

OCEAN COUNTY PROSECUTOR'S OFFICE

James W. Holzapfel Prosecutor

GUIDELINES FOR POLICE

INTERFERENCE WITH CUSTODY

GUIDELINES FOR POLICE

OCEAN COUNTY PROSECUTOR'S OFFICE OCEAN COUNTY COURT HOUSE C.N. 2191 TOMS RIVER, NEW JERSEY 08754

JAMES W. HOLZAPFEL, COUNTY PROSECUTOR TERRENCE P. FARLEY, FIRST ASSISTANT PROSECUTOR ROBERT W. SCOTT, II, EXECUTIVE ASSISTANT PROSECUTOR

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U.S. Department of Justice National Institute of Justice

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APRIL, 1989

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MESSAGE FROM THE OCEAN COUNTY PROSECUTOR

Interference with custody or parental kidnapping is a serious crime. It traumatizes the nonabducting parent as well as the abducted child.

This Prosecutor's Handbook is being provided to members of the law enforcement community of Ocean County to offer effective assistance in handling interference with custody crimes. The Handbook contains (1) the law and legal procedures, (2) investigative checklists and guidelines, and (3) available resources.

I am confident that this Handbook will help to assure a thorough and efficient investigation resulting in indictment, a federal warrant, and, most importantly, the return of the abducted child and prosecution of the abductor.

I thank each of you for your commitment and perseverance in law enforcement.

JAMES W. HOLZAPFEL OCEAN COUNTY PROSECUTOR

OCEAN COUNTY PARENTAL KIDNAPPING TASK FORCE

MEMBERS

| 1. | Joseph Manger | Barnegat P.D. | 609-698-5000 |
|-----|--------------------------|-------------------------|--------------|
| 2. | Ptl. Robert Hoffman | Bay Head P.D. | 892-0632 |
| 3. | Det. James McCaffrey | Beach Haven P.D. | 609-492-0505 |
| 4. | Det. James Fuhrmann | Beachwood P.D. | 341-1249 |
| 5. | Det. John Holovak | Berkeley Twp P.D. | 341-6600 |
| 6. | Lt. Robert Ryan | Bricktown P.D. | 477-8300 |
| 7. | Det. Edward Henry | Dover Twp P.D. | 349-0152 |
| 8. | Ptl. Jerry Falkowski | Harvey Cedars P.D. | 609-494-6509 |
| 9. | Dep. Chief Robert Burger | Island Heights P.D. | 349-2010 |
| 10. | Ptl. Edward Neil | Jackson Twp P.D. | 928-1111 |
| 11. | Det. Brian Reed | Lacey Twp P.D. | 609-693-6636 |
| 12. | Ptl. Mark Rodina | Lakehurst P.D. | 657-7811 |
| 13. | Capt. John Marshall | Lakewood P.D. | 363-0200 |
| 14. | Sgt. George Bernhard | Lavallette P.D. | 793-4800 |
| 15. | Capt. Chris Silva | Little Egg Harbor P.D. | 609-296-3666 |
| 16. | Capt. James Jeffrey | Long Beach Twp P.D. | 609-494-6900 |
| 17. | Sgt. William Flemming | Manchester Twp P.D. | 657-6111 |
| 18. | Ptl. Jeffrey Lindquist | Mantoloking P.D. | 892-0832 |
| 19. | Ptl. Ted DeMott, Jr. | Ocean Gate P.D. | 269-2468 |
| 20. | Ptl. Ken Flatt | Ocean Twp P.D. | 609-693-4007 |
| 21. | Ptl. Mert Crosby | Pine Beach P.D. | 341-2824 |
| 22. | Ptl. James Myers | Plumsted Twp P.D. | 609-758-7185 |
| 23. | Det. Chip DiCorsia | Pt. Pleasant Beach P.D. | 892-0500 |

| 24. | Lt. Richard Branda | Pt. Pleasant Boro P.D. | 892-0600 |
|-----|------------------------|------------------------------------|--------------|
| 25. | Det/Sgt. Nate Horowitz | Seaside Heights P.D. | 793-1800 |
| 26. | Lt. Charles Dischow | Seaside Park P.D. | 793-8000 |
| 27. | Inv. Mike Opelenik | Ship Bottom P.D. | 609-494-1518 |
| 28. | Lt. Tom Kirwin | South Toms River P.D. | 349-6913 |
| 29. | Ptl. Robert Engel | Stafford Twp P.D. | 609-597-8581 |
| 30. | Sgt. Martin McNulty | Surf City P.D. | 609-494-9121 |
| 31. | Chief Walter Habich | Tuckerton Boro P.D. | 609-296-9416 |
| 32. | Det. John Petracca | N.J.S.P. Bass River | 609-296-2031 |
| 33. | Det. Edward Donovan | N.J.S.P. Fort Dix | 609-723-7121 |
| 34. | Lt. Jules Mendik | Ocean County Sheriff Dept. | 349-2010 |
| 35. | Inv. Robert Peck | Ocean County Prosecutors Office | 929-2027 |
| 36. | A.P. Stephanie Wauters | Ocean County Prosecutors Office | 929-2027 |

1. Q. What is New Jersey's criminal law?

A. New Jersey has an interference with custody law, N.J.S. 2C:13-4. This is a fourth degree crime punishable by a prison term of up to 18 months, a fine of up to \$7,500.00 and a Victim of Violent Crime penalty of at least \$30.00.

Interference with Custody, N.J.S. 2C:13-4 states:

- a. Custody of children. A person commits an offense if he knowingly takes or entices any child under the age of 18 from the custody of the parent, guardian or other lawful custodian of the child, when he has no privilege to do so, or he does so in violation of a court order. It is an affirmative defense that:
- (1) The actor believed that his action was necessary to preserve the child from danger to his welfare; or
- (2) The child, being at the time not less than 14 years old, was taken away at his own volition and without purpose to commit a criminal offense with or against the child.

Proof that the child was below the critical age gives rise to a presumption that the actor knew the child's

Interference with custody is a crime of the fourth degree.

b. Custody of committed persons. A person is guilty of a crime of the fourth degree if he knowingly takes or entices any committed person away from lawful custody when he is not privileged to do so. "Committed person" means, in addition to anyone committed under judicial warrant, any orphan, neglected or delinquent child, mentally

defective or insane person, or other dependent or incompetent person entrusted to another's custody by or through a recognized social agency or otherwise by authority of law.

