical plan to locate and return nonfamily abducted children, identify and arrest the abductor(s), and help ensure successful prosecution of all guilty parties.

Note: In the past the term “stranger abduction” was often used to describe the taking of a child by an unknown individual. Today use of the word “stranger” is discouraged as it excludes those people known to the child or the child’s family. Experience tells us abductors of children are sometimes known to the child or family in some way — a family member, family friend, neighbor, or other acquaintance. Investigators must keep an open mind about potential suspects and consider all possibilities until the facts of the case direct them otherwise. Additionally use of the word “stranger” as in “stranger danger” sends the wrong educational message to children who, in reality, need to understand abductors and other exploiters of children fit many descriptions — including individuals they may know, have regular contact with, or even represent an otherwise trusted authority figure.

The Initial Response

Since few nonfamily abductions are witnessed, the first responder, usually a uniformed patrol officer, plays a vital role in assessing the situation. When there are no known witnesses the first responder must quickly and thoroughly gather all the facts to guide them in determining what may have happened or led to the belief the child is missing. Since time is critical it is strongly recommended the initial response always “error on the side of caution” by assuming a worst-case scenario until the facts prove otherwise.

Note: NCMEC has developed a model, law-enforcement policy and procedure for reports of missing and abducted children. This document, titled *Law Enforcement Policy and Procedures for Reports of Missing and Abducted Children*, is available for viewing and downloading by visiting NCMEC’s website at www.missingkids.com. From the home page respectively click on the “Training” and “Model Policies” links.

While some cases are promptly assessed as abductions, due to age of the child or circumstances, others can be more difficult to determine, which could delay the response of adequate and appropriate additional personnel and resources. For example a toddler missing for 2 hours will likely produce a full-scale agency response, while a 10-year-old who is 2 hours late returning from the store or a

teenager who has not returned home by an agreed-upon curfew, might cause the untrained officer, lacking clear written policies and procedures, to view the situation as needing little or no immediate attention. To assess each incident thoroughly, officers must consider factors in the child's background or past behavior such as any prior missing reports and conditions both at home and school. Interviews with family members, friends, or acquaintances, combined with the officer's training and intuition, can be valuable in determining whether the potential exists for foul play requiring a full-agency response. Agency policies and procedures should include guidance to aid the officer in determining and recognizing "risk factors" warranting an immediate, full-scale response. See Figure 6 for a list of risk factors.

Planning

A key child-homicide study found abducted children face the greatest danger during the first few hours after the abduction.⁴³ Effective training of first responders and investigative officers, as well as a clearly written response plan, are critical to safely recovering the child and arresting the suspect.

Child-abduction cases are unique from other major crime investigations because they require a two-pronged approach of searching for the child while also investigating the crime and preserving evidence for prosecution. Obviously the primary focus must be on safely recovering the child. A successful search requires a full-agency response, but should also embrace outside resources including search-and-rescue experts, helicopters, K-9 search teams, and volunteers. Simultaneously a full-scale, comprehensive investigation into the circumstances of the abduction must be conducted, which could also lead to the recovery of the child. Coordination of this sometimes bifurcated, sometimes blended effort depends largely on strong communication and rigid case management to avoid overlooking critical information or duplicating efforts.

Planning is key to a successful response to any major crime, most especially a child abduction. The search for an abducted child often demands personnel and other resources rarely available to a single agency. A sustained investigation using vast amounts of personnel over a period of days, weeks, or months can easily strain the resources and budget of even the largest agencies. Administrators must consider

A key child-homicide study found abducted children face the greatest danger during the first few hours after the abduction.

in advance how their agency will respond when faced with an investigation of this size and scope. Proper planning will mean the difference between a well-organized, effective, and coordinated response or chaos.

Administrators should adopt a strategy that presents the best opportunity for sustaining an intense, around-the-clock investigation; will adapt operationally into the agency; and best serve the victim, victim's family, and community. A response of this size can stretch the very limits of the agency's capabilities and even the comfort zones of those involved. While there are wide variations of plans and a variety of choices available, generally speaking, there are four types of responses.

- **Single Agency: Self-Contained** This strategy is generally used by large agencies with a vast amount of available personnel. Some large agencies deploy "priority squads" or an "all-hands-on-deck" approach pulling personnel and resources

⁴³ According to Brown, *op. cit.*, n. 33, page 13, when an abducted child was killed it happened 46.8% of the time within 1 hour of the abduction and 76.2% of the time within 3 hours of the abduction.

from various divisions within the department to work exclusively on a single case such as a child abduction.

- **Single Agency: Coordinated** With this strategy the agency maintains management responsibility for the investigation while relying on the assistance of neighboring agencies, county sheriff/police, state police, and federal agencies for additional personnel and other resources. This often requires additional planning to address certain issues such as deputization of the investigators; statutory authority; policy and procedures; and worker insurance, compensation, and overtime. If not already included, existing mutual-aid agreements can be amended for major crime investigations.
- **Outsourced** This strategy is generally used by small agencies that outsource responsibilities for major crime investigations to larger agencies such as their county sheriff or state police. In some states, statutes may require jurisdiction and management of major crime investigations are the authority of agencies such as the office of the state attorney or state police.
- **Multijurisdictional** This strategy involves the use of an existing local violent crime task force in coordination with the local agency to manage the investigation. Most existing violent crime task forces already include investigators from the local agency. Generally most are ad-hoc task forces with investigators from local agencies, county sheriff/police, state and federal agencies who investigate cases as needed at the request of the head of the host agency.

Outside resources, such as NCMEC's Team Adam, community volunteers, K-9s, helicopters, search-and-rescue experts, and anthropologists, should be used to complement these responses.

While there are many examples of success associated with each strategy, decision-makers should be mindful each one has its own set of strengths and weaknesses, which must be weighed before making a decision.

Regardless of which strategy is selected it is recommended to use a centralized command structure, such as the Incident Command Model, to manage the case. This places one person in-charge of the investigation; allows information to flow in and out of one centralized location; ensures coordination of personnel and resources; enhances communication among everyone involved; reduces the possibility of duplication of efforts; ensures information/leads are not inadvertently overlooked; and, most importantly, securely stores all documents and information.

Note: There is a range of available training courses covering the investigation of missing- and abducted-children cases, as well as other programs focused on preventing and/or investigating child exploitation. To learn more about those training opportunities visit the "Training" section of NCMEC's website at www.missingkids.com or contact jrletc@ncmec.org.

In nonfamily-abduction cases law-enforcement agencies are strongly urged to use and incorporate into their operational orders, the "Initial-Response Investigative Checklist" beginning on page 27 and "Nonfamily-Abduction Investigative Checklist" beginning on page 51. The suggested actions for the first responders and investigative officers, along with the listing of methods to handle the initial investigation, are found in those Checklists. Those actions should be completed as thoroughly and quickly as possible in order to obtain the greatest amount of information and secure all available evidence.

Risk Factors	
Risk factors include the child	
<input type="checkbox"/>	Is 13 years of age or younger
<input type="checkbox"/>	Is out of what is believed to be the zone of safety for his or her age and developmental stage
<input type="checkbox"/>	Has mental or behavioral disabilities
<input type="checkbox"/>	Is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening
<input type="checkbox"/>	Has been absent from home for more than 24 hours before being reported to law enforcement
<input type="checkbox"/>	Is determined to be in a life-threatening situation as based on available information
<input type="checkbox"/>	Is believed to be in the company of an individual who could endanger his or her welfare as based on available information
<input type="checkbox"/>	Is absent in a way inconsistent with his or her established patterns of behavior and the deviation cannot be readily explained
<input type="checkbox"/>	Is determined to be "at-risk" based on other circumstances involved causing a reasonable person to conclude the child should be considered as such

Figure 6

Tactical Considerations

Tactical considerations in **all nonfamily-abduction investigations** include conducting a neighborhood investigation; creating an information-management system; developing an accepted methodology and criteria to address multiple suspects who typically arise during these investigations; establishing a command post; managing relations with the family; and developing a liaison with community groups and NPOs.

Neighborhood Canvass

In the publication titled *Child Abduction Response Plan*, the Federal Bureau of Investigation (FBI) states the objective of a neighborhood canvass is to identify and interview all individuals within the abduction and/or last known sighting area during the window of opportunity, which is the last time the missing child was seen through the time the child was discovered missing. Often someone within the neighborhood witnesses the incident but will not realize the importance of what he or she saw until contacted by authorities or being made aware of the missing child through the media. Unless the neighborhood canvass is immediately and thoroughly conducted, valuable information may be lost.⁴⁴

A neighborhood canvass usually consists of several officers or investigators spreading out through a neighborhood to gather meaningful information from residents, workers, and any others who spend time there. In order for the information to be most useful, however, canvassers must use a standardized set of questions to assure completeness and uniformity of answers and facilitate the establishment of a database to track all information obtained. Every effort must be expended to record information about those interviewed in order to allow an opportunity for subsequent interviews of neighbors based on receipt of new information. For more information about this concept see the section titled "Neighborhood Canvassing" on page 45.

⁴⁴ *Child Abduction Response Plan: An Investigative Guide*. Washington, DC: Federal Bureau of Investigation, U.S. Department of Justice, 2008, page 19. Available from FBI field division offices.

Information-Management System

While each case of suspected nonfamily abduction has its own unique characteristics, one common factor may be found in every investigation — there is always an overwhelming amount of incoming leads and information. This requires a technology-facilitated system and database to adequately manage and coordinate the extraordinary volumes of information to help ensure critical information is not inadvertently overlooked, forgotten, or accidentally discarded. The planning process should include how to manage huge volumes of information including the selection, testing, and training of personnel on a suitable, “computerized” case-management system. If neglected, or left to chance at the time of an investigation, valuable leads may be lost resulting in important information being overlooked.

Not so long ago 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 photos. 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.

Today’s technological advancements in automated, data-collection and analytical software have provided law enforcement with a means to simplify information management that significantly improves the likelihood of a safe recovery of an abducted child. Agencies and investigators should consider using existing case-management programs or developing a customized program to meet their own specifications. Generally a program should include a database for storage of documents, records, and photos; an index system and file to organize records for easy retrieval; search capabilities; and the ability to compare large volumes of information to link data and identify similarities. It is recommended programs be tested to identify potential shortcomings and make necessary programming corrections and adjustments. It is also important to provide hands-on training to those individuals who will use the system during actual investigations.

Another consideration when managing huge amounts of data and information is the use of experienced and specially trained crime analysts. Crime analysts can provide invaluable assistance in reviewing, comparing, and analyzing data and providing investigators with critical information that may assist in the recovery of a child. Additionally crime analysts can save countless hours of investigators’ time that may well be devoted to other more important tasks.

Note: NCMEC has developed software, named the Simple Leads Management System, to manage and prioritize leads associated with missing-child investigations. It is available at no cost by calling NCMEC’s Missing Children Division toll-free at **1-800-THE-LOST (1-800-843-5678)**.

Use of Polygraph

While opinions may differ concerning the validity and effectiveness of the polygraph, investigators who do advocate its use recommend administering 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/guardians may not sense

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

an accusatory purpose in the test since it is probably being administered to several people at the same time; information gathered during an effectively administered polygraph may help in clearing some suspects thereby permitting valuable resources to be focused elsewhere; and tests administered later in an investigation are often viewed as placing some measure of blame on the parents/guardians or an admission that officers remain far from resolving the case. Using the polygraph should never be considered conclusive and requires independent verification of facts before making final determinations about investigative priorities. The polygraph, while sometimes valuable, must be viewed as merely one investigative tool among many others that will guide and assist in the investigation. Investigators should seek corroboration of polygraph results through independent investigation of each potential suspect. The truthfulness and completeness of statements by suspects and witnesses, verification of alibis with consideration of credibility, or comparison of forensic/biometric evidence should be completed before excluding someone as a suspect.

To properly manage a sizable pool of potential suspects those in-charge may wish to consider establishing a suspect-elimination methodology or criteria to uniformly guide the investigative teams. While polygraph examinations can be useful in the early stages of the investigation, nothing replaces the vital need for thorough investigative work performed by knowledgeable, seasoned, and skilled detectives into the backgrounds of these suspects and the verification of statements/information.

Multiple-Suspect Issues: Short- and Long-Term Cases

An investigation of a child abduction from the earliest stages will produce a large number of potential suspects based on a variety of factors. Investigators will face the dilemma of sorting through mountains of information coming into the investigation regarding potential suspects. Some will be based on facts and circumstances, while others are developed based on suspicion, conjecture, and even speculation. The information and sources will have to be judged on their credibility and reliability. Prioritizing the information and establishing a list of “high-value” suspects is a critical component in determining how to best deploy personnel resources.

Typically anyone having contact with the child prior to the abduction should, at the very least, be considered as a potential suspect. Others typically may be registered sex offenders living in or visiting the area where the abduction occurred, known or unknown to the child; those with a past history of violent criminal behavior; people displaying suspicious or unusual behaviors; those having sexual fantasies involving children; or those with interest in child pornography may be considered as potential suspects. Since abductions often involve “luring” of the child, anyone having contact with or who is known to the child must be considered. This will include family members; friends; acquaintances; neighbors; or even trusted authority figures such as teachers, coaches, and youth leaders.

A person’s motives for abducting a child can range from sexual gratification to revenge against a parent or family member of the child to concealment of the death of the child, such as in body-disposal/abuse situations, to monetary, as in the case of ransom demands, to jealousy to wanting a child, usually an infant, to raise as his or her own child. All motives need to be considered during the investigation and search for the child.

When investigating potential suspects, law enforcement should consider biometric evidence collection in the earliest stages. Generally suspects, even guilty ones, are

most cooperative and very often eager to help “clear their name” and prove their innocence. While statutes may vary in regard to this subject, it can be useful to collect DNA, fingernail scrapings, fingerprints, and the identity of the person’s dentist for comparison to evidence already collected or in anticipation of the discovery of a crime scene. It is also useful to take photos of potential suspects and note any marks; injuries, such as scratches, cuts, bite marks, and bruises; tattoos; clothing; and shoe types, particularly sole patterns, for shoe-print comparisons. It is advisable to consult with prosecuting/state’s attorney for guidance about voluntary waiver procedures.

The task of documenting the statements of all potential suspects and the results of the follow-up investigations is an important part of the investigation, especially in long-term cases. This is an overwhelming and time-consuming responsibility for investigators who are already under intense pressure to recover the child and apprehend the suspect(s). When suspects are conclusively eliminated there is sometimes a tendency to overlook the importance of comprehensive documentation when the pressure and priority is to move on and redirect their efforts to another potential suspect.

In the event of a long-term investigation, however, failure to thoroughly and comprehensively document and articulate why a particular suspect was eliminated from consideration can become problematic for a variety of reasons. The most obvious, of course, is that institutional knowledge is lost over time as original investigators are reassigned, promoted, or otherwise no longer available. New personnel assigned will face the difficulty of familiarizing themselves with an enormous amount of details and information, which may or may not be entirely known to the original investigators, but certainly should be contained within the case documents and report. Additionally it is common to have the case reviewed by an independent team of experienced investigators who may offer new ideas and “fresh perspectives” that may be helpful in solving the case. These case-review teams rely heavily on investigator reports and examination of evidence to form conclusions and recommendations. In the absence of comprehensive and detailed reports, review teams have to rely on investigator recollections, which naturally fade over time. Failure to document in these cases will often require reassignment of the leads and follow-up by other detectives.

Establishing a Command Post

As noted earlier a command post is a field office for scene management establishing a central location to organize people; direct investigative efforts; and serve as a focal point for inquires and intelligence-gathering. A command post should be activated when the number of people at a scene exceeds the capability of the on-site supervisor to exercise control. It should be close enough to the center of activity to facilitate control, but far enough away to allow a free exchange of ideas among responders. Consider placing the command post at the outer perimeter of the abduction scene.

For more information about this process *see* “Establishing a Command Post” on page 42.

Hotline

Once the command post is opened it is important to establish a hotline to serve as a link to the public for soliciting and collecting information and leads. The number should be immediately established and “solely” used for the investigation. The hotline must be well publicized and encourage those with information about the

case, or may have witnessed what happened, to call. Once this number is disseminated to the public it is important for someone to answer the hotline 24 hours a day, most especially in the first hours, days, or even weeks if necessary. The hotline should only be answered by specially trained telecommunicators to document, properly assess, and prioritize information and assist the investigative supervisors in assigning the leads to the investigative teams. Initially, because of the high volume of calls, the hotline should be answered by more than one person so calls are not placed “on hold” and risk losing valuable information from impatient callers.

Family Liaison

Child-abduction cases are unique situations taking an emotional toll on all involved, but most especially on parents/guardians. Maintaining positive relationships between the investigative team and families, especially in long-term cases, can sometimes be challenging. Investigators should be cognizant it is not uncommon to find victim families in an emotional state causing them to react in ways not in keeping with their “expected” role. Investigators should be careful not to assume seemingly out-of-the ordinary or unusual behavior is an indicator of parental/guardian involvement in the missing episode. 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 other victim families have acted in past nonfamily abductions. There is no way to predict how an individual will react under a stressful situation. Investigators should also keep in mind parents or those responsible for the care of children, such as babysitters and relatives, may feel a certain level of guilt and view themselves as partially responsible for “not watching the child more closely or protecting the child more vigilantly.” They may feel “to blame” even though they were not at all responsible for what happened.

Parents/guardians and other immediate family members must be continually assured 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. The roles of a social worker and victim-liaison officer are vastly different and neither should attempt to assume the role of the other. **Note:** Focus groups conducted by NCMEC with family members of children who were abducted by nonfamily members list failure of the law-enforcement agency to provide adequate communication as the primary complaint.

From an investigative standpoint the officer assigned to the family is able to help 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, arrange for interviews by investigators, 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 generally entail without divulging sensitive or protected information
- Prepare them for possibilities such as ransom requests, crank calls, threats, psychics, and private investigators
- Describe the stress factors likely to evolve as the situation develops and how the family may 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
- Notify family members of press releases and content prior to broadcast or print appearing in publications
- Act as the point of contact for arranging interviews by investigators

Family liaisons should not assume the role of social workers or victim advocates. Their role is to be the critical communication line to the family to help ensure a positive relationship with the investigative team and consistent flow of appropriate information. Information about aspects of the investigation should only be communicated to the family by the investigative team, with the approval of the case commander.

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 share their thoughts and suggest additional investigative action 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 to be employed and include information about any available silent-witness or crime-stopper programs, award incentives, and media coverage that may help develop leads in the case. Explain the fact the child's NCIC entry is available to every law-enforcement officer in the United States and Canada. Also, since positive identification may eventually become an issue, if possible a DNA sample should be obtained from the biological parent(s). Give family members tasks to assist in the investigation such as writing down their versions of the events surrounding the case and compiling additional lists of friends and relatives. Assure the family the investigative team will contact them on a regular basis to advise them of the status of the case. Also reassure them they may contact the investigative team whenever necessary. And finally reaffirm for them the investigation will remain open and active until their child is found and those responsible are identified.

Liaison With Community Groups and Nonprofit Organizations

The emotions arising 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 may focus their actions through the establishment of an organization dedicated to the child's safe return.

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

The people who are drawn to participate 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 helpful activities and assistance may be identified.

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

Because of the extensive tasks these organizations often perform, it should be clear to investigators a cooperative, professional relationship must be promptly established.

While the involvement of these individuals and the many tasks they may perform are appreciated by the investigative team, law-enforcement control of the overall investigation must be firmly established and understood. This control is best 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 may educate the community group about the importance of investigative objectives.

In addition to “grass-roots” groups formed in direct response to a missing- or abducted-child case, officers may also seek assistance from an established NPO. While most NPOs in this category were originally formed in response to a single missing-child incident, several have developed into multifaceted organizations offering a wide range of services to both law enforcement and the child’s family. If law enforcement has not established working relationships with such a local organization in the past, officers should carefully assess the services they provide and share with them case-

While the involvement of [other groups and organizations] and the many tasks they may perform are appreciated by the investigative team, law-enforcement control of the overall investigation must be firmly established and understood.

related information furthering the investigative effort. For more information about these groups see the section titled “Nonprofit, Missing-Children Organizations” beginning on page 154.

It is helpful in the planning stages of a critical incident, such as an abducted child, to conduct a comprehensive “community inventory” of potentially useful resources including equestrian teams, trained search-and-rescue teams, helicopter and small aircraft availability, K-9 teams, off-road/all-terrain vehicle accessibility, boats, and watercraft.

Consultation With NCMEC’s Team Adam

Timely action is critical in the case of a missing child. Officers faced with a child abduction should immediately contact NCMEC to bring their resources to bear as quickly as possible. Foremost among those resources in the early stages of an investigation is on-site assistance from experienced professionals — members of NCMEC’s Team Adam. Members of Team Adam are former or retired law-enforcement professionals from local, state, and federal agencies.

The Missing Children’s Assistance Act (MCAA, 42 U.S.C. § 5773) authorized NCMEC to fulfill a number of specific programmatic functions including the provision of “direct on-site technical assistance and consultation to law-enforcement agencies in child abduction...cases” (42 U.S.C. § 5773(b)). To this end NCMEC sends investigative Consultants to the sites of critical child-abduction and missing-child cases. Team Adam is patterned after the National Transportation Safety Board’s system for sending specialists to the site of a serious transportation incident. Members of Team Adam are selected for their career experience and specialized knowledge in the field of child abduction. These “rapid-response” Consultants work in full partnership and cooperation with federal, state, and local law-enforcement agencies. The purpose of Team Adam is to increase the likelihood of recovering missing or abducted children through its rapid-response capabilities. The ability to immediately respond places valuable resources into the hands of law enforcement especially during the most critical first few hours after an abduction. Team Adam also offers on-site guidance and expertise in investigations of other critically missing children, while at the same time bringing the resources of NCMEC to the scene. These resources are available at no cost to law-enforcement agencies.

Investigative Considerations

General

An investigator assigned to a nonfamily abduction should approach the case with confidence the child will be safely recovered and the suspect(s) will be identified and arrested. Investigators should rely on a combination of their training, experience, and knowledge about the resources available to enhance the likelihood of a recovery.

Interviews with investigators who have handled nonfamily-child abductions stress the importance of being logical, creative, and innovative. In other words the investigator must logically analyze the circumstances and consider all possibilities to best determine who is the most likely person responsible whether someone unknown to the family, a family member, a neighbor, or some other person. For example if a child is missing from an apartment playground with other children present and adults in the immediate area, it is unlikely a person unknown in the neighborhood entered the complex and abducted the child. Such a person would likely be concerned about being seen if the child resisted. These facts may lead the investigator to logically conclude the family and/or child knew the abductor. Investigative emphasis may then be focused on the interview of family members, friends, and area residents.

An example of innovative thinking is found in the case of a young pizza-delivery employee who was abducted during a nighttime delivery and later found murdered. The investigation was stalled until an investigator determined the suspect called in an order for pizza and had it delivered to an abandoned home, where the employee was abducted. The investigator learned the order was for a Hawaiian pizza without pineapple, a standard ingredient. In checking the store's records, which are kept for 12 months, only two such pizzas were ordered without the pineapple in the last year, leading to the identification of a suspect who later confessed to the crime.

Regarding Newborn/Infant Abductions⁴⁵

A special category of nonfamily abduction is the unlawful taking of an infant, **birth through 6 months of age**, from a healthcare facility, a home, or some other site. Because the dynamics and investigative techniques of this type of nonfamily abduction are different from the more traditional types of nonfamily abductions discussed earlier in this chapter, this section discusses those differences.

Statistics Based on research conducted by NCMEC, 271 cases of completed infant abduction occurred between 1983 and 2010 — or an average of 0 to 10 per year. **Note:** Because a number of cases may not have reached NCMEC's attention, this figure may be conservative. As a point of comparison, there were more than 4.1 million births in the United States in 2009⁴⁶ and there were nearly 3,000 birthing facilities.⁴⁷

⁴⁵ The information in this section is adapted from Rabun, *op. cit.*, n. 30, pages inside front cover and 1-50.

⁴⁶ According to Sutton B. Tejada-Vera in "Births, Marriages, Divorces, and Deaths: Provisional Data for 2009" in *National Vital Statistics Reports*, Vol. 58, No. 25, Hyattsville, MD: National Center for Health Statistics, 2010, there were 4,136,000 live births in the United States in 2009, the most recent year in which this information is available. This information was accessed on September 20, 2011, at www.cdc.gov/nchs/data/nvsr/nvsr58/nvsr58_25.htm.

⁴⁷ According to the American Hospital Association 2,648 hospitals in the United States reported having inpatient care birthing units in 2009. This information was obtained from *AHA Hospital Statistics: The Comprehensive Reference Source for Analysis and Comparison of Hospital Trends*, 2011 Edition, page 156. According to the American Association of Birth Centers there were 200 birth centers in the United States through 2009. This information was accessed on April 27, 2010, at www.birthcenters.org/news/bcgrowing.php.

In 128 of the 271 cases studied, the infants were abducted from a healthcare facility while 108 were abducted from the home, following many of the same patterns as the hospital abductions but with the addition of violence committed against the mother. Thirty-five (35) additional infants were abducted from other places such as malls, offices, and parking lots. Through 2010, 12 abducted infants remained missing.

Of all the infants abducted from healthcare facilities, 95% were located and safely returned, usually within a few days to 2 weeks. Because anecdotal evidence would suggest there may be numerous abduction attempts at birthing facilities each year, information regarding attempted abductions should be reported to NCMEC toll-free at **1-800-THE-LOST (1-800-843-5678)** or **attempts@ncmec.org**. When submitting information, the name of the healthcare facility may be excluded, but NCMEC would appreciate knowing the city in which the incident occurred and bed size of the healthcare facility reporting the incident. NCMEC wishes to collect this information in order to identify any possible changes in the profile or emerging trends of the abducted infants.

The Offender The offender is almost always a female, frequently overweight, ranging in age from 12 to 53. 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. Sometimes she wishes either to “replace” an infant she has lost or experience a “vicarious birthing” of an infant she is for some reason unable to conceive or carry to term. The infant may be used in an attempt to maintain/save a relationship with her husband, boyfriend, or “significant other.” On occasion an offender may be involved in a fertility program at/near the facility from which she attempts to abduct an infant. Through 2010, of the cases where the offender’s race was known, 99 were Caucasian, 113 were Black, and 51 were Hispanic. The race/skin color of the offender almost always matches the infant’s or reflects that of the offender’s significant other. *See* the description of the “typical” offender in Figure 7.

The abducted infant is perceived by the offender as “**her newborn baby.**” A strong gender preference in the abduction of these infants is not revealed in the data.

Although the crime may be precipitated by impulse and opportunity, the offender has usually laid careful plans for finding another person’s infant to take and call her own. In addition, prior to the abduction, the offender will often exhibit “nesting” instincts by “announcing her pregnancy” and purchasing items for an infant in the same way an expectant mother prepares for the birth of her baby. 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 offenders 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 very gullible in wanting to believe 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 baby.

The “Typical” Newborn/Infant Offender Is
(Developed from an analysis of 271 cases occurring 1983-2010)
■ Most likely a female of “child-bearing” age (range 12 to 53), often overweight
■ Most likely compulsive; most often relies on manipulation, lying, and deception
■ Frequently indicates she has lost a baby or is incapable of having one
■ Often married or cohabitating; companion’s desire for a child or the offender’s desire to provide her companion with “his” child may be the motivation for the abduction
■ Usually lives in the community where the abduction takes place
■ Frequently initially visits nursery and maternity units at more than one healthcare facility prior to the abduction; asks detailed questions about procedures and the maternity floor layout; frequently uses a fire-exit stairwell for her escape; and may also try to abduct from the home setting
■ Usually plans the abduction, but does not necessarily target a specific infant; frequently seizes on any opportunity present
■ Frequently impersonates a nurse or other allied healthcare personnel
■ Often becomes familiar with healthcare staff members, staff-member work routines, and even victim families
■ Often demonstrates a capability to provide “good” care to the baby once the abduction occurs
In addition an offender who abducts from the home setting
■ Is most likely single while claiming to have a partner
■ Often targets a mother whom she may find by visiting healthcare facilities and tried to meet the target family
■ Often both plans the abduction and brings a weapon, although the weapon may not be used
■ Often impersonates a healthcare or social-services professional when visiting the home
There is no guarantee an infant offender will fit this description.

Figure 7

The vast majority of these women take on the “role” of a nurse or other healthcare staff person, such as a lab technician, health-department employee, social worker, or photographer, and represent themselves as such to the victim mother and anyone else in the room with the mother. Once the offender assumes this role she asks to take the baby for tests, to be weighed, to be photographed, or for other logical purposes in the healthcare setting. Obviously, arriving at the decision to ask the mother if she can take the infant for a “test” or “photo” takes forethought on the part of the offender. The pretense of being someone else is most often seen in offenders who use interpersonal coping skills including manipulation, conning, lying, and ruses. 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 these are “copycat” crimes, and most offenders are found in the same general community where the abduction occurred.

Many of these offenders 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.

These crimes are not always committed by the stereotypical “stranger.” In most cases offenders made themselves known and achieved some degree of familiarity with healthcare personnel, procedures, and the victim parents. The offender, a

person who is compulsively driven to obtain an infant, often visits the nursery and maternity unit for several days before the abduction, repeatedly asking detailed questions about healthcare-facility procedures and becoming familiar with the layout of the maternity unit. While the majority of the offenders visit the maternity unit in the days prior to the abduction, and pose as a nurse, some offenders are known to have been former employees, former patients, or have a friend or relative who was a patient at the facility where the crime is committed. Moreover, the women who impersonate nurses or other healthcare personnel usually wear uniforms or other healthcare-worker type of attire. They have also impersonated home-health nurses, staffers with financial-assistance programs, and other professionals who may normally work in a healthcare facility. They often visit more than one healthcare facility in the community to assess security measures and explore infant populations, somewhat like “window shopping.”

The offender may not target a specific infant for abduction. When an opportunity arises she may quickly “snatch” an available victim, often be visible in the hallway **for as little as four seconds** with the baby in her arms, and escape via a fire-exit stairwell. Since the offender is compelled to show off her new infant to others, use of the broadcast media to publicize the abduction is critical in encouraging people 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 when the offender is **not** portrayed in the media as a “hardened criminal.”

Use of Violence In 143 cases (53%) of reported infant abductions between 1983 and 2010 they occurred somewhere other than in a healthcare facility. In fact, because of the training provided to healthcare professionals and the technologies installed in healthcare and similar facilities, infant abductions now occur more frequently at homes or other locations. Unfortunately infant abductions from these other locations have created an increased likelihood of direct confrontation and heightened the risk of violence.

Of the 271 infant abductions between 1983 and 2010, 51 cases included some level of violence during the abduction. Violence is defined as display of a weapon, physical assault of the mother, and homicide. Thirty two (32) of those incidents occurred in homes, 10 occurred on the healthcare premises, and 9 occurred at other locations. Of the 51 cases, 27 mothers were killed by the offender(s). In the extreme, 13 women were still pregnant and their fetus cut from their womb by the offender(s).

The Response When a newborn/infant is abducted, use the items listed in the “Initial-Response Investigative Checklist” beginning on page 27 and “Nonfamily-Abduction Investigative Checklist” beginning on page 51 and be sure to call NCMEC toll-free at **1-800-THE-LOST (1-800-843-5678)**. NCMEC 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 photo as mandated by federal law (42 U.S.C. § 5773).

Clearly first responders will secure the crime scene and gather as many facts as possible. Depending on the scenario, it is important all pertinent information regarding the victim mother, if the victim of an abduction, and/or victim infant is entered into NCIC within two hours of report receipt. Additionally, if the abduction occurs at the home where an online device is found, this device must be examined forensically for possible links to the offender.

Offenders have been known to make contact with the victim in many ways. Some initiate contact while the new mother is still a patient in a healthcare facility. Others make contact during the pregnancy itself. As noted earlier, some pose as a nurse or other healthcare, hospital, or related staff member/volunteer. They have also answered newspaper advertisements placed by victim families to sell a vehicle or those searching for a babysitter. Sometimes the offender is a casual acquaintance of another member of the victim's family or an old friend from school.

The profile of the typical offender must be kept in mind throughout the investigation. Remember the offender is extremely adept at portraying herself to others as something she is not. She uses lying, manipulation, and deceit in her everyday interaction with others. Some offenders will never tell their new partner they are unable to have children, and, in order to hold on to this person, will claim they are pregnant. Others have been able to convince their own family they are pregnant even when those family members were aware the offender had surgery in prior years to prevent a pregnancy from occurring.

A majority of offenders will present the abducted infant to their partner as his child, as well as to friends and family members. Determining who these individuals are and where they live may facilitate in the recovery of the infant. It shouldn't be assumed the race/ethnicity of the abducted infant will match that of the offender. In order to convince her partner the child she is presenting to him is actually his, the infant's skin color may match or be similar to his.

Disseminating information to the 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 the 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.

