Child Abduction Response Teams:

Organization & Benefits of Local Teams vs. State or Federal Teams

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Abstract

Statement of the Problem

Child abductions are happening all too often everywhere around the nation. When children go missing it is of the outmost importance to try and bring the child home safely and quickly. The importance of response time is crucial. Child Abduction Response Teams (C.A.R.T.) aid in bringing an abducted child home safely; and in order to have the chance for a successful resolve, these teams need to be assembled and in the area quickly. Agencies that utilize state and federal response teams may not get that quick response needed to bring the child home quickly. Therefore, it is important that jurisdictions establish C.A.R.T. programs at the local level and train their personnel to become experts in the specific areas needed within the team.

Method of Approach

Secondary data from accredited journals, textbooks, agency websites, and government reports collected help provide recommendations for implementation of local CART programs. It does so by examining current local, county, state, and federal C.A.R.T. programs. Statistics on abductions and missing children are examined to determine impact of response time and specialized units on finding the children and capturing the offenders. The selection of C.A.R.T. personnel is also examined to determine the best make-up of the team for successful outcomes. All of this is done to provide the professionalism and expertise needed to establish a successful C.A.R.T program.

Results of the Study

Child Abduction Response Teams- Benefits of Local Teams

Child Abduction Response Teams are gradually becoming more numerous around the country. Assembling and establishing a C.A.R.T. as soon as possible is important to the safe return of an abducted child. Statistics gathered show that each State does not have its own certified C.A.R.T. Therefore, every effort to become familiar with the closest C.A.R.T. program is necessary as well as having procedures in place to prepare for an event in every jurisdiction.

As a result of the study, the following are recommendations that may assist local, state, and the federal government in safely bringing home abducted and missing children. 1. Establish more Child Abduction Response Teams and more Child Abduction Rapid Deployment teams.

2. Assign a central agency to be responsible for creating more C.A.R.T programs versus just monitoring them. 3. Require agencies to track response times, and 4. Create a better system that would allow entry of missing and abducted children criteria in a central database which could be viewed easier than going into each state's website.

Keywords: Victimization, thrownaways, Amber Alert, Team Adam, non-family abduction, regional C.A.R.T

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Chapter 1 Introduction

Introduction

Detailed coverage of high-profile cases, such as the Danielle van Dam, Elizabeth Smart, Samantha Runnion, and Erica Pratt abductions, understandably evokes fear and anger from parents and the general public alike. According to Miller, Kurlycheck, Hansen, and Wilson (2008), such societal reaction is not surprising as the essential narrative of child predation, especially young girls, is rooted in numerous fairy tales and myths (e.g., Hansel and Gretel, Little Red Riding Hood, and Andromeda) and provides journalists and other observers a context for addressing a complex issue involving a mix of cautionary instruction, vulnerability, sexual menace, and parental obligation unfulfilled (Miller, Kurlycheck, Hansen, & Wilson, 2008). However, these cases are not representative of the scientific findings regarding missing or abducted children in America and are misleading regarding the complexities that have been shown to exist (Miller, et al., 2008).

While child abduction is frequently sensationalized, exaggerated, and thus misunderstood, the myth of an epidemic does little to alleviate concern at the family level and widespread conventional beliefs about abduction that have developed (Miller, et al., 2008). Foremost among these are frightful scenarios involving strangers, long distances, long durations, and life-threatening situations (Miller et al., 2008). The only thing more terrifying and traumatic than a child abduction is the murder of an abducted child. To compound the problem, child abduction murders are incredibly difficult to solve and deeply impact law enforcement officials involved in the investigation (Brown & Keppel, 2007).

Abductions which result in a child's death present great investigative and emotional obstacles for law enforcement officers. The rarity of child abduction murders, even among criminal homicides, and their complex, emotion-laden, high profiles are extremely difficult to investigate (Brown & Keppel, 2007).

Statement of the Problem

Child abduction is a nationwide and an international problem. Studies show that children are murdered in 40 percent of "stereotypical" abductions and not recovered in an additional 4 percent of abductions (Brown & Keppel, 2007). A stereotypical abduction would consist of the classic case of kidnapping, where the child is detained, transported some distance, held for ransom or with intent to keep the child permanently. Fortunately, these occurrences are rare. Approximately 40–150 incidents of child abduction murder occur across the nation each year. This figure is less than one half of one percent of all murders committed in this country every year. Previous studies have shown that in 74–76 percent of abducted child cases, the child was killed in less than three hours. Studies have also shown that 22 percent of the children were still alive at the time they were reported missing (Brown & Keppel, 2007).

Research has shown that typically a suspect is in custody within 24 hours in 66 percent of murder cases. Further research indicates that if a murder is not solved within 48 hours, the solvability of the murder decreases dramatically. It is clear that time and distance are critical factors in case solvability, yet little empirical research has been conducted in this area (Brown & Keppel, 2007).

When these horrific events occur, it is of the utmost importance to begin searching and investigating the abduction as soon as possible to bring the child home alive and safe. Agencies rely on state and federal Child Abduction Response Teams (C.A.R.T.) to assist with the

investigation. Without establishing a local C.A.R.T. program, the response time for state and federal teams can be too long when families and authorities are looking for children who have been abducted, and the risk of not finding the abducted child increases, thus decreasing the chance the child may be found alive.

Purpose of the Study

Time is critical for resolution to all criminal acts; however, child abductions and missing children cases are of the utmost importance. Today with the proper training, local agencies along with partners in the law enforcement field can establish a team with expertise in the different areas of an abducted or missing child investigation. The C.A.R.T. would then be able to respond quickly to the location of the incident and begin the investigation immediately. If county-wide C.A.R.T. teams were established throughout the nation, missing and abducted children could have a better chance to be found alive by the quicker responses versus the state C.A.R.T. offered for a missing or abducted child, which takes time to get a team together and time to respond.

The Protect Act of 2003, informally known as the Amber Alert, is a comprehensive package whose main goal is the swift transmission of information and the ultimate safe return of the abducted children. The foundation of the alert mirrors that of child abduction investigations, which is the belief that as more time elapses, the likelihood of recovering a missing child decreases. Consequently, the notion of "beating the clock" is of primary importance (Zgoba, 2004, p. 74).

According to a 2002 federal study on missing children, 99.8 percent of children reported missing were located or returned home alive. The remaining 0.2 percent either did not return home or were not found (Office of the Inspector General, 2009). The study estimated that most

missing children cases involved runaways from juvenile facilities and that only an estimated 0.0068 percent were true kidnappings by a stranger. The primary conclusion of the study was that child abductions perpetrated by strangers rarely occur. However, when they do occur, the results can be tragic (Office of the Inspector General, 2009).

The Washington State Attorney General's Office also conducted research on child abduction murders and made the following observations based on its review of over 775 cases between 1968 and 2002:

- > in 76 percent of the murders of an abducted child, the child was murdered within three hours of the abduction;
- > in 89 percent of the cases, the missing child died within 24 hours of disappearing;
- > in nearly 60 percent of the cases, more than two hours passed between the time someone realized the child was missing and the time police were notified; and
- the primary motive for the abductor was sexual assault (Office of the Inspector General, 2009).

These findings demonstrate that despite the low rate of child abduction murders, law enforcement needs to act quickly in investigating reports of missing children. Specifically, law enforcement agencies must have a notification system in place to receive and share reports of missing children, and law enforcement agencies must sufficiently coordinate to ensure adequate resources are available and effectively utilized in the search for missing children (Office of the Inspector General, 2009).

Significance and Implication

This research paper will serve as a tool for local governmental agencies to look at establishing a C.A.R.T. program in their jurisdictions and whether the personnel they have

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available would be able to deal with child abductions or a missing person incident. This research may also aid in educating local jurisdictions to what is needed for C.A.R.T. training in the specialized divisions in order to establish that C.A.R.T. program in their own community.