- 2. Q. Can parents in a marriage commit the crime of parental kidnapping or interference with custody?
 - A. Yes.

Yes, if one parent has court ordered custody and/or visitation. This court order may be temporary or permanent, that is, during or after court proceedings.

Even if no court order was ever obtained, that is, in a non-litigated marriage, if one parent denies the other parent his or her equal custody of the child by having abducted the child when he or she had no privilege to do so, the abducting parent may be indicted for interference with custody.

- 3. Q. When will the matter be referred to the Ocean County Sheriff's Office?
 - A. If a state court other than New Jersey issued the court order or custody papers, then the Ocean County Sheriff's Office will assist the non-abducting resident or non-resident with going before an Ocean County Family Court judge for a civil hearing to obtain a New Jersey court order and/or a holding of Contempt of Court.

If a New Jersey resident has no court order or custody agreement, then the civil court judge will be asked to hold a hearing for the non-abducting resident to obtain temporary custody.

- 4. Q. When will the Ocean County Prosecutor's Office consider proceeding with an indictment for interference with custody?
 - A. If the non-abducting person or parent has New Jersey custody papers or a New Jersey's court order, the Prosecutor's Office will consider indicting the non-custodial person for interference with custody.
- 5. Q. Who will participate in the presentation of the case to the Grand Jury?

A. Usually the custodial parent or other custodian person and/or investigator on the case and possibly any other person with relevant knowledge of the facts.

The prosecutor will question the witnesses. The 23 grand jurors and court reporter will be present.

6. Q. What is a Grand Jury?

A. A Grand Jury consists of 23 people who serve I day a week for 17 weeks and hear testimony to decide if a person should be indicted for the alleged crime. If after hearing the witness' testimony the grand jurors decide to indict the person accused of the offense, they present a "True Bill". If the jurors decide not to indict they state "No Bill".

7. Q. What is an Indictment?

A. An indictment is the decision of at least 12 members of a Grand Jury that probable cause exists to charge a defendant with an offense punishable by more than 1 year in prison. Once a defendant is indicted, the formal trial process begins. In addition, state and federal warrants for arrest may then issue.

8. Q. How long will it take to indict?

A. After a person or the police officer signs a private warrant against the child abducting parent or other persons, the papers should reach the Prosecutor's Office Interference with Custody Unit investigator within 48 hours. The Prosecutor's Office will decide if the matter will be presented to the Grand Jury within a month. Normally, a case is presented to the Grand Jury within 6 months.

9. Q. How will the federal arrest warrant help?

A. The federal arrest warrant will permit the police in another state to arrest the abductor. The abducted child may be placed in the care of a comparable agency—as the New Jersey State Division of Youth and Family Services—until the custodial parent arrives to retrieve the child

10. Q. How long will it take to try the case?

- A. Depending upon how long it takes to locate and return the abductor and the criminal court trial calendar, the criminal trial may be up to one or two years later. Upon the return of the abductor and the child or children, the Prosecutor's Office may agree to discuss a plea in which the abductor pleads guilty to the indictment and an appropriate disposition is agreed upon.
- 11. Q. How can the Ocean County Office of Victim Witness Advocacy help?
 - A. The Prosecutor's Office has a staff to assist victims of crime through the entire trial process. If you have any questions or need assistance regarding the criminal procedure or the status of the case or need social service referrals, you may call 201-929-2195.
- 12. Q. In which Superior Court will the trial be held?
 - A. Most likely an interference with custody case will be tried in the criminal court. If the defendant demands a trial by jury pursuant to \underline{R} . 1:8-1, then it will be held in the criminal court. However, if the defendant waives his right to jury trial and both defendant and prosecutor agree in writing, the trial may be in Family Court, pursuant to \underline{R} . 3:1-5(b) (c).
- 13. Q. What are the other important laws to know regarding interference with custody?
 - A. The Uniformed Child Custody Jurisdiction Act of 1968 (UCCJA) (N.J.S.A. 2A:34:28-52) has been adopted in some variation in all 50 States, the District of Columbia and the Virgin Islands. The purpose of this act is to provide an orderly and uniform approach to custody matters and to prevent forum or court shopping for a favorable ruling and to discourage child-snatching. Some of the provisions of the act are that it:
 - limits custody jurisdiction to the state where the child has his home, that is, resided for 6 consecutive months prior to the court hearing, or where there are other strong contacts with the child and his family (Section 3);
 - provides for the recognition and enforcement of out-of-state custody decrees in many instances (Section 13, 15);
 - 3. limits jurisdiction to modify decrees of other states by giving preference to a prior court order under certain conditions (Section 14);

- 4. denies access to a court to petitioners who have engaged in child snatching or similar practices (Section 8);
- 5. open ups direct lines of communication between courts of different states to prevent jurisdictional conflict and to bring about interstate judicial assistance in custody cases (Section 17-22);
- 6. stresses the importance of the personal appearance before the court of non-residents who claim custody and of the child himself and provides for the payment of travel expenses for this purpose (Section 110;
- 7. permits the filing of an out-of-state custody decree in the Office of the Clerk in this State to be treated as would be a New Jersey custody decree (Section 15A);
- 8. May require the person violating a custody decree of another state which makes it necessary to enforce the decree in this state to pay necessary travel and other expenses, including attorney fees, incurred by the party entitled to the custody or his witnesses (Section 15B);
- 9. provides that the general policies of the act extend to other nations if reasonable notice and opportunity to be heard were given to all affected persons (Section 23).