Using the news media, no matter where the abduction occurred, may be extremely helpful in generating lead information about the case. If photos of the missing infant are available, they need to be shown to the public. Video footage, or photos of the offender, if available, is also helpful. The basic question posed to the public should be, "Who has a baby today and did not have one yesterday?"

Dissemination of information about health issues for the missing infant may actually frighten the offender and she may simply abandon the infant, which may have dire consequences. In that regard if there is a "safe haven" abandoned baby law in effect, checking with all the healthcare facilities, fire stations, and law-enforcement stations/substations in the jurisdiction and neighboring jurisdictions may also lead to the recovery of the infant as the offender may panic and drop the infant off on the pretense she gave birth at home.

Polygraphing the baby's parents/guardians early in the case could prove beneficial. See the section titled "Use of Polygraph" beginning on page 57 for additional details about this investigative technique. Be aware, however, 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 as a serious, felony crime requiring immediate response. To deter

Using the news media, no matter where the abduction occurred, may be extremely helpful in generating lead information about the case.

future crimes the offender should be charged and every effort made to sustain a conviction.

For additional information about this topic view, download, and order the book titled *For Healthcare Professionals: Guidelines on Prevention of and Response to Infant Abductions* from the “More Publications” section of NCMEC’s website at www.missingkids.com.

Crime-Scene Analysis and Offender Profiles

The concept of behavioral analysis of violent crime, including the crime-scene assessment process, is one additional tool law enforcement may employ in its efforts to thoroughly investigate incidents of violent crime. The information contained in this section is the result of the combined efforts of many disciplines collaborating to provide law enforcement with meaningful insight into the criminal mind. The intent is to provide investigators with an understanding and working knowledge of the patterns of behavior of offenders who commit crimes against children in the hopes of enhancing law enforcement’s ability to respond to and resolve these crimes as expeditiously as possible.

Like the use of the polygraph, behavioral analysis is not a conclusive tool, but may rather help guide investigators during these often challenging cases. Investigators should always rely on the facts and circumstances of the case to guide them, although behavioral analysis can help interpret those facts and assist in the development of investigative strategies. Because of the complex nature of behavioral analysis, investigators should consider relying on the FBI’s National Center for the Analysis of Violent Crime (NCAVC), Behavioral Analysis Unit (BAU), for case consultation and assistance.

The myriad of crimes committed against children, such as abduction, rape, sexual assault, and/or homicide, and the interaction between the victim and offender when these crimes are committed, offer clues to investigators based on the behaviors demonstrated prior to, during, and after the criminal act. These interactions — commonly referred to as precrime, crime, and postcrime behaviors — when analyzed, provide leads for investigators to follow in furtherance of their efforts to solve the crime. Additionally the consideration of demographics, analysis of victimology, and assessment of the crime scene play a vital role in the investigative process. The investigator, when armed with this knowledge, greatly enhances his or her ability to effectively investigate and solve violent crimes.

Understanding the potential seriousness of nonfamily abductions, investigators undoubtedly will look for resources to properly interpret crime scenes as part of their investigative effort to solve these crimes.

Historically the primary focus by law enforcement in its response to a violent crime has been to determine what happened and then take investigative direction from there. The focus must, however, also extend to determine why it occurred. An understanding of “what happened” and “why it happened” will greatly increase the probability of determining “who did it.” These three important questions, once answered, move the investigative process forward toward the recovery of the child and apprehension of the offender.

When a child abduction occurs investigators will be faced with having to consider theories posed to them and then institute investigative measures to prove or disprove these theories. Child-abduction cases are especially challenging in this regard as there is often the absence of facts or simple details of the abduction because in many

cases there are no witnesses or little physical evidence of the actual crime. Investigators may wish to consult with experts in the discipline of behavioral analysis as the development of incorrect theories can prove costly to an investigation.

The specific location, or demographics, of the abduction, such as a house, playground, or school, and the overall area in which the abduction occurred offers investigators some insight into who may have committed the crime. A sociological analysis to include demographics, such as population densities, age range, gender, education levels, average household income, occupations, crime rates, religious makeup, and the possible transient nature of the area, should be conducted to narrow the field of potential abductors. Through this sociological analysis investigators must weigh the “possibility” versus the “probability” of the abductor having been someone from the area such as a family member, an acquaintance, or someone completely unknown to the victim. This process is the first step in narrowing the investigative focus.

In conjunction with the sociological analysis and victimology, the investigator must then determine the likelihood the child has fallen victim to an abduction or other type of crime. This **victim risk assessment** will further serve to focus the investigative effort by giving prioritization to those theories developed through the assessment with a higher degree of occurrence. Based on available resources, alternate theories should be followed-up on in conjunction with the main investigative effort.

Assessment of the crime scene, a reflective function, provides a behavioral snapshot of the interaction between the victim and offender. This interaction will often produce evidence at the scene from both a forensic and behavioral perspective. The crime scene should be assessed in three stages based on the known or suspected activities of the victim and offender.

The first part of the assessment should focus on “precrime” behaviors, specifically the activities of the victim and offender before the commission of the crime. If investigators are able to develop a timeline of the victim during this first stage of the assessment process, they will need to pay close attention to any deviations in the victim’s pattern of behavior. Those deviations may indeed offer clues as to “why” the child became a victim.

The second part of the assessment process should focus on “crime” behaviors, specifically the interaction of the victim and offender during the commission of the crime. This is a critical stage in the assessment process because the majority of the behaviors of the victim and offender are revealed at this stage in the assessment process. An understanding of “what happened,” “how it happened,” and the all important “why it happened” may be further clarified at this stage and provide additional insight into who may have committed the crime in the manner revealed. The investigators should always remember the “absence of evidence is equally important as the presence of evidence” at the scene of a crime.

The third part of the assessment process should focus on “postcrime” behaviors, specifically the actions of the victim and offender after the crime has been committed. In child abductions determining what occurred after the commission of the crime may be problematic; however, investigators should focus on clues about what may have occurred immediately after the commission of the crime, such as is there evidence the abductor fled on foot or in a vehicle, as part of the assessment process. For instance in child-abduction homicides, body-recovery sites may provide

When a child abduction occurs investigators... consider theories posed to them and then institute investigative measures to prove or disprove these theories.

“postcrime” behaviors of the offender such as postmortem activity usually found in the form of aberrant behavior, which is often indicative of certain types of offenders. Therefore the behavioral analysis of any physical, direct, or circumstantial evidence by its presence or absence, meeting a recognizable pattern of behavior will provide direction to the investigative process.

By assessing the crime scene in this manner investigators are able to determine the likelihood of whether or not the victim and offender may have known each other. Furthermore, based on the research of known patterns of behavior of offenders, this assessment process may assist in identifying the personality traits of the offender and provide a suspect profile allowing for the formulation of investigative and interview strategies based on that profile.

The Prolonged Investigation

This phase in the investigative process occurs when it becomes apparent the child will not be quickly located, most immediate leads have been exhausted, and 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 eventually leading to the recovery of the child and arrest of the abductor.

For a Checklist of actions that may prove beneficial during the prolonged investigative stage *see* the section titled “Prolonged Investigation” beginning on page 51. Below is a discussion of those actions and related procedures law-enforcement agencies may wish to consider at this point in the investigation.

Revisit the crime scene at the same time of day the abduction occurred and carefully observe the surroundings. Keep in mind many children are acquainted or familiar with their abductor before the abduction. Do not assume the perpetrator had to be totally unknown to the child. The abductor could be a person who is peripherally involved in the child’s life such as someone who passes the child’s bus stop every morning or an individual who gives the child quarters at the video arcade. While observing the site determine who would be more likely as an abductor — someone completely unknown or familiar to the child? Talk to people entering the area to learn if they have been interviewed and 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 is found in the NCMEC publication titled *Child Molesters: A Behavioral Analysis*. This book was published in conjunction with the FBI and may be viewed, downloaded, or ordered from the “More Publications” section of NCMEC’s website at www.missingkids.com.

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

Conduct a thorough recanvassing of the area. Some individuals having knowledge about the missing episode may not have been available at the time of the original canvass or may now possess new or unrevealed information.

Review and reevaluate any photos taken and/or videos filmed at the scene on the day of the abduction. Observe faces in the crowd to determine their identities and

show the photos to the parents/guardians. Determine the accuracy of times given by the parents/guardians and all witnesses. Accuracy should be based on their having looked at a clock or watch or relating their memory of the event to specific activity such as the airing of a particular television program or normal arrival times, 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, gave a questionable interview or unsubstantiated alibi, and/or gave incorrect or untruthful information during questioning. Focus investigative efforts on these individuals. Use the media to solicit new information. Also consider using the services of NCMEC to disseminate photos of and information about the missing child.

Refer the family to local support groups and/or a nonprofit, missing-children organization specializing in the stresses created when a child is missing or abducted. NCMEC may be of assistance in locating appropriate organizations. Consider offering rewards through silent-witness or crime-stopper programs. Determine whether evidence containing the child's DNA has been obtained. If possible secure DNA samples from biological parent(s) for future identification needs.

Encourage noninvolved investigators, such as NCMEC's Project ALERT[®] Representatives and other law-enforcement colleagues, to review actions taken in the case to date as a "new set of eyes" that may be able to provide additional suggestions. **Note:** A description of the resources available through NCMEC's Project ALERT is found on page 145.

Prepare for the emotional stresses associated with a prolonged investigation. Remain focused on the positive indications a pragmatic, logical investigation with continual case review will eventually get results. Take encouragement from knowing cases are routinely solved by tenacious investigators, after months or even years have passed.

One caution for an agency with a prolonged missing-child investigation is to safeguard against the "personalization" of the case by the lead investigator. If this happens the investigator could 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 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 family members during the course of a prolonged investigation. Although law enforcement needs to carefully investigate any such allegations to determine if they have a bearing on the child's case, care must be taken to help ensure 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/guardians because they truly believe they are involved or because there is nothing else to do in the investigation.

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

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. Information gathered during this stage could be crucial to the identification and prosecution of the suspect. For a Checklist of items to consider when a child is recovered *see* the section titled “Recovery/Case Closure” on page 52. Below is a discussion of those actions and related procedures.

Arrange for an immediate, complete physical of the child including examination for and collection of evidence of possible sexual exploitation. 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 the abducted child has been the victim of sexual exploitation, the investigator may wish to obtain literature about this topic from the National Children’s Advocacy Center at 256-533-KIDS (5437) or www.nationalcac.org.

Law enforcement also needs to prepare for those occasions when a child does not survive an abduction. In addition to the issues of crime-scene preservation and analysis, officers need to use great care in notifying the family about the tragic case outcome. This challenging task could be aided through the assistance of existing community resources experienced in grief counseling.

Finally, don’t forget to remove information about the child and/or wanted person from NCIC. Additionally 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, use of technology, interagency communication, investigative strategies, evidence handling, training, media interaction, logistics, and legal issues.

Reunification Issues of Nonfamily Abductions⁴⁸

Recovered children who were abducted by a nonfamily member often have initial concerns about their safety and being reabducted. Often they do not believe they are “really safe” when recovered. Once recovered these child victims may initially appear to be coping well. It is common for children who have experienced trauma to be talkative initially and have excellent recall of details. This is a good time for the investigating officer to obtain critical and timely information from the child regarding the abduction and subsequent events.

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

Officers and families need to be aware this initial period of euphoria and the child’s immediate and initial disclosure of information about his or her abduction may quickly be replaced by a feeling of numbness. Child victims may appear to be detached and distant from family members and friends, apathetic in day-to-day activities, and uninterested in

⁴⁸ The information in this section was originally adapted from *Recovery and Reunification of Missing Children: A Team Approach* edited by Kathryn M. Turman. Alexandria, VA: National Center for Missing & Exploited Children, March 1995, pages 17-18 [hereafter Turman]. This book has since been retired, and this information is now available in this guide only.

things and activities they previously enjoyed. They may exhibit feelings of denial or avoidance of the abduction event. Teenage victims may show blunted emotions, apathy, and denial of any intrusive thoughts or negative feelings about the abduction event. They may insist their normal life and activities will not be impacted by the abduction. Families may misinterpret the numbness reaction of the recovered child as emotional callousness or adjustment. This numbness is the child's way of coping with overwhelming emotions regarding the abduction and recovery. It is important to remember the lack of emotion is symptomatic and indicative of ongoing trauma. The period of emotional numbness may last from a few weeks to many months.

There may also be a great deal of pressure from the public and media to know details about the abduction and have access to the child victim. Because the recovered child appears to be coping or may even appear euphoric, it may seem harmless to expose the child to media interviews. For most child victims the reality of what they have experienced will hit them within hours or days after the recovery. When that happens they may find it difficult to cope with the public exposure of their victimization. This exposure may lead them to feel they have been revictimized or exploited even further.

Professionals involved in the recovery of an abducted child should counsel families to protect their children from well-intentioned, but potentially exploitive well-wishers and media representatives. Investigators should counsel the victim and family members about the limits of case information to be provided to the media. Family members should be cautioned about the potential harm to their child from media exposure following recovery. Parents/guardians need to be reassured they have the right to provide their child with the privacy he or she needs. This may be difficult to do, particularly when the media may have played a role in the recovery of the child.

Officers should be prepared to handle the intense media interest that may accompany the recovery of an abducted child. The establishment of a command post and provision of media briefings by a trained Public Information Officer will alleviate some of the chaos and provide needed privacy for the recovered child and family. Media and well-wishers should be encouraged to allow the family time and privacy. Rather than allowing the child to be overwhelmed by large numbers of family members and friends, the first post-recovery meeting should include only **immediate** family members.

Guidelines for Handling the Reunification of a Nonfamily-Abducted Child⁴⁹

The agency responsible for facilitating the reunion should

- Arrange for a comprehensive physical and mental-health examination of the victim, determine any immediate physical or emotional needs of the child, and help ensure those needs are met.
- Conduct a careful interview of the child, document the results of the interview, and involve all appropriate agencies.
- Notify the child's parents/guardians of the recovery and request they bring only immediate family members to a designated private location for the reunion.
- Brief the parents/guardians about their child's condition and ask them to refrain from making a public announcement about the child's recovery.
- Instruct the parents/guardians to bring along a change of clothing for the child and any familiar or favorite items left behind when the child was abducted.

Officers should be prepared to handle the intense media interest that may accompany the recovery of an abducted child.

⁴⁹ The information in this section is adapted from Turman, *op. cit.*, n. 48, page 18.

- Arrange to have a victim-witness advocate and mental-health professional assigned to the child and family as soon as possible. These advocates should be present at the reunion and available to assist the family with both short- and long-term reunification issues.
- Issue a press release and/or hold a press conference announcing appropriate details about the recovery. Always balance the public's "right to know" with the need to protect the dignity of the victim family and integrity of the case.
- Cancel alarms and have the case removed from the FBI's NCIC databases and any other information systems used during the search.

Note: NCMEC is able to serve as a valuable resource during the reunification process. NCMEC's Family Advocacy Division has developed a network of mental- and public-health professionals who are able to provide reunification guidance to local law-enforcement officers. The Family Advocacy Division may be reached toll-free at **1-800-THE-LOST (1-800-843-5678)**.

Conclusion

Incidents of nonfamily-child abduction are among the most complex and challenging 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 impacts the potential for recovery of the child. These challenges are best addressed through the use of a sound tactical plan, implemented in a timely manner, supported by innovative investigative techniques. Such measures will help in the safe return of an abducted child and the conviction of an abductor.

With proper planning in place, investigators will be able to implement guidelines and procedures, which 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. **Planning is the key.** Being prepared with sound investigative techniques and an awareness of all available resources will greatly enhance the likelihood of recovering a child. For additional information about this concept *see* the section titled "Preincident Planning" beginning on page 156.

NCMEC's Missing Children Division is available toll-free at **1-800-THE-LOST (1-800-843-5678)** to offer resources and technical assistance for any of the suggestions presented in this chapter.

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Family Abduction

by Preston Findlay, Eliza Harrell, and Maureen Heads

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Family-Abduction Investigative Checklist

Review all steps outlined in the “Initial-Response Investigative Checklist” beginning on page 27. In addition, in cases of family abduction, consider the steps listed below. Consult the text of this chapter for details about the items listed.

Initial Response

- Conduct fact-based risk assessment
- Level of violence
- Mental/physical health endangerments
- Possible international and/or interstate flight
- Evaluate eligibility for AMBER Alert™, which vary by state⁵⁰
- Enter information about the child and reported abductor, along with vehicle if believed to be involved, into the National Crime Information Center (NCIC) Missing Person File immediately
- Obtain photos and any available legal documents
- Obtain information that may indicate the location of the child and reported abductor
- Preserve scene and any evidence
- Alert missing-children clearinghouse unless such is an automatic notification via the NCIC entry
- Notify the National Center for Missing & Exploited Children® (NCMEC)

Ongoing Investigation

Domestic

- Examine court records; check with issuing court for validity and updates
- Conduct interviews of any people who may have information including family members, friends, landlords, and employers
- Develop residential history for both left-behind parent and alleged abductor
- Provide tasks for left-behind parent/guardian as appropriate
- Consult with prosecutor about the issuance of a criminal warrant
- Coordinate the issuance of a civil bench warrant if possible
- Secure the assistance of federal, law-enforcement agencies, in particular the Federal Bureau of Investigation (FBI) and U.S. Marshals Service
- Flag relevant sources of information about child and abductor
- Review public-record databases, Internet resources, and criminal-history logs for potential leads
- Coordinate with other agencies for investigative support including the
 - U.S. Postal Inspection Service (USPIS)
 - U.S. Department of Defense’s Military Criminal Investigation Organization (MCIO)⁵¹
 - U.S. Department of Homeland Security (DHS) including Secret Service (USSS)
 - U.S. Immigration and Customs Enforcement (ICE)

⁵⁰ Unless otherwise noted this guide uses the term “state” to also include American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the U.S. Virgin Islands. The authors have attempted to identify and note any situation in which specific programs, laws, or definitions may not include some or all of these jurisdictions.

⁵¹ MCIO consists of representatives from the Air Force Office of Special Investigations (AFOSI), Coast Guard Investigative Service (CGIS), Naval Criminal Investigative Service (NCIS), and U.S. Army Criminal Investigation Command (USACIDC).

International

- Contact local FBI field office for potential International Parental Kidnaping warrant
- Contact the Office of Children's Issues (OCI) at the U.S. Department of State for investigative support and direct parent to follow up as well at 1-888-407-4747 or 202-501-4444
- Request INTERPOL notices at 202-616-9000
- Contact the Bureau of Diplomatic Security (DS) if passport fraud is alleged at 571-345-2973

Prolonged Investigation

- Conduct regular database checks
 - Lexis/Nexis®, Accurint®, and other public-record databases
 - Federal Parent Locator Service and additional federal information sources
 - Statewide databases
 - Travel and financial records
- Use physical and electronic surveillance to develop new leads
- Renew media efforts including age enhancement or updated photos

Recovery/Case Closure

- Coordinate apprehension with any involved agencies, local or federal, and arrange for it to be separate from the recovery of the child if possible
- Involve multidisciplinary team, such as social services and child advocacy centers, to address any child endangerment allegation that may arise
- Conduct separate, thorough interviews of the child and abductor
- Cancel any alerts previously requested and remove corresponding NCIC entries

Note: Periodic updates will be made to this Checklist. To obtain those updates and request technical assistance for specific cases, contact NCMEC toll-free at **1-800-THE-LOST® (1-800-843-5678)**.

Definition of Family Abduction

A family abduction⁵² involves the taking or keeping of a child by a family member, or someone acting on his or her behalf, in violation of one's custodial rights. Calls for service in relation to these cases can appear to be particularly complicated, but, at their core, they involve familiar territory for law enforcement. Is a child in danger? Is a crime being committed? Through this lens officers can develop effective response protocols and conduct successful investigations ultimately resulting in the recovery of children who are missing at the hands of those closest to them.

Several legislative initiatives have helped define law enforcement's response to family abduction. *See* Figure 8 for a listing of these key initiatives.

Initial Response

News headlines repeatedly illustrate the frequency of missing-children cases, especially ones resulting from parents battling over custody or using children as pawns in their own disagreements. These cases can come to the attention of law enforcement in many ways including a

- Domestic-disturbance call in which a family member forcibly removes a child from the home
- Hostage situation where a child is being held in response to a custodial dispute
- Frantic report of a child who has not been returned from visitation

They can also vary in their degree of severity, which means officers must know how to sort through often-confusing circumstances efficiently and effectively. Most importantly the focus must remain on the true victims, the children at the center of these scenes. They may often live within an environment of domestic discord, in which their parents feel compelled to use them for retaliation, out of desperation, or as a tool of control and manipulation against each other. It is law enforcement's responsibility to ensure, within this context, children are not harmed at the hands of their parents and criminal action is not taken in relation to their custody.

Risk Assessment

The key to any officer's on-scene, initial response is risk assessment, especially when a child is involved, and the same is true in cases of family abduction. Regardless of the alleged circumstances of a child's taking or retention, it is essential to confirm as quickly as possible the child's location and welfare. The primary responsibility for this task lies with the agency to which the child is reported missing.⁵³ Once contacted, officers must first ask key questions to determine the level of endangerment facing the child, in hand with the necessary identifying information for both the child and taking party.

⁵² It is important to note the phrase "family abduction" refers to the family relationship between the abductor and child, distinguishing the situation from nonfamily or "stranger" abductions. "Parent" is used throughout this section to describe both the abductor and person from whom the child was abducted, although either person might not be the actual biological parent of the child. Abductors can include extended family members or alleged parents. Likewise the actual legal guardian of a child taken by a family member may not be a relative at all and could include foster parents or Child Protective Services.

⁵³ Most states have codified the requirements to accept a missing-person report in their jurisdiction. Many only require the reporting party live in that jurisdiction and he or she request a report be made. The originating agency is then responsible for the complete preliminary investigation, even if it involves requesting assistance from an agency in another jurisdiction.

Key Initiatives
Missing Child Laws
<p>National Child Search Assistance Act (NCSAA, 42 U.S.C. §§ 5779 and 5780) Requires each federal, state, and local law-enforcement agency to enter cases of missing children, including family abductions, into the NCIC database. This Act also establishes state reporting requirements, eliminates any waiting periods before entering a case into NCIC, and directs law enforcement to maintain close liaison with NCMEC for the exchange of information and technical assistance.</p>
Criminal Laws
<p>Fugitive Felon Act (FFA, 18 U.S.C. § 1073) Authorizes federal authorities to assist with the apprehension of state law fugitives, including those charged with parental kidnapping, through the issuance of a federal Unlawful Flight to Avoid Prosecution (UFAP) warrant.</p> <p>International Parental Kidnapping Crime Act (IPKCA, 18 U.S.C. § 1204) Established a federal crime for removing a child younger than 16 from the United States, or retaining a child who has been in the United States, with the intent to obstruct the lawful exercise of parental rights. This Act also makes it a crime to attempt any of the above.</p>
Civil/Family Laws
<p>Parental Kidnapping Prevention Act (PKPA, 28 U.S.C. § 1738A) This 1980 federal law requires authorities to give full faith and credit, without modification, to child-custody determinations issued by other states as long as certain requirements listed by the Act are satisfied. It also authorized the use of the UFAP warrant, a provision of the FFA, in family abductions. PKPA also amended a portion of the Social Security Act, specifically authorizing the use of the Federal Parent Locator Service (FPLS) in cases of family abduction (42 U.S.C. § 663).</p> <p>Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) First proposed in 1997, to replace the earlier Uniform Child Custody Jurisdiction Act as adopted between 1968 and 1983, the UCCJEA has now been adopted by nearly every state and territory in the United States. It provides clearer standards for the exercise of jurisdiction over child-custody cases among the states and provides a specific, effective mechanism for enforcement of out-of-state custody orders.</p> <p>Uniform Child Abduction Prevention Act (UCAPA) Adopted in form or substance by more than 10 states, UCAPA provides parents concerned about potential family abduction to petition the court for specific prevention measures. It also provides judges with a method to assess the risk of abduction in a case and respond with appropriate court orders.</p>
International Treaties and Related Laws
<p>Hague Convention on the Civil Aspects of International Child Abduction International treaty signed by the United States that establishes a civil mechanism to ensure the prompt return of children wrongfully removed to or retained outside their country of habitual residence.</p> <p>International Child Abduction Remedies Act (ICARA, 42 U.S.C. §§ 11601-11610) Implements the Hague Convention on the Civil Aspects of International Child Abduction and authorizes state and federal courts to hear cases under this Hague Convention when a child has been brought into the United States.</p> <p>Extradition Treaties Interpretation Act of 1998 (Pub. L. No. 105-323, Title II) Law specifically authorizing U.S. authorities to interpret the term “kidnapping” to include parental kidnapping in any criminal extradition treaty to which the United States is a party.</p>

Figure 8

For example the elements noted below can provide a starting point for this evaluation.

- Physical or mental-health conditions
- Potential for violence by abductor such as criminal history, unreported incidents
- Precipitating events such as ongoing custody issues, arguments, previous abductions
- Potential for interstate or international flight such as articles taken/left behind, travel tickets

When asking these questions, knowledge of state, territorial, or regional AMBER Alert criteria is essential. Without certain pieces of information, such as involved vehicles, and direction of travel, an alert may be denied until the information is obtained, and critical hours can be lost in the most urgent cases. Also it is important to obtain any available custody documents, for review, as officers continue location efforts. At this point the only immediately relevant information in regard to custody is whether the reporting party does **not** have the right to make a report. For example if he or she is the subject of an active order of protection prohibiting contact with the child.

NCIC Entry

The responding officer should enter the child's biographical information into NCIC as soon as he or she obtains it from the reporting party. By federal mandate,⁵⁴ information about a child whose location cannot be immediately confirmed by law enforcement must be entered into the NCIC Missing Person File within two hours of the report being made to that agency, **again, regardless of the alleged circumstances under which the child is missing.** The value of this entry cannot be overstated. NCIC is an essential tool for location efforts as it alerts any law-enforcement officer who may come across the child, the taking party, and their vehicle.

NCIC Tips for Entering Information About Family-Abduction Cases	
■	Cross-reference all entries, so if only one is queried, the others will appear. For instance a vehicle plate queried on a traffic stop will cause a "hit" on the child's entry.
■	Designate the child's entry with a "Child Abduction (CA)" flag, if there is any indication of an abduction or potential foul play, or an "AMBER Alert (AA)" indicator if one has been issued. Note: These flags also automatically notify NCMEC. NCMEC will contact the originating agency to confirm the case information and offer NCMEC resources available to assist in the investigation. In some states the corresponding missing-children clearinghouse may also receive notification this way.
■	Include aliases for both the child and parent. Note: These will not result in a "hit" if only listed in the entry's miscellaneous section, as opposed to Alias (AKA) or vehicle fields.

Figure 9

Ultimately remember NCIC entries are often the only information fellow officers can immediately access when they encounter the child and taking party, so be clear about what action to take when that happens. In addition it is good practice to ensure any orders, documents, or photos obtained are available to the department regardless of who is on duty so additional information is accessible if needed.

⁵⁴ NCSAA.

Use of Media and Clearinghouses

The next step to confirming the child's welfare and location is using media, as appropriate, based on case circumstances. If authorities issue an AMBER Alert, extensive media resources will be automatically at the department's disposal, but officers should not discount the fact media may assist in any case. Local media channels are generally willing to feature a photo of a missing child and broadcast law enforcement's interest in locating him or her, if only for confirmation of the child's welfare. Thus, in consultation with a supervisor and/or the agency's Public Information Officer, one should consider these resources even when an AMBER Alert is not active. NCMEC can produce and distribute posters by geographic area, corresponding to investigative developments. The assigned NCMEC Case Manager will explain poster requirements based on the nature of the case. As with any situation law enforcement should consider particular case circumstances and evaluate the extent to which they should publicize a case before investigators pursue "behind-the-scenes" leads and resources.

Notification of the missing-children clearinghouse is also important at this stage in the investigation, as these clearinghouses can provide additional investigative and media resources. These clearinghouses offer a diverse array of services, but their primary objectives are networking, information dissemination, training development and delivery, data collection, and provision of technical assistance in cases of missing and sexually exploited children. NCMEC works closely with these agencies to help ensure a comprehensive approach to child protection, but law enforcement may also contact them directly for immediate support, either in the originating jurisdiction or another state from which assistance is needed. For a list of these clearinghouses visit www.missingkids.com. From the home page respectively click on the "More Services" and "Missing-Child Clearinghouse Program" links.

If there is potential international travel, particularly any indication of specific travel plans, law enforcement should make additional, immediate notifications in an attempt to prevent departure from the United States. *See* the section titled "International Cases" beginning on page 93 for additional information about this prevention method. NCMEC has on-call Case Managers available for technical assistance in these cases and any others requiring after-hours support.

Remember, at this initial stage of an officer's response, the key issue is determining whether a child is at-risk and initiating actions that can lead to confirmation of a child's welfare. It is also the opportunity to set the foundation for further investigation into the criminality of the child's removal or retention so investigators have the necessary information to pursue a case.

Violations of Law

After the initial response is underway, focused on determining the child's welfare, the investigator should assess if any civil or criminal laws have been violated by those who took the child. This assessment may overlap with the initial response and can dictate what authorized actions an officer should take if the child is quickly located. The assessment is also important for the in-depth or prolonged investigation as it can open the door to information used for tracking and locating the child and abductor.

Key Questions Regarding Initial Response

What happens if the child is located at this initial stage? If a child is located before a warrant has been issued or custody has been confirmed, first check and confirm the child's welfare. Next follow the applicable reunification information in Figure 18.

What instructions or advice can I provide to the reporting party? Explain to the parent the agency's first responsibility is to locate and confirm the child's welfare and what steps officers are taking to do so. Direct the parent to contact his or her local family court, legal-assistance organizations, and other support resources including NCMEC and the missing-children clearinghouse, in order to obtain legal and technical assistance regarding steps they can take while law enforcement continues the investigation. Officers may also request the reporting party compile relevant information to assist in the investigation including lists of known associates, previous residences, and accounts.

What do I do after hours, when information cannot be readily confirmed? Although access to NCIC and NCMEC is available around-the-clock, other sources, such as information held in court-custody files or by reporting parents, may not be accessed as readily. If a child is found suddenly or unexpectedly, in many situations the available facts may not clarify who should take custody of a child or there may be no available guardian present to take the child. In this situation officers should not act hastily but ensure the child's welfare is accounted for and the child is released only to an appropriate custodial adult or social-services agency.

What if the person reporting the child missing is not a parent? The law generally allows any concerned person to make a report a child is missing. Except in extreme cases, such as a mentally disturbed individual or a hoax report, the basic responsibilities of the receiving law-enforcement officer or agency remain the same. Regardless of who makes the missing-child report conduct a risk analysis, respond accordingly, evaluate the case for violations of law, and apply the appropriate investigative resources to locate and recover the child.

What if I make contact with the taking parent? Initial contact with the alleged abductor can be critical, and officers should approach it with objectivity just as they would with any other case. It can be effective to focus the conversation on the child's welfare and resources available to resolve the situation outside of the unilateral action he or she has allegedly taken. Place emphasis on the fact resources can be provided to him or her as well, particularly if allegations of harm by the reporting party arise. Taking into account the profile developed through the initial investigation, advise him or her of potential criminal consequences and articulate the obstacle this may create in maintaining custodial rights in the future. If in-person contact occurs, knowledge of state crimes is essential as the same rules of arrest apply upon locating a child. See the section titled "Criminal Law Violations" beginning on page 86.

Figure 10

Determining Legal Guardianship or Custody

Family abduction involves the violation of a legal right to the care or control of a child by a family member. To determine whether a criminal abduction, illegal taking, or retention of the child has occurred, the investigator must clarify exactly what is the legal custody situation. Parental custody rights typically arise from child-custody orders issued by a court or **natural** legal rights, also called **inherent** or **operation-of-law** custody rights, which exist even in the absence of a court order. The sections below describe the numerous locations and resources, in either situation, an investigator can consult for clarification if legal custody of a child is unclear.

When assessing child-custody orders investigators are not expected or required to give an attorney-level analysis of the legal provisions contained within them. Rather the officer should make a good-faith assessment of the language and

use common sense and good practices to identify any possible concerns that might affect the validity of the document itself. Examples of good practices include

- Warning the person who presents a child-custody order about the potential criminal and civil consequences for submitting fraudulent or invalid documents to law enforcement
- Making an effort to verify with the issuing court or court clerk's office that the orders remain current and valid, especially if the document is not certified or indicates the orders were issued several years ago
- Consulting with the prosecutor's office to clarify any unclear legal terms

The initial, primary goal of an investigator during this evaluation should be simply to identify the person who is entitled to physical possession of the child at any given time and, most importantly, at the present time. Family law has shifted over the years toward a presumption that gender-neutral, shared custody is best for children. It is less common for court orders to designate "sole custody" or even "primary custody" for one parent. It is much more likely the court orders presented to an investigator will provide for both parents to split custody and allow frequent visitation with the nonresidential parent. While determining who is entitled to possession of the child, the investigator should also pay attention to any restrictions the court has put on the exercise of that custody. For example is the parent required to have supervision during periods of possession? Or are the parents restricted from taking the child outside of a specific geographic area? Once the investigator has identified the person entitled to possession of the child, the next step is to apply this legal backdrop to the facts at hand and determine if a violation has occurred.

