

Testimony in favor of HB0383  
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I am Laurent La Brie, and I present this testimony **in favor** of SB0383 the Maryland Child Abduction Prevention Act. Although I live in New Hampshire, I moved here a year ago and my custody case remains in Baltimore County Circuit Court.

We in Maryland have welcomed and integrated citizens from all over the globe. Our welcoming hearts and vibrant economy have attracted 911,000 people born in other countries.<sup>1</sup> Tragically, an annual divorce rate of 2.7 per thousand means there are 2,500 divorces per year involving foreigners. There is an international abduction from Maryland every two weeks, which ranks us 11<sup>th</sup> among the 50 United States. <sup>2</sup> The District of Columbia and fourteen states including Pennsylvania have passed forms of the Uniform Child Abduction Prevention Act. The time has come for Maryland to protect its children like its neighbors do.

Parents attempting to recover an abducted child or trying to prevent an abduction live in a painful world. From the characteristics and red flags the Justice Department ascribes to abductors we can paint the following picture of the marriage and partner that left behind parents have endured before they begin preventing abduction. He or she has endured some or most of the following: high conflict marriage to a spouse who may have a sociopathic personality, a criminal record, paranoia, and/or a distorted view of reality who likely has abducted and/or threatened to abduct their children and accused him or her of abusing

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1 [https://www.americanimmigrationcouncil.org/sites/default/files/infographics/maryland\\_infographic\\_2018.png](https://www.americanimmigrationcouncil.org/sites/default/files/infographics/maryland_infographic_2018.png)

2 (Estimation based on 1,250 per year reported from 2010-2013 multiplied by 24 years since The U.S. Department of State's Office of Children's Issue's was created. Outgoing Case Reports are available at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/data.html>)

spouse and/or children. Almost all wear a scarlet letter because the stigma of being accused of abuse doesn't go away even after the charges have been dismissed.

Anxiety over the potential abduction adversely affects their job performance and personal relationships including those with their children. One parent I know hasn't been able to hold a job since the abduction. If the feared abduction occurs, they often blame themselves despite being the victims themselves. They carry scars from legal systems that have not safeguarded what is most dear to them while at the same time draining them of their resources.

It was difficult to find people who would testify before this honorable body today because their custody cases are open. Many others who recover their children don't have the emotional energy to discuss it.

I will present three cases that I personally know of.

David and Joshua were abducted from Maryland to Japan on May 13th 2007. After many attempts to reunite with his children, the only thing their father Doug Gessleman has received is a few photos and emails. He wrote me, "They abducted my children, changed their names and blame me for abandoning them without any financial support. Kids are grown will more than likely never reach out to me." With this bill, judges will be informed that Japan is not enforcing Japanese family orders for returns or providing both parents access to kidnapped children. Travel restraints for children and entry into the federal Prevent Abduction Program are the best way to save them.

WJZ reported on Stan Hunkovich, a Maryland firefighter whose children were abducted to Trinidad & Tobago. The children have not been recovered despite intervention of Secretary

of State John Kerry and Congressmen Dutch Ruppersberger and Andy Harris. The bill we are proposing contains provisions which would have encouraged the use of the federal Prevent Abduction Program to prevent their kidnapping.

Another father is an Army veteran from Baltimore County. His case is open, so he couldn't testify publicly. His ex-wife has most of the red flags of an abductor including having abducted and absconded with their children both domestically and internationally. His lawyer with 40 years of experience didn't know what the Hague Convention was. His judge rejected any travel precautions or getting his custody orders registered in the country of potential refuge because the judge couldn't believe that the mother "*would transport them to a country with a repressive government, a poor economy, uncertain educational possibilities, and uncertain health care availability, potentially on the run for the rest of their childhood lives so as to escape the authorities.*" Contrary to the Judge's belief, 80% of the children abducted from Maryland go to non-first world countries because the lower cost of living allows divorce settlements to go further. There is no need for a life on the run from the authorities when the authorities have never returned an abducted child. Another judge told his lawyer there is no judge in Baltimore County who will restrict travel without a written threat from the prospective kidnapper. Thus, many judges unknowingly don't base their decisions on the risk factors for abduction established by their own U.S. Department of Justice. If this bill passes, parents' cases will be presented based on the true risk of abduction.

In my case, changing the mind of the judge to order safeguards took appointing a Best Interest Attorney to allow the children to voice their concern. That took hundreds of thousands of dollars and two rejected motions for a BIA before one of their therapists assisted in getting him appointed.

Recovery from some countries is difficult if not impossible. The US government is afraid of assessing penalties on countries not respecting the Hague Convention because it angers big business.

The ubiquitous Internet and webcams in the 21<sup>st</sup> Century reduces the need to travel. The multinational family can participate in all family events 24/7 through Skype if so desired.

This bill will give parents, lawyers, and judges knowledge necessary to assess the true risk factors and true understanding of the chance to return a child so they can take whatever steps are merited to safeguard the children. Modifying paragraph 9.7-104 (B) (2) to read the US Department of Office of Juvenile Justice and Delinquency Prevention instead of Department of State, will give them the source of risk factors.

Therefore, this testimony pleads with the Maryland legislature to enact this bill so that children may not be denied a return to their home, their American identities, and their sustaining contact with both parents and preempting the paramount risk of experiencing all the developmental and emotional problems of kidnapping. When risk factors are remedied, a travel restriction can be reversed. A child abduction (and the damage thereof) cannot.