

A briefing about Parental Kidnapping

Parental Kidnapping occurs when one parent conceals a child and prevents contact between the child and the other parent. Children between the ages of three and nine are the most likely to be abducted. Parental kidnapping is most likely to occur when the child is caught in a custody tug-of-war between parents.

Common justifications for kidnapping are to counteract an adverse court decision, to “protect” the child from the other parent, and to gain revenge against the other parent. The Justice Department determined that a majority of children are recovered within seven days, with only 10% missing for a month or more. According to the U.S. State Department few child abductions involve a child leaving the country.

During a custody dispute it is normal to wonder if the other parent will take off with the child. Parents need to distinguish whether their concern about kidnapping is a generalized fear or a likely threat.

There are steps you can take to predict and even discourage a kidnapping.

1. Scrutinize your situation objectively. Does the other parent fit the “profile” of a potential kidnapper?

Here are a few common traits to look for:

- History of violence or child abuse
- No stable community ties
- Erratic employment history
- Trouble with finances/ trying to escape creditors
- Easily transferable job skills
- Connection for financial support while on the move
- Threats to kidnap made

2. Compile a file for tracing the other parent. Include driver’s license number, social security number, bank account, credit card account numbers, photographs, passport number, vehicle description and plate number.

3. Ask teachers, bus drivers and others to notify you if any “strangers” loiter around or show interest in your child. Ask the school principal to alert you about any requests to transfer school records.

4. Take a full face color photo of your child and write out a description: hair & eye color, weight, height, special physical characteristics. Have your child fingerprinted, obtain a copy of child’s birth certificate, social security number and passport information.

5. Make sure your child knows your phone number including the area code. Without alarming your child, show her how to call collect or use a phone card in case she needs to contact you.

6. If international travel is a risk, sign up for the Children’s Passport Issuance Alert Program operated by the U.S. Department of State. See www.travel.state.gov for more information or call (202) 736-7000. As of July 2001 both parents must sign the application for a U.S. passport for a child under age 14. Several countries in the Western Hemisphere (except Cuba) do not require a passport, but foreign entry procedures may require written permission to enter signed by both parents.

7. Finally, and perhaps most importantly, eliminate the reason for kidnapping by cooperating with the other parent to stay involved in the child’s life.

WHAT TO DO IF YOUR CHILDREN ARE KIDNAPPED

1. Try to remain calm. First call the police. Be prepared to provide a certified copy of your current custody order. If the children have been taken to a different state, the FBI should be notified instead.
2. Call your lawyer to determine legal remedies that can be initiated against the kidnapper.
3. Use available resources to get information:
 - Family, friends and neighbors
 - Federal and State Parent Locator Service
(tracks child support payments) – contact the prosecuting attorney to access records
 - National Center for Missing and Exploited Children
(National Information Clearing House) www.missingkids.org 1-800-843-5678
 - Child Find America
Publicizes disappearances & offers mediation to prevent abductions. 1-800-IAM-LOST
 - Missing Children HELP Center
Database of procedures for locating missing children 1-800-USA-KIDS
 - Adam Walsh Child Resource Center
Referral & support services for families of missing children (407) 775-7191
4. Call the media for help and print up posters with the child's picture, name and description.
5. Consider hiring a private investigator who can track a kidnapper through electronic, postal, banking or school records. **PARENTAL KIDNAPPING IS A CRIMINAL OFFENSE**

Caution – If you locate your child, consider the consequences before kidnapping him back. Kidnapping involves physical danger to the child. Retaliation can start a chain reaction of abductions. Lastly, remember that kidnapping is illegal. Use the proper channels to recover your child.

It is a class D felony offense in the state of Missouri to remove, take, detain, conceal or entice a child to intentionally deprive the custody rights of another person. It is also a class D felony to abduct a child prior to the issuance of a temporary or final order determining custody. It is also a criminal offense for any person to intentionally assist another in planning or committing a child abduction or parental kidnapping, knowingly conceal physical evidence, or furnish false information.
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PARENTAL KIDNAPPING MAY BE A FEDERAL OFFENSE

The FBI has the authority to investigate cases and pursue abductions across state lines and national borders.

The Uniform Child Custody Jurisdiction Act

Has been passed in all 50 states to remove the incentive for a parent to take the child across state lines to obtain a more favorable custody decision. Generally custody determinations are restricted to the child's "home state" where the child and the family have the closest connections.

The Parental Kidnapping Prevention Act

Requires courts in other states to defer to and enforce orders from the court with superior jurisdiction.

The International Child Abduction Remedies Act

Enables custody orders of U.S. Courts to be recognized in other countries who have signed the *Hague Convention* on international child abduction.

The International Parental Kidnapping Crime Act

Makes it a federal felony offense to remove or retain a child under age 16 outside the U.S. with the intent to obstruct the lawful exercise of parental rights.