Criminal Law Violations

Often the temptation is to treat family abductions purely as civil matters and not as crimes in progress. This attitude has changed somewhat over the last several decades. Multiple studies⁵⁵ and various state and national laws⁵⁶ have recognized the harm family abductions can cause to a child. Family abduction is now recognized as a crime in every single state as well as federally. The crime of family abduction has multiple victims, not least of which is the child. In addition to protecting children, criminalizing family abduction bolsters the family court system and deters abductions by removing any legal incentive that might exist for a parent to gain a custody advantage by traveling to a friendlier jurisdiction. Criminal warrants can expand the reach of a civil court, because civil contempt orders and bench warrants may not extend beyond state lines. Using the criminal process can also provide a means for investigators to locate children, as well as their abductors, and draw on additional resources that may not be available absent criminal charges.

⁵⁵ For a recent example see the U.S. Department of Justice's *The Crime of Family Abduction: A Child's and Parent's Perspective* (2010) NCJ 229933, accessed on September 21, 2011, at www.ncjrs.gov/pdffiles1/ojdp/229933.pdf.

⁵⁶ See, for example, the "Congressional Findings and Purposes" section of the PKPA's enacting legislation (Pub. L. No. 96-611 § 7) or the "Prefatory Note" included by the commission that drafted the UCAPA, accessed on September 21, 2011, at www.law.upenn.edu/bll/archives/ulc/ucapa/2006_finalact.htm.

Key Questions Regarding Potential Law Violations

What about parents who are still married or when there are no court orders at all?

Even if a child-custody order has not yet been issued, parents may have natural custody rights under state law that are also entitled to recognition. Married parents are each generally presumed to have equal rights of custody to children born during the marriage. But when parents are not married, some states give unwed mothers sole custody of their children, while other states provide for unmarried parents to share equal custody rights once the father has been legally established. So, while it is generally safe to presume all mothers have some natural custody rights until a court says otherwise, unwed fathers often have to take additional steps such as acknowledging or establishing paternity through legal and administrative filings. Checking the name of the father listed on the child's birth certificate is a good first step, but is not always conclusive. Thus investigators should become familiar with the domestic-relations law in their state. In addition to consulting state statutes, or with the local prosecutor, officers may want to consider contacting the state child-support agency. Child-support agencies can be an excellent resource for information about natural custody rights and the steps necessary for a father to establish his paternity and custody rights.

What if the court orders are from another state? Among other laws, the federal PKPA of 1980 requires every state to give full faith and credit to child-custody orders issued from another state, as long as the Act's basic due-process standards are met. The UCCJEA, which has now been adopted in nearly every state, also provides a mechanism for parents to register their out-of-state child custody orders and obtain clear in-state court orders enforcing custody provisions. If an investigator is unable to verify court orders are valid by contacting the court or law enforcement in the issuing state, or if the orders contain unique or ambiguous language, it may be appropriate to first direct parents to register their out-of-state orders under the UCCJEA for clarity before taking enforcement action.

Note: If a review of the court orders and applicable law indicates there is **no current violation** of the custody orders or natural parental rights, this **does not** mean the investigator should automatically close the case or remove information about the child from NCIC. The law-enforcement agency must still account for the child's location and welfare. In most situations parents are equally entitled to knowledge of their child's whereabouts regardless of custody. Investigators should also be aware a reporting parent is often able to establish, adjust, or increase custody rights through the courts after the child has been taken. If, however, there does appear to be a violation of parental rights, the next step is to explore both civil and criminal options.

Figure 11

Family Abduction: Crimes Under State Law

State criminal laws vary widely and describe family abduction by a variety of names including custodial interference, which are most common; custody deprivation; child stealing; and parental kidnapping. The basic elements of the crime of family abduction, however, remain the same.

- Did the abductor take or retain possession of the child? If required, did the abductor leave the jurisdiction with the child?
- Was this taking or retention in violation of a court order or law?
- Are there any defenses that make the above conduct legal?⁵⁷

When reviewing the actions of the abductor, investigators should keep in mind any knowledge or intent requirements of the crime and whether or not the statute

⁵⁷ Statutes may also provide possible **affirmative** defenses, which investigators should be aware of, but such defenses are generally the responsibility of the abductor to raise once he or she is apprehended.

requires a preexisting custody order. It is also useful to look beyond custodial interference statutes to other possible criminal charges against the abductor or their accomplice(s). Some states have criminalized interference with visitation periods, in addition to custody, and others allow for more serious offenses when aggravating circumstances exist. The same factors used to assess risk or endangerment to the child may expand the charging possibilities.

It is important to evaluate jurisdictional requirements with making a determination to pursue criminal charges. But an investigator should not immediately rule out the possibility of pursuing criminal charges, or otherwise refuse to assist in a case, merely because the parties or custody paperwork involved are from a different state or county. Often criminal jurisdiction is broader than expected and can include the jurisdiction where the

- Abduction took place
- Child is retained
- Child is eventually found by authorities
- Custody orders designate the child should be residing
- Child-custody orders were issued⁵⁸

Criminal charges can also play a vital role in locating the child and/or abductor. A warrant allows the investigator to make a wanted person NCIC entry for the adult(s) likely to be accompanying the child and, if appropriate, seek interstate extradition upon arrest. A warrant may also allow for additional investigative actions such as flagging government records and licenses. In addition issuing criminal charges allows state law enforcement the ability to invoke the assistance of the U.S. Marshals Service or FBI. Finally, depending on the destination country, if an abductor leaves the United States, criminal charges may be the only available method to seek the return of a child.

Family Abduction: Crimes Under Federal Law

Federal criminal law applies to family abductions primarily in one of two situations, when

- An abduction crosses state lines
- The child has been removed from the country or an attempt is made to do so

The FFA allows state law enforcement to seek the assistance of the FBI when a state warrant has been issued for an abductor who is believed to have crossed state lines. In 1980 the U.S. Congress specifically declared the FFA should be used in family abductions.⁵⁹ Officers and investigators may enlist federal resources for family abductions by requesting FBI assistance to locate and apprehend abductors through the FFA and the issuance of a federal fugitive warrant for UFAP. State prosecutors make the request for a UFAP by filing a request with their local FBI or the U.S. Attorney. The requirements include

- Felony-level charge
- Evidence the abductor has left the state
- Assurance the abductor will be extradited for prosecution

⁵⁸ See, for example, Missouri Revised Statutes § 565.163 (venue for prosecuting interference with custody) or California Penal Code § 279 (extraterritoriality).

⁵⁹ Pub. L. No. 96-611 § 10(a).

IPKCA makes it a federal crime to remove, or attempt to remove, a child younger than 16 from the United States in violation of parental rights. Attempt liability was added several years after IPKCA first became law and specifically allows law enforcement to prevent an international abduction **before** the child is taken out of the country. IPKCA defines parental rights to include sole custody, joint custody, and even visitation rights. IPKCA also criminalizes an abduction occurring prior to the issuance of a court order. Although some federal prosecutors may prefer not to pursue an IPKCA warrant if there is an active application under the Hague Convention on the Civil Aspects of International Child Abduction (Hague Convention) or the abduction involves a Hague Convention signatory country, this should not prevent investigators and prosecutors from reviewing the cases for possible charges. *See* the section titled “Civil Remedies” on page 95 for information about this international treaty. Either type of federal warrant can allow for additional investigative and preventative actions such as instructing the U.S. Department of State to revoke or suspend an abductor’s passport.

Using Civil-Court Orders

Investigators should be aware civil-court orders can provide help in locating abducted children as well as providing the legal authorization to enforce child-custody provisions once the child is found. Ideally the civil-court orders ensure due process is afforded, but as discussed later in this section, clear court orders can also limit the liability issues facing officers and departments when taking action in high-emotion situations. Most states have provisions allowing for special civil-court orders to be issued in family-abduction cases or attempted abductions. Existing statutes will determine the type of court order available in each jurisdiction including a Writ of Habeas Corpus, Writ of Assistance/Attachment, or Warrant to Take Physical Custody of a Child per the UCCJEA. These orders may incorporate specific legal authorization for law enforcement to make forcible entry onto private property or arrest individuals interfering with the order’s execution.

Searching parents and their attorneys may be able to obtain these orders after an abduction has occurred or when registering their out-of-state custody orders in another jurisdiction. Many states have adopted a portion of the UCCJEA allowing for the prosecutor’s office to seek such civil orders on behalf of a child in their jurisdiction with the sworn statements of the left-behind parent. In cases involving a risk of harm to the child or an imminent risk the child will be removed from the jurisdiction, the court may issue this writ/warrant *ex parte*, an order issued with only one party present.⁶⁰ In this instance the child may be removed from the abductor at the same time the writ/warrant is served upon him or her and a court hearing is held on the next judicial day.

Ongoing Investigation

The goal in any investigation of a family abduction is to safely locate the child victim and ensure he or she maintains a relationship with both parents, as determined by a court instead of unilateral action taken by one parent. Once inves-

⁶⁰ In this context, before a family court will issue *ex parte* child-custody orders, the applicant typically must prove he or she has exhausted attempts to notify the other parent or emergency circumstances exist making it inappropriate to notify an abducting parent in advance.

tigators determine the child's taking constitutes a criminal action, the focus shifts to apprehending the abductor and setting the stage for the child's recovery.

The integral first step is developing a complete abductor profile. Elements developed in this process can often reveal where or to whom an abductor may flee. Some starting points for this profile include

- Friends and relatives closest to the suspect
- Behavioral patterns such as drug and alcohol use and mental-health issues
- Hobbies, interests, activities
- Suspect diaries, journals, letters, e-mails
- Financial status including outstanding and recently fulfilled financial obligations
- Possessions treasured by the suspect
- Addresses of prior residences and locations frequented by the suspect
- NCIC offline searches

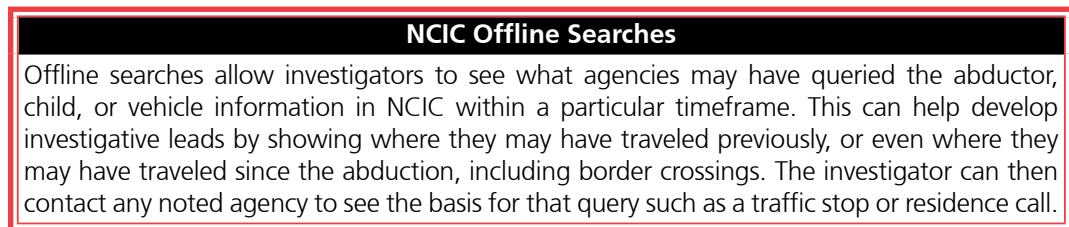


Figure 12

Do not forget to investigate individuals impacted by the abduction, besides the victim. A significant portion of abductors do not act alone,⁶¹ and many more seek continued support in order to maintain their life on the run. Local law-enforcement records can show their potential criminal associates while school and employment records can provide information regarding other individuals who have supported them prior to the abduction. Another potential tool in this aspect of the investigation is conducting unannounced visits to the abductor's prior residence. Investigators may be surprised to see who is checking the abductor's mail, maintaining the abductor's home, or removing possessions the abductor left behind.

If the parents have been involved in legal proceedings prior to the abduction, the complete court file can provide integral insight. Documents can provide a more accurate timeline than the reporting party is able to convey and may indicate additional issues motivating the abductor. Listed witnesses may also indicate allies with whom the abductor may seek help.

Flagging official records is also crucial. Many states now have laws whereby agencies can automatically flag records once law enforcement enters information about a missing child into NCIC.⁶² The left-behind parent can also assist in this arena, as he or she may be able to request alerts more easily on certain types of

⁶¹ According to Heather Hammer, David Finkelhor, and Andrea Sedlak in "Children Abducted by Family Members: National Estimates and Characteristics." *National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice, October 2002, page 6, an estimated 35% of family abductions in 1999 involved more than one perpetrator.

⁶² See, for example, Fla. Stat. § 937.024 (birth records for missing children) and Fla. Stat. § 937.025 (missing children; state records; reporting requirements; penalties). For a complete listing of such flagging laws see the "Nationwide Directory of Family-Abduction Laws and Resources" in NCMEC's *Family Abduction: Prevention and Response*. This guide is available in English and Spanish and may be viewed, downloaded, and/or ordered from the "More Publications" section of www.missingkids.com. They may also be ordered by calling 1-800-THE-LOST (1-800-843-5678).

accounts such as credit cards. But keep in mind it may be helpful to monitor some accounts without an alert as an ongoing means of tracking the abductor.

Note: Investigators should keep a record of all agencies notified to assist in case closure/recovery.

Records		
Child	Abductor	Joint with Left-Behind Parent
Vital Records	Vital Records	
School	School/Employer/Union	
Medical	Medical	
Passport	Passport	
	Financial Including Benefits	Financial Including Liens, Accounts, Benefits
	Residential	Property Including Vehicles, Homes

Figure 13

Federal agencies are another important investigative resource. A task-force approach has proven to be a successful technique in resolving cases of family abduction. For this reason NCMEC developed the Operation Pick-Up program, which serves to coordinate efforts on missing-children cases with both the U.S. Marshals Service and FBI.

The U.S. Marshals Service can assist in family-abduction cases when a felony warrant is active for an abductor, even if the warrant is for an offense not directly related to abduction. This agency can also provide technical assistance to local law-enforcement agencies in any missing-child case particularly in terms of cell-phone and Internet tracking. To request this assistance investigators can contact their local FBI field office or the U.S. Marshals Service’s NCMEC liaison toll-free at **1-800-THE-LOST (1-800-843-5678)**.

Meanwhile, when investigators uncover interstate travel by the abductor, the U.S. Attorney’s Office can issue a UFAP warrant. This in turn activates the investigative support of the FBI. The FBI’s efforts can also extend internationally if federal prosecutors issue an IPKCA warrant. If either of these warrants is issued, the FBI is the investigative agency that will apprehend the abductor. Contact the FBI’s local field office in the originating jurisdiction or FBI’s NCMEC liaison toll-free at **1-800-THE-LOST (1-800-843-5678)** for further information. For information about the use of warrants in international cases *see* the section titled “International Cases” beginning on page 93.

Law enforcement may also need to coordinate with other jurisdictions, absent the assistance of federal agencies, and additional state-based resources can offer assistance in these efforts. Missing-children clearinghouses can be an essential resource in this regard. Again, while their available services vary, they can generally provide insight into basic procedures and laws as well as offer law-enforcement contacts within individual local agencies. For a listing of these clearinghouses visit NCMEC’s website at www.missingkids.com. From the home page respectively click on the “More Services” and “Missing-Child Clearinghouse Program” links.

Additional Resources

The Association of Missing and Exploited Children's Organizations (AMECO), at www.amecoinc.org, can also provide information about available resources in other states for both law enforcement and the left-behind parent.

Refer to the NCMEC publication *Family Abduction: Prevention and Response* for additional investigative avenues and resources. This guide is available in English and Spanish and may be viewed, downloaded, and/or ordered from the "More Publications" section of www.missingkids.com.

Figure 14

Prolonged Investigation

For cases in which the abductor is not apprehended relatively quickly, investigators must maintain a regular cycle of searching. Many investigations have shown a "break" in the case can come from any number of sources, some of which can develop over longer periods of time.

Regular and repeated database checks can uncover important leads in prolonged investigations. In fact the content of many databases changes frequently, and these changes could lead to uncovering previously unavailable information. Also, as time passes, abductors can become complacent in their efforts to hide or it can become increasingly difficult to do so as the child ages forcing them to reveal themselves to such sources as utility companies, employers, and government agencies. Keep a list of previous queries to track changes in information obtained, and be aware of any technological advances that may be a fresh source of information such as new social-networking websites. NCMEC also has a Case Analysis Division that can access many of these databases if they are not available to the investigating agency. The assigned NCMEC Case Manager can assist in coordinating receipt of such reports.

Investigators should also continue to monitor involved parties, using electronic and physical surveillance techniques. This can notify law enforcement of any renewed contact between the abductor and left-behind family members or friends, as well as reveal new sources of information to be tapped for further investigation. Regularly check the abductor's e-mail accounts, residences, bank accounts, social-networking pages, and those of any close associates. Mail covers, with the assistance of the U.S. Postal Inspector, can also be valuable.

For more complete details regarding information resources and investigative tools, *see* the chapter titled "Investigative Resources" beginning on page 141.

The left-behind parent can also be an important ally in such investigations depending on case circumstances. He or she can monitor publicly available websites and information sources for any new clues to the abductor's whereabouts. For example the left-behind parent can regularly search the abductor's and child's names, including aliases such as maiden names and family names, on social-networking websites or review previous accounts for friends' information indicating where they may have fled. The left-behind parent can also monitor joint benefit accounts, such as military or health benefits, for any requested changes; check with family doctors regarding any record requests; and recontact friends or associates to see if they may have heard anything from the abductor. **But it is**

important investigators clearly explain to the left-behind parent any boundaries to this action so it does not conflict with the actions law enforcement may be taking at the same time.

Publicity will also continue to be a useful tool in prolonged investigations. As time passes individuals' motivation for keeping vital information from law enforcement may decrease or reverse. Republicizing the child's photo can remind the public of the continued search and perhaps encourage contact from those who had previously chosen not to assist. Age-enhanced images of the child can also help in identification efforts, particularly if the child's poster is being distributed beyond the original missing location and into areas where he or she may have been taken post-abduction. The anniversary of the child's birthday or missing date are beneficial times to renew media attention particularly through local media channels or newspapers. Coordination with NCMEC and the left-behind parent can facilitate these efforts.

International Cases

Officers often believe there is little they can do when a child has been taken outside their jurisdiction and left the country. But as discussed earlier in this chapter, law enforcement's involvement and response is essential in resolving family-abduction cases. International family abductions are no different. An officer's immediate and proactive response to an international abduction can prevent a child from being taken from the country and increase the chances of resolving the case. Using the same guidelines and Checklist as for domestic cases, officers and first responders should always assess the risk and danger to the child, which includes international travel. Although international abductions can create their own set of unique challenges, officers and investigators can enlist the support and assistance of federal agencies, such as the FBI and U.S. Department of State, to help resolve these cases.

Prior to exploring the civil and criminal remedies available on international abductions, it is important to reiterate, upon receipt of a missing-child case, **officers must enter the child's information into NCIC within two hours of receipt of a report of a missing or abducted child.** In some circumstances the officer may quickly find out or receive information regarding the child's whereabouts in another country. The officer should **not remove or cancel** the NCIC entry until the child is returned to the United States or the matter is resolved. Keeping the child's entry in NCIC can help officers keep track of the child's movements, such as when the child leaves the foreign country or returns to the United States as well as alert foreign law enforcement through the activation of INTERPOL notices.

Abductions-In-Progress

During the course of an officer's initial response and investigation he or she may discover plans by the abductor to leave the country and that the child's removal from the United States is imminent. Such indications include packed suitcases and luggage found at the residence, discovery of recently purchased international airline tickets, and recently issued passport for the child and abductor. The United States has no current exit controls. This, unfortunately, may allow for the relatively easy removal of children from the country. As soon as an officer learns of an **abduction-in-progress** (AIP), he or she should take swift and prompt action as

this may be the only opportunity law enforcement has to recover the child within their jurisdiction. The steps noted below are crucial for attempting to stop and prevent an international abduction from taking place. **Immediately**

■ Enter the child's information into NCIC

■ Contact

- **FBI Field Office** The FBI has investigative jurisdiction in both interstate and international, child-abduction cases and can help local officials coordinate with airport security and foreign officials through their Legal Attaches stationed at U.S. embassies and consulates around the world. The FBI may petition for federal charges through the FFA or IPKCA statute, which includes the "attempted abduction" language recently included. Contact the local FBI field office for more information.
- **U.S. Department of Homeland Security** DHS can inform officers and investigators if a flight reservation has been made for the child and/or abductor as well as confirm if they have already departed the United States. For non-U.S. citizens, when the applicable requirements are met, DHS can place an alert for the child and abductor in their "Prevent Departure Program" through the National Targeting Center (NTC). This creates a flagging system that notifies officers when the child's or abductor's information is matched to airline reservations or purchases. Officers and investigators who wish to learn more about DHS and NTC can contact NCMEC's Family Abduction Unit toll-free at 1-800-THE-LOST (1-800-843-5678).
- **U.S. Department of State** OCI and the Bureau of Diplomatic Security can provide officers with information regarding the child's and abductor's U.S. passport and can help coordinate assistance from foreign officials through their embassies and consulates. Officers can contact OCI at 1-888-407-4747 or 202-501-4444. These are 24-hour numbers.
- **INTERPOL** Officers can ask for "blue" or "diffusion" notices to be forwarded to INTERPOL partners to trace, locate, and obtain information regarding the whereabouts of the child and abductor. A warrant or criminal charge is not needed to issue a diffusion notice. Officers and investigators only can contact INTERPOL at 202-616-9000 or 1-800-743-5630. These are 24-hour numbers.
- **National Center for Missing & Exploited Children** NCMEC has Case Managers who specialize in family abductions and can be reached 24-hours a day to provide technical assistance and support to officers investigating child-abduction cases by working closely with legal staff and federal liaisons. Officers should contact NCMEC toll-free at 1-800-THE-LOST (1-800-843-5678) and inform the Call Center Specialist they have an urgent or critical case.

Even if the child and abductor cannot be stopped before their departure from the United States, officers and investigators may still coordinate with the FBI, U.S. Department of State, and INTERPOL to intercept the abductor upon arrival in the foreign country or while in transit. Foreign officials may be willing to refuse entry to the child and abductor or stop and apprehend them through the filing of a Hague Convention application or the issuance of criminal charges. *See* the sections titled "Civil Remedies" and "Criminal Remedies" on page 95, and "Other Remedies" beginning on page 97.

Civil Remedies

One of the primary tools used in resolving international, child-abduction cases is the 1980 Hague Convention on the Civil Aspects of International Child Abduction. This treaty created a civil mechanism allowing a searching parent to request the return of his or her child from another treaty country. The primary purpose of this Hague Convention is to promptly return abducted children to their place of habitual residence by strictly looking at jurisdictional issues and not making custodial determinations. OCI, a division of the U.S. Department of State, is the official U.S. Central Authority on Hague Convention matters and international, child-abduction cases. *See* Figure 16 for contact information. Currently this Hague Convention is in effect between 68 countries and the United States. A full list of these countries may be available by visiting the U.S. Department of State's website at www.travel.state.gov. Officers can file a report directly with OCI or refer a searching parent to OCI to open a case. A Case Officer with OCI will work with the searching parent to complete the application and necessary paperwork to initiate a Hague Convention case. OCI can also assist officers by requesting their U.S. embassies and consulates in other countries help in locating the child through their DS or contacts with foreign officials. Additionally, if a child's location is known, OCI can request a **welfare and whereabouts check** be done through their Consular Officers to confirm the child's well-being. It is important for officers to note a searching parent can seek the return of his or her child or establish and/or enforce access/visitation rights. To apply under the Hague Convention a searching parent is **not required to have a custody order**. Some of the Hague Convention's requirements to be aware of include

- Abducted child must be younger than 16
- Habitual residence of the child prior to the removal or retention must be the United States
- Applicant parent must demonstrate proof of rights of custody as established by state statute, court order, or stipulated agreement
- Fully completed Hague Convention application should be filed with foreign country within 12 months of the abduction to help ensure the best opportunity for success

Although a Hague Convention application is solely filed by a searching parent, an officer's involvement and investigation does not stop or cease on Hague Convention cases. Some foreign countries require a searching parent to submit a complete and current address for the child in their Hague Convention application. Without this information, many applications go un-processed by foreign countries. The continued support and investigative work by officers and investigators can lead to discovery of an address or location suitable for the searching parent to use in his or her application.

Criminal Remedies

In the United States international family abduction of children is criminalized both at the state and federal levels. All 50 states, the District of Columbia, Guam, and Puerto Rico have felony charges available, and there are two applicable federal felony charges, the FFA and IPKCA. When deciding to proceed with filing criminal charges against an abducting parent there may be several determining factors for investigators. The use of criminal charges can help investigators in their search efforts for the missing child and bolster support and resources for their case. In

some international cases, investigators may be expected to wait and exhaust legal and civil remedies first before seeking criminal charges. This is the case with the IPKCA statute, in which the U.S. Congress indicated civil remedies are the preferred method for resolving international, child-abduction cases. Nevertheless this should not prevent or deter investigators from evaluating cases for criminal charges. Although the United States currently has 68 partners under the Hague Convention, that leaves more than 100 countries in which a civil treaty is not available. Additionally, not all Hague Convention signatories are considered compliant with the Hague Convention by the U.S. Department of State. Each year OCI submits a report to Congress evaluating foreign countries and identifying “not fully compliant” and “non-compliant” countries. To view the most recent Hague Compliance report visit www.travel.state.gov. From the home page respectively click on the “Child Abductions,” “Resources,” and “Congressional Report” links. Knowing which countries are listed in the report may help investigators and prosecutors decide whether to proceed with a criminal warrant against an abducting parent. One of the most frequent explanations for not using warrants is the view that a foreign judge or court may be reluctant to order the return of a child, or deny the return of a child, if the abductor is likely to be arrested upon return to the United States. This, however, is not a “unanimous view” and “Central Authorities in eight countries have reported...criminal charges are sometimes helpful to a Hague proceeding.”⁶³ Warrants can also help when abductors violate Hague Convention return orders. There is no single answer for when to use criminal charges, and officers should weigh the pros and cons based on the circumstances of the case.

U.S. National Central Bureau-International Criminal Police Organization (USNCB-INTERPOL) is a law-enforcement communication network consisting of 188 nations that coordinate international investigative efforts and the exchange of information. Officers and investigators can contact USNCB-INTERPOL directly to ask that information regarding the child and abductor be transmitted internationally through a color-coded notice system. Similar to NCIC, these notices allow for information about a missing child or wanted abductor to be communicated to the law-enforcement community around the world. Officers and investigators only can contact USNCB-INTERPOL at 202-616-9000 or 1-800-743-5630. Below is a list of three commonly used notices.

- **Red Notices** seek the provisional arrest of a wanted person with view for extradition based on an arrest warrant or a court order.
- **Yellow Notices** help locate missing people, especially minors, or help identify people who are not able to identify themselves.
- **Blue/Diffusion Notices** are used to collect additional information about a person’s identity, location, or illegal activities in relation to a criminal matter such as abductors in family abductions. **Warrant and criminal charges are not required to issue this notice.**

⁶³ *A Family Resource Guide on International Parental Kidnapping*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention (OJJDP), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), 2007, page 80. This statement is based a survey of Central Authorities during late 1995 and early 1996 conducted for OJJDP by the American Bar Association Center on Children and the Law. Full survey results are published in *Issues in Resolving Cases of International Child Abduction by Parents* by Janet Chiancone, Linda Girdner, and Patricia Hoff (Washington, DC: OJJDP, OJP, DOJ, 2001, pages 8-9).

Key Questions Regarding International Abductions

If the child has left the country and his or her location is known in another country, should their information be entered into NCIC? Yes. Following the guidelines established by the U.S. Department of Justice it is recommended missing-children entries in NCIC remain active in international cases, even if the child's destination country is known, until the child is returned to the United States or the case is resolved. Maintaining information about a child in NCIC can help obtain INTERPOL notices, gather information about a child's exact whereabouts, and track the child's movement including his or her potential return to the United States.

Can you stop a child before he or she is removed from the United States? Yes. Law enforcement may stop or prevent a child or abductor from leaving the country if there is a violation of state or federal criminal law. When assessing a violation of law, officers should first clarify what the legal custody situation is by reviewing the most recent court order or, in the absence of one, their state's custodial rights statute. The officer should then review their state's criminal statutes for family abduction. The officer can also enlist the assistance of the FBI. The FBI can petition for federal charges through the FFA, after a state charge is issued, or IPKCA statute. Officers should take immediate action and view the agencies noted in the "International" section of the "Family-Abduction Investigative Checklist," beginning on page 80, as resources to help stop AIPs.

Can I file criminal charges if the searching parent is filing a Hague Convention application? Although civil remedies are the preferred method when resolving international, child-abduction cases, this should not preclude investigators from looking into criminal charges. Officers should meet with the searching parent, weigh the pros and cons, and determine what is best for the case. As discussed in detail in the previous section, not all foreign countries are compliant with the Hague Convention and criminal charges may be helpful in a variety of situations. To view the most recent Hague Compliance report visit www.travel.state.gov. From the home page respectively click on the "Child Abductions," "Resources," and "Reports" links.

What can be done to seek the return of a child taken to a non-Hague country? Parents may have multiple options even if the Hague Convention is not available for their case. The use of criminal charges may help to locate the child and abductor by bolstering investigative resources for the case and may also be used to negotiate a return. Additionally officers and parents may use other mechanisms to obtain the return of a child such as revoking passports and visas for the abductor and associates, deporting the child and abductor, or reaching a voluntary or mediated agreement.

Figure 15

Other Remedies

Below are other resources available for officers and investigators that can support the return of an abducted child and be used in conjunction with the civil and criminal remedies mentioned above.

Extradition Once an abductor has been located in another country, prosecutors can submit a formal request for extradition through the Office of International Affairs (OIA) at the U.S. Department of Justice. Both state and federal charges can serve as the basis for the request, however, only the adult abductor is subject to criminal extradition. This process may not directly lead to the return of the child. Prior to OIA filing a request for extradition with the foreign country, prosecutors must agree to pay all costs associated with the extradition and prosecute the abductor upon his or her return to the United States. Additionally, before an extradition request is forwarded to the foreign country, OIA will review whether there is an extradition treaty between the United States and the foreign country, whether the foreign

country considers family abduction a crime, and if the foreign country will extradite its own citizens. Prosecutors with questions can contact OIA directly at 202-514-0000.⁶⁴ As a caution, extradition proceedings may be lengthy and expensive. Even if a request is made, many foreign countries⁶⁵ may be reluctant to extradite an abductor.

Immigration and Nationality Act Another tool for officers and investigators are portions of the Immigration and Nationality Act,⁶⁶ which provide that any alien who detains or withholds a U.S. citizen child outside the United States in violation of a custody order can be designated inadmissible into the United States. Officers can coordinate with DS, OCI, and DHS to have the abductor or abductor's associate denied entry into the United States by immigration officials as well as have Consular Officers deny or confiscate visas of aliens wishing to travel to the United States. This ineligibility can remain in place until the child is returned to the United States.

Deportation As discussed above, extradition procedures may be extremely lengthy with no guarantee the abductor will be returned to the United States. Some foreign countries may be more willing to facilitate the return of the child and abductor through deportation measures, especially if the child and abductor have no claim to citizenship in the foreign country. This can be done if the abductor has not complied with the foreign country's visa or alien permits or is in violation of immigration laws. For instance their fugitive status may render them as being "undesirable" in the foreign country.

Passport Revocation Under 22 C.F.R. 51.70 and 51.72 officers and investigators can coordinate with OCI and DS to have an abductor's passport revoked if there is a state or federal arrest warrant, a state or federal criminal court order, a request for extradition, or the abductor owes more than \$5,000 in child support. This could hinder travel for the abductor and cause a violation of the foreign country's immigration laws facilitating deportation.

Passport Fraud Under 22 C.F.R. 51.28, both parents must authorize and provide written consent for the issuance of a U.S. passport for any child younger than 16 unless the parent applying for the passport can provide evidence he or she has the sole legal authority to request the passport or one of a set of limited exceptions exists. Such evidence includes a court order or decree, unless the order otherwise contains international travel restrictions. If it is believed a child's U.S. passport was obtained fraudulently, officers can contact DS or OCI to initiate a passport investigation. Although a child's U.S. passport cannot be revoked, this information can aid an officer's investigation and result in criminal charges being issued against the abductor and result in the revocation of his or her U.S. passport.

⁶⁴ For more information about OIA visit www.justice.gov/criminal/about/oia.html. For a list of all current treaties in force between the United States and foreign countries, including criminal extradition, visit www.state.gov/s/l/treaty/tif/index.htm.

⁶⁵ "The United States has more than 100 extradition treaties in effect. The U.S. interprets 'kidnapping' in these treaties as encompassing parental kidnapping so long as the requested country does too. Experience has shown many countries, regardless of the terms of any applicable extradition treaty, are reluctant to extradite anyone for parental kidnapping. This is compounded by the unwillingness of most countries to extradite their own nationals." *A Law Enforcement Guide on International Parental Kidnapping*. Washington, DC: OJJDP, OJP, DOJ, 2002, page 50.

