

# CRISIS IN AMERICA

INTERNATIONAL PARENTAL CHILD ABDUCTION TODAY (2010)

Written By: Carolyn Ann Vlk And Peter Thomas Senese

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## **INTRODUCTION**

It is believed that United States children-citizens are being criminally abducted, illegally removed overseas, and wrongfully detained in foreign countries in shocking and seemingly advancing and unprecedented numbers. This despite U.S. court orders prohibiting their removal and/or demanding for their immediate return.

Remarkably, the necessary data required to accurately measure the total number of international parental child abductions (IPCA) does not exist due to the inability to measure what is believed to be a large number of 'unreported' cases, which is discussed in this report later on. Therefore due to the inability to measure 'unreported' cases, much of what has been previously reported in government and reputable organizations' studies or statements should be considered as speculation due in part to the inability to measure 'unreported' cases, as well as forecasted numbers derived from immeasurable and highly questionable determining methodologies. The only **measurable** statistics are the number of cases reported to law enforcement and to The Department of State's Office of Children's Issues (OCI).

## **QUESTIONABLE DATA AND PREVIOUS RESEARCH**

The content of this report includes statistics from the two most current published annual reports which are dated April 2009 and April 2010 and titled *Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction*. Assistant Secretary of State for Consular Affairs, Janice L Jacobs reports that during fiscal year 2009, the Office of Children's Issues experienced a significant increase in the number of reported international kidnapping cases. The 2010 report indicates that we can anticipate the current trends previously seen with respect to the increase in international parental child abductions to continue. In fact, the number of International Parental Child Abduction (IPCA) cases has nearly doubled since the fiscal year 2006 from 64 to 1,135.

Carolyn Ann Vlk, the writer of Florida's *Child Abduction Prevention Act*, explains, "In response to a mandate of the *1984 Missing Children Act*, the *Office of Juvenile Justice and Delinquency Prevention* (OJJPD) publishes periodic studies titled the *National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children* (NISMART). The NISMART publications are meant to identify the numbers of children who are reported missing and the number of children recovered in a particular year. These bulletins consist of comprehensive studies with an emphasis on examining trends in the incidence of missing children."

The *NISMART I* study (utilizing data from 1988 and published in 1990) reported that there were an estimated 354,100 family abductions annually. In order to derive data for that study in regards to the number of children that are victims of a family abduction each year a household telephone survey was conducted. The survey included a total of 10,367

interviews with adult caretakers. The *Population Estimates Program* of the *Population Division U.S. Census Bureau* estimated the U.S. population at 244,498,982 in 1988. To clarify, a sampling of telephone interviews from 0.0000413% of the U.S. population was utilized to provide the statistical data that is widely accepted as being an accurate accounting of the numbers of annual family abductions.

The *NISMART - 2* study, which utilized data from 1999 and was published in 2002, reported that there were 203,900 family abductions annually. This study also utilized a household telephone survey and completed interviews with 16,111 adult caretakers. Additionally, this study surveyed 5,015 youth ages 10-18 who lived in the sample households. During the study year the estimated U.S. population was 272,690,813, thus reflecting completed interviews of 0.000059% of the U.S. adult population. Once again, a small fraction of the U.S. population was interviewed as the *only* method of determining the annual numbers of family abductions. Critically, and troublesome is the fact that the *NISMART* studies did not derive any of the data relating to family abductions from law enforcement or other governmental agencies. Data was entirely compiled from random computer-assisted telephone interviewing methodology. Neither study conducted a second survey.

According to the *NISMART - 2* study that used data from 1999, only 28% of the 203,900 estimated abductions by family members or 56,500 abductions were reported by law enforcement. This illustrates a great reluctance by individuals to come forward and report their cases.

Now consider that an assortment of generally accepted reports or statements from leading authorities including *The National Center for Missing and Exploited Children* (NCMEC). On April 22, 2002 NCMEC stated in a press release the following, “In an effort to educate the public and to provide more services to victims, the National Center for Missing & Exploited Children has released a new publication *entitled Family Abduction: Prevention and Response* and has recently formed a group for adults who were victims of family abduction as children. A commonly misunderstood and complex issue, best estimates indicate that there are 354,000 domestic and 16,000 international family abductions per year.”