The Parental Kidnapping Act of 1980: (PKPA) (P.L. 96-611; 28 U.S.C. 1738A, 1738A Note, 18 U.O.S.C. 1073 Note; 42 U.S.C. 654, 655, 663)

This federal act has similar goals as the Uniform Child Custody Act. It:

- l. provides "authorities" with the Federal Parental
 Locator Service, a national system for locating
 parents and children who travel from one jurisdiction
 to another;
- establishes national standards to determine which jurisdiction will decide a custody or visitation dispute;
- 3. discourages a state from modifying another state's custody order;
- 4. applies the **Fugitive Felon Act** to state felony cases involving parental kidnapping or interstate or international flight to avoid prosecution. It makes the flight from prosecution a federal

offense punishable by a fine of up to \$5,000.00 and a prison term of up to 5 years. The State Prosecutor may formally present a request to the local U.S. Attorney for a Federal Unlawful Flight to Avoid Prosecution (UFAP) Warrant once the person has been indicted by a State Grand Jury

Authorities are defined as any agent or attorney of any state having an agreement under Title 42, Section 663, who has the duty or authority under the law of such state to enforce the child custody determination, any court with jurisdiction to make or enforce a child custody determination or any agent of the court, or any U.S. agent or attorney with a duty regarding the unlawful taking or restraint of a child.

For information on the Federal Parental Locator Service:

The Department of Health and Human Services Office of Child Support Enforcement Federal Parental Locator Service (FPLS) Washington, D.C. 20201 Telephone: 202-245-1647

For information on the State Parental Locator Service:

609-633-6259

The Missing Children's Act of 1982 (P.L. 97-292; 28 U.S.C. 534)

This act set up a National Crime Information Center (NCIC). Any missing child's name may be entered into the NCIC computer by parent or police request and the FBI may be asked to verify such entry. NOTE: The abductor does not have to be charged with a crime when you file a missing person's report.

In addition, through Interpol, the international criminal police organization, the local police can request a search for the abducted child in the country where the child might have been taken. Interpol can locate the child but not retain the child.

Both NCIC and Interpol can be used without a custody decree.

The Missing Children's Assistance Act of 1984 (P.L. 98-473)

This act established a national clearing house, the National Center for Missing and Exploited Children. This center provides technical assistance to anyone in locating and recovering missing children; coordinates such efforts; operates

a toll free hot-line (1-800-843-5678); provides information on the programs, services and laws; and provides technical assistance for prevention, investigation, prosecution and treatment of such cases.

National Center for Missing & Exploited Children (NCMEC)
1835 K. Street, N.W., Suite 600
Washington, D.C. 20006
Telephone: 202-634-9821, or in an emergency, Hot Line: 1-800-843-5678

14. Q. What other help is there when an international child-snatching occurs?

A. Immigration and Naturalization Service:

The Immigration and Naturalization Service can also assist in arresting and retaining the abductor on return into the United States.

The Hague Convention - International Child Snatching

In 1980 23 countries signed an international agreement obligating their courts to return children to the countries from which they have been abducted. On July 1, 1988, the United States ratified the treaty which applies to abductions or wrongful retentions that occurred on or after that date. As of July, 1988 the convention is also enforced in Australia, Canada, France, Hungary, Luxembourg, Portugal, Spain, Switzerland and the United Kingdom. Two more countries have adopted the convention, Austria on October 1, 1988 and Norway on April 1, 1989. Five other countries are working on ratification: the Federal Republic of Germany, Greece, Italy, the Netherlands and Sweden.

The Prosecutor's Office will work with the Department of State's Office of Citizens Consular Services (CCS) at 202-647-3666 (after hours: 647-5225).

ACKNOWLEDGEMENTS AND REFERENCES

Parental Kidnapping - How to Prevent an Abduction and What to Do if Your Child is Abducted

Patricia M. Hoff National Legal Resource Center for Child Advocacy and Protection of the American Bar Association National Center for Missing & Exploited Children August, 1985, Second Edition

International Parental Child Abduction

United States Department of State Bureau of Consumer Affairs August, 1988, Second Edition

I. INITIAL CONTACT

- A. Patrol dispatched to scene.
- B. Ascertain type of case.
 - 1. Missing
 - 2. Runaway
 - 3. Abduction
 - a. Stranger
 - b. Parental
- C. Interview Parent(s)/Guardian
 - 1. Fill out Missing Person Form.
 - 2. Ascertain custody status.
 - 3. Description of abductor and vehicle, if known.
 - 4. Possible destination.
 - 5. Attempt to obtain if possible:
 - a. Child and Abductor
 - i. Photo
 - ii. Fingerprints
 - iii. Video
 - b. Custody papers (copies)
 - 6. Leave abductor information sheet (to be picked up later). (Have Parent or Guardian complete)
 - 7. Leave child information sheet (to be picked up later).
 (Have Parent or Guardian complete)
 - NOTE: If no custody has been determined proceed as in
 Missing Person case and refer parents to Sheriff's
 Department, Special Projects Unit for Family
 Court intervention. If there is a Custody Order
 notify Prosecutor's Office. If there are Custody

Papers have complaint signed by Parent or Guardian. 2C:13-4 (Sample provided)

- D. Interview any witnesses.
- E. If there is an obvious crime scene where possible physical evidence may be retrieved:
 - 1. Preserve scene.
 - 2. Notify C.I.U.
- F. County Radio Alarm (Cross reference)
 - 1. Custody Papers
 - a. Missing Person Child
 - b. Wanted (Interference with Custody) Abductor
 - 2. No Custody Papers
 - a. Missing Person Child
 - b. Attempt to locate Abductor
- G. NCIC Entry (Cross reference)
 - 1. Custody Papers
 - a. Child Missing Endangered
 - b. Abductor Wanted (N.J. only)
 - 2. No Custody Papers
 - a. Child Missing Endangered
- H. Teletype Message (Cross reference)
 - 1. Custody Papers
 - a. Child Missing (File 6)
 - b. Abductor Wanted (File 5)
 - 2. No Custody Papers
 - a. Child Missing (File 6)
 - Abductor Attempt to locate (File 25)

- I. Disseminate information within Department.
- J. Notify liaison officer within Department.