⁶⁶ 8 U.S.C. § 1182(a)(10)(C) (classes of aliens ineligible for visas or admission – miscellaneous).

Diplomatic, Mediated, or Voluntary Returns Depending on the circumstances, abductors may have an independent desire and be willing to mediate or voluntarily return to the United States. This may be done directly between the parents and Central Authority or through diplomatic means via staff members at U.S. embassies or consulates. This should not prevent a searching parent from filing a Hague Convention application or an officer from pursuing criminal charges. As part of the negotiation the searching parent may withdraw his or her active Hague Convention application and law enforcement may agree to dismiss any active criminal charges.

Liability, Immunity, and Other Protections

As with any other type of investigation, family abductions can raise concerns about liability exposure for departments or individual officers. Litigants most often complain law enforcement's actions overstepped legal boundaries and infringed on the rights of citizens. But missing-children cases as a whole, including family abductions, can create just as much negative publicity and potential for civil claims when an agency or officer **refuses or fails to act**. Although successful claims are rare, a number of good policies and practices can help protect law enforcement.

Liability for Taking Action

Several court cases illustrate the potential for lawsuits when a department or individual officer exceeds constitutional limits. The cases noted below describe common complaints made against officers in family-abduction cases.

In *Lowrance v. Pflueger*, 878 F.2d 1014 (7th Cir. 1989), a father sued claiming the officers in Tennessee who sought a warrant for kidnapping and the officers in Wisconsin who arrested him based on that warrant were each involved in his wrongful arrest without probable cause. The case was dismissed against all officers involved and illustrates the good practices that can protect officers on each end of an arrest warrant. By investigating each element of the crime, including intent, before seeking a warrant and verifying the arrest warrant was entered in NCIC before executing it all officers took proper steps to reduce their potential liability.

In *Wooley v. City of Baton Rouge*, 211 F.3d 913 (5th Cir. 2000), a mother alleged the police violated her Fourth Amendment rights against unreasonable search and seizure and her Fourteenth Amendment right to family integrity. The case illustrates the important theme that child custody is not fixed or permanent. Child custody can transfer between family members by lawful agreements, court orders, and later amendments to these agreements and orders. Officers should attempt to verify the **current** custody situation before acting.

In *Lundstrom v. Romero*, 616 F.3d 1108 (10th Cir. 2010), two plaintiffs claimed officers responding to a call for a child-welfare check at the plaintiff's residence seized them without reasonable suspicion or probable cause, used excessive force, and illegally searched their house. No child was ever located at the residence, and the court concluded "while the circumstances the officers confronted initially supported a brief investigatory detention, objectively reasonable officers would not have prolonged the detention and searched the home on the facts before them."⁶⁷ The case emphasizes concern for a child's welfare does not necessarily override constitutional rights and officers still must operate within legal and procedural bounds.

⁶⁷ *Lundstrom*, 616 F.3d at 1115.

Most of the above constitutional restraints are already familiar to officers. In the family-abduction context, however, officers are also expected to be aware of the clearly established, constitutional right each parent has to the care, custody, and control of their children, most often cited from the U.S. Supreme Court's decision in *Troxel v. Granville*, 530 U.S. 57, 147 L. Ed. 2d 49, 120 S. Ct. 2054 (2000). As always, when this right is violated without due process, liability may follow.

Liability When No Action is Taken

It is not uncommon for law-enforcement and government officials to be sued when they fail to respond promptly or properly to reports of missing or abducted children. To address concerns about departmental policies that lead to inappropriately slow responses to missing-child reports, the U.S. Congress and state legislatures reduced the acceptable time delay by prohibiting any waiting periods before accepting a report and eventually instructing officers to enter information about missing children into NCIC within two hours of receiving a report.⁶⁸ Occasionally state law even allows for a law-enforcement agency to be cited for violating their duties if they fail to act in civil or criminal investigations. It is especially important to properly assess risk at the initial-response stage as many lawsuits have focused on law enforcement's failure to issue an AMBER Alert or take other emergency-response action in missing-child cases or family abductions that ultimately ended in tragic harm to or death of the child involved.

Immunity

Law-enforcement agencies, like other branches of the government, enjoy various types of immunity from civil liability for their actions in the line of duty, and in this respect family-abduction cases are no different. For instance in the case of *Suboh v. District Attorney's Office of Suffolk*, 298 F.3d 81 (1st Cir. 2002), a mother claimed her civil and constitutional rights were violated when officers wrongfully arrested her for parental kidnapping based on false allegations and then improperly transferred custody of her child to noncustodial relatives. When an officer involved claimed immunity for his actions in this alleged family abduction, the federal court of appeals applied a standard three-prong test of an individual officer's right to qualified immunity, inquiring whether

- The suing party established a violation of their constitutional right(s)
- This constitutional right was clearly established at the time of the alleged violation
- A **reasonable officer, similarly situated**, would understand his or her conduct violated that constitutional right.⁶⁹

It is important to note, however, in the family-abduction context these broad immunities can also be supplemented by specific, situational immunity granted through statutes or court orders. Some child custody orders address liability concerns with standard disclaimers such as

Notice to Any Peace Officer in the State: You may use reasonable efforts to enforce the terms of child custody specified in this order. A Peace Officer who relies on the terms of a court order and the officer's agency are entitled to the applicable immunity against any claim, civil or otherwise, regarding

⁶⁸ 42 U.S.C. § 5780, as enacted by the NCSAA and later amended by the Adam Walsh Child Protection and Safety Act.

⁶⁹ *Suboh*, 298 F.3d at 90.

the officer's good faith acts performed in the scope of the officer's duties in enforcing the terms of the order that related to child custody.⁷⁰

In addition civil-court orders may contain specific authorization for law enforcement to enter private property in search of a child, take physical possession of a child, and turn the child over to a designated person or agency. Court orders, however, do not give officers permission to turn off their basic logic and common sense. Judges rely on law-enforcement integrity and good judgment. For example if officers on the scene determine exigent circumstances exist, court orders such as those issued under the UCCJEA, may even include permission to make forcible entry into a building or premises at any hour in pursuit of the child.

Exigency can provide an additional level of immunity for officers who are responding to a crisis situation. For example the case of *State v. Petruccelli*, 743 A.2d 1062 (Vt. 1999), included a discussion of law enforcement's permissible warrantless entry onto private property based on their suspicion of custodial interference and kidnapping. When officers determine a child is at risk of physical harm, or when the situation indicates the child may suffer from abuse or neglect, state law generally allows law enforcement to take emergency protective custody of the child or detain the child until Child Protective Services (CPS) can respond. As long as the proper circumstances exist and due process is followed, officers may take protective custody of an endangered child without a court order and prior to a judicial hearing.⁷¹

Other Protections From Liability

Officers may look to other legal provisions to equally or partially justify their actions in a family-abduction or child-custody matter. For instance an arrest warrant or probable cause that a crime has been committed allows the officers to arrest an abductor. In that frequently encountered situation law enforcement is generally required to ensure any child accompanying the arrested person is left in the care of a competent and custodial adult. This does not mean officers may use the power to arrest to improperly transfer custody of a child, but emphasizes the need for officers to account for the welfare of children they encounter. When an officer determines a child may be endangered, state law often allows for the investigation and interview of a child even without parental permission. State statutory provisions for encounters with runaway, abandoned, or missing children may allow law enforcement to take possession of and transport the child to his or her legal guardian. On the other end of the spectrum allegations of domestic violence or child abuse may make further investigation, or CPS involvement, appropriate before the child is returned to the left-behind parent. And officers should be aware it is not uncommon for both parents in a family abduction to present conflicting court orders that appear to grant custody of a child to each parent. If the officer is unable to determine the validity or legal supremacy of the respective orders, further investigation and pos-

⁷⁰ This passage is extracted from a longer warning commonly required in all final child-custody orders issued in Texas. The sentence immediately preceding the quoted passage states, "An order in a suit that provides for the possession of or access to a child must contain this following prominently displayed statement in boldfaced type, in capital letters, or underlined." See Texas Family Code § 105.006.

⁷¹ For a discussion of how this action relates to a parent's constitutional rights, see *Rescuing Children from Abusive Parents: The Constitutional Value of Pre-Deprivation Process* 65 Ohio St. L.J. 913 (2004).

sible consultation with the issuing courts or prosecuting official may be necessary before the child is removed from or delivered to either parent. Warnings about the legal and criminal consequences of making a false report or presenting false documents to law enforcement should also be given.

Prevention

It is not uncommon for a parent to reach out to an officer when having concerns about a potential abduction. These concerns may be based on specific threats or suspicions by the parent. An officer may refer the parent to his or her local family courts and recommend consultation with an attorney to obtain a custody order. If a custody order already exists, the officer may suggest the parent look into having specific preventative language included in the custody order such as prohibiting the removal of the child from the local area, state, and country. Officers can also refer the parent to NCMEC's Missing Children Division to obtain information and technical assistance about steps a parent can take to prevent a domestic or international abduction. NCMEC also offers free publications, which are accessible on their website for parents and law enforcement at the "More Publications" section of www.missingkids.com. For specific concerns about international abductions a parent may also want to contact OCI within the U.S. Department of State and inquire about their Children's Passport Issuance Alert Program (CPIAP). This program allows parents to place an alert on passports being issued for children younger than 16 as well as confirm if a passport has already been issued. A custody order is not required to enter the child's name into the system. For additional information contact the CPIAP or OCI's Prevention Unit using the information in Figure 16.

Contact Information for Key Resources at the U.S. Department of State
Bureau of Consular Affairs Office of Children's Issues SA-29 2201 C Street, Northwest Washington, DC 20520-2818 Phone: 1-888-407-4747; 202-501-4444 (24-hours) Fax: 202-736-9132 E-Mail: AbductionUSCA@state.gov ; PreventAbduction@state.gov Web Address: www.travel.state.gov/childabduction

Figure 16

Recovery and Reunification

The goal of all officers working a child-abduction case is to safely locate the child; however, simply finding the child does not end an officer's action or involvement in a case. The planning of the child's recovery, return, and subsequent reunification process can be just as important and extensive as the investigation. First there is the physical recovery and logistics of returning the child who may be found hundreds of miles away in a different state or country. Second there may be a need for reunification assistance through counselors and social-service professionals to help reintegrate the child into the family and community from where he or she was abducted. It is important to note the **recovery** and **reunification** process are two separate actions and should not be undertaken at the same time.

For a recovery, officers may have to coordinate with other law-enforcement departments and federal officials to apprehend the abductor and safely pick-up the child. Depending on the circumstances and distance, officers may be able to plan ahead and have the parent nearby for when the child is picked-up or may have to coordinate with the locating officials to have the child placed in protective custody until arrangements can be made to have the child returned. If the abductor is arrested, officers should avoid having the child present during the arrest and not have the other parent "**on-scene.**" Once the child is placed in protective custody officers need to be aware of and attentive to the child's emotional state as some children may have been abducted when they were very young or have been missing for an extended period of time. These children may not remember the other parent, have developed a close bond and relationship with the abductor, or have assimilated to their new environment and even speak a different language. It is also not uncommon in family abductions for an abductor to lie or mislead a child by telling the child the other parent is deceased, the other parent didn't want him or her, or they left because of physical or sexual abuse. All of these factors can greatly impact how the child reacts to being recovered, and, if not careful, the reunification process can be a traumatic experience for the child. Officers should work with a multidisciplinary team of professionals, which includes counselors and social-service officials, to help address any concerns or issues that may come up. This includes interviewing the child separately from the abductor and before the child reunifies with the left-behind parent. If the immediate return of the child to the left-behind parent is not appropriate, officers should work with social-service and child-protective agencies to temporarily place the child in care or a shelter until any underlying custody matters or abuse investigations are concluded. Once reunification is ready to begin, officers should use a private room or area for the child to reunite with the left-behind parent, and, if necessary, have counselors and victim advocates present to assist in this process.

Key Question Regarding Return

What if the child does not want to return? Although children have no more right to violate the provisions of a legal custody order than their parents, officers should take seriously any allegations or outcries a child may assert as the reason he or she wishes to remain in one location or with one parent. Officers must apply the same common sense and good judgment necessary for a proper risk assessment to determine if enforcing a parent's legal custody rights may end up putting the child at risk of harm. If so officers should consider involving social services or the family court to determine what steps are necessary to protect the child.

Figure 17

NCMEC's **Family Advocacy Division** has a team of dedicated professionals who work with officers and families to provide reunification assistance and referrals as well as locate short- and long-term support for families through local victim advocates and mental-health agencies. Additionally NCMEC provides travel assistance for families in financial need, through travel partners and DOJ's Office for Victims of Crime, and can help arrange to return a child home in a domestic or international case. For information about how NCMEC can help in the recovery or reunification process call **1-800-THE-LOST (1-800-843-5678)**.

Guidelines for Handling the Reunification of a Family-Abducted Child	
■	Avoid having the abductor arrested in the child's presence if possible.
■	Interview the child and abductor separately, and gather information and supporting documents that can be used in the prosecution of the abductor.
■	Coordinate with social-services and child-protective agencies to place the child in temporary care or shelter pending the resolution of any custody matters or social-service investigations if physical or sexual abuse allegations are raised or if the person entitled to custody is not present.
■	Contact NCMEC toll-free, for travel assistance if the child is located outside of the state or internationally, at 1-800-THE-LOST (1-800-843-5678) . This can also be coordinated through the NCMEC Case Manager.
■	Use a private room or area for the child to reunite with the searching parent. If necessary have counselors or social-service professionals on-hand to assist with the reunification process. NCMEC can provide reunification assistance and referrals to officers through the Family Advocacy Division as well as find both short- and long-term support for the family through local victim-advocate and mental-health agencies by calling toll-free at 1-800-THE-LOST (1-800-843-5678) .
■	Cancel and remove all active notices and alerts, such as NCIC, INTERPOL notices, and flags on school/birth records, and notify all agencies involved with the search and recovery.

Figure 18

Post-Recovery Note: After the recovery, officers should encourage parents to continue to work with their family courts and modify or amend any existing custody orders so they reflect the current appropriate status. This can include adding preventative language to an order, such as prohibiting the removal of the child from the local area, state, and country, or confiscating passports and travel documents. *See* the section titled "Prevention" on page 102.

Conclusion

Although it may have been tempting at one time to treat this type of case as a harmless, civil matter, it should be clear by now the risk to child victims of family abduction is real and immediate. As with any other case in which a child is missing or abducted, officers must properly assess that risk and respond accordingly. A prompt, professional, and efficient law-enforcement response offers a great measure of protection for child victims of family abduction.

References: Citations and Related Resources

National Center for Missing & Exploited Children. Publications listed are available to be viewed, downloaded, and/or ordered from the “More Publications” section of www.missingkids.com. They may also be ordered by calling toll-free at **1-800-THE-LOST (1-800-843-5678)**.

Children Missing From Care: The Law-Enforcement Response. Publication #162.

Family Abduction: Prevention and Response. Publication #75 in English. Publication #67 in Spanish.

Just in Case...Family Separation. Publication #08 in English. Publication #09 in Spanish.

Just in Case...Federal Parent Locator Service. Publication #11 in English. Publication #47 in Spanish.

U.S. Department of Justice’s OJJDP. The publications listed below may be ordered through the National Criminal Justice Reference Service (NCJRS) at 1-800-851-3420 or by visiting its website at www.ncjrs.gov. Many documents are available for download.

Addressing Confidentiality of Records in Searches for Missing Children, Final Report (1995). NCJ 155183.

Children Abducted by Family Members: National Estimates and Characteristics. NISMART-2 (2002). NCJ 196466.

The Crime of Family Abduction: A Child’s and Parent’s Perspective (2010) NCJ 229933.

Criminal Justice System’s Response to Parental Abduction, Final Report (2001). NCJ 186160.

A Family Resource Guide on International Parental Kidnapping (2007). NCJ 215476.

Federal Resources on Missing and Exploited Children: A Directory for Law Enforcement and Other Public and Private Agencies (2011). NCJ 231619.

Issues in Resolving Cases of International Child Abduction by Parents (2001). NCJ 190105.

Law Enforcement Guide on International Parental Kidnapping (2002). NCJ 194639.

A Report to the Attorney General on International Parental Kidnapping (1999). NCJ 189382.

Sharing Information: A Guide to the Family Educational Rights and Privacy Act and Participation in Juvenile Justice Programs (1997). NCJ 163705.

The Uniform Child-Custody Jurisdiction and Enforcement Act (2001). NCJ 189181.

Using Agency Records To Find Missing Children: A Guide for Law Enforcement; Program Summary (1996). NCJ 154633.

When Your Child Is Missing: A Family Survival Guide, Fourth Edition (2010). NCJ 228735.

U.S. Department of State. Visit its website at www.travel.state.gov for information about international family abduction, the Hague Convention on the Civil Aspects of International Child Abduction, and what the U.S. Department of State can and cannot do when a child is abducted to another country. General information and guidance is available from the U.S. Department of State's Office of Children's Issues at 202-736-9130.

The Runaway Child

by Lee Reed

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Runaway Investigative Checklist

Review all steps outlined in the “Initial-Response Investigative Checklist” beginning on page 27. In addition, in cases of runaway children, consider the steps listed below. Consult the text of this chapter for details about the items listed.

The Initial Investigation

- Check agency records for recent contact with child from arrests to any other type of activity.
- Review school records and interview teachers, other school personnel, and classmates.
- Check contents of school locker.
- Evaluate whether Internet and other technology use may be a factor in the missing episode and establish service providers for that technology.
- Enter information about the child within two hours of report receipt into the National Crime Information Center’s (NCIC) Missing Person File. See “Appendix A: NCIC Missing-Person-File Categories” beginning on page 193 for definitions of NCIC categories.
- Contact community, child-serving organizations for information.
- Investigate child-protective-agency records for abuse reports.
- Use screening procedures to develop an accurate assessment of the child and verify accurate NCIC entry.

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 NCIC category if additional risk factors are identified.
- 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 organization(s) (NPO).

- Consider a search of NCIC's Unidentified Person File, use of NCIC's Offline Search capabilities, and notification of state⁷² medical examiners by providing descriptive information and a photo of the missing child.

Recovery/Case Closure

- Conduct a thorough interview of the child, document the results of the interview, and involve all appropriate agencies. Ask
 - Why did the child leave?
 - Where did the child go?
 - How did the child survive?
 - Who helped the child during his or her absence?
 - Will the child leave again?

- Use the Interstate Compact on Juveniles or other runaway-return programs.

- Determine need for a comprehensive physical examination for the child.

- Make child/family aware of community services to address any unresolved issues.

- Complete an agency report of the episode that may 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 to this Checklist. To obtain those updates and request technical assistance for specific cases, contact NCMEC toll-free at **1-800-THE-LOST® (1-800-843-5678)**.

⁷² Unless otherwise noted this guide uses the term "state" to also include American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the U.S. Virgin Islands. The authors have attempted to identify and note any situation in which specific programs, laws, or definitions may not include some or all of these jurisdictions.

Definition of Runaway Children

A runaway child, often a teenager, leaves home voluntarily for a variety of reasons. This would include any child 17 years of age or younger.

The voluntarily missing child, more often referred to as the runaway, is the most common missing-child case encountered by law-enforcement officers. In the past the development of an effective law-enforcement response to the report of a voluntarily missing child was often hampered by the “staggering number” of reports received by law enforcement and fact many runaways return fairly soon requiring little in the way of active case investigation. Fortunately today law enforcement is more aware of the fact **all** missing children — including runaways — are “at-risk” and need to be located as quickly as possible.

Life “on the run” for these children is extremely dangerous and harmful. The longer they are on the street, the greater their chances of falling victim to those who wish to exploit them. By finding these children and providing services to help safeguard them from these dangers, communities do a better job of preventing the commercial sexual exploitation of these children. By finding runaways, determining the reasons for their behavior, and providing social-service solutions to those problems, communities will provide a healthier environment for children at-risk and the community at-large, but **the first step is to find the runaway child.**

Investigating Cases of Runaway Children

In conjunction with the material presented in this chapter, the reader is encouraged to review the procedures outlined in the “Initial-Response Investigative Checklist” beginning on page 27 and “Runaway Investigative Checklist” beginning on page 109.

Role of the First Responder

As is the case with all reports of missing children, an initial task of the first responding officer is to verify the child is actually missing. It is important to help ensure nothing is overlooked in this verification process. For instance frantic parents/guardians may not think to listen to their answering machine or voice mail where they might find a message from their teen saying he or she will be arriving home later than planned. The parents/guardians should also check their electronic mail/messages for any similar messages left by the child.

Once verification is made, the officer may begin other important tasks such as conducting a search of the scene; securing a recent photo, fingerprints, and DNA of the child if available; broadcasting notifications; and entering information about the child into the NCIC Missing Person File. **Note:** The proper NCIC classification, if no mitigating factors exist, is **Juvenile**. The Adam Walsh Child Protection and Safety Act (Adam Walsh Act, Pub. L. No. 109-248) requires NCIC entry be made by law enforcement within two hours of receipt of a missing or abducted child report. See “Appendix A: NCIC Missing-Person-File Categories” on page 193 for definitions of NCIC categories.

When compiling the case report the officer may wish to use the “Victim/Family Data-Collection Questionnaire” found in “Appendix C” beginning on page 195. It may be of assistance in gathering pertinent information about the child, family, and friends.

The reporting officer should ascertain if there have been any previous runaway episodes, even if unreported. Officers are reminded parents/guardians may not be completely forthcoming with information or may be unaware of the child's behavioral patterns. The initial responder should identify and contact friends of the missing child to gather additional information. Since reporting officers are usually familiar with locations where youngsters congregate, an effort should be made to check such sites for signs of the missing child. As a regular practice patrol officers are encouraged to be constantly aware of children who appear to be exhibiting signs of living on the street.

Develop a list of questions the first responder will use when taking every runaway report. The questions should include

- Has the child been sneaking out at night?
- Has the child been skipping school?
- Have the child's grades fallen?
- Has the child been increasingly tardy?
- Has the child used, or does the child continue to use, prescription medications, over-the-counter medications, alcohol, and/or illegal substances?
- Is the child often tired?
- Is the child suicidal?
- Have the child's friends changed?
- Has the child's taste in music changed?
- Has the child's personality changed?
- Has the child's behavior changed?
- Has the child's manner of dressing changed?
- Is the child a cell-phone user and which carrier provides that service?
- Is the child someone who accesses the Internet, where and when does access occur, and via what carrier?
- Has the child's use of the Internet and online devices increased?
- Has the child received unaccounted for funds or gifts?
- Has the child purchased expensive items with no known or vague funding sources?
- Has the child started dating an older boy- or girlfriend?

Role of the Assigned Investigator

After reviewing the initial missing-child report for accuracy and verifying 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 recent contacts or arrests that may have prompted this missing-child episode.

Family Residence From the family an investigator should be able to learn if the child has been heard from since leaving, has been sneaking out at night, is considered suicidal, has exhibited a noticeable change in personality, has changed his or her appearance through things such as clothes and hairstyle, has been associating with a new group of friends, has seemed unusually tired, has displayed a change in musical taste, has seen his or her grades drop, has been absent or tardy from school, has depleted savings from a bank account or other monetary source, has experienced any prior "runaway" episodes, and/or has exhibited any other behavioral changes to help explain why he or she left. Even though the first

responder may have already asked these questions, the investigator can go into more depth with the questions and their responses and look for discrepancies from or additions to the information the first responder obtained.

To verify the child is not at additional risk, an officer should seek confirmation from the parent/guardian regarding the child's dependence on legal or illegal drugs including alcohol. Ask the parents/guardians about any other medical or physical conditions complicating the case. Sensitive information may create some reluctance on the part of the parents/guardians. Remind them all questions are directed at helping to ensure their child's prompt and safe return.

An investigator should obtain parental/guardian permission to inventory the child's room and secure certain items. In the child's room the investigator should be alert for notes written in diaries, book covers, notebooks, and/or letters and any information that may be gleaned from electronic devices including messages in online correspondence and information posted on any personal websites the child may maintain. Is the overall appearance of the room unkempt or neat? If neat, ask parents/guardians if they cleaned up the room. Look for lifestyle indications such as decorations, music, posters, and clothing. Secure items such as the child's hairbrush, toothbrush, a handwriting sample, any item with the child's fingerprints, his or her diary/address book, and additional photos of the child.

Determine if anything is missing from the child's room. Ascertain if the child had a piece of favorite music, photo, or some other proprietary item and determine if it is missing. Seek the advice of individuals who are able to help identify what is important to the victim. The parents/guardians may know but close friends and siblings should also be consulted. Officers may obtain many clues about the case by looking for what is in the room and what may or may not be missing. Most importantly investigators should keep in mind 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 child's own family, a great deal of investigative information may be learned during these interviews.

Reassure friends whatever they disclose about the case will be kept in confidence. Inquire if they have heard from the missing child. If so determine both the date and nature of the conversation. Are they surprised this child may have run away or were there indications such an event was possible? Inquire about other friends of the missing child and how they may be contacted. Continue to check friends' homes and hang-outs. Many times friends will have begun to attempt to locate the child themselves and become concerned by the child's continued absence. With the passage of time they may be willing to provide additional information initially withheld. Often allegations of possible abuse at home or pregnancy are initially withheld.

School/Teachers/School Resource Officers The missing child's school, teachers, school resource officer (SRO), and counselors should be important sources of information. Often school records will

...investigators should keep in mind 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.

reveal material of significant investigative value. Truancy may have gone unnoticed by a parent/guardian but is generally documented by the child's school. Teachers may be able to help develop a more in-depth behavioral analysis of the child and provide names of other friends or acquaintances. The school counselor may be able to verify if the child has disclosed information concerning case-relevant emotional or other problems. SROs may be called on to assist in the investigation. The SRO should contact the missing child's friends for leads, and, if the SRO has established a trusting relationship with the students, may obtain information no other officer could obtain. Search the child's locker. Depending on state law and school policies, parental/guardian permission or a search warrant may be required. Again, as in searching the child's room, look for items such as virtual and real-life notes, letters, and other items indicating the child's lifestyle.

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 filed against the parent(s)/guardian(s) concerning the missing child or any other child. If the parents/guardians have moved from another city or state, CPS records in those jurisdictions should be checked. Positive information in CPS files may be of significant investigative value in determining reasons for the child's actions. Local runaway shelters and similar facilities may have records indicating 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. Any agency reluctance to share confidential information may be overcome when the investigator stresses the child is probably on the street and at-risk of victimization.

Assessing Cases of Runaway Children

Major obstacles facing law enforcement are determining which voluntarily missing case to investigate first and how to identify the most critical cases. Learning the actual circumstances of why the child left home will help an officer assess the risk factors 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 voluntarily missing-child cases in order to identify children who require a more intensive level of investigation.

Risk Factors If circumstances involved in the report of a missing child indicate one or more of the risk factors, listed in Figure 19, exist — even if the child originally left home voluntarily — strenuous efforts to locate the child should be immediately put into effect.

Remember individuals 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 potentially damaging to their credibility or the credibility of the child who has run away. Parents/guardians may also think if they are forthcoming about the child's lifestyle, law enforcement will not work as hard to find the child.

Risk Factors	
Risk factors include the child	
<input type="checkbox"/>	Is 13 years of age or younger
<input type="checkbox"/>	Is out of what is believed to be the zone of safety for his or her age and developmental stage
<input type="checkbox"/>	Has mental or behavioral disabilities
<input type="checkbox"/>	Is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening
<input type="checkbox"/>	Has been absent from home for more than 24 hours before being reported to law enforcement
<input type="checkbox"/>	Is determined to be in a life-threatening situation as based on available information
<input type="checkbox"/>	Is believed to be in the company of an individual who could endanger his or her welfare as based on available information
<input type="checkbox"/>	Is absent in a way inconsistent with his or her established patterns of behavior and the deviation cannot be readily explained
<input type="checkbox"/>	Is determined to be "at-risk" based on other circumstances involved causing a reasonable person to conclude the child should be considered as such

Figure 19

Runaways and the Internet As use of the Internet increases in popularity, officers and investigators who respond to apparent runaway cases must consider if the absence was prompted by the child's contact with another individual through use of the Internet. A standard question to be asked in every runaway investigation is whether the child has ongoing access to the Internet and if there has been a noticeable increase in its use. If it is learned through interviews with the child's parents/guardians and/or friends Internet contact might be involved, the child should be considered at-risk.

One reason urgency is called for in these situations is while the child may think he or she has been corresponding with a "friend" met online, in reality the other individual may be a person who seeks to take advantage of or harm the child. Even if the other individual is not intending to cause harm, the runaway should still be considered at-risk since he or she may have traveled a significant distance from home thereby increasing the possibility of exploitation. In addition, even if the child knew he or she was corresponding online with an older person, the child may have misunderstood the nature of their online "friendship" and unwittingly walk into an exploitive and dangerous situation when meeting in person with the online acquaintance.

Investigators should use caution when attempting to gather information from the child's online technology devices. Agency technicians or other trained specialists should be called on to recover and evaluate stored messages, incriminating photos, and other valuable evidence.⁷³ Once the other individual's Internet identity is obtained, officers may use resources such as specialized, technology-crime sections or the National Center for Missing & Exploited Children's Exploited Children Division to ascertain the true identity and address of the other party

⁷³ Investigators may obtain technical forensic assistance from state or regional Internet Crimes Against Children (ICAC) Task Forces that have been established across the nation. A list of existing ICAC Task Forces is found at www.icactaskforce.org, the website for the ICAC Training and Technical Assistance Program.

thereby hastening recovery of the runaway. In addition determine if the child has a communications device with a Global Positioning System (GPS) mapping feature. Also law enforcement may wish to use the U.S. Marshals Service, Federal Bureau of Investigation (FBI), or Secret Service in tracking the child's communications device, once the carrier is determined. Make contact with that carrier and see what is going to be needed to track the device. If law enforcement is able to establish an exigent circumstance, a letter will suffice for the carrier to immediately track the device. If no exigent circumstance exists, then by making contact with the carrier's security department or NCMEC it can be determined what will be needed to track the device.

Runaways and the Commercial Sexual Exploitation of Children⁷⁴ Commercial sexual exploitation occurs when individuals buy, trade, or sell sexual acts. Pimps and traffickers seek vulnerable victims, particularly runaways or children experiencing trouble at home, to involve in prostitution and other forms of sexual exploitation. They may use psychological manipulation, drugs, and/or violence and promise to meet the child's emotional and physical needs. The main purpose is to exploit the child for monetary gain. While doing this the pimp or trafficker may create a seemingly loving and caring relationship with the victim in order to establish trust and allegiance. This manipulative relationship tries to ensure the child will remain loyal to the exploiter even in the face of severe victimization. Potential risk factors and/or indicators of trafficking and exploitation include

- History of emotional, sexual, or other physical abuse
- Signs of current physical abuse and/or sexually transmitted diseases
- History of running away or current status as a runaway
- Appearance of expensive gifts, clothing, or other costly items with no valid explanation of their source
- Presence of an older boy-/girlfriend
- Drug addiction
- Withdrawal or lack of interest in previous activities
- Gang involvement

Such activity puts the runaway at extreme risk and warrants an immediate law-enforcement response to rescue the child. For assistance in cases of this nature, law-enforcement should contact the National Center for Missing & Exploited Children at **1-800-THE-LOST (1-800-843-5678)** and National Human Trafficking Resource Center (NHTRC) at **1-888-373-7888**. For additional information and resources about the commercial sexual exploitation of children and human trafficking, visit NCMEC's CyberTipline® reporting website at www.cybertipline.com and the Innocence Lost National Initiative at www.fbi.gov. From the home page respectively click on the "A-Z Index" and "Innocent Images" links.

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

⁷⁴ Adapted from *Commercial Sexual Exploitation of Children: A Fact Sheet* accessed on October 4, 2011, at www.missingkids.com/missingkids/servlet/PageServlet?LanguageCountry=en_US&PageId=4162.

period of time” will differ from case-to-case depending on the officer’s knowledge of the circumstances surrounding the runaway episode.

Officers should update the initial NCIC entry by fully loading all identifying information into the NCIC Missing Person File. This will require contacting the parents/guardians to gather all available dental and medical information including X-rays. Fingerprints should also be entered if available. Key items the investigator should obtain from the child’s dentist are all available X-rays or radiographs and the dental chart. These items should match. Check with the dentist about special notations in the records, and ask for a complete explanation of any unclear information. Also, since positive identification may eventually become an issue, if possible, a DNA sample should be obtained from the biological parent(s).

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 are available from each agency’s NCIC data-entry person. See “Appendix A: NCIC Missing-Person-File Categories” on page 193 for definitions of NCIC categories.

Information concerning the child’s case should be forwarded to the missing-children clearinghouse. Clearinghouse personnel may be a valuable resource to the officer in this and other missing-child investigations. **Note:** For a listing of these clearinghouses visit NCMEC’s website at www.missingkids.com and from the home page use the “More Services” link and then the “Missing-Child Clearinghouse Program” link.