Method of Approach

Secondary data from accredited journals, textbooks, agency websites, and government reports will be collected to help provide recommendations for implementation of local C.A.R.T. programs. It will do so by examining current local, county, state, and federal C.A.R.T. programs. Statistics on abductions and missing children will also be examined to determine impact of response time and specialized units on finding the children and capturing the offenders. The selection of C.A.R.T. personnel will also be examined to determine the best make-up of the team for successful outcomes.

Chapter 2

Literature Review

Literature Review

The following literature review is divided into several parts. The first section defines what criteria is used in defining missing and abducted children, the second section reviews the history of child abduction, the scope of the problem, and what the government is doing to help with missing children laws. The third section describes how law enforcement becomes involved once they receive a report of a missing or abducted child, and the fourth and final section describes a C.A.R.T. program.

Each state has their own definition of missing and abducted children and their own criterion that is needed to enter the child as missing or abducted. According to 42 United States Code S § 5772, [Title 42- The Public Health and Welfare; Chapter 72. Juvenile Justice and Delinquency Prevention; Missing Children], the term "missing child" means any individual less than 18 years of age whose whereabouts are unknown to such individual's legal custodian ("Missing child law...", n.d.).

According to Wisconsin State Statute 48.02(2) a child is described as a person who is less than 18 years of age, except that for purposes of investigating or prosecuting a person who is alleged to have violated a state or federal criminal law or any civil law or municipal ordinance, "child" does not include a person who has attained 17 years of age ("Chapter 48...", 2015).

Anytime a child has runaway or gone missing, a report can be made to a law enforcement agency. Agencies can also assist in determining what actions need to be taken if a parent or guardian is not sure what to do. Sometimes parents may postpone reporting their child missing to the police because they are afraid of giving their child a "record," which can waste precious

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time in locating their child source. By notifying the police, officers are able to keep an eye out for the child and notify the parent/guardian if contact is made.

The spectrum of "missing children" events is quite broad, ranging from very small children who are abducted by family members, to older children abducted by strangers, to teenagers who voluntarily leave home, to children who are just "misplaced" for periods of time (e.g., lost in a store, inexplicably late arriving home from school and the like) (Plass, 2007). Young children are at higher risk for family related crimes (e.g., physical abuse) while older children have higher risk of assaults outside of the family, often at the hands of peers. In missing child events a similar pattern appears (Plass, 2007).

During the late 1980s, advocacy groups intensively lobbied Congress and the federal government for more action on the problem of missing children (Best, 1990). These advocates focused most of their concern on the victims of foul play—children who had been abducted by strangers or family members. Soon, however, runaway children also were included in the formulation of the problem, in part because they were so numerous and added to the numbers, and in part because they were not always easy to distinguish from the victims of foul play. Thus, in the legislation defining the federal response to the problem, so-called missing children were officially subdivided into three main groups—children abducted by strangers, those abducted by family members, and those who ran away voluntarily (Finkelhor, Asdigian, & Hotaling, 1996).

Runaway

Runaways constitute the majority of missing children. Often they are considered delinquents, rebels, and troublemakers. However, these children are usually not running *to* something, but rather *away* from a situation which they feel are intolerable. What is important to remember is that runaways do not represent short-term crises. Long-term physical, emotional,

and/or sexual abuse is common in runaway cases, and simply returning a runaway to his or her home may not be an appropriate resolution (Carbia-Puig, Hilgeman, & Morris, 2000).

Parents and caregivers searching for children who have run away should contact the police immediately. Friends of the runaway child should also be contacted, as they may be able to offer parents and authorities information on the whereabouts of the child. If a runaway child seeks shelter, many shelters mandate that a child contact their parents upon arrival (Carbia-Puig, et al., 2000). This requirement to notify parents of a runaway at a shelter varies from state to state.

According to the state of Washington as of 2013, any person, unlicensed youth shelter, or runaway and homeless youth program that, without legal authorization, provides shelter to a minor and that knows at the time of providing the shelter that the minor is away from a lawfully prescribed residence or home without parental permission, shall promptly report the location of the child to the parent, the law enforcement agency of the jurisdiction in which the person lives, or the department ("Providing shelter to minor..." 2013).

According to Wisconsin statutes, the Department of Health and Family Services has the power to license shelter care and child care facilities. Wis. Stat. § 48.48 (2011). Within 12 hours of admitting a runaway youth into its care, a runaway home must contact an intake worker and notify the intake worker of the youth's whereabouts. The intake worker must then attempt to contact the youth's guardian as soon as possible. Wis. Stat. § 48.227 (2011). A runaway youth may not be removed from a runaway home without court order. If a runaway youth's guardian does not consent to the runaway home's temporary care, then a hearing must be held in court to determine if the youth must return home or may remain in the shelter for a time period not to exceed 20 days. Wis. Stat. § 48.227 (2011) (Balke, 2010).

If a licensed overnight youth shelter, or another licensed organization with a stated mission to provide services to homeless or runaway youth and their families, shelters a child and knows at the time of providing the shelter that the child is away from a lawfully prescribed residence or home without parental permission, it must contact the youth's parent within seventy-two hours, but preferably within 24 hours, following the time that the youth is admitted to the shelter or other licensed organization's program. The notification must include the whereabouts of the youth, a description of the youth's physical and emotional condition, and the circumstances surrounding the youth's contact with the shelter or organization. If there are compelling reasons not to notify the parent, the shelter or organization must instead notify the department ("Providing shelter to minor..." 2013).

In contrast to abducted children, runaway children were often viewed by society as discipline problems best handled by parents, schools, and social service agencies (Brown & Keppel, 2007). Law enforcement agencies imposed waiting periods for the filing of a missing person report or would refuse to take the report. In the 1970s, children who ran away were frequently classified as "status" offenders, and in the mid-1970s, secure detention was used by the police to secure a habitual runaway (Brown & Keppel, 2007).

According to Minnesota law, a runaway means an unmarried child under the age of 18 years who is absent from the home of a parent or other lawful placement without the consent of the parent, guardian, or lawful custodian (2014 Minnesota Statutes, 2014). Whereas Wisconsin defines runaway as a child who is absent from the home of his or her parent or guardian without the consent of the parent or guardian and who does not intend to return to that home (Wisconsin Legislature (n.d.).

There are many reasons children run away from home. Approximately 2.8 million children in the United States run away from home each year, and one out of every seven youths will run away sometime before age 18. Research suggests that teenage runaways often leave home to avoid further physical or sexual abuse (Min Jung, Tajima, Herrenkohl, & Bu, 2009).

Runaway youths and their caregivers were surveyed in four mid-western states. They found that, while growing up, the boys (33 percent) and the girls (30 percent) who ran away had been hit with an object, and 18 percent of the girls had been sexually abused by an adult caregiver. Youth self-reports showed rates of abuse to be even higher: 65 percent of boys and 70 percent of the girls who ran away indicated they had been hit with an object, and 30 percent of the girls had been sexually abused (Min Jung et al., 2009).

Throwaways

More than half of the children who are classified as runaways could be described more accurately as "throwaways." Children who are considered "throwaways" are abandoned, told to leave by a caregiver, or are not allowed to return home once they have left. Many throwaways come from lower socio-economic backgrounds. In comparison to children who have run away, throwaway children are twice as likely to have experienced domestic violence in the home (Carbia-Puig et al., 2000). The total number of throwaway children is impossible to estimate. They surface frequently in juvenile detention centers or among the homeless. Often, the only way these children can be accounted for is through shelters where they seek help, as they are rarely reported as missing by parents or caregivers (Carbia-Puig et al., 2000). In some cases, such as throwaways, the concept of "missingness" was problematic because these parents may not even have been searching for their children (Finkelhor, Asdigian & Hotaling, 1996).