We are unable to ascertain where NCMEC determined their 16,000 international child abductions per year. What we do know is that according to the Department of State, in several of their published statements, that there were approximately 16,000 international parental child abductions over a two-decade long period. What these inconsistencies demonstrate is a lack of data. Unknown is whether the NCMEC statement included an estimate of ‘unreported’ cases or perhaps was an error as the same ‘16,000’ yearly number is identical to the Department of State’s ‘16,000’ two decade number.

Peter Thomas Senese is the author of the upcoming book titled ‘Chasing The Cyclone’ which critics have praised as an extraordinary story on international parental child abduction, love, and parenting. He stated, “Criminal parental cross-border abduction appears to be increasing in the United States and abroad at significant rates despite the

fact that there is not enough accurate data required to establish growth trends in cross-border abductions. The rise of abduction in our country as well as that seen in other nations indicates that we have a global pandemic on our hands. And as more children from different nations are stolen and not returned, including our own children, citizens will inevitably voice their growing anger over the fact that their nation's children-citizens have been abducted. The stealing of children across international borders can, and very well will inevitably create grave challenges for all nations who sit at the world's political and economic tables."

This report will unequivocally demonstrate that new, carefully constructed research initiated by our government is immediately needed, and that the number of international parental child abductions is increasing despite efforts to stop this terrible act directed at our children-citizens.

### **REPORTED CASES OF INTERNATIONAL PARENTAL CHILD ABDUCTION**

Indisputable, are the actual number of 'reported' abduction cases. Estimating the incalculable total number of 'unreported' cases is difficult to assess. Despite this inability to concisely determine the total number of cases each year, it appears America and our nation's children-citizens are plagued by a dangerous criminal epidemic known as 'International Parental Child Abduction' that is silently sweeping through our nation. At risk are tens if not hundreds of thousands of our defenseless children who are targeted for abduction each year.

In April of 2009, the annual *Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction* was released. In that publication, Janice L. Jacobs, Assistant Secretary of State for Consular Affairs writes, "Unfortunately, current trends reflect a steady increase in the number of international parental child abduction cases and highlight the urgency of redoubling efforts to promote compliance with Convention obligations and encourage additional nations to join the Convention." She also writes, "Very few options exist for parents and children who are victims of parental child abduction." In the 2010 annual report Ms. Jacobs continues to voice concerns over the increasing numbers of our child-citizens who have been wrongfully removed or wrongfully detained.

This fact is evidenced by the statistics contained within the reports. The 2009 report utilized data that was collected during the period from October 1, 2007 through September 30, 2008 and is referred to as fiscal year (FY) 2008. This report reflects that 1,082 new cases were reported involving 1,615 children. During the study year the U.S. was successful in the return of only 361 children. The 2010 report covers the time period from October 1, 2008 through September 30, 2009 which is FY 2009. During FY 2009, 1,135 new requests were received for assistance in an attempt to have returned 1,621 children who were wrongfully removed from the United States. During FY 2009 the U.S. was successful in the return of 436 children. The report does not indicate during which FY year a returned child was abducted. It is important to note that as time passes, it becomes substantially more difficult to recover an abducted child.

## UNREPORTED CASES OF INTERNATIONAL PARENTAL CHILD ABDUCTION

Peter Thomas Senese commented, “The anticipated number of international abductions used as a benchmark and often referred to is inconclusive because the published data does not take into consideration ‘unreported’ cases of international child abduction, population growth, increases in multi-cultural marriages, immigration migration increases to the United States, and economic difficulties many families are facing, which inevitably leads to a break-up of the family unit. More concerning is how the widely distributed and cited surveys used what I believe to be an inadequate number of telephone interviews and appear not to include any law enforcement records. In my view, we as a nation have a serious problem on our hands.”

Carolyn Ann Vlk stated, "Admittedly, something is seriously amiss in our ability to accurately estimate the number of children victimized by the crime of child abduction. In my opinion, utilizing only a random telephone survey, to determine the number of affected children is a process flawed by numerous, serious methodological problems. Additionally, the cooperation and compliance rate in obtaining the return of our citizen children who have been criminally internationally abducted must be drastically improved. The recovery of so few of these children during an entire fiscal year is not and should not be acceptable".

Unfortunately, many internationally abducted children are never returned because their abductions are not reported to authorities. The likelihood is that the vast majority of these types of cases never end with a child’s return. It would be reasonable to conclude that if a targeted parent did not report their child’s abduction, then in all likelihood, that U.S. child-citizen will not be returned to the United States. Due to the number of ‘unreported’ international abduction cases, it is difficult to determine a reasonable return-rate percentage. We recognize the difficulty in attempting to accurately estimate the ‘unreported’ case numbers and believe that it is probable that the number of returns of ‘unreported’ cases is extremely low and essentially immeasurable.