NCMEC may provide officers with technical assistance regarding runaway cases. NCMEC Case Managers have extensive law-enforcement experience and are able to offer investigative suggestions to enhance the likelihood of recovering the child. These Case Managers are also able to assist in the preparation and distribution of missing-child posters as well as other resources available from NCMEC for both law enforcement and the searching family.

Consider putting the family in touch with a local NPO working with families of missing children. Many NPOs provide services to help the family cope during extremely stressful periods of time. The Association of Missing and Exploited Children’s Organizations (AMECO) is an association of these NPOs located across the United States and Canada that assist in the prevention, recovery, and reintegration of missing and/or sexually exploited children. AMECO’s website, at www.amecoinc.org, provides a list of member organizations and available services. AMECO may also be reached toll-free at 1-877-263-2620.

In addition NCMEC’s Family Advocacy Division (FAD) provides case-specific intervention designed to enhance service delivery to the families served by NCMEC. Staffed by master-level, trained, child-welfare professionals, FAD proactively works with families, law enforcement, social-service agencies, other family-advocacy agencies, and legal professionals to provide technical assistance regarding reunification practices for missing children, training, referrals, support, and crisis-intervention services. FAD also coordinates the Family Advocacy Outreach Network, a proactive initiative designed to partner with licensed treatment professionals throughout the United States who are able to provide brief, therapeutic intervention or long-term support on a sliding-fee scale basis or at no cost to families served by NCMEC. In addition FAD manages Team HOPE (Help Offering Parents

Key items the investigator should obtain from the child’s dentist are all available X-rays or radiographs and the dental chart.

Empowerment). Team HOPE provides assistance to families with missing or sexually exploited children by offering peer support, resources, and empowerment from trained volunteers who have experienced a missing- or sexually exploited-child incident in their own family. For more information contact FAD by e-mail at familyadvocacy@ncmec.org or phone toll-free at 1-877-446-2632 extension 8373.

Investigators may also use 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.

Reinterview friends, classmates, and other information sources using the questions originally asked when the child was first reported missing. That suggested list of questions is found on page 112. The reinterview may elicit information previously omitted or prompt some people to be more candid as concerns for the child's safety grow. Also consider searching NCIC's Unidentified Person File and using its Offline Search feature. For details about NCIC capabilities and how to access them, *see* the section titled "National Crime Information Center" beginning on page 148. Also law enforcement may access the National Missing and Unidentified Persons System (NamUs) to check unidentified bodies. NamUs is a program created by the National Institute of Justice (NIJ) in response to the challenges involved in investigating and solving missing- and unidentified-person cases. It contains databases storing detailed information about missing people and unidentified remains and may be searched for possible matches between cases. Talk with an NCMEC Case Manager about the benefits of using this database as another avenue in the search for a missing child. NamUs is a free, online system that may be searched by the public, law-enforcement officials, medical examiners, and coroners to help solve these types of cases. For more information regarding NamUs and the services offered visit their website at www.namus.gov.

Also law enforcement may enter information about the child in the Combined DNA Index System (CODIS). CODIS offers parents and family members of missing children an opportunity to have their DNA samples profiled and uploaded to this FBI database where once a week the DNA of their loved one is scanned against the DNA profiles of unidentified people.

Another source to consider would be state medical examiners and coroners. Providing descriptive information and a photo of the missing child to these agencies will help cover another possibility to be considered in any thorough investigation.

Recovery and Case Closure

Procedural Steps 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. It is recommended cancellation of an alarm concerning a child recovered in another jurisdiction not take place until the child has returned and been visually verified by the original reporting agency. Finally notify organizations and agencies involved in the investigation such as CPS, schools, clearinghouses, NCMEC, and the NPO assisting the family.

Disclosure of Exploitation or Abuse If the returned child discloses incidents of abuse or exploitation occurred while away, officers must be prepared to quickly respond. For example a prompt medical exam will be warranted if the allegations include physical or sexual victimization. Responding officers should also expeditiously act to secure all available evidence and begin to conduct a criminal investigation into any allegations made by the child.

Returning Runaways From Distant Locations Runaways who are recovered far from the boundaries of the reporting jurisdiction occasionally present significant challenges for a law-enforcement agency. While some parents/guardians are able to arrange travel to pick-up and return the child, there are occasions when such an outcome cannot be accomplished. When such situations occur, alternate solutions may be available.

One solution might be the use of a process known as the **Interstate Compact on Juveniles**, which is a legal agreement among the states and the District of Columbia to facilitate the return of certain juveniles — including runaways — to their home state. Each state has an agency designated as the Interstate Compact Administrator, with local representatives usually found on the county level. Officers should identify and develop procedures with these representatives before an actual need arises. For more information about this compact and contact information for each state’s Administrator visit www.juvenilecompact.org.

On those occasions when the Interstate Compact does not apply and parents/guardians do not have the financial ability to bring the child home, a free bus ticket might be available for the child who wants to go home. Information about the Home Free program is available from the National Runaway Switchboard at 1-800-RUNAWAY or by visiting www.1800RUNAWAY.org and respectively clicking on the “Youth & Teens,” “NRS Can Help,” and “Home Free” links.

Reunification Issues of Runaway Children⁷⁵ 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 also how to prevent future episodes. The prevention of recurrences is especially important for law enforcement since children who run away repeatedly learn how to remain concealed longer thereby increasing their risk of exploitation.

Law enforcement’s first priority when recovering a runaway is to take the child to a safe place. The child then needs to be carefully assessed and interviewed — in a nonaccusatory way — about his or her immediate physical and emotional needs, reasons for running away, and the circumstances encountered while away. Talking with runaways about any victimization they have experienced, prior to running away or during the time they were gone, will provide important direction for future placement, treatment, and services. If information about criminal activity is uncovered while talking with them about their activities prior to or during the runaway episode, the information must be carefully recorded while remembering the primary focus should remain on the child’s emotional and physical well-being.

Interviewing runaways may present certain challenges since runaways may view law enforcement as a threat and fear the officer will “just” return him or her home. Children may be particularly distrustful of law enforcement if they have previously tried to report exploitation/abuse and did not receive a satisfactory response.

In many cases running away is a child’s way of addressing an unresponsive system. Officers should approach runaway children in a nonthreatening manner and take time to build rapport with them. Law-enforcement agencies should have a written policy directing the involvement of specially trained youth-service providers in this debriefing and interview process. Law-enforcement agencies

⁷⁵ Much of the information in this section is adapted from Turman, *op. cit.*, n. 48, pages 23-24.

should also consider contracting with local social-service, child-welfare, mental-health, or other appropriate agencies to secure this assistance and support.

Keep in mind an interviewer who lectures a child about how wrong it was to run away will find it challenging to have that same child confide in him or her. If possible a specially trained person other than the one who took the child into custody should conduct the interview. This will help in building rapport with the runaway child.

Many runaway children leave home to escape sexual or physical abuse while others may have been told to leave by a parent/guardian. Returning home may not be the best or safest option for them. In such cases the interviewer will need to immediately notify the appropriate child-protective-services agency of those allegations. Failure to do so may involve potential civil and criminal liability. This notification process needs to be part of the written policy for each agency involved in the interview process.

If the runaway is in need of medical care, mental-health counseling, and/or shelter, the interviewer will need to contact appropriate agencies and resources for assistance in determining how to best meet those needs. In addition check for any prior reports of child abuse, domestic violence, or other criminal behavior in the home and notify the appropriate child-protection agency. Rather than telling the child he or she will not have to return home if a parent/guardian has been abusive, set the stage for the child to feel comfortable in making a disclosure regarding his or her reasons for running away. Officers charged with interviewing runaways should have thorough training and experience in interviewing children. They should also be knowledgeable about the dynamics of abuse and its impact on children. If officers have not been trained to conduct forensic interviews of children they should solicit the assistance of a local child-advocacy center.

Guidelines for Handling the Reunification of a Runaway Child⁷⁶ The officer responsible for facilitating the reunion should

- Conduct a thorough interview of the child, document the results of the interview, and involve all appropriate agencies including CPS. Ask
 - Why did the child leave?
 - Where did the child go?
 - Where/With whom did the child stay?
 - Did anyone encourage the child to leave?
 - How did the child survive?
 - Who helped the child during the absence?
 - Why did the child return?
 - Is it safe for the child to return home?
 - Did the child run away before there or in another jurisdiction? If so was the incident reported or unreported?
 - Is the child likely to leave again?
 - What may be done to prevent another episode?
- Consider a comprehensive physical examination of the child.
- Make child/family aware of community services to address any unresolved issues.
- Complete an agency report about the episode that may be promptly accessed and reviewed if the child leaves again.
- Cancel alarms and remove the case from the FBI's NCIC databases and all other information systems used during the search.

⁷⁶ *Id.*, page 24.

Note: NCMEC may serve as a valuable resource during the reunification process. NCMEC's FAD has developed a network of mental- and public-health professionals who are able to provide reunification guidance to local law-enforcement officers. The FAD may be reached toll-free at **1-800-THE-LOST (1-800-843-5678)**.

Evaluation of Agency Policies Regarding Runaway Children

Even as demand for increased services continues to strain law-enforcement budgets and resources, many agencies have recognized their current response to missing-children cases may require a thorough organizational reassessment. This assessment may find the agency's current missing children's program is essentially adequate with only minor modifications needed. Or, on the other hand, it may discover the present response was developed unplanned with few effective management practices. Detailed, written law-enforcement agency policies for responding to missing-child cases are associated with more proactive investigations.⁷⁷ And more proactive investigations, including for runaway children, tend to lead to more and speedier recoveries. This is important in decreasing the risk of victimization to the children.

Agencies 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 the chapter titled "Management Issues" beginning on page 169 to be of value. In addition "Agency Self-Assessment: Cases of Runaway Children" on page 124 may be useful in assessing an agency's need for program review regarding runaway cases.

Regardless of what method an agency uses 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 NPOs.

Law-enforcement agencies may promote the need for runaway shelters and counseling programs to assist children and their families prior to, during, and following a runaway episode. Such efforts are consistent with law-enforcement objectives since fewer runaway reports result in a decreased caseload. More importantly incident reduction results in fewer children being subjected to victimization and exploitation.

Officers are encouraged to work with any local runaway shelters and the social-service agencies in their jurisdiction to inform the public about what the community is doing to protect children and advise them about counseling or treatment programs available to the parent/guardian and child so services may begin prior

⁷⁷ Collins, *op. cit.*, n. 27, page 12.

to a runaway episode. Use newspapers, radio, and television to not only describe how the agency responds to missing-child cases but also to alert both children and parents/guardians about the dangers associated with running away.

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

Conclusion

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

Running away may be one of the most dangerous acts children commit because they simply do not perceive themselves as potential victims. Often a law-enforcement officer stands as the major line of defense between a voluntarily 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 additional information about the many resources available to assist with runaway children visit the National Runaway Switchboard's website at www.1800RUNAWAY.org and the National Clearinghouse on Families and Youth at ncfy.acf.hhs.gov.

NCMEC's Missing Children Division is available toll-free at **1-800-THE-LOST (1-800-843-5678)** to offer resources and technical assistance for any of the suggestions presented in this chapter. NCMEC is also available for online reporting of the sexual exploitation of children at www.cybertipline.com.

References: Citations and Related Resources

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National Center for Missing & Exploited Children. Publications listed may be viewed, downloaded, and/or ordered from the "More Publications" section of NCMEC's website at www.missingkids.com.

Children Missing From Care: The Law-Enforcement Response. Publication #162.

Investigative Checklist for Law Enforcement When Helping Unsupervised and Runaway Children. Publication #03.

On The Street (2000). This video contains interviews with several runaways who candidly describe the dangers of living on the streets. Useful for law enforcement both as an internal training device and part of an effective awareness/outreach program. This seven minute video may be downloaded from www.1800RUNAWAY.org, the website of the National Runaway Switchboard.

The Interstate Compact on Juveniles and Status Offense Advocacy. Washington, DC: American Bar Association, 2010.

U.S. Department of Justice, Federal Bureau of Investigation. *FBI Law Enforcement Bulletin*. Current and back issues may also be viewed and downloaded online at www.fbi.gov/publications.htm.

Bowker, A., and M. Gray. *The Cybersex Offender and Children*. March 2005.

Simons, A., and J. Willie. *Runaway or Abduction?: Assessment Tools for the First Responder*. November 2000.

U.S. Department of Justice's OJJDP. The publications listed below may be ordered through the National Criminal Justice Reference Service (NCJRS) at 1-800-851-3420 or on its website at www.ncjrs.gov. Many documents are available for download.

Juvenile Runaways. (NCJ 213594). February 2006.

Law Enforcement Policies and Practices Regarding Missing Children and Homeless Youth (1993). Research summary (NCJ 145644) and final report (NCJ 143397).

Runaway/Thrownaway Children: National Estimates and Characteristics (NCJ 196469). October 2002.

Agency Self-Assessment: Cases of Runaway Children

Does your

- Agency immediately take a report of a runaway child?
- Agency enter descriptive information concerning the runaway child into the NCIC Missing Person File within two hours of report receipt?
- Agency consider cases of runaway children an investigative priority?
- Agency require contact with parents/guardians on a continuous basis while the case is being investigated?
- Agency have a system in place to refer the child/family for counseling or treatment after recovery?
- Jurisdiction have an interagency network set up to provide
 - Prevention/education activities?
 - Shelter for runaways?
 - Counseling prior to a runaway episode?
 - Counseling after the runaway episode?
- Agency seek out and prosecute individuals who either exploit or harbor a runaway?
- Agency support proactive program development in reference to runaway children?
- Agency allow an officer to serve on the Board of Directors of a nonprofit, missing-children organization or runaway shelter?
- Agency keep accurate statistics about all categories of missing children including runaways?
- Agency have the resources to perform a forensic analysis on technology devices?
- Agency use its largest resource base, such as patrol, to maintain the search for runaways?

Searches for Critically Missing Children

by Robert G. Lowery, Jr.; Henry Schmidt; Lee Manning; and Ron Olive

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While this chapter provides law-enforcement agencies with “how to” information about searching for critically missing, abducted, or lost children, it should not necessarily be considered a step-by-step guide. Instead the intent is to provide law enforcement with a framework for discussing, planning, and preparing their agency for the often challenging task of searching for critically missing children. This information is provided by those at the National Center for Missing & Exploited Children® (NCMEC) who collectively have many years of training, knowledge, and practical experience in assisting agencies with finding children. These experts may be reached through NCMEC’s Team Adam toll-free at **1-800-THE-LOST® (1-800-843-5678)**. For additional information about this program *see* the description about Team Adam beginning on page 144.

In addition this information is not all-inclusive but offers a general idea of what, how, and where to search. Incident Commanders and Search Managers must be aware of **all elements** involved in a search and work closely with investigators, search teams, and any resources available to the agency. Ultimately every aspect of the investigation is as crucial as the next and dependent on each other.

By their very nature, missing-child incidents require law enforcement to dedicate multiple resources to safely recover a missing child. An integral component of these efforts is search-and-rescue (SAR) operations. For SAR operations to be most effective, law enforcement must recognize the importance of and need to institute operations in a timely manner. For instance the search for a critically missing child needs to be considered an emergency because of the **3-, 24-, and 72-hour rules**. The 3-hour rule is based on the findings of a key study about abducted children who are killed. The study found these abducted children face the greatest danger during the first few hours after the abduction.⁷⁸ The 24-hour rule addresses the need to contain the missing child in the search area to help ensure a successful recovery. The 72-hour rule references the belief a child’s chances of survival become critical after this time frame due to exposure to the elements and other factors. All three rules require an immediate and decisive response by law enforcement. This chapter provides a framework for SAR operations to assist law enforcement in their efforts to safely recover these critically missing children.

Within that framework, and as noted in prior chapters, it is important for law-enforcement agencies to understand the applicable laws and critical need to implement a timely and appropriate response to find a missing child as quickly as possible. *See* Figure 1 for more information about key federal laws, including mandates within the National Child Search Assistance Act (NCSAA, 42 U.S.C. §§ 5779 and 5780) regarding no waiting periods for acceptance of cases, immediate entry of case information in the Federal Bureau of Investigation’s (FBI) National Crime Information Center (NCIC), and need to maintain a close working relationship with NCMEC on these cases.

Planning Prior to An Incident

As noted in earlier chapters, it is important for an agency to prepare for a critically missing-child incident by planning for and anticipating possible scenarios. Postponing this important phase until an incident occurs can often place signifi-

⁷⁸ According to Brown, *op. cit.*, n. 33, page 13, when an abducted child was killed it happened within 3 hours of the abduction in 76.2% of studied cases.

cant strain on the response and possibly slow the deployment of resources hindering the agency's ability to recover the child.

While there are many considerations during the planning phase, below is general information intended to help guide agencies in the development of a comprehensive strategy for responding to a case involving a critically missing or lost child that leads to an SAR operation.

During the operational-planning stage the agency must take into account all circumstances in which a child may become missing in their community from a child abduction by a sexual offender to a child lost in a neighborhood to a special-needs child lost in the woods or rugged terrain. The possible scenarios are many and the agency response must be driven by an assessment of the "risk factors" or endangerments to the child. Each critically missing child is unique, but many cases resemble each other. Thus everything should be considered. While it is extremely difficult, if not impossible, to identify every potential risk factor or scenario, the items listed below are offered to facilitate this discussion and guide planning. General risk factors for missing children include physical features, psychological and behavioral factors, physiology, environment, and situational factors. As stated in prior chapters, general risk factors include the child

- Is 13 years of age or younger
- Is out of what is believed to be the zone of safety for his or her age and developmental stage
- Has mental or behavioral disabilities
- Is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening
- Has been absent from home for more than 24 hours before being reported to law enforcement
- Is determined to be in a life-threatening situation as based on available information
- Is believed to be in the company of an individual who could endanger his or her welfare as based on available information
- Is absent in a way inconsistent with his or her established patterns of behavior and the deviation cannot be readily explained
- Is determined to be "at-risk" based on other circumstances involved causing a reasonable person to conclude the child should be considered as such

There are many additional considerations an agency needs to address and incorporate into their response to each critically missing-child case that leads to an SAR operation. Agencies need to ensure the factors noted below are considered and documented at the beginning of each case. One helpful documentation method is the use of a standard form. The information about the missing child and witnesses found within "Appendix C: Victim/Family Data-Collection Questionnaire" beginning on page 195 may assist with this step.

Additional considerations related to **physical risk factors** include the child's stature, sensory perception including hearing and sight; sex; overall health from any short- or long-term illnesses or diseases to any afflictions, possible injuries, recent or pending surgeries, and/or pregnancy. Any of these factors will impact the child's ability to remain safe while missing and be found as quickly as possible based on the search techniques used.

Additional **psychological and behavioral factors** include an understanding of any mental conditions suffered by the child including being bipolar or

schizophrenic or experiencing psychosis, paranoia, delusions, depression, and/or suicidal attempts. Drug dependency associated with mental/behavioral disorder can manifest in emotional or anti-social behavior, stress, and educational challenges. Determine if the child

- Is known to exhibit violent, aggressive, abusive, or pedophilic behavior
- Is known to suffer from mood swings, be passive, or be withdrawn
- Is involved in anti-social or high-risk behavior such as involvement in violent or nonviolent criminal activities, illegal drug or alcohol use, prostitution, or gang activity
- Is suffering stress such as bereavement from the loss of a family member or friend
- Has had a sudden, abrupt, or recent change in close relationships such as with a boy- or girlfriend
- Has experienced a family-changing event such as the break-up or divorce of parents
- Has had recent problems at school related to a poor report card or suspension/expulsion
- Is enrolled in a grade level consistent for his or her age and if not, is it higher or lower and why
- Has experienced learning disorders, a diminished intellectual capacity, memory loss, and/or challenges with sexual orientation

Additional **physiological factors** include the child's availability to food or nourishment, adequate clothing, transportation, money and other forms of financial support, and other caretakers.

Additional **environmental factors** include weather conditions; terrain or nearby landscape such as woods, lakes, streams, and rivers; population density in the community; and criminal activity in or near the home or place last seen (PLS).

Additional **situational factors** include fluency level with primary and any other languages used; socio-economic level; exposure to others involved in high-risk behavior; use, manufacture, or sale of narcotics; prostitution in the home or other areas of life; sex offenders in the home or other areas of life; exposure to nonfamily members living in the home; victim of sexual/physical abuse; victim of violence, such as assault or robbery, harassment, stalking, bullying, threats; or witness to criminal activity.

Initial Response

Once it is determined a child is missing, law-enforcement considerations during the initial response of a critically missing-child incident include

- Has the responding law-enforcement agency considered starting a coordinated SAR operation?
- Who will be conducting the search?
- Is there an assigned Incident Commander or Search Manager who is responsible for the search?
- Will an Incident Command Post be established? If so, where will it be located?
- Has a "Victim/Witness Questionnaire" been completed?
- Does the missing child have any medical or physical conditions such as Autism, Fragile X, Diabetes, or Hyperactivity?

- Does the missing child require life-sustaining medications?
- Is there a community inventory noting available resources and the training/certification status of each?
- Are resources needed such as fixed-wing aircraft; helicopter; boats; all-terrain vehicles; and K-9s for ground, air scent, tracking, trailing, human-remains detection (HRD)?
- What is the environment from urban to suburban to rural to rugged terrain?
- Is the search operation being performed in coordination with other techniques such as investigation, neighborhood canvass, and vehicle canvass?
- Is the search operation being conducted with real-time communication and information sharing between those responsible for the investigation and those conducting the search?

Questions law enforcement need to consider include

- Is the child late or overdue?
- Was the child distracted or did the child lose track of time?
- Is there a miscommunication with other family members?
- Is the child with friends?
- Could the child be hiding, either playing a game or as a result of being upset with others?
- Could the child be injured?
- Is the child simply lost and wandering unaware of his or her surroundings?
- Is the child lost and attempting to self-rescue?
- Is the child a runaway?
- Could a noncustodial family member have taken the child?
- Could this be a nonfamily abduction by an acquaintance of or someone known to the family?
- Could this be a nonfamily abduction by someone unknown to the family?
- Could this be a staged abduction to conceal the death of the child such as a body-concealment case?

Law enforcement's response to the scene of a missing-child incident must be timely in order to define and contain the area where the child may be found. The steps noted below are recommended to assist law enforcement in the initial response and subsequent SAR operation.

- Follow steps noted in the "Initial-Response Investigative Checklist" beginning on page 27
- Complete victim/witness information in the questionnaire beginning on page 195
- Secure the home and/or PLS and last known point or position (LKP) in case they are later determined to be crime scenes
- Secure trash service information for PLS and LKP
- Contact landfill operations and isolate all incoming refuse from designated areas to determine possible dumpsites
- Secure all dumpsters and trash receptacles
- Set up the Incident Command Post away from the PLS or child's home but allow large enough area for responding resources

Planning the Search

The “Victim/Family Data-Collection Questionnaire,” beginning on page 195, is an important tool in the planning phase and should contain as much information about the child as can be obtained. Information can be updated as the investigation phase continues parallel to the search. When planning for the search law enforcement should

- Determine urgency
- Identify PLS or LKP
- Identify subject behavior
- Identify child’s physical, medical, mental status and any known disabilities
- Determine circumstances under which the child is missing
- Determine weather both now and predictions
- Determine terrain from rural to urban to wilderness
- Determine mobility of the missing child and consider both the child’s ability to wander from PLS and possibility the child was taken from that area
- Identify/mobilize needed resources
- Identify potential search areas
- Determine goals and objectives
- Take appropriate action

Always plan for the search operation to continue past a 24-hour period of time as resources are a critical element that, once deployed, become a valuable asset for extended operations. Be sure to

- Identify search areas based on investigation and known information. Search areas should be flexible and investigation driven.
- Identify PLS/LKP on maps of area to be searched.
- Complete appropriate incident command search forms for operational period. *See “Documentation” on page 139 for more information about forms.*
- Determine the type of search to be conducted. *See the section titled “Searches” beginning on page 134 for details about common types of searches.*
- Plan briefings/debriefings.

Lost-Person Behavior

As Incident Commanders and Search Managers plan a search it is critical for them to have knowledge about basic lost-person behavior. They need to have an understanding of the missing child’s

- Age
- Basic fears
- Capabilities
- Health considerations including challenges faced by special-needs children
- Physical condition
- Experience
- Family background

- Incident Commanders and Search Managers also need an understanding of
- Elements such as weather and animal activity
 - Terrain such as possible routes of travel, barriers, types of terrain, and density factors
 - Time and distance ratios for the missing child
 - Statistical and historical data about the areas to be searched
 - Travel aids such as paths of least resistance
 - Probability the missing child is in a particular area
 - Probability the missing child will be detected in the area where actually lost, held, hidden, and/or otherwise unable to leave

Probable Distances of Travel

One method of estimating probable travel distances of lost or otherwise missing children is based on documented behavior of children that has been broken down into age categories. Based on specific characteristics and an understanding of the factors noted above, probable distances of travel may be calculated. Incident Commanders and Search Managers need to focus on the determined radius of the PLS. There are always exceptions to rules, but typically the highest percentages of children are found within those predicted radiuses. It is a natural tendency to expand the search and resources out of the determined area too quickly. Team Leaders should first be completely satisfied the original targeted search area has been thoroughly and completely searched.

Typical Behavior of Children Aged 1 to 6

Young children tend to wander away from their residence or other locations. Often they are drawn away by something of interest, such as following a pet, butterfly, bird, parent, sibling, or another child, or explore on their own possibly by something that has drawn attention away from their original activity. It is important to understand these children are typically

- Unaware of being lost.
- Not likely to feel alone for some time.
- Unaware of how to get back home, but may try to go back home on their own.
- Going to try to find a place to sleep, such as a log, cave, or other form of shelter, when tired or may just lie down once tired.
- Instructed to stay away from “strangers,” as a general safety message before the incident, leading some children to hide from searchers once lost. These children may, however, respond to their name being called.

Typical Behavior of Children Aged 7 to 12

During this age range children’s navigational skills tend to be more developed and they generally have a better understanding of their surroundings — even extended surroundings. These children have a tendency to exhibit more emotion, such as anger or fear, and could possibly run away or seek attention by hiding. It is important to understand these children are typically

- Well-oriented with developed navigational and distance skills
- Quickly lost when separated from familiar surroundings
- Prone to intentionally wandering off to gain attention, avoid discipline, or for other similar reasons

- Preoccupied with any problems they perceive having and, therefore, are not paying attention to where they are and/or may attempt to take shortcuts when walking
- Fearful of possible punishment when found
- Not prone to answering when their name is called
- Embarrassed about being lost

Health Challenges

Certain health conditions may pose additional challenges to any search for a missing child. Those conditions include Autism or Fragile X syndrome and despondency.

For instance searchers need to know drowning is a leading cause of death for Autistic children. Children with **Autism** may not understand what they see, hear, or sense. They may seem to tune out the world around them, not respond to sounds or words, and actually appear to be deaf. They may become distressed with everyday sounds. They may be attracted to bright lights or devices that attract attention, have a fascination with and attraction to water and the sounds of water, and show no fear of water. They may show an insensitivity to pain, heat, or cold or may overreact to these sensations. They may travel great distances from the PLS. As such it is important to find out if the child is considered to be a “runner.” If so, a child who is considered to be a runner could easily increase the potential distance traveled since last seen. They may hide from searchers looking for them and be combative toward rescuers once found. When finding an Autistic child searchers need to make direct eye contact and talk in low, comforting tones.

Missing children who are **despondent** can present another set of search challenges. These children tend to seek to get out of sight and hide, specific scenic locations, and sights significant in their past. These children may be suicidal or have severe depression. They may not be lost, but instead are just seeking solitude. They may travel relatively short distances or to a location significant to them for a particular reason. These children may not respond to searchers, actively avoid searchers, and be within sight and sound of civilization.

It is imperative for Incident Commanders and Search Managers to determine the behavior of the despondent child or children with Autism or Fragile X syndrome from family members, caregivers, and medical personnel during their initial investigation and use that information in tailoring the search for those behaviors.

Preparing for the Search: Additional Considerations

After assessing the risk factors and identifying the targeted search/containment area, it should be determined what exactly will be searched. In short, any place a child may hide, or be secreted by an abductor or offender, must be searched. Consider searching items and areas such as

- Dumpsters
- Dryers/Washers
- Freezers
- Vehicles/Trunks
- Boxes, crates, under tarps
- Ponds, pools, septic tanks, bodies of water
- Attics, crawl spaces, basements, roofs, closets

- Ground disturbances, mounds, depressions, leaves, branches, in and under logs or trees, and the areas immediately above those ground disturbances
- Any location where a person could hide a child and not necessarily where a child can hide
- Any location where there are safety hazards
- Any location in which the child likes to play or hang out with friends

Team Leaders must instruct searchers to get on the level of the child even if that involves getting on their hands and knees to see what the missing child could see. Searchers must also be cognizant that an unaccompanied child may have a natural tendency to seek shelter and hide from those they do not know, even uniformed officers and firefighters.

Searches

The probability a child may be in the defined search area, or Probability of Area (POA), is based on Probability of Density (Pden), which is based on the size of the search area, terrain, vegetation, natural barriers, and climate of the area to be searched.

The probability the child will be found if in the search area, or Probability of Detection (POD), is determined based on the information received from law enforcement, parents, witnesses, and friends to determine the child's capabilities. This information should be documented in the "Victim/Family Data-Collection Questionnaire" beginning on page 195.

Mapping, based on Pden and POD, natural barriers, and information gathered, will determine the size of the specific search areas, types of resources deployed, and type of search tactics used. Consider having maps of segmented areas available for all SAR teams. Levels of search planning include informal, intermediate, and formal.

- Informal planning is the most commonly used and typically consists of a hasty search to cover places such as roads, trails, tracks, and likely hiding spots or spots of concealment.
- Intermediate planning involves searching roads, trails, tracks, and likely hiding spots or spots of concealment but would also include area searches and the use of all available resources deemed to be helpful in the search at that point in time.
- Formal planning involves the most detailed level of searching and sharing of information by all search teams. Thorough searches are conducted with the expansion of search areas as warranted.

Search Tactics: The Basics

There are three basic types of searches. They are Hasty, Systematic, and Thorough.

Type I: Hasty Search In a Hasty Type I Search the initial response team will check areas most likely to quickly find a critically lost or missing child. The team must have the ability to thoroughly interview key people, be clue and missing-person conscious, and be familiar with the search area. The team must accurately determine the PLS to guide them in defining the search area.

Suggested areas to search in a Hasty Type 1 Search include any place a person could hide a child, not necessarily where a child could hide. Those areas include

- Residence or PLS
- Garages or out buildings
- Under tarps, under wood piles, under lumber, or in dumpsters and trash receptacles
- Under logs and downed trees and the immediate areas above those items
- Vacant lots and buildings
- Water attractions, pools, streams, rivers, and ponds
- Storm drains, septic tanks, wells, and caves
- Known hideouts and play areas
- Parks and open areas
- Stores and businesses
- Door-to-door via a neighborhood canvass
- Vehicle trunk(s)
- Vehicle canvass
- Crawlspace

Investigative techniques to be employed during a Hasty Type 1 Search include personal interviews of

- Family members and/or guardians
- Friends
- Witnesses on the scene
- School or daycare personnel
- Public transportation carriers
- Neighbors in a neighborhood canvass

Resources to consider using in a Hasty Type 1 Search include

- Investigators
- Regional Child Abduction Response Teams (CART) through the AMBER Alert™ Program
- FBI's Child Abduction Rapid Deployment (CARD) teams
- Trained SAR teams/volunteers
- K-9s for air, ground scent, and tracking
- Aircraft and handheld Forward-Looking Infrared (FLIR)
- Devices to attract attention
- ATVs
- Horse teams
- Dive teams, boats
- Other trained resources

Type II: Systematic Search A Systematic Type II Search is an intensified search of high-probability areas with defined sectioned grids/searchable areas using more advanced techniques that produce the highest POD per search hour during a search operational period.