Missing children, runaways, have sometimes been referred to as the "voluntary missing," to distinguish them from abducted and lost children. However, this term misstates the nature and complexity of the problem. It is generally recognized that children who leave home prematurely often do so as a result of intense family conflict or even physical, sexual, or psychological abuse. Children may leave to protect themselves or because they are no longer wanted in the home. The term "voluntary" does not properly apply to such situations (NISMART Bulletin: Runaway - Thrownaway...2002).

To represent this complexity, National Incidence Studies of Missing, Abducted, Runaway and Throwaway Children (NISMART) employed the concept of thrownaway youth to characterize young people who were forced out of their homes or were refused permission to return. NISMART presented separate estimates for the incidence of runaways and thrownaways. However, according to NISMART (2002), further analysis of findings suggested that the distinction between runaways and thrownaways was less than clear cut. Many youth had both kinds of episodes, and many individual episodes had both runaway and thrownaway elements. Moreover, the categorization of an episode frequently depended on whether information was gathered from the youth, who tended to emphasize the thrownaway aspects of the episode, or the caretakers, who emphasized the runaway aspects (NISMART Bulletin: Runaway/Thrownaway...2002).

Runaway/thrownaway episodes can vary a great deal in their seriousness and dangerousness. The stereotype of the runaway is often of youth roaming and sleeping on the streets of a large city such as New York or San Francisco, preys to pimps, drug dealers, and violent crime. However, not all runaway/thrownaway youth are at such peril. At the other end of

the spectrum, some youth leave and go to the homes of friends and relatives, where they may be well cared for (NISMART Bulletin: Runaway/ Thrownaway... 2002).

NISMART characterized the seriousness of runaway/ thrownaway episodes according to whether the youth had a secure and familiar place to stay during the episode. However, the practice among those concerned about the well-being of runaways and thrownaways increasingly has moved to identify a longer and more specific list of factors that signify harm or risk for harm during such episodes (NISMART Bulletin: Runaway/Thrownaway...2002).

Kidnapping

According to United States Criminal Code Title 18, Kidnapping is defined as: (a) whoever unlawfully seizes, confines, inveigles, decoys, kidnaps, abducts, or carries away and holds for ransom or reward or otherwise any person, except in the case of a minor by the parent thereof, when

- the person is willfully transported in interstate or foreign commerce, regardless of
 whether the person was alive when transported across a State boundary, or the
 offender travels in interstate or foreign commerce or uses the mail or any means,
 facility, or instrumentality of interstate or foreign commerce in committing or in
 furtherance of the commission of the offense;
- any such act against the person is done within the special maritime and territorial jurisdiction of the United States;
- any such act against the person is done within the special aircraft jurisdiction of the
 United States as defined in section 46501 of title 49;
- 4. the person is a foreign official, an internationally protected person, or an official guest as those terms are defined in section 1116(b) of this title;

5. the person is among those officers and employees described in section 1114 of this title and any such act against the person is done while the person is engaged in, or on account of, the performance of official duties, shall be punished by imprisonment for any term of years or for life and, if the death of any person results, shall be punished by death or life imprisonment... ("Kidnapping", n.d.).

History of Missing and Abducted Children

According to Brown and Keppel (2007), the first public instance of child abduction in America occurred in 1874. Charley Ross was abducted from his home; a ransom note left in his place. Despite numerous attempts to find the child, the four-year-old was never recovered and was eventually presumed dead. Before the abduction of Charley Ross, there was no public expectation that children would be kidnapped (Brown & Keppel, 2007).

The publicity resulting from the abduction took months to reach the general public; however, posters, telegrams, and word of mouth soon made the story of Charley Ross common knowledge. The public outcry after the infamous abduction, along with the Lindbergh kidnapping case in 1932, led to the creation of the Federal Kidnapping Act 18 U.S.C. § 1201 in 1932. For the first time, kidnapping became a crime, and Americans were forced to realize that there are evil-doers within their society (Brown & Keppel, 2007).

Missing children is not just a problem in the United States, but it is a problem across the entire world. The Smile of the Child runs the Greek Centre for Missing & Exploited Children. The Association is on the Board of the International Centre for Missing & Exploited Children (ICMEC) and of Missing Children Europe (MCE). The Greek National Regulators have assigned the European Hotline for Missing Children "116 000" to the Association. Upon the request of the Greek National Police, the Greek Centre is also responsible for activating AMBER

Alert Hellas, the public emergency broadcast system. The Centre receives tips and information on missing children, often anonymously. This information is sent to police for investigation ("Greece..." 2010).

The Greek Centre for Missing Children legally assists in all cases of missing children, including stranger abductions, parental abductions, unescorted minors or victims of trafficking, runaways, and lost children. From the 96 cases of missing children that the Association dealt with in 2008:

- > Four cases required the activation of the AMBER Alert system (emergency public broadcast system)
- > Fourteen cases required publicity and media attention.
- > Thirteen cases small posters were created and distributed in police stations and police cars.
- Ten cases had secondary distribution (media release and poster campaign)

Refer to Appendix A for graphs illustrating the percentage of Children Located vs. Children Still Missing in 2008, a chart of cases of Missing by age and Gender, and a graph illustrating the percentage by Age Category of Missing Children ("Greece..." 2010).

➤ In 1968, the Uniform Child Custody Jurisdiction Act (UCCJSA) was enacted because Americans are a mobile people who seldom stay in one state. Child custody disputes between parents, which arise when there is a divorce or when unmarried biological parents want to have custody adjudicated in a court, are impacted by that very mobility ("Child custody jurisdiction…"2015).

According to the Uniform Law Commission (2015), when parents and children live and have lived in one state, the courts of that state may take jurisdiction over any child custody matter without question. However, it is common for a parent to live in a

- different state from the one in which the other parent and the child live. Therefore more than one state may have the power to adjudicate a dispute between them. If more than one state does exercise its power, the competing decisions simply confuse, rather than conclude, the dispute ("Child custody jurisdiction…"2015). Over time, the government began to establish laws to aid in prevention of this problem.
- In 1974, the U.S. Congress passed the Juvenile Justice and Delinquency Prevention Act (JJDPA, 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 JJDPA, referred to as the Runaway and Homeless Youth Act (RHYA) of 1974, also became part of the JJDPA (42 U.S.C. §§ 5701 *et seq.*). This Act provided for non-secure facilities where youngsters in need received safe shelter, counseling, and education until an effective family reunion could be accomplished (Lowery & Findlay, 2011).
- ➤ 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 (Lowery & Findlay., 2011).
- ➤ In 1980 the Parental Kidnapping Prevention Act of 1980 (PKPA) (28 U.S.C. § 1738A) was enacted for providing for civil remedies; this Federal Act gives jurisdictional priority to the child's home state in parental abduction cases where conflicts arise between two

states. It extends the Federal Fugitive Felon Act to cases in which a child has been taken out of a state where that act would constitute a felony, thus enabling the FBI to investigate. It also authorizes certain person's access to the Federal Parent Locator Service for purposes of identifying the whereabouts of a parentally abducted child (Grasso, Sedlak, Chiancone, Gragg, Schultz, & Ryan, 2001).

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 (Lowery & Findlay., 2011).

The Missing Children's Act of 1982 (MCA) (28 U.S.C. § 534(a)) was enacted and required the Federal Bureau of Investigation (FBI) to enter descriptive information on missing children into the National Crime Information Center (NCIC) database, a computer database with information on missing persons that can be accessed by law enforcement agencies nationwide (Grasso et al, 2001).

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 or guardians. The MCA announced that the federal government viewed the protection of missing children as a priority issue (Lowery & Findlay., 2011).