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3 602351 SAMPLE COMPLAINT: INTERFERENCE WITH CUSTODY OF CHILDREN. The State of New Jersey bs. COURT Dover Twp. Municipal Court 255 Oak Ave, Toms River, NJ Defendant: JANE DOE COUNTY OF Ocean Address: 100 MAIN AVE. COURT COOK NUMBER COURT DOCKET NUMBER, ST TOMS RIVER SS# 999-00-9090 Defendant one of ____1 1/12/66 Date of birth_ ___Date of arrest_ COMPLAINT Complainant: JOHN DOE (NAME OF COMPLAINANT) (IDENIIIY DEPARTMENT OR AGENCY REPRESENTED) Upon oath says that, to the best of (his) (her) knowledge, Box 7777, Toms River, NJ information and belief, the named defendant on or about the (ADDRESS OF PRIVATE CITIZEN COMPLAINANE) MUNICIPAL CODE NO 10th, of June 1989 in the Twp of County of Ocean N.J. within the jurisdiction of this court, knowingly take or entice (NAME OF VICTIM), a child under the age of 18, from the custody of his/her parent (s), (guardian or other lawful custodian) when he/she had no privilege to do so (or in violation of court order) Charge Number 1 Charge Number 2 Charge Number 3 2C:13-4(a) Subscribed and sworn to before me this... Signed _ (NAME AND TITLE OF PERSON ADMINISTERING OATH) You are hereby summoned to appear before this court to answer the above complaint. If you fail to appear on the date and at the time stated, a warrant will be issued for your arrest.

Date to appear.

Time (AM) (PM) ود له د ليك ليك الله الآلة والأله ISIGNATURE OF PERSON (\$50ING SUMMONS) DATE OF FIRST APPLARANCE ., R.3:4-2 COURT ACTION (Cases wherein judgment or Conditional Discharge is entered in this court)

RIA DATEORIES CASCOCOUSCO DATE MAINEM SUSP FINE SUSP COSTS SUSP PROPERTY SUSP DISCHARGE TIEN CHARGES VI 10. 2 OTHER ACTION BY THIS COURT Violent Crimes Penalty. Amt. Other (Specify) BAIL INFORMATION COMMITTED COMMITTED PLACE COMMITTED AMOUNT BALL SET PROSECUTING ATTORNEY AND DEFENSE COUNSEL INFORMATION PROSECUTING ATTORNEY ASSIGNED MISCELLANEOUS INFORMATION List Campanion CDR numbers (Including Co-defendants).

II. SUGGESTED INVESTIGATION TECHNIQUES AND SOURCES

NOTE: Much of the below information will be provided by Parent/Guardian by completion of Abductor and Child information sheets.

- A. Verify Custody through Court.
- B. Reinterview Parent(s)/Guardian.
 - 1. Pick-up Abductor Information Sheet (completed)
 - 2. Pick-up Child Information Sheet (completed)
- C. Follow-up interviews.
 - 1. Child's friends
 - a. Provide name, address, telephone.
 - 2. Neighbors
 - a. Provide name, address, telephone (work and home).
 - 3. Teachers
 - a. Provide name, address, telephone (work and home).
 - 4. Other family members
 - a. Both parent's families/guardian. (Abductor and child)
 - i. Provide name, address, telephone (work and home.
 - 5. Employers (full and part-time) of abductor.
 - NOTE: If self-employed, profession, certificates or licenses required, bonding.
 - a. Provide name, address, telephone.
 - b. Amount of last check and date.
 - c. Any checks due.
 - i. When
 - ii. Amount due
 - d. Pension loans

- e. Profit sharing
- f. Other financial benefits
- g. Other company locations or subsidiaries
- 6. Close co-workers of abductor.
 - a. Provide name, address, telephone (work and home).
- 7. Friends of abductor.
 - a. Provide name, address, telephone (work and home).
- D. Suggested sources of information (about abductor).
 - Computerized Criminal History (CCH)
 - a. New Jersey
 - b. F.B.I.
 - c. Other States
 - 2. Other Police Agencies
 - a. Federal
 - b. State (firearms information)
 - c. County
 - d. Local
 - 3. Division of Motor Vehicles Number of vehicles, description, license plate, title, liens, insurance company, driver license information, renewal of driver's license, registration, any attempt to obtain new title?
 - a. New Jersey
 - b. Other States
 - 4. County Clerk
 - a. Birth Certificate any attempt to change name or obtain extra copies.

- b. Purchase and sale of property.
- c. Marriage Certificate.
- d. Corporate and Partnership agreements.
- 5. Board of Education
 - a. Child's records
 - b. Abductors records
 - c. Year Book photograph (if no other available)
- 6. Licensing Boards within State.
 - a. Pharmacy
 - b. A.B.C.
 - c. Doctor's
 - d. Etc.
- 7. Public Utilities (consent form and/or search warrant).
 - a. New Jersey Bell telephone tolls
 - i. Abductor
 - ii. Abductor's Family
 - b. Long Distance Companies (Sprint, MCI, Etc.)
 - i. Abductor
 - ii. Abductor's Family
 - c. Electric Company Abductor
 - d. Gas Company Abductor
 - e. Water Company Abductor
 - f. Sewer Company Abductor
 - g. Cable T.V. ABductor
- NOTE: Utilities may provide transfer of service records, mailing address (for refund or initial deposit money or credits), shut off dates, etc., check with suspected areas of relocation.

- 8. Financial Institutions (Search warrant or subpeona).
 - a. Banks Name, address, telephone.
 - i. Type of Account
 - A. C.D.
 - B. Checking
 - C. Savings
 - D. Money Market
 - E. Christmas Club
 - F. Trust Account
 - G. Etc.
 - ii. Account number
 - iii. Statement
 - iv. Signature cards
 - v. Etc.
 - b. Stocks, Bonds, Options and Mutual Funds, etc.
 - i. Name of Company (list each company).
 - ii. Most recent transaction history.
 - iii. Broker name, address, telephone.
 - c. Credit Cards
 - i. Name, address, telephone.
 - ii. Balance due.
 - iii. Cash advances.
 - d. Loans Personal With who, how much, when due?
 - e. Vehicle payments or leasing agreements With who, how much, when due?

f. Government Income

- i. Unemployment
- ii. Social Security
- iii. Veterans Benefits
 - iv. SSI
 - v. Food Stamps
 - vi. Public Assistance

9. Real Estate Holdings

- a. Location Full street address, County, Lot and Block, if known (can be located on tax bill).
 - i. In State
 - ii. Out of State
- b. Mortgages
 - i. Public
 - ii. Private
- c. Deeds
- d. Liens
- e. Tax Bills
 - i. When due?
- f. Rental Income
 - i. Due when?
 - ii. Amount due
 - iii. Name of tenant
 - iv. Property location
 - v. Is property managed by third party?
 - A. Name, address, telephone.

