



When the kidnapper is a family member...

*How law enforcement
can protect children
from the crime of
family abduction.*



Does one of your cases involve a child at risk for family abduction?

When parents worry about their children being abducted, they usually fear the stranger lurking in the alley or the man with pockets full of candy luring kids at the playground. In fact, the greatest threat for many families lies far closer to home—a family abduction. According to a U.S. Department of Justice’s 1999 comprehensive incidence study on missing children, more than 203,000 children are abducted each year by a parent or family member, over 78 percent of all child abductions.

Many law enforcement agencies still consider family abductions a domestic issue that should be worked out between parents and their lawyers. Many believe that a child is not in grave danger if the abductor is a family member.

Unfortunately, this is not true, and these assumptions continue to endanger our children’s lives. Research shows that the most common motive in family abductions is not love for the child but rather an act of anger and revenge against the other parent.

More than half of abducting parents have a history of domestic violence, substance abuse, or a criminal record. Physical and sexual abuse can and does occur during these abductions.



You can make a difference.

Law enforcement is often the first place victim families turn to after abduction or when they detect a threat. You have the opportunity and responsibility to aid in the recovery of the child as well as recognize and discourage such behavior by family members considering abduction. By recognizing that family abduction is a serious crime, and responding as such, officers can become the first line of defense for children at risk of family abduction.

Family Abduction is Child Endangerment

“Many of you know me as ‘Katarina’ or ‘Kat Escada,’ ‘Trisha’ or ‘Trish Wilcox’ or ‘Melissa Bleu,’ but my real name is Aja Morse. Five years ago my brother, sister and I were abducted. At the time I didn’t realize how it was going to destroy my life and my brother and sister’s. I was always afraid that the police were going to find us or that I’d mess up on one of my new names. My brother and sister and I never went to a doctor, dentist or to school. I tried to home-school my little brother and sister since we weren’t allowed to go to school. People think parents do this out of love. But they’re only causing their children damage.”

—Aja Morse, 15, victim of family abduction

www.StopFamilyAbductionsNow.org

Abducted children suffer from severe separation anxiety.

To break emotional ties with the left-behind parent, and perpetuate their own control, some family abductors will coach a child into “disclosing” abuse by the other parent. Abducted children are often told that the other parent is dead or did not really love them.

As the child quickly adapts to a fugitive’s lifestyle, deception becomes a part of life. They are taught to fear those they should trust, such as police, doctors, teachers, and counselors.

Abducted children are often given new identities. This can have profound and sometimes crippling psychological impact during the critical developmental stages of childhood. In extreme cases, the child’s sexual identity is covered up to avoid detection.

Abducting parents often deprive their children of education and much-needed medical attention to avoid the risk of being tracked via school or medical records.

In extreme cases, the abducting parent leaves the child with strangers at an underground “safe house” where health, safety and other basic needs are extremely compromised; while in others, children are so badly mistreated by their abductors that they desperately want their abductor to leave them. In rare family abduction cases, children are murdered by their abductor.

Resources

NISMART II (National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children) “Children Abducted by Family Members: National Estimates and Characteristics,” Office of Juvenile Justice and Delinquency Prevention, Heather Hammer, David Finkelhor, and Andrea J. Sedlak (October 2002).

“The Kid is With a Parent, How Bad Can it Be? The Crisis of Family Abduction,” (available at www.missingkids.com) by Ernie Allen, based on data from NISMART, OJJDP, David Finkelhor, Gerald Hotaling, and Andrea Sedlak (May 1990).

“Early Identification of Risk Factors for Parental Abduction,” Juvenile Justice Bulletin, OJJDP, Janet R. Johnston, Inger Sagatun-Edwards, Martha-Elin Blomquist, and Linda K. Girdner (March 2001).

What experts say about family abduction.

In the over 203,000 cases in which children are abducted by a family member each year, threat, force, or a weapon is used in nearly 27,000 cases.

In 76 percent of family abductions, the abducting parent intends to prevent contact between the child and the left-behind parent.

Due to the frequent occurrence of physical abuse and the potential for serious psychological damage, the U.S. Dept. of Justice considers children abducted by

family members to be children at risk.

Most local and state law enforcement agencies do not treat family abduction as the serious crime that it is. Approximately 70 percent do not have written guidelines on responding to family abduction and many are not informed about the federal laws available to help in the search and recovery. Sixty-two percent of left-behind parents report being “somewhat” or “very” dissatisfied with the law enforcement response to their child’s abduction.

Why do parents kidnap their own children?