- ➤ In 1983, missing-person investigators acquired a significant resource when NCIC inaugurated the Unidentified Person File. 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 (Lowery & Findlay., 2011).
- In 1984, the Missing Children's Assistance Act (42 U.S.C. §§ 5771 et seq.) was enacted and reauthorized in 1988, 1992, and 1999. This Act resulted in the establishment of the National Center for Missing and Exploited Children (NCMEC). NCMEC serves as a national resource center on missing children, providing support to criminal justice system personnel and aggrieved parents as they seek to identify and recover missing children, including those who have been abducted by a parent. It operates a toll-free hotline, provides technical assistance to law enforcement personnel in the field, and educates the public and others on relevant issues (Grasso et al, 2001).
- The National Child Search Assistance Act of 1990 (42 U.S.C. § 5780) required that state and local law enforcement agencies immediately enter information on missing children younger than 18 into the NCIC database and prohibits such agencies from maintaining any waiting period prior to taking a report of a missing child (Grasso et al, 2001).

- ➤ In 1997, the Uniform Child-Custody Jurisdiction and Enforcement Act (UCCJEA) were enacted. The Act was adopted unanimously by the National Conference of Commissioners on Uniform State Laws in 1997 and approved by the American Bar Association in 1998, amends UCCJA to bring it into conformity with the Parental Kidnapping Prevention Act. UCCJEA also clarifies jurisdictional provisions of UCCJA that courts have interpreted inconsistently across the country. As of January 2001, 22 states had enacted UCCJEA (Grasso et al, 2001).
- ➤ In 1998, the Hague Convention on the Civil Aspects of International Child Abduction was ratified by the United States. The Convention is an international treaty currently in effect in 43 countries. It serves to simplify and expedite the return process when children have been abducted internationally. The Convention's implementing procedures can be found in the International Child Abduction Remedies Act (42 U.S.C. §§ 11601 et seq.). In 1993, the United States also passed the International Parental Kidnapping Crime Act (18 U.S.C. § 1204), making the abduction or retention of a child from the United States a felony (Grasso et al, 2001).
- ➤ In 2000, a significant enhancement in that resource was obtained 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 (Lowery & Findlay., 2011).

The topic of "missing children" emerged in 1981 as a national social problem. There were no single reliable sources of information regarding missing children in the United States prior to 1988. As more and more abduction incidents are reported, there is a heightened concern over child abduction and that has affected a series of criminal justice system policy responses, most notably the Amber Alert system and, more recently, the 2006 Uniform Child Abduction Prevention Act, that, while bettering the prospects for effectively addressing the problem, raises fundamental questions concerning the measurement and empirical nature of abduction (Miller et al., 2008).

Child custody orders have a quality that exaggerates the problem. They are modifiable orders, subject to reconsideration and change, until the children subject to them reach the age of majority. Circumstances may change between the parties governed by an order and that may require a court to change the order - to modify it ("Child custody jurisdiction..." 2015).

According to Bilich (2013), the first step in protecting a child from potential abductors is to know what the situation entails. Bilich shares some important and potentially surprising facts about child abductions in the United States:

- > Every 40 seconds in the United States, a child becomes missing or is abducted.
- > In 2001, 840,279 people (adults and children) were reported missing to the FBI's National Crime Information Center (NCIC). The FBI estimates that 85 to 90 percent of those (roughly 750,000 people or 2,000 per day) reported missing were children. The vast majority of these cases are resolved within hours.
- > Based on the identity of the perpetrator, there are three distinct types of kidnapping: kidnapping by a relative of the victim or "family kidnapping" (49 percent), kidnapping by

- an acquaintance of the victim or "acquaintance kidnapping" (27 percent), and kidnapping by a stranger to the victim or "stranger kidnapping" (24 percent).
- Acquaintance kidnapping involves a comparatively high percentage of juvenile perpetrators, has the largest percentage of female and teenage victims, is more often associated with other crimes (especially sexual and physical assault), occurs at homes and residences, and has the highest percentage of injured victims.
- Stranger kidnapping victimizes more females than males, occurs primarily at outdoor locations, victimizes both teenagers and school-age children, is associated with sexual assaults in the case of girl victims and robberies in the case of boy victims (although not exclusively so), and is the type of kidnapping most likely to involve the use of a firearm.
 Refer to Appendix A for a graph showing the breakdown of family relationships responsible for abductions.
- Only about one child out of each 10,000 missing children reported to the local police is not found alive. However, about 20 percent of the children reported to the National Center for Missing and Exploited Children in nonfamily abductions are not found alive.
- > In 80 percent of abductions by strangers, the first contact between the child and the abductor occurs within a quarter mile of the child's home.
- Most potential abductors grab their victims on the street or try to lure them into their vehicles.
- About 74 percent of the victims of nonfamily child abduction are girls.
- > Acting quickly is critical. Seventy-four percent of abducted children who are ultimately murdered are dead within three hours of the abduction.
- > One in five children 10 to 17 years old receives unwanted sexual solicitations online.

➤ In a 1998 study of parents' worries by pediatricians at the Mayo Clinic in Rochester,

Minnesota, nearly three-quarters of parents said they feared their children might be
abducted. One-third of parents said this was a frequent worry -- a degree of fear greater
than that held for any other concern, including car accidents, sports injuries, or drug
addiction (Bilich, 2013).

An estimated 203,900 children were victims of a family abduction in 1999 ("Facts and stats..." 2015), and that number has remained steady around the 200,000 range even today ("200,000 children..." 2010). A family abduction occurs when a family member takes or keeps a child in violation of the custodial parents or guardians legitimate rights. An estimated 58,200 children were victims of a non-family abduction in 1999. Non-family abductions occur when someone who is not a relative abducts and detains a child without lawful authority or parental permission with the intention to keep the child permanently. Unfortunately the most recent, comprehensive national study for the number of missing children took place in 1999. At that time it was reported that there were also 115 stereotypical kidnappings. A stereotypical kidnapping occurs when a stranger or slight acquaintance transports a child 50 miles or more from home and either kills the child, holds the child for ransom, or intends to keep the child permanently ("Facts and stats...", 2015).

Over 1.5 million children had a runaway or throwaway episode in 1999 ("Facts and stats..." 2015). Today, kids are still running and being thrown out at an alarming rate. The National Runaway Switchboard (NRS) Crisis Caller Trends report (April 2010), documenting crisis calls from 2000-2009, reveals an escalating trend line. The number of homeless youth calling the 1-800-RUNAWAY crisis line has increased dramatically between 2000 and 2009, a

98.9 percent jump from 739 calls to 1,470 calls – and the number of homeless youth calling NRS has been increasing every year since 2000. This reflects a 584 percent increase. Similarly, "throwaway" youth calling 1-800-RUNAWAY has increased 21 percent in the last year, 48 percent over the past three years, and 68 percent from 2000-2009 (Pergamit, Ernst, Benoit-Bryan, & Kessel, 2010).

Runaway cases occur when a child of 14 years or less leaves home without permission for at least one night. For older children, a runaway is defined as a child who stays out for at least two nights. Throwaway episodes occur when a parent or other household adult tells a child to leave the house without arranging alternative care and prevents the child from returning home ("Facts and stats…", 2015).

FBI examined five incidents which were classified as child abduction without ransom, and of those five cases, three were true abductions of children without ransom and the remaining two were found to be runaway instances. A review of those incidents determined the following:

- > On July 11, 2003, local police in Concord, New Hampshire, notified the FBI of a case of child abduction, resulting in the FBI initiating an investigation that same day. The FBI's efforts on this case included mobilizing its national resources to assist in tracking leads and locating the remains of the children (Office of the Inspector General, 2009).
- ➤ In 2005, a 13-year-old Missouri girl was reported missing by her mother. The FBI began participating in the investigation the same day it was notified of the child's disappearance. We found documentation showing that the FBI assisted in tracking leads and that the local sheriff's office thanked the FBI for its assistance. However, the FBI administratively closed this case in May 2007 because all leads had been exhausted. The

missing girl continues to be featured on the FBI's website in the hope of acquiring new leads (Office of the Inspector General, 2009).