Investigative techniques to be employed during a Systematic Type II Search include continued personal interviews for any details or clues that may better define or limit the containment/search area. Investigators should seek additionally specific information about the missing child's behaviors, such as places he or she may go or people he or she may seek, and information about the child's habits, form of dress, and interests. People to interview should include

- Family members or guardians
- Friends
- Registered sex offenders in areas determined to be relevant to the child's residence and/or PLS

Tasks to undertake include

- Collecting videos from the surrounding area
- Setting up and activating an Incident Command Post
- Obtaining maps of the search area to determine segments to be searched
- Reviewing lost-person behavior as noted beginning on page 131

Clue considerations include

- Sole patterns of footwear with a sketch or photo of exact footwear
- Clothing worn by the missing child
- Items carried by the child that could be dropped
- Instructions about how to report clues
- Instructions about how to log clues, locations, and times
- Instructions about how to protect clues
- Instructions about clue reporting including who receives the clue and the method it is to be sent
- Following up where clues have been found
- Completing a neighborhood and vehicle canvass
- Activating AMBER Alert, if activation criteria met, or other community systems in place to solicit the public's assistance in the search
- Controlling garbage pick-up for residential, commercial, and identified suspects
- Identifying where landfill is located and when dumpsters were emptied
- Securing the area identified to prevent further dumping

Resources to be used in Systematic Type II Searches include

- Investigators
- Trained SAR teams
- NCMEC's Team Adam
- FBI's CARD teams
- K-9 teams
- Horse teams
- Dive teams, boats
- ATVs, mobile devices
- Aircraft FLIR
- Devices to attract attention
- Regional CARTs
- Other trained teams

Type III: Thorough Search A Thorough Type III Search is a methodical and highly systematic search that should commence only after completing a Systematic Type II Search and being certain the PLS and all relevant places, such as buildings, structures, culverts, drainage ditches, trails, vehicles, vehicle trunks, and dumpsters, have been cleared. Additional personnel or resources can be added to teams as critical determinations are made about the search area, vegetation, terrain, and number of searchers needed.

Techniques to be used in a Thorough Type III Search involve continued personal interviews in an attempt to gain more detailed information that may provide yet additional clues or information about what may have happened to the child or where the child may be found. During this type of search the focus is on identifying locations, structures, homes, or areas for thorough and meticulous searches of any area the child may be hiding within or hidden within by an abductor/offender.

People to interview should include

- Family members and guardians to obtain recent or ongoing family issues
- Registered sex offenders

Tasks to undertake include

- Developing suspect profiles
- Using the media to generate leads
- Searching for clues within at least 1/4 mile of LKP
- Searching roadsides for discarded evidence
- Searching for a concealed body or disturbed ground that could be concealing a body
- Conducting neighborhood household searches

Resources to consider using in Thorough Type III Searches include

- Investigators
- Trained SAR teams
- NCMEC's Team Adam
- FBI's CARD team
- Regional CARTs
- HRD K-9 teams
- Dive teams, boats
- ATVs, mobile devices
- Horse teams
- Other trained teams

Other Search Considerations

Other considerations include use of protocols, incident action plans, weather forecasts, communications, use of the media, and mapping. Some thoughts about search protocols include clearly

- Defining how the search is to be conducted.
- Defining what and how to search in respective assigned areas. For instance, in dumpsters, all bags need to be removed one-by-one and opened. And in vehicle searches all trunks need to be opened and interiors searched.
- Defining how to mark searched areas, such as dumpsters, vehicles, freezers, and vacant buildings, when cleared by teams such as with paint, tape, stickers, or markers.
- Documenting who conducted the searches.

With small- or large-scale searches it is essential to prepare a formal document to help ensure everyone understands and accurately follows the plan and the search is performed in a thorough manner.

An Incident Action Plan should define the operational period, provide written objectives, incorporate subject-profile data and missing/lost-person behavior,

provide an organizational chart and assignment lists, establish search maps with assigned areas, list operational objectives, outline communications plans, give resource status, provide regular situation/status reports, document weather information, provide situation predictions, provide sample documents, outline a medical plan, provide a transportation plan, identify safety considerations, encourage input from all levels, allow for the preparation of assignments, and commit resources to the field and plan for operational periods.

Information about weather forecasts, both daily and extended, is critical during search operations. In addition searches need to be prepared for extreme as well as predicted weather and terrain hazards and safety in the search area. And searchers need all designated equipment for each search such as proper clothing and safety equipment, food and water, recording equipment such as a pad and pencil, specialized equipment such as Global Positioning System (GPS) with proper location designations set, and tape to flag areas of interest. In addition it is important for the Incident Commander or Search Manager to maintain an inventory of equipment.

Communication is essential to the success of the search and safety of everyone involved. Team Leaders should have assigned radios with key information recorded such as frequency/channel and cell-phone numbers of each searcher. Each Team Leader should report, at specified minute intervals, GPS locations, areas assigned, and team member updates.

Use of a Public Information Officer (PIO) or law-enforcement media liaison is necessary to help ensure a unified message is communicated to the public. Controlling the message can avoid confusion and keep erroneous, counterproductive information from being made public.

If searchers are approached by news media for information pertaining to the incident they should be directed to the PIO or law-enforcement media liaison.

The end of the search operation is as critical as the search itself. Search teams should be designated to return to the staging area at a particular time and be debriefed prior to leaving the search area. After each team has been debriefed, a general briefing should be held relaying updates and other pertinent information. And, last but not least, all personnel should be required to log out prior to leaving the area.

When a Landfill Search Is Considered

It is always best to consider all possibilities and scenarios when looking for a missing child. One such possibility is the missing child is deceased. When that is the case, the search for a missing child becomes a body-recovery effort. With that in mind, the search team should consider the possibility of disposal sites including trash receptacles or dumpsters. While such a disposal site can be used in any locality, it may be more often used in urban/suburban, high-density communities where an offender does not want to risk traveling far with the child's remains and being seen by a witness.

Searchers should check any and all trash receptacles in their assigned search areas. A thorough search requires all plastic bags, containers, rolled carpets, or textiles be opened and examined. Occasionally a case investigation will lead to the possibility of conducting a search of a landfill itself. Unless searchers understand the many hazards of entering into and excavating a portion of a landfill while searching for a body or other evidence, they may be unknowingly exposed to a variety of dangers. Thus it is imperative for Incident Commanders and Search

Managers to have an understanding of the technical nature of such a search. Because of the complexities and many hazards associated with a landfill search it is strongly recommended law-enforcement agencies rely only on the most trained and experienced experts on landfill recovery for planning, guidance, and action. NCMEC's Team Adam has such experts available to assist and be called upon for such child-recovery cases. They may be reached toll-free at **1-800-THE-LOST (1-800-843-5678)**.

Documentation

Documentation of the search is needed as a permanent record of the planning and mapping stages and details about deployment of resources; how, when, and where the resources were used; clues and evidence recorded; lack of clues and evidence collected; weather; types of search methods used; and probabilities. It is imperative every aspect of the search be documented for review and archiving.

Incident Commanders and Search Managers must, at a minimum, complete **key forms** similar to the ones noted below to help ensure management and control of resources and provide accurate briefings and debriefings. If the agency does not already have such forms, a sample of these types of forms may be obtained by calling Team Adam toll-free at **1-800-THE-LOST (1-800-843-5678)**.

- Sign IN/OUT List
- Incident Briefing
- Summary of Actions
- Organization List
- Resource Summary
- Team Assignment Sheet
- Incident Objectives
- Organization Assignment List
- Radio Communications Plan
- Medical Plan
- Unit Log
- Vehicle Inventory
- Debriefing Forms

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Investigative Resources

by Stephen E. Steidel and Thomas G. Sirkel Jr.

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Law-enforcement personnel involved in cases of missing or abducted children realize the likelihood of a recovery is greatly enhanced when officers use the most effective investigative resources. In addition to learning about specific techniques, officers are also becoming increasingly aware of the many agencies and organizations 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 may 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 identify key contact personnel for future reference. Experienced officers know one of the greatest resources a missing-child investigator should develop is a comprehensive, up-to-date file containing the names, addresses, phone numbers, and titles of contact individuals from groups able to provide specific case assistance.

Obviously the organizations highlighted here constitute only a partial listing of the many dedicated and skilled groups, both public and private, playing 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,⁷⁹ and local resources to be used during the investigation of missing- and abducted-children cases.

Resource Agencies and Organizations

National Center for Missing & Exploited Children®

The National Center for Missing & Exploited Children (NCMEC) 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 thousands of federal, state, and local law-enforcement agencies in developing a network to protect children, exchange information, and share expertise. Today more officers than ever before are using the services offered by NCMEC. This increase has been attributed both to the exchange of positive information about NCMEC between officers and agencies and passage of the National Child Search Assistance Act (NCSAA, 42 U.S.C. §§ 5779 and 5780) requiring law enforcement to maintain "a close liaison with NCMEC...in missing-children cases."

An officer's contact with NCMEC usually begins with a call to the nationwide, toll-free **Hotline** where Communications Specialists work around the clock answering hundreds of calls coming into the recorded 800 number each weekday toll-free at **1-800-THE-LOST® (1-800-843-5678)**.⁸⁰ From October 1984 through December 2010, NCMEC's Call Center registered the cases of more than 174,200 missing children⁸¹ and assisted in the recovery of more than 160,400 children.⁸² Cases usually fall into one of the categories listed in Figure 20. *See* Figure 21 for information about NCMEC's Case-Intake Criteria.

⁷⁹ Unless otherwise noted this guide uses the term "state" to also include American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the U.S. Virgin Islands. The authors have attempted to identify and note any situation in which specific programs, laws, or definitions may not include some or all of these jurisdictions.

⁸⁰ According to *QPR, op. cit.*, n. 2, page 5, an average of 518 calls per day were received at the Call Center in the last quarter of 2010 requiring Missing Children's Assistance Act (42 U.S.C. § 5773) mandated services.

⁸¹ *Id.*

⁸² *Id.*, page 8.

NCMEC Case Types ⁸³	
Type of Case	Percent of Total Registered Cases At the End of 2010
Endangered Runaway	74.2
Family Abduction	20.9
Lost/Injured/Otherwise Missing	2.6
Nonfamily Abduction	1.6

Figure 20

NCMEC Case-Intake Criteria
Nonfamily Abduction If a child younger than 18 has been abducted by a nonfamily member NCMEC will immediately intake the case.
Family Abduction If a child younger than 18 has been abducted by a noncustodial family member and custody has been granted to the left-behind family member NCMEC will immediately intake the case.
Missing Child If the whereabouts of a child younger than 18 are unknown to the parent or legal guardian NCMEC will immediately intake the case.
Section 5779 Cases The Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today (PROTECT) Act of 2003 (Pub. L. No. 108-21) contains a provision recognizing the concern of the U.S. Congress for the safety of missing young adults, ages 18, 19, and 20 , especially those whose disappearance is out of keeping with their normal pattern of behavior. The provision, known as Suzanne’s Law, extends to these young adults the same reporting and investigative procedures already provided to children younger than 18 years of age. NCMEC will immediately intake a Section 5779 case reported by law enforcement.
Reports From Law-Enforcement and Social-Service Personnel The report from a law-enforcement officer about any missing child will be immediately taken. Additionally the report from a social-service worker regarding a child missing from care will be the subject of an immediate intake.

Figure 21

Missing Children Division After NCMEC’s **Call Center** personnel obtain details about the missing child and circumstances surrounding the missing episode, the report is electronically forwarded to and reviewed by NCMEC’s Missing Children Division. Through its case-management teams, NCMEC works directly with law-enforcement officers offering advice, technical assistance, information dissemination, and an array of other services. These teams act as coordinators by providing guidance and responding to the needs of parents/guardians and the local law-enforcement agency. These teams also serve as the point of contact to access other NCMEC resources as described below.

Team Adam sends investigative Consultants to the site of critical child abductions and missing-child cases. Members of Team Adam are former or retired law-enforcement professionals selected for their career experience and specialized knowledge in the field of child abduction. These “rapid-response” Consultants work in full partnership and cooperation with federal, state, and local law enforcement. The purpose of Team Adam is to increase the likelihood of recovering missing or abducted children through its rapid-response capabilities. The

⁸³ *Id.*, page 6.

ability to immediately respond places valuable resources into the hands of law enforcement, especially during the most critical first few hours after an abduction. Team Adam also offers on-site guidance and expertise in investigations of other critically missing children, while at the same time bringing the resources of NCMEC to the scene. These resources are available at no cost to law-enforcement agencies.

Project ALERT® (America's Law Enforcement Retiree Team) is a corps of approximately 160 retired local, state, and federal law-enforcement professionals who donate their time and expertise to the law-enforcement community. Project ALERT Representatives provide technical assistance to the requesting law-enforcement agency in regard to missing-child investigations. They specialize in long-term, missing-children cases, known as cold cases, and perform a wide range of functions. Those functions include the review, organization, and analysis of cases; recommendation of investigative strategies; assistance with case interviews; the review of leads; and participation in technical meetings with law-enforcement personnel to discuss additional resources. Project ALERT Representatives integrate NCMEC resources, such as age progression, facial reconstruction, DNA protocol, search expertise, and public database searches, into investigations. Project ALERT Representatives also provide outreach representing NCMEC at law-enforcement conferences and addressing audiences in community-awareness settings. This resource is available at no cost to requesting agencies in need of seasoned investigators, critical resources, and additional personnel to resolve recent or long-term, missing-child cases.

The **Forensic Services Unit** assists law enforcement by providing

- Support and resources to the “cold cases” of long-term missing children and cases of unidentified human remains to victims believed to be children or young adults. This Unit also provides strategies for and assistance to law enforcement and medical examiners/coroners in cases of child homicides and identification.
- Age-enhancements of the photos of long-term missing children, reconstruction of facial images from morgue photos of unidentified deceased children so posters may be made to assist in the child's identification, technology assistance in creating artist composites, assistance in identifying children whose images are found in confiscated pornography, and training in imaging applications and techniques. The Unit participates in the National Missing and Unidentified Persons System (NamUs), a national database for the public, law enforcement, and medical examiners/coroners, and the Combined DNA Index System (CODIS) for law enforcement. These are databases with many functions to help with investigations and the identification of recovered children.

Through a network of more than 350 active private-sector partners **millions of photos of missing children have been disseminated**. NCMEC maintains an up-to-date database of missing-children posters online; coordinates national media exposure of missing-children cases through its partnership with major television networks, leading nationwide publications, and major corporations; and coordinates features such as “broadcast” fax and targeted poster distribution to quickly disseminate vital information regarding missing and abducted children to key locations throughout the nation. As a result more than 4,100 children have been recovered as a direct result of the NCMEC program.⁸⁴

⁸⁴ *Id.*, page 22.

NCMEC's **Infant-Abduction Prevention Program** provides technical assistance and training to nursing associations, hospital-security associations, and law-enforcement agencies and also conducts site assessments of healthcare facilities regarding the prevention of newborn and infant abductions and investigation of such cases. NCMEC has researched 271 infant abductions from 1983 through 2010 from healthcare facilities, homes, and other locations and provides investigators with valuable guidance regarding investigative case management in these instances.

Case Analysis Division The Case Analysis Division's (CAD) Case Analysis Unit (CAU) provides analytical support to NCMEC Case Managers and law-enforcement officials in their efforts to locate and recover missing children. CAU assists with a wide variety of case types including family abductions; endangered runaways; lost, injured, or otherwise missing children; and nonfamily abductions. In addition CAU supports law enforcement with "cold cases" and proactively tracks attempted abduction of children by suspects with no known association to the children. One of the primary responsibilities of CAU is to assess new leads regarding these cases and add value to the information by providing the most current and relevant information possible to law enforcement. Analysts use the NCMEC database and external, public-data sources, including the Internet, to analyze leads and complete technical-assistance reports for law enforcement.

NCMEC's Special Analysis Unit (SAU), within CAD, is comprised of Sex Offender Tracking, Child Sex Trafficking, and Research analyst teams. The main duty of NCMEC's **Sex Offender Tracking Team**[®] (SOTT[®]) is to serve as the information clearinghouse for any law-enforcement agency regarding noncompliant, sex-offender issues. SOTT conducts searches to assist law-enforcement agencies and state registries in their investigations of noncompliant sex offenders. SOTT also helps agencies locate and apprehend these fugitives by providing them with technical-assistance reports. SOTT Analysts search for potential links to other open and unsolved cases of missing and sexually exploited children across broad time and geographic parameters and provide any possible matches to law enforcement. Analysts also actively work with the U.S Marshals Service. SAU's Child Sex Trafficking Analysts are dedicated to supporting law enforcement's efforts to identify and recover children victimized through prostitution. Analysts provide direct support to law enforcement on their investigations and prepare a wide range of reports including biographical reports on child victims and suspected pimps. Research Analysts collect and analyze data about child abduction and various characteristics of missing-child episodes to develop a broader body of knowledge about specific cases and national trends. Quantitative and qualitative reports are produced for use by internal staff members and law enforcement. These reports also assist in the development of data-driven, prevention strategies.

Family Advocacy Division NCMEC's Family Advocacy Division (FAD) provides case-specific intervention designed to enhance service delivery to the families served by NCMEC. Staffed by master-level, trained, child-welfare professionals, FAD proactively works with families, law enforcement, social-service agencies, other family-advocacy agencies, and legal professionals to provide technical assistance regarding reunification practices for missing children, referrals, support, and crisis-intervention services. In addition FAD coordinates the Office for Victims of Crime grant-funded Victim Reunification Travel program assisting

in the return of children to the United States who are victims of international abduction and triages cases of extrafamilial child exploitation and provides referrals, support, and case follow-up. FAD also coordinates the Family Advocacy Outreach Network, a proactive initiative designed to partner with licensed treatment professionals throughout the United States who are able to provide brief, therapeutic intervention or long-term support on a sliding-fee scale basis or at no cost to the families served by NCMEC. In addition FAD manages **Team HOPE**, Help Offering Parents Empowerment. Team HOPE provides assistance to families with missing or sexually exploited children by offering peer support, resources, and empowerment from trained volunteers who have experienced a missing- or sexually exploited-child incident in their own family.

Exploited Children Division NCMEC's Exploited Children Division (ECD) serves as a resource center for parents and guardians, law-enforcement authorities, electronic service providers, and the public regarding issues surrounding the sexual exploitation of children. ECD manages two central programs that provide services to law enforcement, the **CyberTipline®** and **Child Victim Identification Program®** (CVIP).

The Congressionally authorized CyberTipline, launched in 1998, serves as a mechanism for members of the public and electronic service providers to report sexually based crimes committed against children including information about the possession, manufacture, and distribution of pornography depicting children; online enticement of children for sexual acts; extra-familial child sexual molestation; sex tourism involving children; the prostitution of children; unsolicited obscene material sent to a child; and the use of misleading domain names, words, or digital images on the Internet. NCMEC processes and analyzes each CyberTipline report and then makes the reports available to the appropriate law-enforcement agency for potential investigation and prosecution as appropriate. Individuals may make reports to the CyberTipline at www.cybertipline.com or **1-800-843-5678** and provide information about the incident, suspect, and/or child victim.

NCMEC's CVIP has served as the clearinghouse in the United States for cases involving pornography depicting children and main point of contact to international agencies for victim identification since 2002. CVIP's mission is to assist federal, state, military, and local law-enforcement agencies and prosecutors with the investigation and prosecution of these cases and law enforcement in identifying unknown child victims featured in pornographic images. NCMEC Analysts conduct reviews of images and videos using NCMEC's Child Recognition and Identification System (CRIS); examine images and videos of child sexual exploitation in an attempt to help law enforcement identify the children depicted in those files; operate the Law Enforcement Services Portal that provides registered users with secure, online access to various NCMEC resources including a hash-value comparison tool to help identify apparent images of pornography depicting children; and compile limited case information when a child victim of pornography is identified. Only active, sworn law-enforcement agents and prosecutors are eligible for registration in the Law Enforcement Services Portal. Information about newly identified series is collected, with the aid of federal law-enforcement agencies, to assist in future investigations and prosecutions.

NCMEC Analysts are available to provide technical assistance to law enforcement in any investigation of child sexual exploitation, not only those originating from CyberTipline reports. Analysts provide technical assistance regarding searches of

the Internet and public-record databases, CyberTipline historical searches, and contacts for law enforcement and electronic service providers.

NCMEC Investigative Publications These publications have been designed to assist law-enforcement professionals who are either faced with a complex missing-child case or seeking guidance in the development of effective response procedures. In addition NCMEC provides educational, child-safety literature to law-enforcement professionals for use in outreach efforts with the community. To view, download, and/or order these publications, visit the “More Publications” section of NCMEC’s website at www.missingkids.com.

NCMEC’s Commitment to Law Enforcement In keeping with the provisions of the Missing Children’s Assistance Act all lead information developed or received by NCMEC is shared **only** with the law-enforcement agencies responsible for actual case investigation. NCMEC does not provide this information to families, private investigators, or the media. Depending on the timeliness of the information involved, NCMEC will notify agencies through methods such as first-class mail; express delivery service; e-mail; or via Nlets, the International Justice & Public Safety Network, using the agency’s NCIC-ORI number. NCMEC is the only non-profit organization with access to NCIC’s Missing Person File. NCMEC has been assigned **ORI VA007019W**.

National Crime Information Center

The National Crime Information Center (NCIC) is a nationwide, online database/telecommunications system maintained by the Federal Bureau of Investigation (FBI). This system makes millions of records, including files about wanted, missing, and unidentified persons, 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 of significant benefit to the law-enforcement officer. When investigating cases of missing or abducted children, officers will find the three NCIC resources listed below, along with the Wanted Person File, to be of particular value.

- Missing Person File
- Unidentified Person File
- Offline Search Procedure

Missing Person File Created in 1975 the NCIC Missing Person File is an automated database system storing descriptive information about a missing person using a specific set of identifying factors. Since the Missing Person File is divided into 6 individual classifications it is extremely important for the reporting officer to accurately assess each case and designate the proper category. **Note:** For more information about NCIC Missing-Person-File entry categories *see* “Appendix A: NCIC Missing-Person-File Categories” on page 193.

NCMEC and the NCIC Missing Person File NCMEC receives automatic notification each time law enforcement enters information about a missing child into the NCIC Missing Person File under either the Involuntary or Endangered category.

This NCIC notification does not mean the case has been automatically intaked by NCMEC. A direct call to NCMEC's Call Center toll-free at 1-800-THE-LOST (1-800-843-5678) is required to report the case. Automatic notification of NCMEC does not occur when information about a child is entered into the Juvenile category.

Linking NCIC Hot Files NCIC records may be linked by entering the same complete vehicle information in each related record. This allows for the "linking" of NCIC "hot files" containing stolen/wanted information entered into NCIC databases. By linking related files, such as missing and wanted, and entering and linking key information from various fields in the record, such as suspect-vehicle information, a patrol officer's inquiry to NCIC about a suspicious vehicle or person will reveal not only the fact the vehicle or person is wanted in connection with the missing child but will also supply the officer with information about that specific child.

Additionally placing the NIC number, the unique number assigned to a record by NCIC, of the child in the miscellaneous field of an adult wanted record would provide an officer with the information that a missing child was associated with this individual.

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 may significantly enhance the likelihood of recovery or case resolution. With the assistance of families, investigators may 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 may be searched for specific comparisons about the child, investigators should understand information entered in the miscellaneous information field (MIS), including comments about a possible endangering companion, may not be searched and will only be revealed if the specific entry is queried.

Law-enforcement agencies may add images and pictures of wanted and missing individuals and items, such as a vehicle a suspect is known to use, to NCIC Wanted and Missing Person records. **NCMEC is able to enter such images at the request of those agencies not having that capability for all cases "intaked" by NCMEC.**

...NCIC is a nationwide, online database/telecommunications system maintained by the...FBI. This system makes millions of records, including files about wanted, missing, and unidentified persons, instantaneously available to local, state, and federal criminal-justice agencies throughout the United States and Canada.

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 found in the Missing Person File. The two files are cross-matched and notifications are sent to the two entering agencies of any possible matches to make the determination if they are in fact the same person. Recent enhancements in this file will greatly aid law enforcement in this identification process including the addition of a mechanism to compile all descriptive information about deceased, unidentified cases in NCIC and the use of mitochondrial deoxyribonucleic acid (mtDNA) analysis.

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. This form may be obtained from the Criminal Justice Information Services Division of the FBI at 304-625-3000. Instructions and information regarding the entry of all NCIC records may be found in the NCIC Operating Manual, which is available to all system users.

Note: The Child Abuse Prevention and Enforcement Act (CAPEA, Pub. L. No. 106-177), and “Jennifer’s Law” (U.S.C., Title 42, Chapter 140A) strengthened the mechanism to compile all descriptive information about deceased, unidentified persons throughout the United States whose cases are entered into NCIC.

Offline Search In addition to the use of NCIC’s Missing and Unidentified Person Files, investigative benefit is also found by using NCIC’s “Offline” Search format. An example of how NCIC’s Offline Search capability was instrumental in solving a case is found in its use by a detective investigating the abduction of a 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 elapsed with little in the way of leads, the detective learned the suspect’s father, living in Florida, had been listed with the Arizona Department of Motor Vehicles as a coowner of the vehicle just a few weeks before the abduction. After finding the father had then registered the car in Florida, and may have mailed the new plates to the suspect, the detective ran an NCIC Offline Search using the Florida plates as the subject. Within a few days the detective was informed that car, with Florida plates, had been the subject of a routine NCIC stolen vehicle inquiry by an officer in Houston, Texas, just one month after the abduction. The Houston officer was contacted and remembered not only where the inquiry was made, but also knew the car was still parked in a local motel complex. As a result the child was recovered and suspect arrested and returned to Arizona.

In brief the Offline Search is a special technique used by investigators in a number of circumstances to obtain NCIC information not normally retrievable in the usual, online manner. Missing-child investigators may wish to review active cases to evaluate the suitability of using this valuable investigative technique. Information and assistance about Offline Searches may be obtained by calling NCIC at 304-625-3000. In addition Analysts within NCMEC’s Case Analysis Division, at **1-800-THE-LOST (1-800-843-5678)**, may run offline searches for law-enforcement agencies.

The offline search form is also available through the Law Enforcement Online (LEO) website, www.leo.gov, and may be submitted to FBI’s Criminal Justice Information Services (CJIS) from the website. The form is located under the CJIS Investigative and Operations Assistance Unit Special Interest Group (SIG).

One additional resource provided by NCIC to aid officers in their search for missing children is the **Delayed Hit Inquiry automated message**. Routine law-enforcement inquiries about items such as stolen vehicles, wanted persons, and missing children are stored in NCIC’s active files for five days after which they are reclassified as historical records and at that point in time the record then goes “offline.” If during those five days another transaction is made about that same

subject, both the initial and subsequent inquirers are alerted. As an example when an officer enters information about a child into the Missing Person File, he or she may soon learn the same child was the subject of a law-enforcement inquiry by an officer in another jurisdiction several days earlier. Contact between the agencies involved may improve the likelihood of the child's recovery.

General information about NCIC may be obtained by contacting the Criminal Justice Information Services Division at 304-625-3000. 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 304-625-4995. Questions concerning NCIC training should be directed to 304-625-2821.

Federal Agency Task Force for Missing and Exploited Children

The Federal Agency Task Force for Missing and Exploited Children was created in 1995 to coordinate federal resources and services to effectively address the needs of missing, abducted, and exploited children and their families.⁸⁵ Task Force members include the

- U.S. Department of Defense's Family Advocacy Program and Military Criminal Investigation Organization
- U.S. Department of Education's Office of Safe and Drug-Free Schools
- U.S. Department of Health and Human Services' Administration for Children, Youth and Families' Children's Bureau, Office on Child Abuse and Neglect, and Family and Youth Services Bureau
- U.S. Department of Homeland Security's U.S. Immigration and Customs Enforcement and U.S. Secret Service, Forensic Services Division
- U.S. Department of Justice's Child Exploitation and Obscenity Section; Federal Bureau of Investigation's Behavioral Analysis Unit, Crimes Against Children Unit; Innocent Images Unit; INTERPOL-Washington, U.S. National Central Bureau; and Office of Justice Programs' Office for Victims of Crime and Office of Juvenile Justice and Delinquency Prevention, Child Protection Division
- U.S. Department of State's Bureau of Consular Affairs, Office of Children's Issues
- U.S. Postal Service's U.S. Postal Inspection Service

Non-federal agency Task Force members include the Association of Missing and Exploited Children's Organizations (AMECO) and NCMEC. These agencies and organizations offer a range of services from access to specialized forensic resources for an abducted-child case to proactive training and prevention programs. To learn more about the programs being carried out by federal agencies to assist missing and sexually exploited children and their families visit www.ncjrs.gov or call 1-800-851-3420 to obtain *Federal Resources on Missing and Exploited Children* (NCJ 231619).

Additional Federal Resources

In addition to the resources offered through the Federal Agency Task Force for Missing and Exploited Children, the federal resources noted below are also offered.

⁸⁵ *Federal Resources on Missing and Exploited Children: A Directory for Law Enforcement and Other Public and Private Agencies*. Sixth Edition. Washington, DC: Federal Agency Task Force for Missing and Exploited Children, 2011, page 1.

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 **FBI** in cases of suspected child abduction. In fact officers should consider notifying 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 are able to provide valuable on-site investigative direction.

General information about the FBI's role in child-abduction cases may be obtained by contacting the FBI's Crimes Against Children (CAC) Unit at 202-324-3666 or visiting www.fbi.gov. For assistance in actual case-related matters contact the nearest FBI field office.

Along with on-scene investigative assistance, officers may also use the FBI to access the services of the National Center for the Analysis of Violent Crime (NCAVC). NCAVC assists by consulting in cases of major violent crimes and provides profiles of unknown offenders, personality assessments, investigative strategies, and interview techniques. NCAVC also provides investigative support through the Violent Criminal Apprehension 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 at 703-632-1000.

In addition to assistance in nonfamily-abduction cases, involvement of FBI resources may also be included in certain family-abduction cases. If the abducting parent/guardian or family member is the subject of a state felony custodial interference charge, the state prosecutor may 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 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.

For additional material concerning federal UFAP warrants, contact the FBI's National Violent Crimes Unit at FBI Headquarters at 202-324-3000 or visit www.fbi.gov.

The **Federal Parent Locator Service (FPLS)**, a unit of HHS's Office of Child Support Enforcement, was originally established to locate absent parents in order to enforce a child-support order. In 1980 the Parental Kidnapping Prevention Act (PKPA, 28 U.S.C. §1738A) broadened its use by allowing authorized persons, including law-enforcement officers, to access the FPLS in family-abduction cases (*see* 42 U.S.C. § 663). Investigators searching for a known family abductor may 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, DOD, Department of Veterans Affairs, Selective Service System, and State Employment Security Agencies. Information about using FPLS in family-abduction investigations is available by calling FPLS at 202-401-9267.

The **Internet Crimes Against Children (ICAC) Task Force Program** helps state and local law-enforcement agencies develop an effective response to cyber enticement and child-pornography cases. This help encompasses forensic and investigative components, training and technical assistance, victim services, and community education.

The program was developed in response to the increasing number of children using the Internet, the proliferation of child pornography, and heightened online activity by those seeking unsupervised contact with potential underage victims. The FY 1998 Justice Appropriations Act (Pub. L. No. 105-119) directed the U.S. Department of Justice's OJJDP to create a national network of state and local law-enforcement cyber units to investigate cases of child sexual exploitation.

The ICAC program is a national network of more than 60 coordinated task forces representing more than 2,000 federal, state, and local law-enforcement and prosecutorial agencies. These agencies are engaged in proactive investigations, forensic investigations, and criminal prosecutions. By helping state and local agencies develop effective, sustainable responses to online child victimization and child pornography, OJJDP has increased their capacity to address Internet crimes committed against children.

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 determine an individual's past assignment for investigative purposes, law-enforcement officers may directly contact the **Military Locator Service** for the appropriate service branch. In addition to the locator services, assistance may also be available from the **Office of Military Community & Family Policy**, 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 22.

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

Military-Worldwide Locator Services	
Branch	Contact Information
Air Force	U.S. Air Force Worldwide Locator, HQ/AFPC/DPDXIDL, 550 C Street, West, Suite 50, Randolph AFB, TX 78150-4752, 210-565-2660
Army	U.S. Army Worldwide Locator, Commander, U.S. Army Enlisted Records and Evaluation Center, 8899 East 56th Street, Fort Benjamin Harrison, IN 46249-5301
Coast Guard	Coast Guard Worldwide Locator, 202-493-1697
Marines	U.S. Marine Corps Worldwide Locator Service, Commandant of the Marine Corps, Headquarters, USMC, Code MMSB-10, Quantico, VA 22134-5030, 703-784-3941/3942/3943
Navy	U.S. Navy Worldwide Locator, Bureau of Navy Personnel, PERS 312F, 5720 Integrity Drive, Millington, TN 38055-3120, 901-874-3388

Federal operators at 1-800-688-9889 may be able to provide law enforcement a phone contact/after-hours phone number for these offices in emergency situations.

Figure 22

Additional assistance may be available through the Office of Military Community & Family Policy at 1-800-336-4592 or 703-696-1702 or by visiting prhome.defense.gov/MCFP.

In 1998 the **U.S. Marshals Service** received the authority to pursue any felon from any state without the need to obtain a federal warrant. The U.S. Marshals Service has developed a partnership with NCMEC and pledged its assistance in aiding NCMEC in the search for missing or abducted children.