- g. Check with landlord
 - i. Return of Security Deposit.
 - ii. Any items left behind.
- 10. County Surrogate
 - a. Recent inheritance by abductor.
- 11. Insurance name, address, telephone, policy number.
 - a. Homeowners
 - b. Medical and Health
 - c. Vehicle
 - d. Disability
 - e. Life List benefactors
 - f. Personal property
 - g. Medicaid
 - h. Medicare
- 12. Other Government Agencies
 - a. U. S. Post Office
 - i. Mail Cover
 - ii. Interview Carrier
 - iii. Change of Address (Subpeona)
 - iv. Post Office Boxes where located?
 - b. Unemployment Office
 - c. Welfare Office (records)
 - i. Local
 - ii. County
 - d. U. S. Military (all serviceman's records)
 - e. Interpol

- f. Passport and Naturalization Office
 - Located at County level.
 - ii. Check for applications.
- g. D.Y.F.S. (may require Court Order or Subpeona)
- h. I.R.S.
 - i. Local Office
 - ii. Enforcement Bureau
- i. State Department
- 13. Use of Judicial System
 - a. Family Court
 - i. Certified copies of Custody decrees
 - ii. Court Orders
 - iii. Transcripts
 - b. Grand Jury System
 - i. Interviewing reluctant witness
 - ii. Subpeonas for records and persons
 - iii. Indictment Upon indictment UFAP can be obtained.
 - c. Civil Court
 - i. Have Parent/Guardian request their attorney to obtain Court Orders to freeze, and contact law enforcement officials regarding changes or applications reference the following:
 - A. Medical/Dental Records Abductor and Child.
 - B. School Records of Child.
 - C. Any and all income (payroll, pension, rental
 income, etc.)
 - D. Birth records Abductor and Child.

- E. Pharmacy records abductor (court order needed) and child (no court order needed).
- F. Mail
- G. Credit companies
- H. Etc.
- d. Superior Court Criminal trial after apprehension.
- 14. Religious and Fraternal Organizations (Abductor)
 - a. Churches
 - b. Community Service Organizations
 - c. Clubs and Lodges
 - d. Unions
 - e. Etc.

15. Surveillances

- a. Frequented locations of abductor
- b. Employer of abductor
- c. Family of abductor
- d. Friends of abductor
- e. Attorney of abductor
- f. Amusement and entertainment areas
 - i. Boardwalk
 - ii. Parks
 - iii. Sporting Center
 - iv. Movie Theatres
 - v. Video stores membership
 - vi. Etc.

- 16. Media Relations Articles and Photographs
 - a. Local and suspected areas of relocation.
 - i. Newspaper
 - ii. Newsletters
 - iii. Television
 - iv. Radio
 - v. Posters and flyers
- 17. Publications received by abductor
 - a. Trade magazines
 - b. Hobby or sports subscriptions
 - c. Newspapers
 - d. Newsletters
 - e. Etc.

18. General

- a. National Center of Missing and Exploited Children
- b. Missing Children Organizations
- c. Etc.
- E. Apprehension of Abductor
 - 1. Advise of Constitutional Rights.
 - 2. Attempt to take formal taped statement (transcribe and then preserve).
 - 3. Follow normal arrest procedures.
 - 4. Cancel alarms and notify cooperating agencies.
- F. Recovery of Child
 - 1. Notify Parent or Guardian.
 - 2. Have Parent examine child for physical injuries.

- 3. Interview child do not take formal statement from child.
- If physical or sexual abuse suspected contact Ocean County Prosecutor's Office, Sex Crimes Unit, immediately, 24 hours a day.
- 5. Return child to Parent/Guardian who has legal custody.

- A. Complete Abductor Information Form as soon as possible.
- B. Complete Child Information Form as soon as possible.
- C. Contact Private Attorney.
 - 1. Have Attorney explain New Jersey law and statutes pertaining to your situation.
 - 2. Have Attorney appear before Family Court to obtain Court Order to freeze documents.
 - a. Medical Records.
 - b. School Records.
 - c. Any and all income.
 - d. Birth Records.
 - e. Pharmacy Records.
 - f. Passports.
 - q. Etc.
- D. Stay in close touch with the authorities.
- E. Offer a reward and distribute posters with photo, description, contact telephone, address, where child was last seen, etc. Check with local law enforcement concerning having emergency flyers printed.
- F. Keep a pencil and paper by the telephone to record information if it comes in. If possible, have a tape recorder to record messages.
- G. Get as much publicity as possible. If the missing child seen the publicity, it may give them hope. Many children have been identified as a result of excellent media coverage. T.V. stations in many areas are airing pictures of missing children regularly on their news programs.

- H. Check out all ideas or suspicions. Do not rule out anything, even if it appears out of character.
- I. If you use a private detective, be careful to obtain a reputable one.
- J. Call the National Center for Missing and Exploited Children. Their telephone number is 1-800-843-5678. Their address is; 1835 K Street NW, Washington, D.C. 20006. Can provide additional resources.
- K. Make certain your Custody Order specifies police procedure. Then, if the order is violated, the police have explicit authorization by the Court to recover the child.
- L. Continue to obtain as much information as possible on your current or ex-spouse.
- M. Check with in-laws and other relatives and friends you think your spouse may have contacted.
- N. Check past telephone bills for out-of-town numbers which may give a possible destination.
- O. Check future credit card bills which may show out-of-town purchases.
- P. If your child is of school age, check previous schools to determine if requests for school records have been made by another school. Warn the school not to transfer records without first notifying you.
- Q. Be prepared to travel to pick-up your child. After the child has been located it is your responsibility, not the responsibility of the police, to provide transportation home for the child.

- R. Maintain copies of your Custody Orders at home and file copies of any restraining orders against your ex-spouse with your local law enforcement agency.
- S. Contact Victim-Witness Co-ordinator for any possible assistance you may require. Telephone 201-929-2031.
- T. It is the Parent's/Guardian's responsibility to provide medical treatment for any injuries the child may have sustained and/or clinical treatment if so needed.
- U. Go back to Family Court after your child is returned to limit the Abductor's visitation rights. Also ask Judge to add provisions to your Custody Decree to prevent a repeat abduction.