- > In San Francisco, two parents reported to the FBI in October 2005 that their teenage daughter was missing. An FBI Special Agent initiated an investigation that same day by conducting background research on a possible subject. The girl was found to have run away with her boyfriend and was returned home (Office of the Inspector General, 2009).
- > In Los Angeles, we reviewed a case where the FBI responded to an April 2006 request for assistance from the Los Angeles Police Department on the parental abduction. The FBI responded on the date the request was received and provided assistance in tracking cell phone activities and conducting surveillance at a residence where the missing infant might have been taken. (Office of the Inspector General, 2009).
- > In Miami, the FBI initiated a child abduction investigation in September 2005 for the disappearance of a teenager in response to a lead from local police. Within 2.5 hours of receiving the lead, an FBI Special Agent worked the case. (Office of the Inspector General, 2009).

Based on details of those case files, the FBI personnel appeared to have responded in a timely manner and contributed to the investigations. However, it could not determine how long it took for the FBI, on average, to respond to reports of missing children on a nationwide basis because the FBI does not maintain such data (Office of the Inspector General, 2009).

Law Enforcement Response

When an agency receives a report of a child who has gone missing, this is taken very seriously and becomes a top priority for the agency. If a police department receives this type of

call, the agency immediately enters the child's information into a nationwide law enforcement computer system called Transaction Information for Management of Enforcement system (TIME), which is connected to all the other agencies ("Missing persons", n.d.). This will allow other agencies within the state and even outside of the state to be aware of the status of the child and have that intelligence to assist in the location of the missing or abducted child. Most agencies that are open 24 hours a day, seven days a week, monitor this system. Each person who operates the TIME system has to be certified to query, enter, delete, and modify information in the system.

When a law enforcement agency receives a complaint from a family member about a child that is missing or has run away, the agency has a particular procedure on how to handle the complaint. Usually the procedure is laid out in the police department's policy and procedure manual. For example, if a parent or legal guardian presents at the Town of Menasha Police Department, the policy specifically describes the classifications of the child or adult, whether missing at risk or not at risk. The policy also explains to the officers how the initial report must be taken, as well as how the reports need to be completed. The policy continues by describing the procedures in following-up on the case, such as checking the last known location of the missing person, etc. Finally, the policy closes with how to deal with the recovery of missing persons, such as what to do with runaways who are located outside of the Town of Menasha, even as far away as other states (Town of Menasha Police Department, 2009).

In comparison with the Town of Menasha, other agencies within the state and outside of Wisconsin similarly handle missing children cases. For example, the state of Connecticut has a policy in place that any law enforcement agency shall accept, without delay, any report of a

missing person. No law enforcement agency may refuse to accept a missing person report ("Connecticut police..." n.d.).

Child Abduction Response Team

On the state level in Wisconsin, the Division of Criminal Investigation's (DCI) C.A.R.T. program fills the most critical law enforcement needs in the state-wide response to child abductions. C.A.R.T. is a team of individuals from DCI who are trained and prepared to respond to a report of a missing, endangered, or abducted child. C.A.R.T. leverages resources to aid in the search and rescue efforts, and to assist the agency of jurisdiction in its investigation. The role of the C.A.R.T. is not to supplement the investigation of the local jurisdiction, but rather to enhance the ongoing investigation with a cooperative approach involving trained DCI law enforcement personnel, resources, and technology ("Child abduction..." 2015).

Child Abduction Response Teams (C.A.R.T.) consist of members of all facets of law enforcement, emergency response, non-profit organizations, and civilian search groups that come together when a child is abducted. The C.A.R.T. Notification Program works closely with a team's liaison to secure the team's member list and their phone numbers ("A child is missing..., 2010). According to Lowery and Findlay (2011), the National C.A.R.T. initiative was established in 2005 by the U.S. Department of Justice's Office of Justice Programs. C.A.R.T. teams are multiagency and often multijurisdictional law-enforcement teams trained and prepared to quickly respond to incidents involving missing, endangered, or abducted children. In many C.A.R.T. programs, non-law-enforcement professionals provide unique multidisciplinary expertise to assist in the investigation of, search for, and recovery of child victims (Lowery & Findlay, 2011).

C.A.R.T. programs were developed based on operational research supporting the practice that significant responses to these types of incidents yield an improved likelihood of safely

recovering child victims and apprehending offenders. C.A.R.T. programs provide a valuable tool and "force multiplier" 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 (Lowery & Findlay, 2011).

On the federal level, the mission of the Federal Bureau of Investigation's (FBI) Violent Crimes Against Children program is to provide a quick and effective response to all incidents of crimes against children. The first few hours after a child is abducted are critical, and that is why the Child Abduction Rapid Deployment (C.A.R.D.) Teams were established in October of 2005 ("Child abduction rapid deployment..." 2010).

C.A.R.D. teams are designed to deploy teams of experienced personnel to provide on-the-ground investigative, technical, and resource assistance to state and local law enforcement.

C.A.R.D. is primarily involved in non-family child abductions, ransom child abductions, and mysterious disappearances of children. Teams consist of Violent Crimes Against Children investigators who have in-depth experience in child abduction cases. The nationwide C.A.R.D. team consists of more than 60 members, with five teams serving each region of the country. The teams work closely with FBI Behavioral Analysis Unit representatives, National Center for the Analysis of Violent Crime coordinators, and Child Exploitation Task Force members ("Child abduction rapid deployment..." 2010).

Based on the fact that the FBI C.A.R.D. teams have become central to the agency's response to missing children and that the OJP C.A.R.T. has also expanded to 101 teams nationwide, the potential exists for both agencies to respond to the same child abduction investigation. The National Center for Missing and Exploited Children (NCMEC) created its "Team Adam" program in January 2003, with a volunteer corps of retired law enforcement

officers, referred to as "consultants," who are experienced in child abduction investigations. The goal of the Team Adam program is to provide technical expertise to law enforcement agencies as well as to families affected by child abductions. Its consultants do not participate in the actual investigation of a missing child, but instead provide technical advice or monetary assistance when necessary. As of November 2007, there were 61 Team Adam consultants in 33 states (Office of the Inspector General, 2009). Whether the case ends up being investigated and prosecuted at the local level or at the federal level, the FBI will always leverage their investigative resources and technical assets to work hand in hand with state and local law enforcement agencies on cases involving the mysterious disappearance of a child. The FBI's role is to help investigate the disappearance, recover the child, and apprehend the person or persons responsible ("Investigating child abductions..." 2014).

In addition to the FBI's C.A.R.D. teams, two other non-FBI national programs assist in investigations of child abductions: the OJP Child Abduction Response Team (C.A.R.T.) and NCMEC's Team Adam consultants. These programs are supported in part by Department of Justice to enhance the effectiveness of child abduction investigations. There is a potential for individuals from these programs, as well as the FBI C.A.R.D. team to participate in the same investigation. Therefore, the FBI takes the lead and coordinates the investigation to ensure the effective use of resources (Office of the Inspector General, 2009).

The OJP C.A.R.T. is modeled after an initiative with the same name created by the Florida Department of Law Enforcement (FDLE). The premise of the FDLE C.A.R.T. is that because child abductions without ransom rarely occur, most local police departments lack investigative experience in this crime and could benefit from training. OJP adopted the same

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philosophy when it created its C.A.R.T. program in early 2005 to provide training to local law enforcement agencies on conducting such investigations (Office of the Inspector General, 2009). Central to the OJP C.A.R.T. training is the development of a Memorandum of Understanding that encourages participating agencies to identify and commit resources for deployments in the search for missing children. As of November 2007, OJP C.A.R.T. had trained 101 C.A.R.T. programs throughout the United States composed of 974 team members (Office of the Inspector General, 2009).

The support from both OJP and the FBI in establishing C.A.R.T. programs has demonstrated that working together can make a difference. At this point, 101 C.A.R.T. programs have been trained in missing and abduction children incidents, and that training is crucial to bring home children safely.