Reasons for ‘unreported’ cases include the financial inability of a Chasing Parent to take legal action since they are responsible to pay for all costs associated with their child’s recovery – even though a child’s international abduction violates state and federal laws such as the *International Parental Kidnapping Crimes Act* (IPKCA). Furthermore, many parents experience a sense of hopelessness that any recovery efforts will be futile since there are great difficulties associated with bringing a child home, including the possibility of first trying to determine where your child is. Also, the fact is that many nations are not a party of or do not uphold the Hague Convention. Furthermore, there exist substantial prejudices in foreign courts.

The *NISMART I* study reported that there were a total of 354,000 parental child abductions annually. The *NISMART II* study stated the total number of parental child abductions decreased to approximately 203,900 children. The truth of the matter is that we really do not know how accurate any of the data is or how large of a problem we

actually have on our hands. What we do know is that hundreds of thousands of children are targeted for parental abduction each year, and out of this group, tens of thousands of these instances include planned international parental abductions.

### **PARENTAL CHILD ABDUCTION IS A SEVERE FORM OF CHILD ABUSE**

According to leading experts who specialize in international parental child abduction, conclusive and unilateral opinion and fact demonstrates that parental child abduction of a targeted child is a cruel, criminal, and severe form of abuse and mistreatment regardless if the child is with one of their (abducting) parents. This includes the illegal act of international abduction, whereas, the child is unexpectedly uprooted from their home, their community, their immediate and extended family, and their country. Sadly, severe short and long-term psychological problems are prevalent for many abduction victims who survive their kidnapping experience. It is commonplace for a child to be emotionally sabotaged, whereas, the abducting parent will try to remove all bonds and attachments the child has with the other parent, thus, removing the child's right to know the love of the other parent, and keep in tact their own identity. Too many children simply never come home and in certain cases a child's abduction overseas has led to the death of the abducted child.

A leader in the field of parental child abduction issues, Dr. Dorothy Huntington wrote an article titled *Parental Kidnapping: A New Form of Child Abuse*. Huntington contends that from the point of view of the child, "child stealing is child abuse." According to Huntington, "in child stealing the children are used as both objects and weapons in the struggle between the parents which leads to the brutalization of the children psychologically, specifically destroying their sense of trust in the world around them."

"Because of the harmful effects on children, parental kidnapping has been characterized as a form of "child abuse" reports Patricia Hoff, Legal Director for the Parental Abduction Training and Dissemination Project, American Bar Association on Children and the Law. Hoff explains, "Abducted children suffer emotionally and sometimes physically at the hands of abductor-parents. Many children are told the other parent is dead or no longer loves them. Uprooted from family and friends, abducted children often are given new names by their abductor-parents and instructed not to reveal their real names or where they lived before." (Hoff, 1997)

Consider that today in Japan, there are approximately 230 American children-citizens who were illegally abducted from United States soil to Japan by one of their parents in violation of U.S. court orders. To date, and for what is believed to be nearly fifty years, Japan – America's strong ally – has never returned 1 American child who was parentally kidnapped and illegally detained in accordance to United States law. And tragically, the vast majority of the chasing parents left-behind in the wake of their child's abduction are not permitted to have contact with their child.

"I'm the only living parent to my daughter Erika," said U.S. Navy Commander Paul

Toland, whose daughter Erika was abducted to Japan seven years ago, "my wife died and my daughter was subsequently kidnapped by her grandmother, yet I have absolutely no access to her. Both the State Department and the Japanese Ministry of Foreign Affairs have asked to visit my daughter to check on her welfare, but the abductor said no. In the Japanese system, where no enforcement mechanisms exist and compliance is completely voluntary, all any government agency can say to me is 'We're sorry, we tried'. Nobody can offer any remedies or solutions, because none exist."

At the time of Commander Toland's child's abduction, OCI did not include his case as an officially reported case since at the time, Commander Paul Toland, father of Erika, was on active duty serving his country, and military personal cases were not counted as 'reported' cases. This has recently changed.

Welcome to the absurd world of international parental child abduction. The bizarreness of Commander Toland and his daughter's dire odyssey into the world of the incomprehensible is the norm experienced by many chasing parents and their children, not the oddity.