According to family abduction experts, parents frequently abduct their own children for the following reasons:

- To force a reconciliation or continued interaction between themselves and the left-behind parent
- To spite or punish the other parent
- Fear of losing custody or visitation rights
- Frustration with the custody order or other court rulings
- In rare cases, to protect the child from a parent who is perceived to molest, abuse, or neglect the child

How to identify a high-risk family.

A direct threat of abduction should *always* be taken seriously, but often the warning signs are more subtle. Here are the most common signs that a child may be in danger of abduction by a family member:

- The parents’ relationship is volatile. They often voice disagreements and argue over visitation
- A parent has a history of abduction threats or has abducted the child in the past
- One parent raises allegations that the other parent has abused the child and his/her friends and family support these allegations
- A parent is paranoid delusional or severely sociopathic
- A parent is a citizen of another country and is ending a mixed-culture marriage
- A parent feels alienated from the legal system and has family/social support in another community
- A parent has no job, financial ties, or strong connections to the child’s home state
- A parent is engaged in planning activities such as quitting a job, selling a home, terminating a lease, closing a bank account, or applying for passports, birth certificates, or school and medical records

How law enforcement can prevent family abductions.

Family abduction is not only a threat to the health and safety of thousands of children but also a preventable crime. In following preventive measures and stopping family abduction before it happens, you have a unique opportunity to protect children and save the state from costly expenses associated with search, recovery and prosecution.

Take abduction threats seriously.

Any time there is a threat or strong suspicion of family abduction, intervene immediately. Speak to the potential abductor, families and friends who might aid in the abduction plans about psychological trauma for the child and the criminal consequences for the abductor. U.S. Justice Department research shows that when a parent understands that abducting his or her own child is child endangerment and a crime, they are less likely to follow through with abduction plans.

Learn more about the Uniform Child Custody Jurisdiction and Enforcement Act.

35 states have adopted this model legislation into law. Find out if your state has this law by visiting www.StopFamilyAbductionsNow.org or the National Conference of Commissioners on Uniform State Laws web site: <http://nccusl.org/DesktopDefault.aspx> and search for “Child Custody Jurisdiction and Enforcement Act” in your state.

Review the custody order and its provisions carefully.

Law enforcement is responsible for enforcing the order, and it is critical for you to know when any members of the disputing party—parents, extended family members—are in violation of its provisions.

Have a protocol ready for when family abduction cases break.

While this is largely a tool for recovery in abduction cases, the process itself provides valuable insight in understanding and preventing family abduction. We recognize that family abduction is an unfamiliar topic for most agencies and encourage departments to contact the Polly Klaas Foundation at 1-800-587-4357 for assistance in developing the appropriate and necessary procedures.

Be prepared.

Keep yourself and your department informed about family abduction—what it is and why it’s a serious crime—as well as any laws that affect prevention and recovery. Examples include:

■ Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA):

Negotiated by the National Conference of Commissioners on Uniform State Laws and currently law in 35 states, this legislation provides enforcement mechanisms that prevent abductors from hiding behind divergent state laws and ensures that missing children return home even if they cross state lines.

- **Parental Kidnapping Prevention Act (PKPA):** Federal law that requires authorities of every state to enforce—without modifications—custody orders issued from the state with jurisdiction. It also authorizes the use of the Unlawful Flight to Avoid Prosecution (UFAP) warrant and the Federal Parent Locator Service (FPLS) in family abductions.
- **Missing Children Act of 1982:** Federal law that requires complete descriptions of missing children be entered into the National Crime Information Center’s (NCIC) database, even if the abductor has not been charged with a crime. It is also possible for the abductor to be listed as traveling with the child in the NCIC to assure that if the abductor has contact with law enforcement, the missing child will be rescued immediately.
- **National Child Search Assistance Act of 1990:** Federal law that eliminates waiting periods before taking a missing child report (including family abduction cases) and requires immediate entry of information into the NCIC Missing Person File.



Exercise caution and good judgment when enforcing the custody order.

Excessively restrictive actions can exacerbate the relationship between the disputing parents and drive them to—instead of preventing them from—abducting the child. Be especially careful when interacting with the parents in front of the child.

We strongly encourage you to share this information with the families with whom you work. You can download this fact sheet and other educational materials at www.PollyKlaas.org, or request materials and Child ID kits for families by calling the Polly Klaas Foundation at 1-800-587-4357.

www.PollyKlaas.org

The Polly Klaas Foundation has compassionate and professional caseworkers who can help you prevent family abductions and help in the recovery of a child who has been abducted by a family member. For general questions on family abduction or to refer a family to our caseworkers, please contact the Polly Klaas Foundation at 1-800-587-4357 or www.PollyKlaas.org. For information on the legal aspects of family abduction, please contact the American Bar Association’s Center on Children and the Law at 202-662-1720 or www.abanet.org/child.