NCMEC, working with the U.S. Marshals Service and FBI, has established a project called "Operation Pick-Up" in which emphasis is placed on assisting the local law-enforcement agencies that have obtained felony warrants directly related to child kidnapping. In Operation Pick-Up the FBI is amplifying its efforts on cases in the NCMEC database, where the FBI has obtained UFAP or kidnapping warrants. The U.S. Marshals Service is assisting NCMEC in cases where local felony warrants for abduction have been obtained but the FBI has not opened a case. The U.S. Marshals Service is also amenable to providing technical service to local law-enforcement agencies in missing-child cases when the FBI is not involved in the case. The service is particularly helpful in cell-phone tracking efforts. To obtain more information about this project contact NCMEC's Missing Children Division toll-free at **1-800-THE-LOST (1-800-843-5678)**.

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, may provide valuable investigative leads in locating the abductor and recovering the child. The U.S. Office of Personnel Management may be reached at 202-606-1800 or by visiting www.opm.gov.

Missing-Children Clearinghouses

Whether within the officer's own state or in other states across the nation, missing-children clearinghouses are a significant resource for investigators. Usually affiliated with the state law-enforcement agency or bureau of investigation, missing-children 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 children. Investigators who need information and assistance from another region of the country should consider contacting the appropriate clearinghouse to learn about applicable state statutes and the names of other agencies and officers who may be able to facilitate investigative inquiries. For a listing of these clearinghouses visit NCMEC's website at www.missingkids.com and from the home page use the "More Services" link and then the "Missing-Child Clearinghouse Program" link.

Nonprofit, Missing-Children Organizations

From a law-enforcement standpoint nonprofit, missing-children organizations (NPOs) perform two important functions. First they may be called to provide support services to families and friends of a missing child. Second they often conduct community child-safety programs to create a greater awareness about the issue of child protection and possible reduction in reported incidents. While some organizations are limited in the number and scope of services they provide, others may aid an investigation with a wide-range of services such as photo distribution, examination of database information systems, search and rescue, and victim support.

AMECO is an association of NPOs assisting in the prevention, recovery, and reintegration of recovered missing children into their families. AMECO builds and

nurtures credible, ethical, and effective NPOs that serve missing and exploited children and their families as well as law enforcement.⁸⁶

Through AMECO the U.S. Department of Justice's OJJDP maintains a list of NPOs within the United States and Canada. The list includes information such as names of the Executive Director and staff members, addresses, phone/fax numbers, number of years in existence, and types of services offered. The official OJJDP list is provided as a public service and may be viewed at www.amecoinc.org or received by calling 1-877-AMECO-20 (1-877-263-2620). Missing-children clearinghouses may also be able to provide information about reputable organizations in their area.

National Association for Search & 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 an improperly conducted search, where untrained or unsupervised volunteers wander about in a haphazard manner, may have an adverse impact on proper case management.

When circumstances warrant, investigators know they need to enlist the services of a number of community organizations such as fire departments, scouts, and the military 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 suited to specific search needs, however, officers may wish to establish contact with the National Association for Search & Rescue (NASAR) for consultation and assistance. NASAR is a not-for profit membership association dedicated to advancing professional, literary, and scientific knowledge in fields related to search and rescue. NASAR is comprised of professionals interested in all aspects of search and rescue throughout the United States and around the world.⁸⁷ A request to NASAR Headquarters will provide the investigator with information about how to contact ground, water, air, and dog search and rescue units operating in the vicinity and able to respond to the jurisdiction in the event of a missing- or abducted-child report.

In addition NASAR has designed and regularly presents training courses targeted specifically at missing- or lost-person searches. Among the courses offered are *Introduction to Search and Rescue* and *Managing the Lost Person Incident*. Also available are several publications regarded as definitive texts about the subject including *Analysis of Lost Person Behavior: An Aid to Search Planning* and *The Handbook for Managing Land Search Operations*. To learn more about these books/courses and obtain additional information about NASAR visit www.nasar.org or call 1-877-893-0702 or 703-222-6277.

Note: Not all search and rescue groups are necessarily affiliated with a state or nationwide organization. Officers are encouraged to identify those search and rescue resources operating in their area and learn what features may be activated when the need arises.

Local, State, and Regional Resources

As noted earlier the agencies and organizations described in this chapter are only a few of the resources an officer might use during the course of a missing- or abducted-

⁸⁶ *Id.*, page 39.

⁸⁷ National Association for Search & Rescue, accessed on September 22, 2011, at www.nasar.org.

child investigation. In fact since the groups noted above may only be of value in special cases, it is likely 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 law-enforcement agencies, media contacts, missing-children groups, printing resources, runaway shelters, school resources, search and rescue units, phone companies, transportation systems, utility systems, and child-serving organizations.

By compiling a **comprehensive list** of these and other identified resources including specific contacts at and resources available through the missing-children clearinghouse, prior to an actual episode officers may avoid wasting the time and personnel needed to make these contacts in the midst of an intensive investigation.

Preincident Planning

At the conclusion of many abduction cases, when investigators are able to review and evaluate their response, most stress the need for extensive preincident 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 preincident planning is the development of an interagency response protocol clearly defining the specific types 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 minimize the emotional stresses associated with these incidents, law-enforcement agencies, with increasing frequency, are holding **preincident-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 preincident-planning sessions may include

- Development of a comprehensive investigative resource list.
- Compilation of lists containing the names and phone 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 about the type of case-management system to be used to gather, store, and retrieve information.
- Development of common forms to collect information in a prescribed format.
- Development of a plan for sharing 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 regarding the production of fliers/public-service announcements to be used in these situations.
- Determination of how quickly command-post-related utilities may be connected both during and after business hours. If the incident occurs after regular

business hours, how will other governmental agencies needed to assist in this function be reached?

- Identification of NPOs likely to respond to such a missing-child case in the jurisdiction. Once identified consider asking them to join the “team” of organizations needed to mobilize in these situations. A proactive stance with these organizations will greatly enhance the resource base needed in a community when a child is missing. Be advised, however, law enforcement should do background checks on and train these volunteers in preparation for their use.

Many missing-child cases, especially those involving suspected child abduction, are made more challenging 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.

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Rabun, John. B., Jr. *NCMEC Quarterly Progress Report, January 26, 2011*. Alexandria, VA: National Center for Missing & Exploited Children.

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U.S. Department of Justice’s OJJDP. The publications listed below may be ordered through the National Criminal Justice Reference Service (NCJRS) at 1-800-851-3420 or on its website at www.ncjrs.gov. Many documents are available for download.

Addressing Confidentiality of Records in Searches for Missing Children, Final Report (1995). NCJ 155183. Provides information about how to access records maintained by schools, hospitals, child-welfare agencies, and runaway shelters. Also presents a compilation of state laws regarding access to records.

Federal Resources on Missing and Exploited Children: A Directory for Law Enforcement and Other Public and Private Agencies (2011). NCJ 231619. Prepared by the Federal Agency Task Force for Missing and Exploited Children to enhance the coordination of the delivery of federal services. The directory contains information ranging from access to specialized forensic resources for an abducted-child case to proactive training and prevention programs.

Juvenile Justice Journal. A bimonthly newsletter addressing important issues in the field of juvenile justice including occasional articles regarding missing and/or victimized children. For example the entire May 1998 edition (NCJ 170025) was devoted to missing, abducted, and exploited children and is available at www.ncjrs.gov/pdffiles/jjmay98.pdf.

Identifying Victims Using DNA: A Guide for Families (2005). NCJ 209493. Explains the process of identifying remains using DNA analysis. It gives an overview of the process so surviving family members and friends will understand what DNA analysis can and cannot do, describes the sources of DNA forensic scientists might use, and explains the differences between nuclear and mtDNA.

Using Agency Records To Find Missing Children: A Guide for Law Enforcement; Program Summary (1996). NCJ 154633. Contains information designed to help law-enforcement officers obtain and use records to locate missing children. Examines both mandated and voluntary access to records from various human-service providers such as schools, medical facilities, child-welfare agencies, and shelters.

When Your Child Is Missing: A Family Survival Guide, Fourth Edition (2010). NCJ 228735. This comprehensive publication was written by family members who have experienced the disappearance of a child. It not only offers victim families information about how to cope with the trauma of a child's abduction, but also serves as a guide for their constructive interaction with law enforcement.

Crisis Media Relations

by Hugh Munn

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

In many successfully resolved cases officers have closely worked with the media in a positive way 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 through the media. National media attention can increase the country's knowledge about the plight of missing children and help officers resolve complex and lengthy investigations.

It is important for law enforcement to understand the most effective ways to reach the public. Technology has changed dramatically in recent years into what is now termed "convergence" of all types of media including

- Broadcast
- Print
- Web-based services
- Text-messaging
- E-mail and other messaging systems
- Social media and online networking websites

Time is the enemy in missing-child cases, and law-enforcement officers must constantly monitor this changing technology to determine the best and fastest ways to quickly reach a large audience. Traditional media — newspapers, television, radio, and magazines — maintain and regularly update their own websites, enhancing their ability to quickly get information out to the public. They are no longer restricted to traditional news cycles.

Social media and online networking websites offer a unique opportunity for law-enforcement officers to connect with literally millions of subscribers globally. As a younger generation of people entered into the school and work forces, social media has quickly become the technology of choice for staying informed about critical issues of the day.

Essential to the success of any public-notification process, however, is the development of an ongoing partnership between law enforcement and all forms of media. The better these components understand each other's responsibilities and capabilities, as well as limitations, the greater the probability critical information needed by and from the public will be obtained to help resolve a missing-child case.

Law-enforcement officers know a significant number of cases have been resolved through prompt and effective assistance by the media. Nowhere is this success more evident than in cases of critically missing children.

The Law Enforcement-Media Relationship

For the most part, professionals in both law enforcement and the media understand each other's roles. Reporters usually understand and accept the fact investigators must withhold certain sensitive information that, if disclosed, might jeopardize a case's outcome. Likewise investigators realize reporters probe for information to share with the public.

Law enforcement should try to develop a good relationship with the media in advance so when a high-profile case happens local reporters will already know the agency and hopefully see the agency as being professional, responsive, and accessible. National outlets will hear positive things about the law-enforcement agency from local reporters. Local law-enforcement agencies should not be distracted or star struck by national media. They should provide the same access to all media outlets but understand national news outlets may need more help because they don't know a local community or law-enforcement agency.

Occasional misunderstandings and disagreements between law enforcement and the media take place, as in any relationship. Law enforcement investigators and news reporters may find themselves at odds over access to certain information. Debates may evolve about whether the First Amendment takes precedence over other Constitutional Amendments, and an impasse may develop if investigators think the integrity of an inquiry is jeopardized while the media believe freedom of the press has been abridged. During this debate both law enforcement and the media need to keep in mind an individual's right to privacy.

If these differences of opinion are minimal, they are often quickly settled with explanations offered, points of view explored, and compromise reached. Unfortunately there are occasions in which the pressures on law enforcement to find a missing child and the media to uncover and report every detail result in creating a sensationalized atmosphere where cooperation and common sense may give way to accusation and mistrust.

To avoid becoming enmeshed in adversarial situations, law-enforcement agencies need to review and put into practice policies, procedures, and guidelines identified as being useful in predicting, minimizing, and defusing conflicts with the media. This chapter explores many of the issues leading to these conflicts and methods of working productively with the media during a high-profile case.

Legal Review

At the Scene

Investigators need to know the ground rules set forth by the U.S. Constitution and courts, before they are able to effectively work with the media. Courts, including the U.S. Supreme Court, have addressed these issues, because the conflict often reverts to an issues-struggle between the First Amendment and other matters affecting the integrity of an investigation whereby

- The media may accuse law enforcement of violating their Constitutional rights of free press and speech
- Law enforcement may blame the media for interfering with its duty and responsibility to protect the integrity of an investigation in order to help ensure a defendant's right to privacy and/or a fair trial

More often than not courts will support the side of the First Amendment. One key to this position is found in the 1972 U.S. Supreme Court decision, *Branzburg v. Hayes*, 408 U.S. 665 (1972), which affirms 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, "...reporters remain free to seek news from any source by means within the law." *Branzburg*, however, also states, "...the First Amendment does

not guarantee the press a constitutional right of special access to information not available to the public generally.”

When armed with an understanding of *Branzburg*, investigators may accomplish much. For example the ruling clearly states law enforcement should leave the media alone when they are doing something legally. The media, however, do not have an automatic legal right to be in a place where the public has been excluded or established to be in governmental control. So, by understanding *Branzburg*, an experienced investigator learns restricting the media from within a protected crime scene area is neither improper nor illegal because evidence must be preserved and protected. Keeping the media two miles from a crime scene for no specific reason, however, is both wrong and not advised. Such actions seriously invite litigation. And such actions could serve to antagonize and create the impression law enforcement is “keeping secrets.” At the scene investigators should get on with the job of collecting evidence, implementing emergency procedures when appropriate, and solving the crime. In short let the media do their job as long as what they do does not jeopardize the investigation.

Access to Records

Although nearly every state⁸⁸ has its own regulations and policies about access to law-enforcement records, an investigator must remain aware of the fact certain investigative documents are subject to media scrutiny at some point. A controversy concerning access to law-enforcement records is nationwide in scope and, as noted previously, in the past courts have ruled on the side of the First Amendment in certain cases. Investigators, therefore, need to be mindful certain papers, reports, documents, and court applications, including search warrants, affidavits, and arrest warrants, may eventually be obtained, reviewed, and published or broadcast.

Increased media focus on the issuance and contents of search warrants can be a challenging issue for law enforcement. Courts regularly are petitioned under the Freedom of Information Act (FOIA, 5 U.S.C. § 552) and other legal measures in efforts by the media to closely examine a missing-child investigation. Search warrants and supporting affidavits often provide tantalizing, delicate clues investigators may need to withhold from the public. An investigator must remain vigilant, knowing

- Search warrants and supporting affidavits, arrest warrants, incident reports, and other documents may be determined to be public records once served
- Documents such as those noted above may contain sensitive information requiring redaction or other protection issues
- Courts may be petitioned by the media to force disclosure of these documents
- Courts also may be petitioned by law enforcement to “seal” or otherwise prevent access to these documents

When public exposure of information in search warrants and similar documents may be harmful to an investigation, investigators should seek legal advice prior to withholding any information otherwise lawfully obtained by the media.

⁸⁸ Unless otherwise noted this guide uses the term “state” to also include American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the U.S. Virgin Islands. The authors have attempted to identify and note any situation in which specific programs, laws, or definitions may not include some or all of these jurisdictions.

Perceptions

A key element in working with the media, and ultimately the public, is discovering how a critically missing-child investigation is perceived. Serving as the conduit of information from law enforcement to the public, the news media exert extraordinary influence on how events are perceived. An officer should always ask, “How is my investigation being grasped mentally by the public?” “Has the investigation expanded beyond control, because of unfounded rumors?” “Has someone else beyond the officer’s control taken over the direction of the case?”

Why is it important to be concerned with these things during an investigation? The answer is simple. The public ultimately controls an investigator’s effectiveness, and its faith in law enforcement’s ability to handle the situation is critical because

- 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, not law enforcement
- Lack of faith may lead to unnecessary panic

When the public perceives a set of circumstances or facts greatly differ from what actually occurred, the result might conclude with a conflict between the public and a law-enforcement agency. Public perceptions, when improperly formed from inaccurate or divisive media reports, feed rumors and innuendos. Eventually those incorrect perceptions evolve into something far worse — a media-relations crisis. In short once a public perception of conflict occurs, there is only a short leap to a public-relations crisis.

Crisis Forecasting

One definition of a crisis is “...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 the

- Formation of incorrect and potentially damaging perceptions
- Change in an investigation where the investigator is now reacting to media complaints instead of pursuing a logical line of inquiry

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

A critically missing-child investigation may evolve into a full-fledged crisis within only a few minutes, often fueled by vigorous media coverage or incorrect public perceptions. A crisis generally erupts from a conflict that was not appropriately resolved. Investigators must be aware an investigation may quickly evolve into a “public-perception” crisis and usually occurs in stages described as

- **Fermenting**, the point when an investigation is about to escalate to a more serious stage in which events occur causing an investigator to react to adverse media coverage.
- **Intensifying**, when an investigation reaches a point of explosiveness or adverse public opinion and negative media coverage.

- **Unremitting**, the point when leads in the investigation slow and it may appear to become unfocused. This tends to lead to adverse public opinion and negative media coverage, which may result in outside pressures to change the direction of the case.
- **Resolving**, the point when an investigation is resolved through the recovery of the victim and/or arrest of a suspect.

Emergence of the “New” News Reporter

A new reporter has emerged, waiting to provide instant on-scene descriptions of the crime scene. The new reporter is most often unnoticed and rarely challenged, but the news media are using them more often when regular staff reporters cannot get into the crime-scene area.

The “new” news reporter is the “**citizen journalist**.” Armed with camera phones that can record both audio and video as well as still photos, the citizen journalist can send, via their phones, updated reports and documentation of what is happening at the scene.

As a major-market television news director recently said, “We can now be in your crime scene and you won’t even know it.”

Proof of the value of citizen journalists can be seen in video and photo documentations at the shootings and deaths on university campuses. Most people have seen the coverage by camera phones of the scenes, footage that likely would not have been viewed just a few years earlier.

The citizen journalist is armed with a variety of news reporting outlets including blogs or Internet journals. Citizen journalists can also use state-of-the-art camera phones that produce high-definition images, which can be quickly downloaded via the Internet by news organizations worldwide.

Managing High-Profile Cases

Several factors impact law enforcement during high-profile cases and may cause a case to get “out of hand.” Among these factors are when officers failed to realize 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.

In the words of an emergency-preparedness official after a major hurricane hit his community, “You don’t manage a crisis; you tolerate it.” Essentially that is true, but there are certain “toleration” steps to be taken when managing high-profile investigations. Basic guidelines to assist law enforcement in managing a high-profile case 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 new information about the case as soon as possible. If information is not available, say so. If erroneous information has been released or is widely circulating, quickly correct it.
- Making sure law enforcement informs the public when warnings need to be issued.

- Making sure the public has a two-way conduit for information.
- Designating **articulate** spokespeople to avoid miscommunication of the facts, whether working alone or with a team of professionals. If a law-enforcement agency does not have sufficient public-information staff, consider asking for help from another agency that does. Sources of help include government communications staff members from another agency within the municipality or another law-enforcement agency with which a mutual-aid agreement exists. They can help prepare and issue updates and provide relief for employees working around the clock.
- Working with the victim's family to find one or two people who are willing to do media interviews.
- Having law-enforcement leadership, not their spokesperson, address the media at critical points in the investigation to inform and reassure the public.

Information given to the media needs to 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 media first with the information rather than letting them obtain it from **secondary** investigation sources. 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 may seriously jeopardize the investigation.

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

- Having a prosecutor at the scene to advise as to what information should be released or denied to the media
- Allowing the media as close as is reasonable when at the crime scene while still protecting the integrity of the scene and dignity of the victim and the victim's family
- Having a designated spokesperson meet as often as possible with media representatives to help ensure a continual flow of appropriate information about the investigation
- Continuing the flow of information once the child is recovered. In high-profile cases in particular, the media will do follow-up stories and often scrutinize the investigation

Most of all be aware news cameras may be running and microphones are live at any location where media contact is likely. Anything said or done at crime scenes or news conferences has a great likelihood of being heard and seen, because of dramatic technological advances in reporting equipment. Although law-enforcement officers and reporters may use humor to ease the stress of difficult jobs, officers at a scene or working a critical case should try to avoid using levity in public. Remember

- Information is rarely so critical a case would be jeopardized if it were released
- Information known by law enforcement is often also known by the media, emergency medical personnel, people in various other government offices and agencies, and anyone who was a witness to an incident or had access to a crime scene such as a delivery person or next-door neighbor

- Case discussion withheld by an agency may be easily discussed with the media by others who have knowledge of the incident and/or an outspoken critic
- Inaccuracies may be easily corrected if there is an open exchange of information between law enforcement and the media from the beginning

Recommendations and Suggestions

The best way to reduce conflict with the media is for the law-enforcement officer to ask two questions. They are

- What is the probability the media are likely to become interested in my investigation?
- What impact will the media's presence have on the investigation if the media becomes interested in the case?

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

As in most other situations, law enforcement's proactive stances reduce the need for many reactive positions later including

- Designating a trained, experienced individual to act as media spokesperson
- Being first to provide information without being prompted by the media
- Taking control of the information being released without being defensive or arrogant
- Opening doors for community feedback in an active and positive way

When media-relation interests during high-profile cases are left unattended, the media may end up controlling an investigator's case. Because public perceptions are formed quickly, it is critical 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.

Consider allowing the media as close as is reasonable when at the crime scene while still protecting the integrity of the scene and dignity of the victim and the victim's family.

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Management Issues

by Thomas B. Smith and H. Wayne Sheppard

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Most law-enforcement officers who read this guide will do so to obtain information about current investigative techniques to 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 and developed by an individual officer, one who may have significant or limited experience with missing- and exploited-child cases. In other agencies a dedicated missing-child unit may be fully staffed with members specializing in crimes committed against children including those who become missing. This chapter outlines management practices an agency may wish to employ to support that lone officer, self-taught localized expert, members of a fully staffed unit, or whatever level of resources are currently able to be used in the search for missing children. Additionally it offers guidelines about how to develop a dedicated missing-child unit, if an agency wishes to focus in that direction.

Many law-enforcement agencies are realizing they have allowed their missing-child response to develop without clear direction or structure and are actively seeking new methods and procedures to better handle their entire "missing-person" responsibility. It is also important to understand policy and procedure evaluation and changes are regularly due in most agencies every few years in order to remain current with ever-changing legal decisions, modified local guidelines, and agreements with other collateral agencies such as child-advocacy centers, prosecutors, and social-service agencies.

In keeping with the established management practice of enlisting employees to help solve problems, it is likely an administrator will seek input from those members of the agency who have received training in missing-children investigations or exhibited a willingness to handle such cases. Since the officer reading this guide will probably fit into one or both of those categories, it seems appropriate to address the management issues associated with an effective missing-person investigation.

Figure 23 outlines the steps an agency may wish to follow when evaluating its missing-child response.

Steps to Follow When Evaluating an Agency's Missing-Child Response
Define Current Operational Procedures
Evaluate Current Operational Procedures
Develop New Operational Policies and Procedures
Identify New Objectives and Goals
Consider Establishing a Dedicated Missing-Child Unit
Evaluate Implementation Issues
Program Implementation

Figure 23

Define and Evaluate Current Operational Procedures

To determine whether an agency's response to missing children requires modification, revision, or complete reorganization, a thorough evaluation of current practices, written policies, and procedures must be conducted. To do so these activities and procedures must be accurately identified to provide the reader with

a meaningful point of reference for this discussion. The reviewer is wise to evaluate each agency process from the initial discovery and call-for-service through the first responding officer, investigation, and final conclusion of the incident. Every step must be reviewed for its impact on the next step.

First, to assist in this process, agencies are welcome to use the “Agency Self-Assessment: Missing-Children Preparedness” questionnaire beginning on page 183. This diagnostic tool is intended to stimulate reflection regarding an agency’s existing response and should provide the reviewer with an accurate survey of his or her agency’s current response to cases of missing children.

Second determine the type of missing-child response the agency now has in effect. Is the current program fully developed with clearly written and fully deployed policies describing organizational procedures and defining 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? It is critical to realize the amount of effort, expertise, and skill the agency employs has little to do with the issue of limited budgets. An agency with limited funding can develop the capacity to handle any nature of missing-child case. It truly is a matter of willingness to be prepared and train appropriately.

Third identify the structure of the present program. Is the current missing-child program part of a full-time unit responsible for the investigation of missing children/people only? Is it a part-time unit handling 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? If not, is it staffed with sworn officers, civilians, or a combination of both? How are these investigators and civilians selected? Is the assignment to this unit viewed as a desired position? Or is it solely a clerical unit where the missing-child function is basically one 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? All of the mentioned designs are functional and can suit an agency’s needs. It is important to understand the value of each.

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? One of the greatest hindrances to the handling of missing-child cases is the lack of proper reporting. Thus do not underestimate the importance of this step in the evaluation process.

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 National Crime Information Center (NCIC) terminal operators, records division, front desk, patrol division, investigative division, and missing-child unit? At what point is the information entered into NCIC verified for accuracy?

Sixth determine areas of responsibility. Who currently assumes responsibility for duties such as NCIC record entry and cancellation? Who does the immediate follow-up and subsequent case investigation in a prolonged case?

Seventh review written policies and procedures. This is a crucial aspect in helping to guarantee uniformity in case processing and handling. Are initial processes for the communications officer, the first responding officer, and investigative procedures clearly described? Are there written guidelines about the processes for follow-up investigations, family abductions, juvenile pick-ups, custody orders, and authority to detain a missing child who is recovered? Many complicated scenarios have been handled by agencies quite quickly when processes are predetermined and case caveats are prepared for in advance.

Eighth review readiness assessments. Have evaluations been conducted of the personnel responsible for these types of cases to assess their training level, investigative expertise, personnel availability, willingness to solve problems, and relationship with the media? Law-enforcement agencies need to ask these 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,⁸⁹ or regional certification required/available? Are the policies and procedures needing 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, which is of assistance in missing-child investigations? Does the agency work cooperatively with any nonprofit organizations working on cases of missing and sexually exploited children and runaway shelters within its jurisdiction offering services to victim families and children at-risk?

Once defined, an agency's policies and procedures should regularly be evaluated to identify strengths, weaknesses, and service gaps. 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. **Note:** Even if an agency has never had an abduction, it is important to be prepared for one.

As a result of this critical analysis, a need for organizational or managerial improvement may be identified. Nearly every agency conducting a self-assessment will find areas to improve and the need to modify current operational policies and procedures and/or develop new ones to address areas needing improvement.

Develop New Operational Policies and Procedures

Defining new operational procedures is a complex and time-consuming task, yet it remains one of the most important aspects of any implementation or evaluation process. It is at this stage 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

⁸⁹ Unless otherwise noted this guide uses the term "state" to also include American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the U.S. Virgin Islands. The authors have attempted to identify and note any situation in which specific programs, laws, or definitions may not include some or all of these jurisdictions.

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 may be evaluated. Often a public made aware of an agency’s priority response to missing-child and child-abuse 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 eliminating 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 investigative creativity is restrained. The policy should provide for discretion without jeopardizing the case, but not be so ambiguous it allows excessive discretion by members of the agency.

It is important to identify and formalize procedures requiring the sharing of case information and investigative leads between entities within the agency such as the juvenile division and missing-child unit. Each policy and procedure should be complete and the language used should be easily understood and help ensure standardization of terminology. Members of the agency should not have to refer to other rules or regulations to find guidance about missing-child cases.

Keep in mind missing-child report procedures should indicate what happens to the case from time of report through its closure. For instance reports need to be centrally logged, easily located, and well prepared. The procedure should include provisions noting each case is checked for proper NCIC entry, including updates of dental and medical records when warranted; ongoing investigative review; periodic updates; use of all local, state, and national resources; coordination with the National Center for Missing & Exploited Children® (NCMEC); correct case clearance/closure; NCIC cancellation; and proper storage of all case-related information. All procedures should be compared against those of other units within the agency to help ensure there are no conflicts and they appropriately intertwine to create a smooth transition between units as it relates to activities and information sharing.

Note: The Commission on Accreditation for Law Enforcement Agencies, Inc., (CALEA®), the nation’s foremost law-enforcement accrediting authority, has added a standard requiring agencies seeking accreditation to have in effect a comprehensive policy about responding to reports of missing children.

Identify New Objectives and Goals

An **objective** is a precise, quantifiable task to be accomplished in order 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 24 offers sample goals and objectives agencies may wish to consider during this process.

Other goals might include developing/maintaining a positive yet controlled media relationship, designing/presenting training programs about missing children for all members of the force, and establishing a communication network with resource agencies in the community.

Sample Goals and Objectives	
Goal	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"> ■ Conducting an analysis of current operational procedures ■ Identifying existing system gaps ■ Determining needed changes to existing policies, procedures, and practices ■ Evaluating implementation issues ■ Preparing and submitting a comprehensive report through the chain of command ■ Developing illustrative material, such as charts and graphs, if requested, to support the proposal
To help ensure timely entry, review, and cancellation of NCIC messages	<ul style="list-style-type: none"> ■ Informing agency personnel regarding importance of NCIC system ■ Proposing change in agency forms to include NCIC check-off box ■ Recommending change in procedure to require supervisory approval of NCIC entry, update of dental/medical additions, and cancellation ■ Developing a standard procedure to respond to NCIC unidentified-child messages ■ Conducting an audit of selected cases to evaluate compliance
To produce specialized missing-child bulletins	<ul style="list-style-type: none"> ■ Encouraging reporting officers to obtain a photo of the missing child ■ Preparing a "master bulletin" to use as a format for all fliers ■ Evaluating cost factors such as paper and printing ■ Seeking the cooperation of local printing businesses ■ Developing a distribution network, including local community groups and private businesses, to circulate fliers and remove them once no longer needed ■ Designing a bulletin board to display fliers in agency's lobby ■ Maintaining a file of all bulletins prepared, received, and removed ■ Coordinating with missing-children clearinghouses and NCMEC

Figure 24

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 cases involving child victims. Combining investigative processes involving abused, neglected, and missing children has advantages. It is understood many children who are voluntarily missing have been victims of abuse and neglect in the home. In addition many investigative processes used in abuse and neglect cases are the same as those used in missing-child cases. In general combining investigative functions can provide improved responses. The advantages of a centralized, crimes-against-children and/or 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 are found in law-enforcement agencies throughout the nation. When such units are established and fully operational they may speed the flow of incident information when working cases crossing jurisdictional lines. Officers assigned to a centralized unit will gain specialized knowledge about 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 may 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 recordkeeping promotes the study of case histories and encourages proactive program implementation.

Evaluate Implementation Issues

After determining creation of a unit focused on missing-child cases would significantly enhance an agency's response to cases of missing children, the next step is to define the unit's organizational structure. A number of factors need to be considered and decided on before the unit begins operation including the type of program, location of the unit, necessary support equipment, personnel selection, personnel training, and use of the media. Agencies should decide if the unit should function fully from the start or start as a pilot project. Will the unit be located within the main agency building or 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 work compassionately with distraught individuals, a willingness to interact with other community resources, and an ability to work with family members over an extended period of time. Assignment to this unit needs to be perceived as a desired and coveted position reflecting the officer's ability to comfortably investigate these challenging cases. 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 sexual exploitation and neglect, custody laws, and interagency cooperation. **Note:** Information about training programs is available by visiting the “Training” section of NCMEC’s website at www.missingkids.com or contacting jrletc@ncmec.org.

Key personnel to consider placing in the unit include supervisory staff, investigative personnel, clerical support, and volunteers. *See* the section titled “Use of Volunteers in Missing-Child Units” on page 187 for more information about the use of volunteers in these units. Figure 25 offers a potential division of responsibilities among staff members in a dedicated missing-child unit.

Potential Division of Responsibilities in a Dedicated Missing-Child Unit	
Staff Member	Responsibility
Supervisor	<ul style="list-style-type: none"> ■ Oversee investigation. ■ Help ensure effective case management. ■ Direct all unit personnel. ■ Establish and maintain a media-relations program to both assist with cases and for prevention/awareness. ■ Develop a community network. ■ Maintain a flow of information through the organization about the unit’s activity.
Investigator	<ul style="list-style-type: none"> ■ Investigate case. ■ Maintain case file. ■ Develop resources. ■ Share information with appropriate colleagues and agencies.
Clerical Staff	<ul style="list-style-type: none"> ■ Assist in recordkeeping. ■ Provide administrative support. ■ Understand unit responsibilities.
Volunteers	<ul style="list-style-type: none"> ■ Offer assistance as needed. ■ Maintain case confidentiality. ■ Understand limits of authority. <i>See</i> the section titled “Volunteer Assigned to Missing-Child Unit: Sample Job-Description Statement” beginning on page 188 for a sample job description for volunteers assigned to such units.

Figure 25

Program Implementation

After the procedural guidelines have been completely evaluated and approved, the new missing-child response program is ready to be implemented. Proper dissemination of information is the key to the success of any new process. Typically change within any organization attains certain levels of reluctance. A valued effort must be made to help ensure upper- and mid-level administrative acceptance. All

personnel within the agency and community at-large must be made aware of the new policies and procedures and 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. Monitoring and evaluating is the only means by which a program may be adjusted prior to a full-blown case or process error that damages a case.

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 all contact points between the 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 additional needs are identified, opportunities for additional programs and procedures will arise. Municipalities may wish to consider developing interagency agreements and multidisciplinary teams, formulating contingency plans, and establishing written protocols with other child-serving agencies and organizations in the community to better address the missing-child issue. Teams, plans, and protocols need to include law enforcement, schools, courts, social services, probation, and others needed to establish a comprehensive and coordinated approach to the problem. Such arrangements should speed the flow of valuable information to both expedite recoveries and help ensure provision of assistance from the community's service points for all children and most especially at-risk children.