### **EXTREME DIFFICULTIES IN RECOVERING A PARENTALLY ABDUCTED CHILD**

There are abundant reasons why it is very difficult to have an illegally stolen child returned despite the United States being a signatory of *The Hague Convention on the Civil Aspects of International Child Abduction*. They include, but are not limited to the following:

1. Lack of action in reporting a child's abduction by a targeted parent left behind; and,
2. Many nations do not comply with or uphold the spirit of the convention (ex, Brazil, Mexico, Germany); and,
3. Many countries have not signed the convention (ex. Japan, China, Russia, and many countries located in the Middle East); and,
4. Chasing Parents may not have an idea what country their child was taken to; and,
5. Chasing Parents are responsible to carry the enormous financial burden associated with their child's recovery. Many simply do not have the substantial resources needed; and,
6. Many Chasing Parents do not have the knowledge necessary to navigate the difficult and complex legal system of international law, nor do they often know who to turn to and what to do; and,
7. Nationalistic prejudices of court systems located in the 'inbound' country, whereas,



a court may try to protect the abducting parent if that parent is a citizen of the country where they abducted the child to; and,

8. Cultural differences; and,

9. A Chasing Parent's fear to attempt to recover their child due to threats from the abducting parent or individuals associated with the abducting parent; and,

10. Lack of cooperation from law enforcement; and,

11. Limited power of the *Office of Children's Issues* to intervene on behalf of a U.S. citizen.

### **HIGH GROWTH OF CRIMINAL INTERNATIONAL CHILD ABDUCTION RATE**

According to statements issued by the Department of State, reported cases of international parental child abduction increased by 40% from 2007 to 2009, which appears to be similar to what other Hague Convention signatory nations have experienced. This represents a mean increase of 20% per year. The 2010 report indicates the expected percentage increase in abductions is anticipated to be equivalent to, if not higher than the increases demonstrated during 2007-2009.

What is not known is whether the increase in 'reported' cases to the Department of State's OCI is due to greater public awareness and proactivity amongst targeted parents, an actual increase in the number of international abductions, the extensive outreach made by OCI to let targeted parents know that OCI exists and can assist a Chasing Parent, or all of the above.

Peter Thomas Senese, who turned to OCI during his child's abduction commented, "There never is a day that goes by that I am not appreciative and thankful for the assistance that was extended to me and my family by the *Office of Children's Issues* during the time I was chasing the cyclones of international parental child abduction. Unquestionably, it was through the assistance of some of the extraordinary, caring and concerned individuals from OCI who intervened on behalf of my child's case that today my son lives a happy, peaceful, and secure existence. OCI had a giant impact on my case, and for the rest of my life, I will be forever thankful to some of that organization."

The increase in reported cases by the Department of State only demonstrates abduction cases that are actually 'reported'. Unfortunately, it is believed that many abduction cases are not reported due to multiple reasons. This includes fear from immigrant aliens living in the United States with either documented or undocumented status that they may be deported if they file a Hague Application with OCI seeking for the return of their abducted child. In these cases, OCI will always accept a request for assistance regardless if the parent is here legally or not since *The Hague Convention on the Civil Aspects of International Child Abduction* does not say anything about citizenship status. And it has

been OCI's policy to never report an undocumented alien to the *U.S. Department of Immigration and Customs Enforcement*.

Now consider the data contained in the 2009 Hague Compliance report indicating that the mean growth rate experienced between 2007-2009 was approximately 40% (an average of 20%). If the rate continues at a mean of 20% over the next ten years and we factor in the 2009 reported case numbers, this forecasts that our nation will have at least 9,647 of our children-citizens criminally abducted overseas in the year 2020, and from 2008 through 2020, 52,466 of our nation's children will have been internationally abducted.

Our position is that due to the existence of what we believe to be a significant and substantial number of 'unreported' cases combined with population growth and increases in documented and undocumented immigration migration, the rate of children abducted internationally will continue to rise at a rate of at least, if not substantially greater than 20% annually unless significant abduction prevention steps are immediately implemented.

Combining the projected increases of 'reported' cases with the immeasurable 'unreported' cases that is apparent and real based upon immigration migration and economic factors, it is reasonable to state that America and our children are facing a serious problem.

The absurdity of this all is so terrifying that you might be inclined and desirous to dismiss it, particularly when we consider the immeasurable number of cases presently classified as 'unreported' that may shift to the 'reported' category due to public awareness combined with OCI's outreach efforts.

It is important to note that none of these figures include the large number of children who have previously been internationally abducted and presently remain illegally detained overseas.