Chapter 3

Application of Child Abduction Response Teams

Makeup of a Child Abduction Response Team

The Child Abduction Response Team has an assigned C.A.R.T. Coordinator who has responsibility and oversight of the team's coordination, process, team development, training, debriefings, after action reports, and other logistical needs as determined by the CEOs and C.A.R.T. members. The C.A.R.T. Coordinator determines who is responsible for coordination in the event of a C.A.R.T. call out. The C.A.R.T. Coordinator can be sworn or non-sworn, but must possess supervisory responsibilities and possess a proven background in leadership and management ("Child abduction response…" 2010).

The C.A.R.T. roster and team makeup is posted at agencies and distributed to all personnel of each agency. The C.A.R.T. Coordinator is responsible in maintaining and updating the C.A.R.T. roster, including all contact information and date of last updates ("Child abduction response..." 2010).

C.A.R.T. is compiled with representatives of various agencies to include public safety personnel (federal, state and local), U.S. Attorneys, correctional personnel, child welfare personnel, school resource officers, crime stoppers, search and rescue groups, and/or personnel from other organizations who could assist C.A.R.T. in the event of a missing, endangered, or abducted child call out ("Child abduction response..." 2010).

The C.A.R.T. Coordinator is responsible for maintaining selection criteria for assignments and replacements of C.A.R.T. personnel, and consideration should be given to members in regards to specialized skills. Written policy or directive should include specifics for the selection process, position descriptions, training, skills inventory, and other policy guidance

to demonstrate personnel being utilized to participate as a C.A.R.T. member. The C.A.R.T. must have demonstrated capacity to sustain activation, mobilization, and deployment for multiple days ("Child abduction response..." 2010).

Response Criteria for Child Abduction Response Team Activation

According to National Criminal Justice Training Council (NCJTC) (2010), the following are examples of criteria for C.A.R.T. activation, mobilization, or call out. However, additional deployment criteria may be considered/adopted by member agencies ("Child abduction response..." 2010).

- 1. The true (non-family) abduction of a minor child (under the age of 18).
- 2. The abduction of a minor child (under the age of 18 or consistent with state, tribal, or local statues for proper age designation) with belief of endangerment or imminent harm circumstances. These circumstances must clearly be articulated to the C.A.R.T. Coordinator in order to activate, mobilize, and deploy the team members. The child's disappearance or abduction should meet the agreed upon criteria if the child's life or well-being is perceived to be at-risk (due to violence or health conditions) or if the identified parental abductor has a potential for violence, or could endanger the child. This criterion could reflect the appropriate AMBER Alert criteria or any other activation criteria indicating endangerment of the child.
- 3. Any other abduction or missing child investigation that requires immediate response in order to protect the well-being of the child. All incidents at this level shall require the approval of the C.A.R.T. Coordinator or his/her designee.
- 4. To initiate a request for assistance, the criminal justice agency administrator (designated point of contact/commanding officer) must contact the appropriate

C.A.R.T. Coordinator or other appointed administrator in the absence of the C.A.R.T. Coordinator, who will approve or disapprove the request based upon the criteria specified in the policy or operating procedure governing the C.A.R.T. This process should be guided by interagency agreements or memorandums of understanding ("Child abduction response..." 2010).

Child Abduction Response Team Training

According to National Criminal Justice Training Council (NCJTC) (2010), certain standards are expected from C.A.R.T. which include

- 1. having a designated training coordinator for C.A.R.T. Training occurs semi-annually, at a minimum, and team members practice and/or train together;
- at least 60 percent of C.A.R.T. must attend each training session, or designated specialty training ("Child abduction response..." 2010);
- 3. all training of C.A.R.T. members must be documented and maintained to provide proof of compliance;
- 4. a mock activation exercise is required annually if the team has not had a real activation during the same timeframe ("Child abduction response..." 2010);
- 5. assigned team members who require specialized skills, such as investigators, crime scene, search/rescue and K-9 personnel, etc., will receive training by their agencies for these skills; and
- 6. a current skills inventory document is maintained and includes details of all training each team member receives and the knowledge, skills, and abilities that the member possesses as a result of the training ("Child abduction response..." 2010).

C.A.R.T. programs have many different areas of expertise and responsibilities that need to be delegated. The right people need to be in those positions in order to get things accomplished. The training varies for each of those areas and within a C.A.R.T., including training in Advanced Investigative Strategies for Child Abduction Cases, Amber Alert, Basic Forensic Response to Missing and Abducted Children, Canvassing, Search and Recovery Strategies for Missing and Abducted Children, Child Sex Trafficking, Digital Evidence, Interview and Interrogation in Child Exploitation Cases, Investigative Strategies for Child Abduction Cases, Leadership for Missing and Abducted Children, and Major Case Investigative Teams ("Amber Alert", 2014).

All specialized areas come with onsite training anywhere from one day to four days through NCJTC. For example, Child Sex Trafficking: Law Enforcement Response is a three day course and is designed to provide law enforcement investigators, human trafficking task force members, and social service providers with the information necessary to properly understand, recognize, and investigate cases involving child sex trafficking and exploitation ("Amber Alert", 2014). Modules include a focus on the survivor's perspective, and changing perceptions regarding trafficking victims. Participants and instructors will delve deep into the dynamics of trafficking and exploitation to improve their skills related to interviewing the victim, and interrogating the trafficker. Further, participants will receive instruction on identifying human trafficking and exploitation, on enforcement operations, and on the roles of non-profits, probation, and parole ("Amber Alert", 2014).

Significance of Child Abduction Response Teams

This paper has described thus far the importance of utilizing C.A.R.T. to assist local authorities in locating missing and abducted children. According to the National Crime

Information Center (NCIC), Wisconsin has 697 missing or abducted children alone ("Clearing house for missing..." 2014). There are several significant missing and abducted children cases that have happened over time throughout the United States which emphasize the importance of this quick response.

Charles Lindbergh Jr.

When famous aviator Charles Lindbergh's 20-month-old son was kidnapped from the family home in New Jersey in 1932, it became one of the most infamous crimes of the twentieth century. Charles Lindbergh Jr.'s body was found over two months later, and after a two year investigation, Bruno Richard Hauptmann was charged with the crime and was put to death, although he proclaimed his innocence until the end. The crime brought about the Federal Kidnapping Act, the 'Lindbergh Law,' which made it a federal crime to transport a kidnapping victim across state lines (Meunier, 2013).

Jacob Wetterling

On October 22, 1989, eleven year old Jacob Wetterling was abducted as he, his brother, and a friend rode their bikes home from a convenience store in St. Joseph, Minnesota. Law enforcement authorities arrived on the scene within minutes. No sign of Wetterling or his abductor has ever been found, despite the involvement of local authorities, the FBI, hundreds of volunteer searchers, and more than 50,000 leads ("Registration requirements..." 2015).

Jacob's disappearance spurred his family and supporters to found the Jacob Wetterling Foundation (JWF) in January 1990. The Foundation's mission is to protect children from sexual exploitation and abduction, through prevention education, victims' assistance, and legislation aimed at sex offenders. In 1991, JWF saw its first success with Minnesota's State Sex Offender Registration Act. The law provided law enforcement authorities with a comprehensive list of sex

offenders in the state, something authorities lacked when Jacob was abducted ("Registration requirements..." 2015). JWF's agenda has included both state and federal legislative changes. In 1994, Congress passed the Omnibus Crime Bill. This legislation included the Jacob Wetterling Crimes Against Children and Sex Offender Registration Act. The law mandated that each state create a specific program to register sex offenders ("Registration requirements..." 2015).

In 1996, the Wetterling Act was amended by Megan's Law, and the Pam Lychner Sex Offender Tracking and Identification Act. The Lychner Act called upon the FBI to establish a national database of names and addresses of sex offenders who are released from prison. It also required lifetime registration for certain offenders. Its purpose is to make it easier for authorities to track the movements of convicted sex offenders throughout all 50 states. You can find the database at the National Sex Offender Public Website (NSOPW). In 1997, other changes were made to the Wetterling Act. Changes included heightened registration requirements for sexually violent offenders such as members of the U.S. Armed Forces. Additional registration requirements were imposed for sex offenders who live in one state but go to school or work in another state ("Registration requirements..." 2015).