Community awareness, in particular, should play a key role in lessening the incidence of missing children, especially those who leave home voluntarily. Agencies should consider implementing community-awareness programs by hosting public presentations at places such as schools, youth groups, and clubs with displays and demonstrations about child safety and programs to photo, fingerprint, and document child-identifying information. Child-safety seminars and classes involving families may be effective just before school begins or before summer break and on a continuing basis throughout the school year to help ensure age-appropriate safety messages are reinforced year-after-year for children of all ages. Such reinforcement of safety information is critical at all ages from young children who typically spend more time with a limited number of family members and caretakers to teenagers to help them identify at-risk situations as they increase the sphere of individuals with whom they interact. Such educational opportunities also reinforce the local services available to assist teenagers, especially those who may be considering running away or are faced with a "thrownaway" situation within their families. For a list of child-safety prevention information available through NCMEC visit the "More Publications" section of www.missingkids.com to view, download, and/or order publications.

Finally, agencies should consider formulating contingency plans by holding meetings with contiguous 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. These efforts are mirrored in nationwide efforts to create Child Abduction Response Teams (CART), which are multiagency, force-multiplier resources in child-endangerment cases. These groups can be deployed for a variety of cases, based on the agency's immediate needs.

Children Missing From Care: Special Management Considerations

All missing children are at-risk whether they have run away or been abducted by an unknown individual or a noncustodial family member. The longer a child remains missing, the greater the risk of exploitation, victimization, injury, or even death. Law-enforcement officers around the nation clearly recognize these risks and have implemented effective policies and procedures to help bring missing children home as swiftly and safely as possible. For the most part, however, these response policies have been designed to assist the child who is missing from a "standard" home and/or "traditional" family. There is, however, another type of missing child, one who may be even more vulnerable and at-risk, namely the **child missing from care**. Prompted by startling incidents across the country where children were found to be absent from the homes or facilities in which they had been placed, but not formally reported to authorities as missing, child-welfare professionals nationwide have commenced a campaign to avoid these oversights in the future. This campaign, however, needs the full support of law enforcement to be truly effective.

Misconceptions in some areas have resulted in children who have fled or been reported missing from child-welfare control or failed to meet a local agency missing-child reporting criteria. All agencies must evaluate their current policies in this regard to help ensure all missing children are properly reported and information about them is entered into NCIC.

Child welfare and law enforcement have a shared interest in the safe return of children missing from out-of-home care. When child-welfare and law-enforcement agencies work in partnership they provide the expertise of both disciplines and enhance both the investigative effort and recovery of the child. It is also essential for both partners to bring a respect for the other's point of view and knowledge, openness to different ways of working and thinking, and a willingness to work together in the best interests of the child who is missing.⁹⁰

Child welfare brings to the partnership a set of values, knowledge, and skills focusing on the safety and well-being of children who are in out-of-home care and devote much of their work to the relationships between children and birth families, children and foster families or other caregivers, and birth families and caregivers. They are trained in a strengths-based, family-focused perspective and approach and conduct assessments and make professional judgments based on their knowledge of a variety of topics including family dynamics and child development.⁹¹

⁹⁰ Julie Gwin and Eve Malakoff-Klein, Editors. *CWLA Best Practice Guidelines: Children Missing from Care*. Washington, DC: Child Welfare League of America, 2005, page 33.

⁹¹ *Id.*

Law-enforcement personnel focus their work on the investigation necessary to locate and safely return the child to the custody of the agency. Their efforts are dedicated to fact-finding, the collection of evidence, and upholding the law. Their knowledge of family dynamics tends to focus more on the specific circumstances, problems, and individual characteristics that may lead to abduction or runaway episodes.⁹²

Regardless of differences in approach between professions, given the fact law-enforcement and child-welfare agencies are frequent partners in responding to and managing the recovery of children missing from care, it is imperative for agency managers to establish an environment promoting genuine collaboration and cooperation between respective staff members.⁹³

In working with the assigned child-welfare worker, any previously appointed counsel such as a *guardian ad litem*,⁹⁴ and in cases when a child is a crime victim any appointed victim advocate, law enforcement is better able to obtain all available information in furtherance of the investigation and children may be placed in an environment conducive to growth and well-being once recovered.⁹⁵

Law-enforcement policymakers are encouraged to review the “Agency Self-Assessment: Missing-Children Preparedness” beginning on page 183 and “Agency Self-Assessment: Children Missing From Care” on page 186 for issues to be addressed in the development of effective missing-children policies including procedures related to **children missing from care**.

For an in-depth discussion regarding the importance of collaboration between law-enforcement and the child-welfare system — including policy and procedural recommendations, view and download the NCMEC publication titled *Children Missing From Care: The Law-Enforcement Response* from the “More Publications” section of www.missingkids.com.

⁹² *Id.*

⁹³ Thomas B. Smith, Kenneth Buniak, Lee Condon, and Lee Reed. *Children Missing From Care: The Law-Enforcement Response*. Alexandria, VA: National Center for Missing & Exploited Children, 2005, page 15 [hereafter Smith].

⁹⁴ The practice of appointing counsel to children in care is gaining national support as evidenced by the examples noted below.

- According to the Child Abuse Prevention and Treatment Act (CAPTA), in order to receive federal funding, in the form of grants to states for child abuse and neglect prevention and treatment programs, states must appoint a *guardian ad litem* to represent the child in any abuse and neglect case that results in a judicial proceeding. In these instances the *guardian ad litem* may be an attorney or a court appointed special advocate (42 U.S.C. § 5106a(b)(2)(A)(xiii)).
- In January 2008 the American Bar Association’s (ABA) Center on Children and the Law started the Bar-Youth Empowerment Project. The Project has the three primary goals of every state and territory must provide legal representation to youth in foster care; youth voices must always be effectively heard in court; and former foster youth must have access to basic legal advice. Visit www.abanet.org/child/empowerment/home.html for more information about this program. Also this ABA project published a white paper about the subject in 2009 titled *A Lawyer for Every Child: Client-Directed Representation in Dependency Cases*. This paper was accessed on September 21, 2011, at www.abanet.org/child/empowerment/white%20paper.pdf. Additional information about this topic may be found within Andrea Khoury, *Why a Lawyer? — The Importance of Client-Directed Legal Representation for Youth*, 48 Fam. Ct. Rev. 277 (2010); First Star’s national report card titled *A Child’s Right to Counsel* (2009), which gives state-by-state information about the subject, as accessed on September 21, 2011, at www.firststar.org/library/report-cards.aspx; and Erik Pitchal, *Children’s Constitutional Right to Counsel in Dependency Cases*, 15 Temp. Pol. & Civ. Rts. L. Rev. 663 (Summer 2006).

⁹⁵ Smith, *op. cit.*, n. 93, page 16.

Conclusion

The elements of this chapter are offered to help all law-enforcement agencies realize there is a need to regularly evaluate current policies and procedures and also provide guidance to those agencies considering developing policies and procedures for a newly developed missing-child investigative function. It is understood the material in this chapter is not specific but rather intended to provoke critical evaluation of an agency's capability and the capacity to safely recover a missing child. Since the development of effective policies and procedures is agency-specific, combine the information in this guide with knowledge of the agency and community to develop an effective response. NCMEC, in association with various law-enforcement organizations, has created *Law Enforcement Policy and Procedures for Reports of Missing and Abducted Children*. This document may be viewed and downloaded by visiting NCMEC's website at www.missingkids.com. From the home page respectively click on the "Training" and "Model Policies" links. To further assist in this process consider reviewing *The Standards* for law-enforcement agencies by the Commission on Accreditation for Law Enforcement Agencies, Inc., which may be viewed by visiting www.calea.org. From that home page respectively click on the "Law Enforcement Accreditation" and "Standards" links.

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Gwin, J., and E. Malakoff-Klein. *CWLA Best Practice Guidelines: Children Missing from Care*. Washington, DC: Child Welfare League of America, 2005. This publication provides child-welfare agencies with an effective tool to develop administrative policies, procedures, and case practices to help decrease the likelihood of children becoming missing from family foster care and group and residential settings.

Hoover, L. *Police Program Evaluation*. Washington, DC: Police Executive Research Forum, 1998.

Law Enforcement Policy and Procedures for Reports of Missing and Abducted Children. Available for review and download by visiting NCMEC's website at www.missingkids.com. From the home page respectively click on the "Training" and "Model Policies" links.

National Center for Missing & Exploited Children. The publication listed below is available to be viewed and downloaded from the "More Publications" section of NCMEC's website at www.missingkids.com.

Children Missing From Care: The Law-Enforcement Response, 2005. Publication #162. This publication was developed in collaboration with the Child Welfare League of America as a component of the Children Missing From Care Project.

Swanson, C., L. Territo, and R. Taylor. *Police Administration: Structure, Process and Behavior*. Upper Saddle River, NJ: Prentice Hall, 2004.

Thibault, E., L. Lynch, and B. McBride. *Proactive Police Management*. Seventh Edition. Upper Saddle River, NJ: Prentice Hall, 2006.

Agency Self-Assessment: Missing-Children Preparedness

Conducting a basic assessment of an organization's policies and procedures should be an enlightening experience. This type of diagnostic process 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 questions below as accurately as possible. If unsure about an answer, enter a question mark.

- Is an officer dispatched on **all** missing-child reports?
- Is agency aware of the National Child Search Assistance Act mandating coordination with NCMEC regarding **all** missing-child cases **including 18, 19, and 20 year olds**?
- Is agency aware of the Adam Walsh Child Protection and Safety Act mandating NCIC **entry must be made by law enforcement within two hours of receipt of a report of a missing or abducted child**?
- Does agency understand how to implement the **America's Missing: Broadcast Emergency Response (AMBER) Alert™** notification system?
- Are all missing-child reports sent to one central location?
- Is each report entered in a central log for easy case management?
- Is each report entered into the NCIC Missing Person File within two hours of report receipt, and are NCIC Missing-Person-File categories clearly understood by agency personnel and reports reviewed to help ensure the correct category has been used?
- Is each report checked for valid/accurate information and compared against NCIC entries?
- Is the person reporting the case promptly contacted for initial case follow-up and verification of all initial information collected?
- Is the person reporting the case regularly contacted to update him or her about the case?
- Are photos or videos obtained in all cases?
- Is there an ability to promptly prepare and disseminate a photo bulletin?
- Is it clear, in all areas of the organization, who investigates missing-child cases?
- Is there a familiarity with the personnel in and services provided by missing-children clearinghouses?
- Are local records checked to determine whether the missing child and/or suspected abductor have pending criminal charges or are being investigated by a separate section within the agency?
- Are the dental records and is DNA collected for all children missing and are those items properly entered into NCIC per legislative guidelines?

- [] Is a specifically assigned missing-child officer/investigator used?
- [] Do all missing-child volunteers/clerks/cadets used have specific guidelines as to what cases should be referred to an investigator such as those involving foul play or family abduction?
- [] Are all cases cleared by use of a supplemental report when a missing child returns/is recovered?
- [] Is the recovery/return of each missing child confirmed by sight even when the initial recovery information is taken via the phone?
- [] Are all officers aware there is **no** waiting period established before taking a runaway or any type of missing-child report?
- [] Are habitual runaways readily identifiable?
- [] Is there a runaway shelter in the community?
- [] Are officers aware of the criteria for placing a child in the community's runaway shelter?
- [] If so, what procedures are in place to work with this runaway shelter?
- [] Is a process in place to interview all runaways to determine their reasons for leaving home, gather valuable information about where they were and how they survived when on their own, and refer them for follow-up treatment and assistance?
- [] Is the record for each recovered/returned missing child immediately removed from NCIC?
- [] Are all unidentified body teletypes from other agencies compared to active cases for possible matches?
- [] Are all such teletype inquiries from other jurisdictions reviewed and responded to even if there is no match?
- [] Are all alternative and credible resources within the community to aid in locating missing children known and used?
- [] Is there a nonprofit, missing-children organization (NPO) in the community or region?
- [] If so, are its services used?
- [] Is there a policy regarding the publishing of missing-child bulletins by the local media on a regular basis?
- [] Does your agency immediately disseminate professional-looking, missing-child fliers? Is there an agreement with local printing firms to assist in this process if supplemental flier production is needed?
- [] Is there an officer in the agency knowledgeable about the laws and tools pertaining to family abduction such as Unlawful Flight to Avoid Prosecution (UFAP) warrants, the Uniform Child Custody Jurisdiction Act (UCCJA) or Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), the Parental Kidnapping Prevention Act (PKPA), the Federal Parent Locator Service (FPLS), the Hague Convention on the Civil Aspects of International Child Abduction, International Child Abduction Remedies Act (ICARA), and the International Parental Kidnapping Crime Act (IPKCA)?

- [] Has your agency developed a relationship with prosecutors knowledgeable about civil and criminal missing-child matters?
- [] Is an active public-relations response in place to immediately respond to missing-children cases?
- [] Does the Public Information Officer know of NCMEC's resources?
- [] Is there a highly visible missing-child bulletin board displaying fliers of missing children and information to the public in a prominent area of the law-enforcement agency?
- [] Does the agency's website have a page dedicated to missing children/people?
- [] Are accurate statistics available about the number of missing children reported annually along with a breakdown of the total by ages and categories?
- [] Is a plan in place to use community resources to assist in the reunification of missing children with their families?

Note: NCMEC, in association with various law-enforcement organizations, has created a *Law Enforcement Policy and Procedures for Reports of Missing and Abducted Children*. This document may be viewed and downloaded by visiting NCMEC's website at www.missingkids.com. From the home page respectively click on the "Training" and "Model Policies" links.

Agency Self-Assessment: Children Missing From Care

Children missing from out-of-home care, such as foster homes, group residences, and facility settings, present law enforcement with issues not normally encountered when a child is reported missing from a traditional home and family. As a result law-enforcement decision-makers need to develop specific policies and procedures to enhance their agency's response to these situations. Listed below are considerations that may be of help to the law-enforcement administrator in the development of those procedures.

- [] Has your law-enforcement agency discussed with your local child-welfare agency the importance of collecting specific biographical information in order to have the critical information needed to complete a missing-person report at the point of intake? As a matter of policy does the child-welfare agency have a recent photo available of the children in its care? Are procedures in place to help ensure this information is available to investigating officers in a timely manner? It may be appropriate to provide blank copies of your agency's Missing Person Report to child-welfare representatives to help ensure complete information is made available to investigating officers.
- [] Do law-enforcement officers have a way to access child-welfare files and an on-call caseworker 24 hours a day 7 days a week?
- [] Has a policy been developed to share information? In addition to being the entity to report the case, these agencies are also typically a government entity with required investigative follow-up responsibilities and mandates.
- [] Do recovery procedures include action by a multidisciplinary team to respond to situations such as the trauma abducted children suffer from or determine the underlying reasons for running away?
- [] Is there an understanding regarding and a plan for responding to media inquiries?
- [] Do policies clearly state the procedure to be followed when a child missing from care is found whether in your jurisdiction or another one?
- [] Do procedures cover actions to take if a child, once recovered, reports inappropriate actions/activities at the facility or home he or she was placed in prior to the missing episode?
- [] Do procedures provide direction for handling a child missing from another jurisdiction or state, when he or she is located in your jurisdiction?⁹⁶

⁹⁶ *Id.*, page 13.

Use of Volunteers in Missing-Child Units

Each year law-enforcement agencies strive to “do more with less,” especially when municipal, county, and state agencies are 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 non-law-enforcement volunteers to bolster resources.

Law-enforcement administrators are realizing the valuable assistance qualified volunteers are able to offer agencies. 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 used 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, recordkeeping, statistical summaries, and clerical case close-out, an agency's limited number of missing children-unit personnel are freed to perform investigative tasks to help speed case resolution.

Another function volunteers may help implement and administer is 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 about child safety. Information about literature to distribute in these settings is available by visiting the “More Publications” section of NCMEC's website at www.missingkids.com.

Volunteer Assigned to Missing-Child Unit: Sample Job-Description Statement

Purpose	To use 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 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 missing-children cases through the supervised efforts of a trained volunteer.
Position Title	"Volunteer Investigative Aide"
Qualifications	Excellent human-relations and communications skills Ability to work 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 work with schools before dismissal, parents/guardians during work hours, and parents/guardians 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 help ensure the completion of proper reports and correct entries into the National Crime Information Center (NCIC) system and any other applicable database or websites. In cases when the missing child returns after having been gone a short period of time, a check will be made to help ensure completion of the proper supplemental reports along with removal from the NCIC system. When the missing child has not returned within a few days it is the volunteer's responsibility to notify the officer assigned to the case so he or she will be able to 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 work with agency's NCIC data-entry person to fully load NCIC Missing Person File with dental and medical records.

An investigator will be immediately apprised when the child

- [] Is 13 years of age or younger
- [] Is out of what is believed to be the zone of safety for his or her age and developmental stage
- [] Has mental or behavioral disabilities
- [] Is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening
- [] Has been absent from home for more than 24 hours before being reported to law enforcement
- [] Is determined to be in a life-threatening situation as based on available information
- [] Is believed to be in the company of an individual who could endanger his or her welfare as based on available information
- [] Is absent in a way inconsistent with his or her established patterns of behavior and the deviation cannot be readily explained
- [] Is determined to be "at-risk" based on other circumstances involved causing a reasonable person to conclude the child should be considered as such

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 to physically search for a missing child. He or she will, however, occasionally meet with others, at the missing-child unit and at the direction of the assigned investigator, to obtain supplemental information concerning specific cases.

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Appendix A: NCIC Missing-Person-File Categories

The National Crime Information Center (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 6 individual classifications, it is extremely important for the reporting officer to accurately assess each case and designate the proper entry category.

Entry Categories (message code key designation)

- **Disability** (MKE/EMD) A person of any age who is missing and under proven physical/mental disability or is senile, thereby subjecting him- or herself or others to personal and immediate danger.
- **Endangered** (MKE/EME) A person of any age who is missing under circumstances indicating his or her physical safety may be in danger.
- **Involuntary** (MKE/EMI) A person of any age who is missing under circumstances indicating the disappearance is not voluntary such as abduction or kidnapping.
- **Juvenile** (MKE/EMJ) A person younger than 18 years of age who is missing and does not meet the entry criteria set forth in other categories.
- **Catastrophe** (MKE/EMV) A person of any age who is missing after a disaster.
- **Other** (MKE/EMO) A person 18 years of age or older not meeting the criteria for entry in any other category who is missing and for whom there is a reasonable concern for his or her safety.

Note: The Adam Walsh Child Protection and Safety Act (Adam Walsh Act, Pub. L. No. 109-248) mandates **NCIC entry must be made by law enforcement within two hours of receipt of a report of a missing or abducted child.**⁹⁷ This replaces the term “immediately” in the National Child Search Assistance Act (NCSAA, 42 U.S.C. §§ 5779 and 5780). The Adam Walsh Act also specifies **a missing or abducted child’s record may not be removed from state⁹⁸ law-enforcement systems or NCIC solely because of age if the child has not yet been recovered.**

In accordance with Suzanne’s Law (U.S.C., Title 42, Chapter 140A), **law enforcement is now required to enter the report of missing 18, 19, and 20 year olds into the NCIC Missing Person File without delay** and conduct an investigation into the young adult’s disappearance. NCMEC recommends in these cases NCIC entry also be made no later than within two hours of report receipt.

Once a child has reached the age of 18, the Juvenile entry code is no longer an option. Information about those who are 18, 19, or 20 years old should be entered using the “Endangered,” “Involuntary,” “Disability,” or “Catastrophe” categories. **If** none of those categories is appropriate, then the “Other” category should be used.

⁹⁷ Current Criminal Justice Information Services guidance regarding this time limit is two hours from the moment the minimum amount of information for NCIC entry has been obtained.

⁹⁸ Unless otherwise noted this guide uses the term “state” to also include American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the U.S. Virgin Islands. The authors have attempted to identify and note any situation in which specific programs, laws, or definitions may not include some or all of these jurisdictions.

Appendix B: NCIC Child-Abduction Flag

The Child-Abduction ("CA") flag was introduced on February 2, 1997, (National Crime Information Center Technical Operational Update 96-6) to notify the National Center for Missing & Exploited Children® and Federal Bureau of Investigation's National Center for the Analysis of Violent Crime (NCAVC) of critical missing-children cases. The "CA" flag is used when there is a reasonable indication or suspicion a child has been abducted and/or is missing under circumstances suggesting foul play or a threat to life. Once the National Crime Information Center's "CA" flag is entered by the law-enforcement agency into the Missing Person File of a record entered with the Endangered or Involuntary message key, both NCMEC and NCAVC are automatically notified.

All questions about NCIC, including those concerning the Missing Person File, may be asked by calling the National Crime Information Center at 304-625-3000 or directing an Nlets message to DCFBIWAQ9.

Appendix C: Victim/Family Data-Collection Questionnaire

SAMPLE			
Case No.	Date Form Completed		
MISSING CHILD			
Last Name	First Name	Middle Initial	
Street Address			
City	State	Zip Code+4	
Home Phone No.	Other Phone/Method of Communication		
Cell Phone No.			
Nicknames/Aliases/Answers To			Nationality
SSN	Date of Birth	Sex	
Age (current)	(when missing)		
Appearance (check one)	Age <input type="checkbox"/>	Older than Age <input type="checkbox"/>	Younger than Age <input type="checkbox"/>
Birth State	City	Birth Hospital/Address	
School Name	Address	Grade	
Employer/Supervisor			
Address		Phone No.	
Place/Point Last Seen			
Date			
Time			
Exact Location			
By Whom			
Hair		Hair Samples Collected From	
Color		Mother	Siblings
Style		Father	Pets
Length		Guardian	Others
Facial	Victim		
Eyes		Teeth	
Color		Appearance	
Vision Rating		Braces (Y/N)	
Glasses		Dentist	
Contacts		Phone No.	
		Address	
Skeletal		Identifying Features	
Stature		Complexion	
Stance		Scars	
Fractures		Birth Marks	

Skeletal		Identifying Features		
Abnormalities		Tattoos		
X-Rays Available From		Right/Left Handed		
Size		Pierced Ears		
Height		Hearing Impaired		
Weight		Speech Impaired		
Size for Age	Small <input type="checkbox"/> Average <input type="checkbox"/>	Accent		
	Large <input type="checkbox"/>	Other Features		
General Description				
Item Type	Style	Size	Color	Description/Comments
Clothing (Describe clothing available or usually worn)				
Coat/Jacket/Rain Gear				
Pants/Skirt				
Shirt/Blouse				
Sweater				
Shoes/Sole Pattern				
Socks				
Hat				
Gloves				
Belt				
Additional Clothing				
Equipment				
Item Type	Style	Size	Color	Description/Comments
Map				
Compass				
GPS				
Flashlight				
Stove/Matches				
Tent				
Whistle				
Backpack				
Additional Equipment				
Food and Beverage Type/Brand/Quantity				
Other				
Additional Items With Child				
Purse/Wallet		Jewelry		

Additional Information			
Religion		Nontraditional Religious Activity	
Gang Member		Gang Name	
Hobbies			
Occupation		Trade License	
Key Contact		Phone No.	
Identification			
Driver's License (D.L.) No.		State	Immigration No.
Military ID No.		Passport/Visa No.	
Available Funds			
Cash	Checks	Credit-Card Issuer	
Card-Holder Name		Account No.	
Name of Bank/Account Holder		Account No.	
Balance			
Medical			
Medication		Prescribed For	
Prescription Expires		Disability	Blood Type
Pregnant	Uses Illegal Drugs	Type	
Uses Alcohol/Extent		Allergies	
Doctor		Street Address	City
State	Zip Code+4	Phone No.	
Fitness Level			
Ability to Swim			
Smoker (Y/N)		Brand	
Mental Condition			
Mental Attitude		Depressed	
Despondent		Changes in Behavior	
Peer Relationships		Family Problems	
Fear/Phobias		Other	
Prior Episodes			
Missing Before (Y/N)		Where Recovered	
Identification Methods			
Footprints Available		Date Taken	
Fingerprints Available		Date Taken	
Fingerprint Class (NCIC)			
Photo Available		Date Taken	

Vehicle			
Owner		Relationship	
Address		Make	
Model	Year	Type/Style	Color
Condition	Tag No.	State	VIN No.
Other Information			
History of Custody Orders		History of Court Involvement Such as Arrests	
Knowledge of Survival Skills		Possible Destination	
Why Believe That is Possible Destination?			
Last Seen By			
Name		DOB	Age
Street Address		City	State
Zip Code+4	Phone No.	Relationship/Circumstances	
Date Last Seen		Location Last Seen	
In the Company of		Comments	
WITNESSES			
Name		DOB	Age
Street Address		City	State
Zip Code+4	Phone No.	Relationship/Circumstances	
Date Last Seen		Location Last Seen	
In the Company of		Comments	
Name		DOB	Age
Street Address		City	State
Zip Code+4	Phone No.	Relationship/Circumstances	
Date Last Seen		Location Last Seen	
In the Company of		Comments	
Name		DOB	Age
Street Address		City	State
Zip Code+4	Phone No.	Relationship/Circumstances	
Date Last Seen		Location Last Seen	
In the Company of		Comments	
Name		DOB	Age
Street Address		City	State
Zip Code+4	Phone No.	Relationship/Circumstances	
Date Last Seen		Location Last Seen	
In the Company of		Comments	

ACQUAINTANCES/FRIENDS/BOYFRIENDS/GIRLFRIENDS

Name		DOB	Age
Relationship		Street Address	
City	State	Zip Code+4	Phone No.
Comments			
Name		DOB	Age
Relationship		Street Address	
City	State	Zip Code+4	Phone No.
Comments			
Name		DOB	Age
Relationship		Street Address	
City	State	Zip Code+4	Phone No.
Comments			
Name		DOB	Age
Relationship		Street Address	
City	State	Zip Code+4	Phone No.
Comments			
Name		DOB	Age
Relationship		Street Address	
City	State	Zip Code+4	Phone No.
Comments			
Name		DOB	Age
Relationship		Street Address	
City	State	Zip Code+4	Phone No.
Comments			

IMMEDIATE FAMILY**Mother**

Name		DOB	Age
Street Address			City
State	Zip Code+4	Phone No.	
SSN	D.L. No.	Passport No.	
Occupation/Employer		Biological/Step/Adoptive	
Other Information			

Father

Name		DOB	Age
Street Address			City
State	Zip Code+4	Phone No.	
SSN	D.L. No.	Passport No.	
Occupation/Employer		Biological/Step/Adoptive	
Other Information			

Guardian			
Name		DOB	Age
Street Address		City	
State	Zip Code+4	Phone No.	
SSN	D.L. No.	Passport No.	
Occupation/Employer		Biological/Step/Adoptive/Relative	
Other Information			
Guardian			
Name		DOB	Age
Street Address		City	
State	Zip Code+4	Phone No.	
SSN	D.L. No.	Passport No.	
Occupation/Employer		Biological/Step/Adoptive/Relative	
Other Information			
Sisters			
Name		DOB	Age
Street Address		City	
State	Zip Code+4	Phone No.	
SSN	D.L. No.	Passport No.	
Occupation/Employer		Biological/Step/Adoptive	
Other Information			
Name		DOB	Age
Street Address		City	
State	Zip Code+4	Phone No.	
SSN	D.L. No.	Passport No.	
Occupation/Employer		Biological/Step/Adoptive	
Other Information			
Brothers			
Name		DOB	Age
Street Address		City	
State	Zip Code+4	Phone No.	
SSN	D.L. No.	Passport No.	
Occupation/Employer		Biological/Step/Adoptive	
Other Information			
Name		DOB	Age
Street Address		City	
State	Zip Code+4	Phone No.	
SSN	D.L. No.	Passport No.	
Occupation/Employer		Biological/Step/Adoptive	
Other Information			

MOTHER'S SIDE OF FAMILY AS RELATED TO CHILD**Grandmother**

Name	DOB	Age
Street Address	City	
State	Zip Code+4	Phone No.
SSN	D.L. No.	Passport No.
Occupation/Employer	Other Information	

Grandfather

Name	DOB	Age
Street Address	City	
State	Zip Code+4	Phone No.
SSN	D.L. No.	Passport No.
Occupation/Employer	Other Information	

Aunts

Name	DOB	Age
Street Address	City	
State	Zip Code+4	Phone No.
SSN	D.L. No.	Passport No.
Occupation/Employer	Other Information	

Name	DOB	Age
Street Address	City	
State	Zip Code+4	Phone No.
SSN	D.L. No.	Passport No.
Occupation/Employer	Other Information	

Uncles

Name	DOB	Age
Street Address	City	
State	Zip Code+4	Phone No.
SSN	D.L. No.	Passport No.
Occupation/Employer	Other Information	

Name	DOB	Age
Street Address	City	
State	Zip Code+4	Phone No.
SSN	D.L. No.	Passport No.
Occupation/Employer	Other Information	

FATHER'S SIDE OF FAMILY AS RELATED TO CHILD**Grandmother**

Name	DOB	Age
Street Address	City	

State	Zip Code+4	Phone No.
SSN	D.L. No.	Passport No.
Occupation/Employer	Other Information	
Grandfather		
Name	DOB	Age
Street Address	City	
State	Zip Code+4	Phone No.
SSN	D.L. No.	Passport No.
Occupation/Employer	Other Information	
Aunts		
Name	DOB	Age
Street Address	City	
State	Zip Code+4	Phone No.
SSN	D.L. No.	Passport No.
Occupation/Employer	Other Information	
Name	DOB	Age
Street Address	City	
State	Zip Code+4	Phone No.
SSN	D.L. No.	Passport No.
Occupation/Employer	Other Information	
Uncles		
Name	DOB	Age
Street Address	City	
State	Zip Code+4	Phone No.
SSN	D.L. No.	Passport No.
Occupation/Employer	Other Information	
Name	DOB	Age
Street Address	City	
State	Zip Code+4	Phone No.
SSN	D.L. No.	Passport No.
Occupation/Employer	Other Information	
GUARDIAN'S SIDE OF FAMILY AS RELATED TO CHILD		
Grandmother		
Name	DOB	Age
Street Address	City	
State	Zip Code+4	Phone No.
SSN	D.L. No.	Passport No.
Occupation/Employer	Other Information	

Grandfather			
Name		DOB	Age
Street Address		City	
State	Zip Code+4	Phone No.	
SSN	D.L. No.	Passport No.	
Occupation/Employer		Other Information	
Aunts			
Name		DOB	Age
Street Address		City	
State	Zip Code+4	Phone No.	
SSN	D.L. No.	Passport No.	
Occupation/Employer		Other Information	
Name		DOB	Age
Street Address		City	
State	Zip Code+4	Phone No.	
SSN	D.L. No.	Passport No.	
Occupation/Employer		Other Information	
Uncles			
Name		DOB	Age
Street Address		City	
State	Zip Code+4	Phone No.	
SSN	D.L. No.	Passport No.	
Occupation/Employer		Other Information	
Name		DOB	Age
Street Address		City	
State	Zip Code+4	Phone No.	
SSN	D.L. No.	Passport No.	
Occupation/Employer		Other Information	

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National Center for Missing & Exploited Children

The National Center for Missing & Exploited Children® (NCMEC) was established in 1984 as a private, nonprofit organization. Per 42 U.S.C. § 5773 and other federal statutes NCMEC is authorized by Congress to perform 19 core functions including the operation of a national, 24-hour, toll-free phone line by which individuals may report information regarding the location of a missing child and request information about the procedures necessary to reunite a child with his or her legal custodian; operation of the national resource center and information clearinghouse for missing and sexually exploited children; provision of technical assistance and training in the prevention, investigation, prosecution, and treatment of cases involving missing and sexually exploited children; and operation of a CyberTipline® for reporting Internet-related, child sexual exploitation.

A 24-hour, toll-free phone line, **1-800-THE-LOST® (1-800-843-5678)**, is available in Canada and the United States for those who have information regarding missing and sexually exploited children. The “phone free” number is 001-800-843-5678 when dialing from Mexico and 00-800-0843-5678 when dialing from many other countries. For a list of other toll-free numbers available when dialing from specific countries visit www.missingkids.com, and from the home page respectively click on the “More Services” and “24-Hour Hotline” links. The CyberTipline is available worldwide for online reporting of these crimes at www.cybertipline.com. The TTY line is 1-800-826-7653. The NCMEC business number is 703-224-2150. The NCMEC fax number is 703-224-2122. The NCMEC website address is www.missingkids.com.

For information about the services offered by NCMEC’s other offices, call them directly in California at 714-508-0150, Florida at 561-848-1900, New York/Buffalo at 716-842-6333, New York/Mohawk Valley at 315-732-7233, New York/Rochester at 585-242-0900, and Texas at 512-465-2156.

To learn more about the existence and nature of other programs being carried out by federal agencies to assist missing and sexually exploited children and their families visit www.ncjrs.gov or call 1-800-851-3420 to obtain *Federal Resources on Missing and Exploited Children* (NCJ 231619).

A number of NCMEC publications, addressing various aspects of the missing- and sexually exploited-child issue, are available free-of-charge in single copies by contacting the



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