IV. RESPONSIBILITIES OF COUNTY LAW ENFORCEMENT AGENCIES

- A. Prosecutor's Office Parental Kidnapping Unit
 - Will provide initial response to crime scene if required, and render assistance 24 hours a day.
 - 2. Receive and review local police department documentation.
 - a. Custody papers
 - b. Complaint
 - c. Completed police reports
 - d. Formal statements and original tape recordings
 - 3. Prepare and present case for Grand Jury.
 - 4. Subpeona witness or records.
 - 5. Upon indictment;
 - a. Warrant for unlawful flight to avoid prosecution (UFAP).
 - b. Fugitive Unit
 - i. Abductor fails to enter plea within 10 days of indictment.
 - ii. Abductor cannot be located.
 - iii. Fugitive Unit will cooperate with all International, Federal, State, County and Local Agencies in apprehension of individual.
 - iv. Provide media co-ordination.
 - v. Extradition of abductor.
 - Duty Assistant Prosecutor available for legal questions,
 24 hours a day.

- 7. Prepare and try case in Superior Criminal Court.
- 8. Maintain contact with liaison members of Ocean County Parental Kidnapping Task Force.
- 9. Provide assistance through Victim-Witness Co-ordinator.
- 10. Direct access to National Credit Computer.

B. Sheriff's Department

- 1. Search and Rescue
 - a. Provide 24 hour a day response with bloodhounds.
- 2. Criminalistics Investigation Unit
 - a. Provide 24 hour a day response to process crime scene.
- 3. Special Projects Unit
 - a. Provide 24 hour a day response, if required.
 - b. Assist in scheduling hearing in Family Court.
 - c. Provide 24 hour a day contact with Family Court.
 - d. Assist police agencies at any stage of investigation, when requested.
 - i. Resources
 - ii. Manpower
 - iii. Contacts

V. PUBLIC INFORMATION RESOURCES

- A. Your local Police Department
- B. Ocean County Prosecutor's Office

CN 2191 Toms River, N.J. 08754

- 1. Parental Kidnapping Unit 201-929-2027 201-929-4760
- 2. Victim Witness Co-Ordinator 201-929-2031
- 3. Fugitive Unit 201-929-2027
- C. Ocean County Sheriff's Department Special Projects Unit

146 Chestnut Street Toms River, N.J. 08753 201-929-2189 201-349-2010 609-693-2866

D. Ocean County Commission on Exploited and Missing Children

146 Chestnut Street Toms River, N.J. 08753 201-929-2189

E. Ocean County Clerks Office

CN 2191 Toms River, N.J. 08754 201-244-2121 609-693-5011

F. Ocean County Surrogate

CN 2191 Toms River, N.J. 08754 201-244-2121 609-693-5011

G. Family Court

CN 2191 Toms River, N.J. 08754 201-244-2121 609-693-5011 H. Passports and Naturalization

CN 2191 Toms River, N.J. 08754 201-244-2121 609-693-5011

I. Division of Youth and Family Services

954 Lakewood Road Toms River, N.J. 08753 201-244-4300 800-792-8610

J. New Jersey State Police - Missing Persons Unit

P. O. Box 7068 West Trenton, N.J. 08628 609-882-2000

K. New Jersey Commission on Missing Persons

Quakerbridge Plaza Dr. Bldg. 12A CN 119 Trenton, N.J. 08625 609-588-3742

L. Federal Bureau of Investigation

Red Bank Office P. O. Drawer B Red Bank, N.J. 07701 201-741-0006

M. National Center for Missing and Exploited Children

1835 K Street NW, Suite 700 Washington, D.C. 20006 1-800-843-5678

OCEAN COUNTY TASK FORCE ON PARENTAL KIDNAPPING INITIAL REPORT FORM

MUNICIPAL CASE #_ DATE LAST SEEN: TIME LAST SEEN: ADDRESS/AREA LAST SEEN: COUNTY: PROBABLE DESTINATION: LAST SEEN BY: MENTAL STATE/ABDUCTOR PHOTO AVAILABLE: D YES □ NO HOME ADDRESS TELEPHONE NAME: LAST FIRST MIDDLE ADDRESS (IF STUDENT - SCHOOL ATTENDED) TOWN STATE EMPLOYER'S: NAME OCCUPATION DRIVER'S LICENSE # STATE DATE OF BIRTH AGE SOCIAL SECURITY NUMBER SEX COLOR RACE HEIGHT WEIGHT HAIR EYES GLASSES/PRESCRIPTION HAT COLOR COAT/JACKET COLOR SHIRT/BLOUSE COLOR DRESS/TROUSER COLOR BOOTS/SHOES COLOR CHEST SIZE WAIST SIZE SHOE SIZE ADDITIONAL DETAILS - TYPE OF CLOTHING LAUNDRY MARKS - FABRICS, ETC. MONEY AND/OR DOCUMENTS JEWELRY DESCRIPTION HAIR STYLE/LENGTH FACE (BEARD, ETC.) COMPLEXTION BUILD PHYSICAL PECULIARITIES: SCARS/TATTOOS/ABNORMALITIES - GIVE LOCATION AND DESCRIPTION -USER NARCOTICS? TYPE DRINKER PERSONAL HABITS - HOBBIES - HANGOUTS, ETC. TYPE BLOOD TYPE DENTIST (NAME - ADDRESS) DENTAL WORK: X-RAYS O YES □ NO PHYSICAN (NAME - ADDRESS) O YES X-RAYS □ NO PLACE OF BIRTH: CITY STATE HOSPITAL - ADDRESS (WHEN - WHERE) EVER PATIENT AT MENTAL HOSPITAL MILITARY SERVICE (BRANCH - WHEN - SERVICE NO.) FINGERPRINTS (WHEN - WHERE) RECORD OF ARREST (WHEN - WHERE - CHARGE) OWNER: ADDRESS: STATE: VEHICLE: LICENSE PLATE (STATE) YEAR MAKE COLOR TYPE DESCRIPTION (PECULIARITIES - ETC.) ADDITIONAL INFORMATION: IN COMPANY OF: REPORTED BY: LAST FIRST ADDRESS: STREET TOWN STATE HOME PHONE **BUSINESS PHONE** SIGNATURE OF REPORTING PERSON RELATIONSHIP DATE AND TIME OF REPORT OFFICER SIGNATURE TT# AND DATE/SPECIAL ATTENTION **OPERATOR #** NCIC NUMBER Page 34 COUNTY MSG. NO. DATE & TIME CANCELED