Megan's Kanka

On July 29, 1994, seven year old Megan Kanka was raped and murdered by Jesse Timmendequas, a neighbor in Hamilton Township, New Jersey. Timmendequas was a registered sex offender when he moved across the street from Megan and her family. The Kanka family was unaware their neighbor was a threat to their safety ("Megan's law..." 2013).

Timmendequas lured Megan into his house by offering to show her a puppy and subsequently raped her and strangled her to death. He moved her body to his truck, placing the

body in a wooden toy chest and dumping it in nearby Mercer County Park. The next day, he confessed to investigators and led police to the site. The court sentenced Timmendequas to death, and the sentence was upheld by the New Jersey Supreme Court on appeal ("Megan's law…" 2013).

In the wake of the tragedy, the Kanka's sought to have local communities warned about sex offenders in the area. All states now have a form of Megan's Law. Private Citizens have had access to records on sex offenders registered with local law enforcement under California's Megan's Law since 2004. Previously, the information was available only by personally visiting police stations and sheriff offices. The law was given final passage by the Legislature on August 24, 2004, and signed by the Governor on September 24, 2004 ("Megan's law..." 2013).

Adam Walsh

Adam Walsh was a seven year old boy who disappeared from a department store in Florida after being separated from his mother. Two months later, he was found murdered and decapitated, his tragic story drawing national attention that turned into a 1983 television film watched by 38 million people. His father John Walsh became an advocate for victims of violent crimes and would go on to host the groundbreaking television show *America's Most Wanted*. Convicted serial killer Ottis Toole confessed to the murder but later recanted and was never brought to trial, dying of liver failure in 1996 (Meunier, 2013).

Amber Hagerman

In January 1996, nine-year-old Amber Hagerman was riding her bicycle on a Saturday afternoon when a neighbor heard the girl scream. The neighbor saw a man pull Amber off her bike at the closed-down Winn Dixie Store on Abrams Street, in Arlington, Texas and throw her into the front seat of his pickup truck followed by driving away at high rate of speed. The

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neighbor called Arlington, Texas police, and Amber's brother Ricky went home to tell his mother and grandparents what had happened (Amber alert, 2009).

Donna Whitson, Amber's mother, called Amber's father Richard Hagerman at work, who rushed home. Richard Hagerman had seen Marc Klaas, Polly Klaas' father, on television and contacted him, asking what to do. Marc Klaas had experienced the same thing when Polly was abducted from her slumber party in California, and then murdered by Richard Allen Davis, a convicted sex offender, who was on parole (Amber alert, 2009).

At that time, Richard and Donna called the news media and the FBI. The Whitsons and their neighbors began searching for Amber. Four days later, a man walking his dog found her body in a storm drainage ditch. The community mourned and questions turned to anger after the autopsy showed Amber Hagerman had been sexually assaulted and then murdered (Amber alert, 2009).

Amber's parents started the Organization P.A.S.O., People Against Sex Offenders.

Amber's parents ran P.A.S.O. out of their pickup truck with a camper shell on the back at the shrine at the abandoned Winn Dixie loading dock. All the signatures that were obtained were taken to then-Governor George Bush Jr. for tougher laws to protect the children.

The newspapers, live news on television, and radio featured our cause in the news daily, trying to catch the killer of Amber Hagerman. Contact was made with then-Congressman Martin Frost, and, with Marc Klaas' help, a draft of the Amber Hagerman Child Protection act was signed into law October 1996 by President Bill Clinton. Thus, the idea of the AMBER Alert was born (Amber alert, 2009).

AMBER Alert

The AMBER Alert Program is a voluntary partnership between law-enforcement agencies, broadcasters, transportation agencies, 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 and nation to assist in the search for and the safe recovery of the child (Amber Alert Program, 2015).

AMBER Alerts are broadcast through radio, television, road signs, and all available technology, referred to as the AMBER Alert Secondary Distribution Program. These broadcasts let law enforcement use the eyes and ears of the public to help quickly locate an abducted child. The U.S. Department of Justice coordinates the AMBER Alert program on a national basis (Amber Alert Program, 2015). The AMBER Alert Program was named in honor of Amber Hagerman. The program is used in all 50 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands (AMBER Alert Program, 2015).

The AMBER Alert has certain requirements that have to be met before an alert can be issued. Following is the criteria that the Department of Justice recommended:

- ➤ There is reasonable belief by law enforcement that an abduction has occurred.
- > The law enforcement agency believes that the child is in imminent danger of serious bodily injury or death.
- > There is enough descriptive information about the victim and the abduction for law enforcement to issue an AMBER Alert to assist in the recovery of the child.
- ➤ The abduction is of a child aged 17 years or younger.
- The child's name and other critical data elements, including the Child Abduction flag, have been entered into the National Crime Information Center (NCIC) system (Amber Alert Program, 2015).

Just as there are abductions that ended tragically, there are many cases that ended with the safe return of the missing or abducted child. There are many factors that come in play with the successful return of children from the AMBER Alert System to a C.A.R.T. program (AMBER Alert Program, 2015).

According to NCMEC as of February 6, 2015, AMBER Alerts have helped rescue and safely return 732 children (AMBER Alert Program, 2015). Here are a few success stories where the AMBER Alert system and/or the C.A.R.T. programs were utilized (AMBER Alert Program, 2015).

In Oklahoma on May 4, 2014, an eight year old girl was abducted by a man in a vehicle. An AMBER Alert was issued statewide. Police received a tip about a man behaving strangely, and he fit the description of the suspect in the AMBER Alert. Police responded to the location and the suspect engaged in a physical altercation before driving away. Shortly after, police were able to arrest the suspect and recover the child, who was found in a nearby wooded area (AMBER Alert Program, 2015).

In Iowa on July 9, 2014, after finding a deceased woman, police determined that she was likely killed by her significant other and that he was missing along with three children, ages eight months, six years, and eight years. Law enforcement activated an AMBER Alert, which quickly generated a number of tips, one of which identified the location of the children at the suspect's relative's home. The children were recovered, and the suspect was arrested at a second location on homicide charges (AMBER Alert Program, 2015).

In California on August 7, 2014, a non-custodial mother abducted her eight year old son and nine year old daughter. The children were believed to be in danger due to her mental history, and an AMBER Alert was activated. A couple of days later, police received a tip about

a suspicious woman who appeared to be living out of a vehicle. The responding officers recognized the suspect and children from the AMBER Alert, and the children were safely recovered (AMBER Alert Program, 2015).

In Wisconsin on September 28, 2014, law enforcement had been unable to locate an eight year old girl following the apparent homicide of her mother and her mother's boyfriend. The child was believed to have been abducted by her father, and an AMBER Alert was activated, including the use of Wireless Emergency Alerts to cell phones. The child's grandmother received the AMBER Alert on her cell phone and contacted police, leading to the safe recovery of the child and arrest of the suspect (AMBER Alert Program, 2015).

In Washington on October 30, 2014, as a father was putting his one year old son into a car seat, he noticed his vehicle had been damaged. While looking at the vehicle, he saw the child's non-custodial mother approach. She physically assaulted him and abducted the child. Law enforcement activated an AMBER Alert and included the use of cell phone messages via wireless emergency alerts. Within minutes, two individuals received the AMBER Alert on their phones and noticed the listed car was driving in front of them. They notified authorities and followed the car until law enforcement was able to pull the car over, and safely recover the child, and take the abductor into custody (AMBER Alert Program, 2015).

In Kentucky on December 18, 2014, a 20-day-old child was taken when the vehicle he was in was stolen from a gas station. An unknown abductor jumped in the car and fled. The abduction prompted the activation of a multi-state AMBER Alert, including the use of cell phone messages via wireless emergency alerts. The carjacker abandoned the vehicle quickly. Two witnesses in separate vehicles spotted the car at a shopping center based on the license plate information (AMBER Alert Program, 2015).