### **REASONS WHY ONE PARENT CRIMINALLY ABDUCTS A CHILD**

Studies have demonstrated that an unprecedented number of abductions have occurred where one parent took unilateral action to deprive the other parent of contact with their child. The majority of abducting parents will typically use the child as a tool to cause the targeted parent great pain and suffering. Their intent is simple: to make the other parent suffer as much as possible by depriving that targeted parent with the love and connection to their own child. Nearly every published study on this subject has concluded that an abducting parent has significant, and typically, long-term psychological problems and may in fact be a danger to their child.

We take the time to acknowledge that in certain cases of parental child abduction, a parent claims to have no other choice but to flee the other parent due to serious, grave, and ongoing forms of abuse. We acknowledge that in many abduction defenses found

under *Article 13 of The Hague Convention on the Civil Aspects of International Child Abduction*, an abducting parent will often claim mental, emotional, and physical abuse by the other parent as part of their defense to sanction their criminal behavior of abduction. However, we must also acknowledge that domestic violence is a very real, measurable, and in many cases, an ongoing crime that has limited law enforcement safety controls. We acknowledge that there are parents who *must* flee for their and their child's safety due to failures by law enforcement and courts to protect their safety, combined with a habitual abuser who aims to cause grave hurt to the targeted parent.

In addition, and understandably, family abductions occur at a higher rate during times of heightened stress such as separation or divorce and often involve custody issues and visitation problems. The sad fact is that a large number of marriages, estimated to be between 40% and 50%, in the U.S. end in divorce.

One of the many considerations that factor into the increase in total abductions indicates that economic difficulties in the United States and elsewhere are a measurable factor in the number of increases in separations and divorces. This added stress can lead to a parental cross-border abduction, particularly since we live in a global society, and the number of international relationships has increased dramatically.

While all children can be potential targets of a family abduction, the likelihood increases when that child has a parent with ties to a foreign country. According to the *Juvenile and Family Court Journal Vol. 48, No. 2* titled *Jurisdiction In Child Custody and Abduction Cases*, "Parents who are citizens of another country (or who have dual citizenship with the U.S.) and also have strong ties to their extended family in their country of origin have long been recognized as abduction risks." This increase in cultural diversity within the U.S. population has created challenges for our existing laws. Many U.S. born children-citizens fall victim to parental abduction when a parents' union ends.

Across the U.S., states are struggling to address their archaic and outdated laws, and establish additional precautions to better protect their child-citizen population. Unquestionably, it is critical that child abduction prevention laws are passed in each state and upheld by the judiciary and law enforcement. Failure to do so will likely lead to the looming disaster that is already upon us.

Peter Thomas Senese stated, "As a nation, the United States must fight back this sweeping plague by passing child abduction prevention laws and by increasing our judiciary's level of competency in overseeing and enforcing laws associated with these complex cases of potential or actual international parental child abductions. Critical to judges and lawmakers' ability to protect our children is the need for immediate research on this subject. The present available information is archaic, and more than likely inaccurate particularly due to the inability to measure 'unreported' cases. The community of child abduction prevention advocates has pointed this out for some time now. What we also need is for the creation and enforcement of well thought out and researched laws along with the upholding of the intent, spirit, and law of the international treaties such as

The Hague Convention so we can protect our children and put an end to the spread of this malignant pandemic that has reached our shores.

Florida state representative Darryl Rouson is the lawmaker who championed and sponsored Florida's landmark *Child Abduction Prevention Act (HB 787)*. The bill was unanimously approved in the Senate and House of Representatives and signed into law by Governor Charlie Crist. Florida's new preventative legislation will take effect on January 1, 2011. Representative Rouson commented, "It is critical for each state to implement laws that will protect the rights of our children-citizens who may face parental child abduction. The misconception that when one parent steals a child from the other parent, that the child is safe, is undeniably inaccurate. It is through prevention laws such as Florida's *Child Abduction Prevention Act* that we will be able to prevent this serious crime against our nation's children from occurring."

Carolyn Ann Vlk, the child abduction prevention advocate, commented, "Early on in my research on this critical issue I recognized the urgent need for preventative legislation. Thankfully, Florida's legislative body wholeheartedly agreed as evidenced by the unanimous votes. I am thrilled for the added measure of safety this new law will have in protecting the children of my great state. However, I will not be satisfied until all states have child abduction prevention legislation enacted."