CHILD INFORMATION SHEET

| Child's Full Name: First | MiddleLast |
|----------------------------------|---|
| | Telephone: () |
| | MiddleLast |
| Home Address: | Telephone: () |
| | Telephone: () |
| Nicknames/Aliases: | |
| Sex:Male;Female; Sc | ocial Security Number: |
| Date of Birth: MonthDa | ay; Current Age: |
| Religion: | |
| | State |
| Country | ; |
| Date Missing:MonthDay | Y; Time: |
| Missing From:City | State |
| Describe How Child Disappeared: | |
| | |
| Race/Nationality:Asian/Paci | ;N; Are Videos Available:Y;N; ific Islander;American Indian; nic;Other: |
| | ; Eye Color:; Hair Color/Length |
| | ld for Age:Sm;Med;Lg;Thin; |
| Heavy;Obese; Hair Descr | ription:Wavy;Curly;Straight; |
| Treated;One Length; | Layered; Other: |
| Skin Tone:; Glass | ses:Y;N; Contacts:Y;N; |
| Color of Contacts: | _; Nearsighted:; Farsighted:; |
| (Check one) | |
| Smokes?Y;N; Brand: | |
| Pierced Ears?Y:N; No. of | f Holes in Ea. Ear: |
| Scars/Marks/Tattoos/Other: | |
| Describe Clothes Wearing and Oth | her Personal Belongings in Child's |
| Possession: | |
| | |
| | |

| Speech Impediment: Y; N; Regional Accent/Dialect: |
|--|
| Are Dental, X-Ray, or Fingerprint Records Available? Y; N; If Yes, |
| Which?Where? |
| Right Handed?; Left Handed?; Blood type:; Circumcised:Y;N; |
| Medical/Mental Conditions or Disabilities: |
| Special Medications or Drugs: |
| How Often Needed:Are They Missing:Y;N; |
| List All Doctors (Medical, Dental, Optical, Other) Name, Address, Telephone: |
| |
| Medical and Vaccination Records on File at: |
| Therapist/Counselor (Name, Address, Telephone): |
| School Last Attended (Name, Address, Telephone): |
| Grade Level at Time of Disappearance::Teacher's Name: Child's Hobbies/Interests: |
| Child's Favorite Toy::Name Child Gave Toy: |
| Does Child have this Toy With Him/Her?Y;N; |
| Does Child Have a Pet:Y;N; Is Pet Missing?Y;N; If Yes, Type, Name, Description, License, Etc.: |
| |
| |
| Does Child Have a Passport? Y; N; Date Issued: ; Date |
| Expires: ; Passport #: Who Applied for |
| Passport:; |
| If Child was Ever Missing Before, Explain (Include Dates, How Missing, |
| Where Located, and Who Was Involved): |
| |

| List Other Individuals or Agencies Searching for Your Child: |
|--|
| If You Have More Than One Missing Child, Please List Names: |
| |
| List Any Locations Child has Expressed Interest in Traveling To: |
| List Any Documents Pertaining to Child Which are Missing: |
| |
| List of Child's Close Friends (Name, Address, Telephone): |
| |
| |
| Is Child Active in Organized Sports:Y;N; If Yes, List: |
| |
| Is Child Active in Children's Organizations or Church Groups (Boy Scouts, Girl Scouts, Bible School, etc.) Y; N; If Yes, List: |
| |
| |

ABDUCTOR INFORMATION SHEET

| Full Name:Address: | |
|--|--------------------|
| | |
| Post Office Boxes: | |
| Nicknames/Aliases: | |
| Social Security NumberSex:M | |
| Relationship to Child:; Date of Birth: | |
| Age:; Place of Birth: CitySta | |
| Citizenship: ; Passports Held: Pas | |
| Date Issued:; Date Expires:; Possible | |
| ; Languages Fluent in: | <u> </u> |
| Speech Impediment: Y; N; Regional Accent/Dialect: | |
| Race/Nationality:Asian/Pacific Islander;Americ | |
| Black;White;Hispanic; | Other: |
| <pre>Height:; Weight; Size/Build:Sm;Med;</pre> | |
| Hvy; Obese; Eye Color: ; Glasses: y; N; Con | |
| Color of Contacts:; Hair Color:; Hair | Length:; |
| Style:; Hair Description:Wavy;C | urly;Straight; |
| Treated;One Length;Layered; Skin Tone: | ; Pierced |
| Ears: Y; Number of Holes in each ear: ; Smokes | Y;N; |
| Brand:; Amount:Scars/Mar | ks/Tattoos/Other: |
| | |
| | |
| Right Handed; Left Handed; Blood Type:; C | ircumcised: |
| Y; N; Photograph Available Y; N; Video Availabl | eY;N; |
| Last Seen: Date; Time; Location_ | <u> </u> |
| Are Medical, X-Ray, Dental, or Fingerprint Records Avail | able?Y;N; |
| If Yes, Which? | |
| Where? | |
| Medical, Mental Conditions or Disabilities: | |
| Alcohol Problem y; N; Drug Problem Y; N; Drug of | |
| Special Medication or Drugs: | |
| <pre>How Often Needed:; Are they missing Y;</pre> | N; |
| Prescriptions on File at (Name, Address, Telephone, of S | Store/Pharmacy): |
| | |
| All Doctors (Medical, Dental, Optical, Other) Names, Add | resses, Telephone: |
| | |
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| | |