Chapter 4

Recommendations & Findings

Responsiveness to child abductions is critical to the well-being of the victimized children and a primary measure for determining the FBI's performance in responding to child abductions. However, the FBI has not established response time requirements or a formal mechanism for tracking or assessing the timeliness of its investigative responses to child abduction cases. The analysis of response data would enable the FBI to identify any weaknesses in response times and take action for improvements (Office of the Inspector General, 2009).

According to the United States Department of Justice (DOJ), there are 20 certified C.A.R. T. programs in the United States as of 2015, and each of those have numerous agencies collaborating together, ranging anywhere from four neighboring agencies in Monroe County, Florida, to 108 agencies in the Central Florida C.A.R.T program (AMBER Alert Child Abduction Response Team, 2015). After researching data, statistics, and literature on C.A.R.T. and C.A.R.D. teams the following recommendations have surfaced.

Recommendation 1: Establish more C.A.R.T. programs.

With only twenty certified teams in the United States, one recommendation would be to establish more C.A.R.T. programs and train the teams to become certified. Each state should have a certified team to respond to missing and abducted child cases. Each team should then consist of local jurisdictions from all the different areas of the criminal justice field, district attorney's office, social workers, etc.

Wisconsin does not have a certified C.A.R.T program, nor is there a local team that has been classified as operationally ready to become certified at the federal level. Therefore, Wisconsin needs to rely on federal partners when abductions occur. The FBI has created five

regional C.A.R.D. teams to cover the United States. The regional teams consist of the Northeast, Southeast, North Central, South Central, and West. The FBI is able to have a regional team respond to anywhere in the U.S. within hours ("Violent crimes against children..." 2010).

In addition to their unique expertise, C.A.R.D. teams can quickly establish an on-site command post to centralize investigative efforts and operations. Other assets they bring to the table include a new mapping tool to identify and locate registered sex offenders in the area, national and international lead coverage, and the Child Abduction Response Plan to guide investigative efforts ("Violent crimes against children..." 2010).

Recommendation 2: Establish more C.A.R.D. Teams

The FBI has only five C.A.R.D. teams throughout the United States, another recommendation would be to establish more federal teams to aid each state with assistance or take the lead during a missing child or abducted child incident. With more C.A.R.D. teams up and running, the response time will be faster, and the quicker the team is assembled and dispatched to the incident, the more likelihood there is for the child to be returned safely.

The FBI's National Center for the Analysis of Violent Crime (NCAVC), part of our Critical Incident Response Group (CIRG) near Quantico, Virginia, provides free assistance—in the form of investigative/operational support, research, and training—to federal, state, local, and international law enforcement agencies ("Violent crimes against children…" 2010).

In particular, the NCAVC has a rapid response element that

- applies the most current expertise available in matters involving missing and exploited children;
- provides immediate operational assistance to federal, state, and local law enforcement agencies involved in violent crime investigations; and

provides onsite investigative support through technical and forensic resource coordination ("Violent crimes against children..." 2010).

Upon being notified that a child has been abducted, the field offices and the NCAVC coordinate an immediate response to the abduction situation. The National Child Search Assistance Act of 1990 states that law enforcement agencies may not observe a waiting period before accepting a missing child report and that each missing child that is reported to law enforcement must be entered immediately into the state law enforcement system and National Crime Information Center (NCIC) ("Violent crimes against children..." 2010).

The FBI's special agents join local law enforcement in coordinating and conducting comprehensive investigations. Their Evidence Response Team personnel may conduct the forensic investigation of the abduction site, while a Rapid Start Team may immediately be deployed to coordinate and track investigative leads, which often number in the thousands ("Violent crimes against children..." 2010).

Recommendation 3: Assign a central agency to be responsible for establishing C.A.R.T. programs versus solely monitoring the current teams.

The federal government should be responsible for establishing more C.A.R.T and C.A.R.D. teams throughout the United States. That governmental body would then be the oversight organization to make certain that each state would be working toward establishing their own team. Currently in Wisconsin, for example, there are no organizations that are pushing the state to have a team operationally ready to become a certified team. Right now it relies solely on local jurisdiction efforts alone.

As one examines the local team versus the state and federal C.A.R.T. programs, evidence and data demonstrate that both can be advantageous for a missing child investigation. Time is of

the utmost importance to bringing home a child safely. Since there aren't many states that have certified C.A.R.T. programs or even an operational ready team, it is important that local jurisdictions work closely with the state and federal certified C.A.R.T. programs.

It is also important to make sure that if there is not local C.A.R.T. program, other programs can provide assistance, because there are no winners when it comes to parental abduction, according to Cecile Finkelstein (n.d.). Everyone loses, especially the children. Finkelstein was abducted by her father when she was four years old and was missing for 14 years. She lived those years on the run, in hiding, and in fear. Finkelstein lived on Greyhound buses and traveled through three countries and 34 states, all to run away from a mother who loved her. She had to dress like a boy, dye her hair different colors, beg for money and food, and change her name and identity many times. Finkelstein didn't go to school much or live in one place for very long and was exposed to inappropriate and dangerous situations. It was a life of fear and homelessness for her (Finkelstein, n.d.). Stories like Finkelstein's show the importance of C.A.R.T. programs quick response. Possibly, if there had been a successful return to her mother soon after the abduction, life would not have been so scary for Finkelstein.

Recommendation 4: Require that response times are tracked.

Currently the FBI does not keep track of response times; another recommendation would be to require the FBI to develop response timeframe requirements and a mechanism for tracking and analyzing FBI responsiveness to reports of child abductions. The data gathered should include the date and time the FBI was notified, when the FBI responded, and when other important steps in the investigation occurred. This information would be valuable to the C.A.R.D. teams to evaluate whether the response should be handled any differently than it is handled currently.

When a missing or abducted child incident occurs, it is of the utmost importance to begin searching and investigating the abduction as soon as possible to bring the child home alive and safe. Agencies rely on state and federal Child Abduction Response Teams (C.A.R.T.) to assist with the investigation. Without establishing a local C.A.R.T. program, the response time for state and federal teams can be too long when families and authorities are looking for children who have been abducted, and the risk of not finding the abducted child increases, thus decreasing the chance the child may be found alive.

Recommendation 5: Make missing person statistics more accessible in the States.

NCMEC makes it possible for each state to report the data on missing and abducted children and persons. However, in order to try and evaluate where these abductions take place, law enforcement and researchers need to go into each individual state to get the details and numbers. For example, Wisconsin lists that there are 697 children missing or abducted and follows with a detailed breakdown of categories, such as male, female, and endangered ("Clearinghouse for Missing & Exploited Children..." 2014).

To search another state, for example Virginia uses a different format in locating the numbers and names of children missing. Each state should have specific guidelines to follow when reporting to NCMEC. With the information entered similarly, it would make it easier for law enforcement to know where to concentrate their efforts in education and C.A.R.T. training. Agencies could then evaluate where to target specific areas to prevent abductions.

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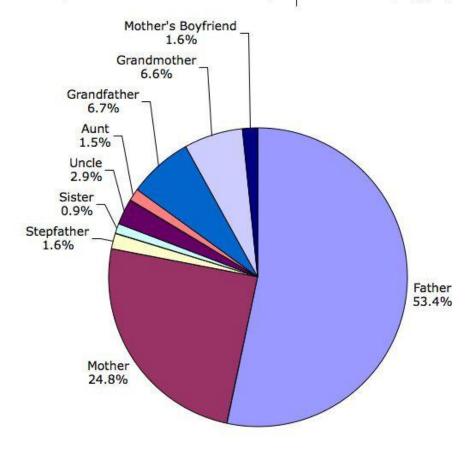
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Appendix A- Abducted Children by Relationship in 2002

Family-Abducted Children by Relationship type, 2002



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