### **WHAT IS THE ACTUAL NUMBER OF INTERNATIONAL CHILD ABDUCTIONS?**

To answer this question as directly as possible, the answer is nobody knows the answer, except it is substantially higher than what is reported.

One of the great concerns is in determining the actual number of annual child abductions. Approximately 1,082 outgoing cases were reported to OCI during FY 2008 and 1,135 new cases were reported to OCI during FY 2010 . However, we must also consider the number of cases that are unreported. This leads to several obvious questions including how accurate is the data that was compiled in the *NISMART* publications. Particularly when we consider the study was generated, concluded, and widely disseminated based upon completed adult surveys of approximately 10,367 households in 1988 and 16,111 in 1999. We must also ask ourselves why there appears to be a large number of unreported abduction cases? And why is the data so old and outdated, and how could our government allow for this to happen? Budget constraints aside, we're talking about our nation's children, aren't we? Undeniably, we need to know what the real numbers are. And finally, what can OCI do to further assist targeted parents and their children who have not reported their cases?

In order to answer these questions, we must first look at the shift in our country's population, and heavily weigh who we are – as a nation of immigrants.

## IMMIGRATION MIGRATION AND ITS AFFECT ON CHILD ABDUCTION CASES

A report compiled by the renowned Washington based *Pew Hispanic Center* reports that most immigrant groups are comprised of young families. The likelihood that a child will be born while the parents are present in the U.S. is high. Prior to 2007, data collected on parents of children under 18 only identified one parent, and a second parent could only be identified if they were married to the first parent. Currently, a second parent identifier is considered whether or not the parents are married to each other. The new data more accurately reflects the number of children living in the U.S. with at least one foreign born parent.

In 2008 that meant that 22% of all children in the United States had at least one foreign-born parent. In fact, consider the following statistics compiled by the *Center for Immigration Studies* in its March 2007 analysis. Immigrants and their U.S. born children under age 18, as a share of population: California - 37.9%, Los Angeles County - 50%, New York State - 27.9%, New York City - 46.7% and Florida - 27.9%.

It must be noted that although 31.3% of all immigrants originate from Mexico, other countries have significant entry numbers as well. Included in the March 2007 *Current Population Survey (CPS)* were statistics indicating that 17.6% of all immigrants were from East/Southeast Asia, 12.5% from Europe, 5.5% from South Asia, 3.5% from the Middle East, and Canada at 1.9%.

Traditionally, states such as California, New York, Florida, Texas, Illinois and Arizona have had large numbers of immigrants in their population. What is surprising is the trends in migration toward new centers of immigrant growth. The *CPS* prepared an analysis of states with statistically significant growth in immigrant population between 2000 and 2007. Most notably, Wyoming, which experienced a percentage increase of 180%, Tennessee at 160%, Georgia at 152.1%, and Alabama at 143.6%. The impact of unprecedented increases in immigrant migration is likely to create multiple challenges as states struggle to keep pace with their newest segment of population and their children.

“As a nation of immigrants, it is important to note that as our nation’s population increases due to immigrant migration, so too does the likelihood of increased cross-border child abduction,” Peter Thomas Senese added.

Additionally, it has been well established that illegal aliens do not respond to surveys such as the *US Census* or the *CPS*. Because the U.S. government does not have accurate records of arrival and departures for individuals present illegally in the country, their numbers must be estimated, as there is no hard data to draw from. However, indirect means for establishing these figures are used, and they must be viewed with a considerable amount of uncertainty. In 2007 *CPS*, it was estimated that of the approximately 37.9 million immigrants present in the U.S., nearly 1 in 3 immigrants were present illegally.

It is important to note this segment of our population when discussing child abduction because when a child is born in the U.S. that child automatically is a U.S. citizen. While the available data gives us fairly accurate figures regarding the number of children born in the U.S. as well as those immigrants who are present legally, a number is impossible to compile accurately in relation to the unauthorized resident population.

In regards to children born to illegal immigrants, in the five-year period from 2003 to 2008, that number rose from 2.7 million to 4 million. The report published by the *Pew Hispanic Centers* reported that nationally the children of illegal immigrants now comprise 1 in 15 elementary and secondary students in the U.S. Additionally, in Arizona, California, Colorado, Nevada and Texas more than 1 in every 10 students in those states are the children of illegal immigrants.