| Therapist/Counselor's Name, Address, Telephone: |
|---|
| Describe Clothes Worn and Other Personal Belongings in His/Her Possession: |
| |
| Driver's License/State ID Card Number:; |
| State:; Expires:; Registered Vehicles (Make, Model, |
| Year, Color, Style and Pecularities): |
| |
| Legal Owners of Vehicle and Lien Holders (Names and Addresses): |
| License Plate Numbers and State: |
| Vehicles Known to be in His/Her Possession: |
| Describe Past Driving Record/List any Known Infractions (Include Dates and Locations): |
| |
| List All Real Property Owned (Town, County, State, Country, Lot and Block) |
| Is Rental Property Managed by Third Person:Y;N; If yes, Name, address, Telephone: |
| Type of Work: |
| Last Employer (Supervisor/Company/Address/Telephone): |
| |
| Last Paycheck Received: Date: Amount; |
| Relationship with Employer was;Excellant;Good;Fair;Poor; |
| Does this Company have Branches in Different Parts of the Country?Y; _N; If Yes, Where? |
| Job Title:; Employed: From |
| To Describe Other Past Employments: |
| |

| List All Memberships in Corporations and/or Partnerships: |
|--|
| |
| Received Public Assistance: Y; N; Type of Assistance: |
| When and Where? |
| Served in the Armed Forces: Y; N; Branch: Rank: |
| From:; To:; Discharge Tupe: Ḥonorable or Dishonorable |
| Is (S)He a Wounded Veteran? Y; N; If Yes, Describe: |
| Highest Grade Completed:; |
| High Schools Attended and Locations: |
| |
| Attended From: ; To: ; Graduated: Y; N; Has (S)He |
| Ever Attended Any High School Reunions? Y; N; Which? |
| Where?; |
| Trade Schools Attended and Locations: |
| Attended From: : To: : Graduated? Y; N; Acquired |
| Skills: |
| Colleges Attended and Locations: |
| Attended From: ; To: ; Major: |
| Minor: Graduated:Y;N; |
| Degree in: |
| List All Advanced Degrees/Dates/And Schools: |
| List All Credentials And/or Licenses (include date and state): |
| Unions or Clubs Belonged to (include location): |
| List Magazine and Newspapers Subscriptions: |
| Pension Benefits, Relief, Other Income or Assets: |
| List All Financial Debts: |
| Are There Creditors Looking for Him/Her?Y;N; If Yes, Explain: |
| |

| Has (S)He Ever Filed Ba | nkruptcy?Y;N; | When and Whe | re; |
|---|----------------------|---------------|---------------------|
| List Credit Cards: | Account N | umbers: | Date of Expiration: |
| | | | |
| | | | |
| | | | |
| List Bank or Checking A | ccounts, Stocks, Bon | ds, Mutual F | unds, CD's, |
| Christmas Clubs: | | | |
| Bank / Savings and Loan Stock Broker Name: | Branch/City/State: | Type Accoun | t: Account Number |
| | | | |
| | | | |
| Describe Past Criminal | Convictions (include | dates and l | ocations): |
| Spent Time in Jail?Y | ;N; Dates/Length | of Time/Inst | itutions/Locations: |
| Describe Any Pending or County and State): | | Judgements (i | nclude dates, |
| Are There Warrants for | His/Her Arrest?Y; | N; For Wh | at? |
| Lived with (Name and Re | lationship): | | |
| Places Lived in His/Her possible): | | - | |
| | | | |
| | | | |
| | | | |
| | | | |

| Has (S)He Ever Registere | d to Vote? Y; N; Where/When? |
|--------------------------|---|
| Party Affiliation: | |
| Has Pets: Y; N; Typ | eHave Pets Been Licensed |
| in the Past?Y;N; | |
| List Friends and Relativ | es in Order of Emotional Closeness: |
| Name: | Relationship: |
| Address: | |
| Home Phone: () | Work Phone: () |
| Employer/Employer's | Address: |
| Job Title: | Date of Birth:Social Security |
| Number: | |
| Real Property Owned | (Full Address, County and Dwelling Type): |
| Registered Vehicles | (Make, Model, Yr., License #, and State): |
| Name: | Relationship: |
| Address: | |
| | Work Phone: () |
| Employer/Employer's | Address: |
| Job Title | Date of Birth:Social Security |
| Number: | |
| Real Property Owned | (Full Address, County and Dwelling Type): |
| Registered Vehicles | (Make, Model, Yr., License #, and State): |
| Name: | Relationship: |
| | |
| | Work Phone: () |
| Employer/Employer's | Address: |
| | Date of Birth: Social Security |
| Number: | |
| | (Full Address, County and Dwelling Type): |
| Registered Vehicles | (Make, Model, Yr., License #, and State): |
| | |

^{**} Add Additional Sheets of Needed**

| Describe His/Her Personality and/or Your Past Relationship With Him/Her: |
|---|
| |
| Describe What (S)He Likes to do With Free Time. Hobbies? Ambitions? Lifestyle? |
| Places Frequented: |
| |
| Places (S)He Always Wanted to Visit or Live: |
| Has (S)He Ever Abducted a Child Before? Y; N; If Yes, Explain, Date, Location, Where Found: |
| Has (S)He Ever Physically or Sexually Abused or Neglected a Child Before? Y; N; If Yes, Explain, DAte, Location: |
| |
| List Ex-Spouses and Other Children: Name of Ex-Spouse/Address/Phone #: Children/Date of Birth/Sex: |
| Does (S)He Pay Child Support:Y;N; For Whom/Where?N; If Yes, |
| List and Explain: |

| nat Public Utilities are in Abductor's Name? List Utility and Address |
|--|
| erviced, Account Numbers, if Known: |
| |
| |
| |
| |
| |
| ist All Known Insurance Policies; Company, Account Number: |
| omeowners: |
| ehicle: |
| ersonal Property: |
| edical and Health (Blue Cross, Blue Shield, etc.): |
| isability: |
| ife: |
| edicaid: |
| edicare: |
| ther: |
| |
| ny and All Information About Possible Companion(s) (Full Physical escription, etc.): |
| |
| |
| |
| |
| |
| |
| oes Abductor Have a History of Physical Violence?Y;'N; If Yes, |
| xplain: |
| |
| |
| |
| |

| Lis | t An | y a: | nd A | ll Type | es of | Weap | ons | the | Abduct | or may | y Have | Acces | ss to: | |
|-----|------|------|-------------|---------|---------------------------------------|-------|------|------|--------|--------|-------------|--------|--------|--|
| | | | | | | | | | | | | | | |
| | Any | of | the | Above | Weapo | ons M | liss | ing? | Y;_ | N; | If Ye | s, Exp | olain: | |
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