



**STATEMENT BY JOHN F. CLARK
PRESIDENT AND CEO
NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN**

Regarding the Maryland Child Abduction Prevention Act

(HB1103 / SB924)

March 3, 2020

On behalf of the National Center for Missing & Exploited Children (NCMEC) and the families and children we serve, I am writing to express our support for the Maryland Child Abduction Prevention Act, currently pending before the House Judiciary Committee and Senate Judicial Proceedings Committee of the Maryland General Assembly.

This important legislation seeks to ensure that all parents and guardians are notified before a child's permanent residence is changed or the child travels outside of the United States. In addition to giving parents appropriate notice and an opportunity to object to relocation or travel, the legislation also incorporates many of the provisions of the Uniform Child Abduction Prevention Act (UCAPA), which has been widely adopted into the family code of states around the country. UCAPA was developed in recognition of the long-lasting harm that abducted children may suffer, and enacted with the understanding that identifying risk factors and imposing appropriate prevention measures serves the best interests of the child.

Three decades ago, following the abduction and murder of their son, John and Revé Walsh channeled their grief and came together with other child advocates to create NCMEC in 1984. Today our organization serves as a national clearinghouse dedicated to help find missing children, reduce child sexual exploitation, and prevent future victimization. Among many other critical programs and services, last year NCMEC assisted families and law enforcement agencies with more than 29,000 missing child reports.

In 2019, NCMEC opened more than 1,100 new cases of family abduction, and assisted hundreds more families who were seeking related information and resources. Nearly every day, NCMEC provides information to parents, attorneys, and courts about the overall risks of domestic and international family abductions and options for effectively preventing an abduction from occurring.

NCMEC consistently emphasizes the importance of preventing harm to children before it occurs. We strive to understand current trends and transform accumulated statistics regarding missing and abducted children into positive safety and prevention strategies. Recently NCMEC published an analysis of 10 years of Family Abduction reports to our organization, involving more than 11,500 cases.¹ Improvements in law enforcement response times, legislative initiatives, and more sophisticated strategies for recovering children have led to improved success rates for domestic family abductions, which typically resolve in less than 6 months. But international family abductions take an *average* of 9 months to resolve, and many families struggle for years to return their children home to the U.S.

Family abduction is not a harmless act. When a child is taken or wrongfully retained by their parent or family member, the crime can have serious and even tragic consequences. Particularly unique challenges arise when a child has been taken across state lines or removed from the country, and sadly international family abductions are often measured with months and years of searching and anguish. The U.S. and international community have made positive strides, for instance adopting the 1980 Hague Convention on the Civil Aspects of International Child Abduction (“Hague Convention”), but this is still not a guarantee for a quick or successful outcome. Each year numerous countries are cited by the State Department for failure to comply with their obligations under the Hague Convention or to otherwise assist with recovering U.S. children abducted internationally.²

When confronted with the depth and scope of harmful impacts family abduction can have, it becomes even more important to focus on what can be done to prevent these tragedies from occurring. NCMEC provides written guidance³ for families and for attorneys as well as participating in judicial trainings to address the risks and proper response to family abduction. We have also emphasized the victim and family’s perspective and incorporated family abduction protocols and best practices into training for law enforcement agencies who investigate these crimes.⁴

NCMEC is encouraged by legal and legislative improvements designed to reduce the incidence of family abduction, like the earlier successful push for widespread enactment of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) which discourages family law forum-

¹ Family Abductions: What We’ve Learned. (NCMEC 2018), *available at* <http://www.missingkids.org/ourwork/ncmecdata>.

² See Annual Report on International Child Abduction (U.S. Department of State 2019), *available at* <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html>.

³ See Family Abduction: Prevention and Response, 6th Edition (NCMEC 2009) and Litigating International Child Abduction Cases Under the Hague Convention, 2nd Edition (NCMEC 2012), *available at* <http://www.missingkids.org/ourwork/publications>.

⁴ See Chapter 4 “Family Abduction,” in Missing and Abducted Children: A Law-Enforcement Guide to Case Investigation and Program Management, 4th Edition (NCMEC 2011), *available at* <http://www.missingkids.org/ourwork/publications>.

shopping and provides a method for recognizing and enforcing custody orders from another state or country when a child is taken across jurisdictional boundaries.⁵

More recently, the Uniform Child Abduction Prevention Act builds on these improvements and helps ensure judges are empowered to identify possible risks and to address them in custody proceedings. Importantly UCAPA also provides an avenue for parents to raise concerns about potential abduction and, if supported by evidence, to seek adequate prevention measures from the Family Court. At this time, UCAPA, or similar prevention legislation, has been adopted by 16 states and the District of Columbia.⁶ NCMEC encourages the Maryland General Assembly to join this important movement and to provide further protections for children and families in the state.

Thank you for considering HB1103 / SB924, the Maryland Child Abduction Prevention Act, and for your leadership on issues critical to the safety and security of our nation's children and families.

⁵ Maryland enacted the UCCJEA in 2004, Md. Code Ann., Fam. Law § 9.5-101 *et seq.*

⁶ Alabama, Colorado, District of Columbia, Florida, Kansas, Louisiana, Michigan, Mississippi, Nebraska, Nevada, New Mexico, Pennsylvania, South Dakota, Tennessee and Utah have each enacted UCAPA. California and Texas enacted similar abduction-prevention legislation.