Carolyn Ann Vlk, the writer of Florida's *Child Abduction Prevention Act* stated, "The ability of state governments to prevent the abduction of children by family members could be drastically improved by comprehensive legislation. While aiming to protect all children, special consideration must be given to those children who may be at increased risk simply by virtue of their parentage. According to the *U.S. Bureau of the Census*, the resident population of the U.S. projected up to April 22, 2010 estimated that one international migrant enters the U.S. every 36 seconds. International travel has become commonplace and as more cross-cultural relationships develop children are born. A number of these relationships will end and may result in an increased risk of international abduction of the child. Attempting to retrieve a child who has been abducted and possibly hidden internationally is a near impossibility as a multitude of problems surface in cases such as these. Unfortunately, studies have proved 4 of 5 Americans drastically underestimate the threat of a family abduction. Statistically, it is a sobering thought when you become aware of the vast numbers of children that are criminally abducted each year. Preventative laws are a necessity as an immediate remedy to this unconscionable crime."

David Bokel of Lynchburg, Virginia was a targeted parent of international parental child abduction. On December 24th, 2003 his young daughter was parentally abducted and planned to be criminally removed from the country. Fortunately, Mr. Bokel was able to find and safely bring home his child with the help of hundreds of concerned people in the community. He commented, "International parental abduction, a form of child abuse, is seriously on the rise. The laws in our country realistically permit an abducting parent who intends to carry out their planned kidnapping to essentially do so. There are very few laws in place that prevent child abduction, and those that are in place are not enforced. Immigrants who kidnap children should be removed from the country. My daughter's abductor, after receiving a three-year federal prison sentence for her crimes, received her green card so she can legally stay in the United States."

## **DEPARTMENT OF STATE'S OFFICE OF CHILDRENS ISSUES**

The *Office of Children's Issues* at the Department of State was established to assist parents whose children have been unlawfully removed from the country. The *OCI* assists the remaining parent and strives to protect those children who have been victimized in these types of cases. Considering thousands of child custody cases are fought across national borders each year, the assistance of the *OCI* can be invaluable. Litigating custody, especially across international borders where conflicting orders may exist can be difficult if not impossible. The *OCI* aims to assist in these cases by enhancing an understanding of the many complex laws, both domestic and international that may be applicable to a particular case.

However, *OCI* has significant limitations, including the fact that they cannot represent your abducted child in a foreign court. *OCI* does provide a list of lawyers in foreign countries who at times have worked *pro bono* on abduction cases. However, there are no obligations by any of these lawyers to take a case, and it is up to each Chasing Parent to work out all arrangements. The reality is that '*pro bono*' sounds like a nice idea, but it is an unrealistic expectation.

Immediate suggestions that could allow the dedicated staff at *OCI* to be more helpful include the following:

1. Creating and distributing useful, concise information for chasing parents, law enforcement, and court personnel regarding all areas of *IPCA*. The use of digital media combined and supported by printed content is critical.
2. The development of an independent website outside of the Department of State's website. This website must be easy to navigate, include audio and digital feeds, and must be accessible to individuals in various languages.
3. *OCI* must actively support advocates and lawmakers who are seeking to pass child abduction prevention laws. Support by *OCI* in this area can increase the visibility of the issues of child abduction while also increasing lawmaker and judiciary awareness.
4. Dissemination of information on the Children's Passport Issuance Alert Program.
5. Dissemination of information on the 'Prevent Departure Program', and dedicated resources established to assist lawyers and Chasing Parents seeking assistance under this program.
6. Increases in outreach toward documented and un-documented aliens about *OCI*, and the rights of their U.S. child-citizen.
7. Increase in personnel to support the tremendous workload of the *OCI* staff.

Peter Thomas Senese, who produced and narrated the important documentary film on international parental child abduction titled, *Chasing Parents: Racing Into the Storms of International Parental Child Abduction* added, “One child criminally abducted and illegally detained overseas is one child too many. However, we are not referring to one child. We are referring to hundreds of thousands of our nation’s child-citizens who are at risk of abduction.

“Unfortunately, due to outdated data and research, we really do not know how large of a problem we have on our hands, but I suspect it is much greater than we know or want to accept. One thing that is common amongst the vast majority of *Chasing Parents* is that none of us expected to have our child or children stolen. It realistically can happen to a very large portion of our population. I hope that all concerned citizens will contact their Senators and Representatives and urge them to support and sign the *International Child Abduction Prevention Act* known in Washington as HR3240. This bill is critical. And I want to repeat that most targeted parents who had their child criminally abducted never saw it coming. Due to the demographic composition of our nation, few parents and their children are immune to this threatening plague.”

Carolyn Ann Vlk concluded early on in my child abduction prevention advocacy I was asked, "Where is the public outcry?" My response at that time was that if you are a parent attempting to prevent your child from a criminal abduction you are focused on that issue. If tragically your child has already been abducted, then you are devastated and grieving. I am happy to report that through my volunteerism in this area, I have had the great honor of getting to know some extraordinary parents. The days of quiet acceptance of this crime are over. Parents are uniting together all over the U.S. to ensure that their voices are finally heard and demanding that their children no longer be marginalized and that they be protected. Preventative laws can and will help curb the unacceptable numbers of abductions from occurring. My heart breaks for those children who remain criminally detained in foreign nations and their grieving and left behind families. It is my greatest hope that through bringing this hideous crime to the forefront of the public’s attention that it will someday be possible to reunite these children and their families.”

Speaking on the crisis of IPCA, author Peter Thomas Senese said, “With limited accurate data, an uneducated judiciary, an uninformed public, difficulties in passing child abduction prevention legislation, non-compliance of international treaties, and heavy financial burdens placed on *Chasing Parents* desperately trying to protect their kidnapped children, this really is the world turned upside-down, and it is going to get much worse for our children and their parents unless dramatic steps in all areas are immediately implemented.”



## **About the Authors:**

*Carolyn Ann Vlk is a child abduction prevention advocate who drafted the landmark State of Florida's 'Child Abduction Prevention Act' that will be enacted on January 1<sup>st</sup>, 2011. Ms. Vlk was highly influential in raising the public's awareness on the little-known, highly effective child abduction prevention federal program titled the 'Prevent Departure Program'. Carolyn is also a writer/producer of the highly educational documentary film series titled 'Chasing Parents: Racing Into The Storms Of International Parental Child Abduction', and, is the author of numerous essays and studies on parental child abduction, including the groundbreaking report titled 'International Parental Child Abduction And Human Trafficking In The Western Hemisphere' (2010). Carolyn is dedicated to assisting parents and their children who are targets of international child abduction, and is committed to bringing about positive reform and change in law and government protocol that has been established to aid at-risk children. Ms. Vlk is a supporter of The Hague Convention, The Department of State's Office Of Children's Issues, and the Uniform Child Abduction Prevention Act (UCAPA). Carolyn is a loving and dedicated mother to her children, and fought rigorously to protect her own child who was a target for potential abduction that she went so far as to draft legislation that has now become new law in her home state of Florida. To contact Carolyn Ann Vlk, please e-mail her at [carolynannvlk@yahoo.com](mailto:carolynannvlk@yahoo.com)*

*Peter Thomas Senese is a child abduction prevention advocate and a successful chasing parent in accordance to the rules of international parental child abduction law established under the Hague Convention. Peter advocated for the passage of the State of Florida's 'Child Abduction Prevention Act' (CAPA) that will be enacted on January 1<sup>st</sup>, 2011. In addition, he contributed to raising public awareness on the previously widely underutilized federal child abduction prevention program; specifically, the 'Prevent Departure Program' (PDP) that is now more commonly implemented in aiding targeted parents and their child from abduction in certain case scenarios. Peter is the creator/writer/producer of the educational documentary film series 'Chasing Parents: Racing Into The Storms Of International Parental Child Abduction', a best-selling author whose upcoming world-wide book release focusing on international parental child abduction and titled 'Chasing The Cyclone' has been critically acclaimed as a call-to-arms against child abduction. Peter is the writer of an extensive number of influential articles and essays pertaining to IPCA. He has created and oversees a comprehensive website dedicated to child abduction prevention and good parenting ([www.chasingthecyclone.com](http://www.chasingthecyclone.com)) where numerous essays and may be found, including the eye-opening report 'International Parental Child Abduction And Human Trafficking In The Western Hemisphere' Peter co-authored with Ms. Carolyn Vlk. Dedicated to bringing about new child abduction prevention laws while creating dialogue that may reform certain government programs and protocols so that they may better serve targeted children and their parents, Peter Senese is a strong supporter of The Hague Convention and The Department of State's Office Of Children's Issues. Paramount to all things, Peter is a loving father deeply dedicated to raising his young son. To contact Peter Thomas Senese, please e-mail him at [pthomas@chasingthecyclone.com](mailto:pthomas@chasingthecyclone.com) or at [peter@petersenese.com](mailto:peter@petersenese.com). To learn more about Peter's and his writing, please visit [www.peterthomassenese.com](http://www.peterthomassenese.com)*

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