

MASSACHUSETTS CHILD AMBER ALERT PLAN

Starting around October 1, 2002, the Massachusetts Child AMBER Alert Plan will be initiated. Under the Plan, law enforcement will be able to utilize public broadcasters to send an emergency alert statewide when a child is 17 years of age or younger has been abducted, it is believed that the child is in serious danger, and there is sufficient descriptive information to warrant such a public notification.

Attached are the current "Activation Request" form and a sample "Criteria and Procedure" card.

During the summer of 2001, the National Center for Missing and Exploited Children (NCMEC) launched the "AMBER Plan" – **A**merica's **M**issing: **B**roadcast **E**mergency **R**esponse initiative nationwide. The goal is to increase the chances of recovering abducted and endangered children. Three quarters of the children who are kidnapped and later found murdered were killed within the first three hours after being taken. In 1996, nine-year-old Amber Hagerman was abducted while playing near her home in Arlington, Texas, and later found murdered. Police officials and media outlets joined forces to provide timely information about area child abductions to local listeners. Currently there are 18 statewide plans, 7 regional plans and numerous local plans in operation around the U.S. with several more states planning to do so.

The Massachusetts Child AMBER Alert Plan is a voluntary, cooperative effort involving the Massachusetts Chiefs of Police Association, the Massachusetts State Police, the Massachusetts Emergency Management Agency (MEMA) and local broadcasters. Radio, cable and television stations statewide will receive a child abduction alert message and may broadcast this every 30 minutes for up to 4 hours in an effort to solicit the public's assistance in recovering an abducted child and quickly apprehending the suspect.

CRITERIA FOR THE AMBER ALERT NOTIFICATION PLAN ACTIVATION

Although each case has its own set of circumstances, law enforcement agencies must follow the activation criteria as closely as possible.

1. The child is 17 years of age or younger, and,
2. Police must believe the child is in danger of serious bodily harm or death, and
3. There must be enough descriptive information about the child, abductor, and/or the suspect's vehicle to believe an immediate broadcast alert will help.

If all criteria are *not* met, the AMBER Alert Notification Plan should *not* be activated. The Plan should not be used for runaways. Also, while each case must be judged individually, most "child custody" situations do not meet the criteria.

INITIAL INVESTIGATION

Local law enforcement officials or members of the Massachusetts State Police must conduct an initial investigation to be certain whether the criteria for activation of the Amber Alert are met.

ACTIVATION REQUEST

Where the three criteria have been met, the chief or his/her designee may decide to submit an Amber Alert Activation Request. The determination of who is authorized to submit such a Request is left to the local chief. In larger departments, it may be left to the Commanding Officer or Shift Supervisor. In very small departments, where only one officer is on duty, and especially where no supervisor can be reached promptly, the decision may be left to the on-duty officer regardless of rank.

It is important for everyone to realize that if the system is overused, it will lose credibility and may result in reduced broadcaster participation.

An AMBER Alert Activation Request may be submitted orally by phone to the Massachusetts State Police Communications Section (Comm Sec) by calling 508.820.2121 or by faxing the completed Activation Request form to Comm Sec at 508.820.2150 followed by a phone call to confirm they received the fax. Officers calling by phone should be prepared to furnish as much of the information shown on the form as possible and should promptly complete and fax the form as well where feasible.

A recent photograph of the abducted child and the suspect, if available, should be obtained and forwarded to State Police Communications Center, preferably in electronic format (especially if a scanner is available).

Upon receipt of the Activation Request, the MSP Comm Sec will immediately notify the AMBER Alert Activation Officer and AMBER Alert Coordinator, providing him/her with the information received. He or she will then:

- ❖ Verify the information by calling the requesting police agency or State Police Troop;
- ❖ Determine if the information satisfies the three AMBER Alert Criteria; and
- ❖ either
 - activate the Alert
 - or
 - decline the Activation Request, and
- ❖ Notify the requesting agency of his/her decision.

Note: Where a request is denied, the police are still free to contact the media directly. In such cases the media may treat it as a news item or decide on a case by case basis to broaden an alert.

ALERT DISSEMINATION

The State Police will utilize the EMnet (Emergency Management Network) system to disseminate a broadcast (voice and/or text) over the Emergency Alert System (EAS). This involves sending a typed written text and voice recorded message to AMBER Alert primary partners EMnet terminals where the message is monitored and disseminated across the state.

Where an abduction takes place near a state border, or where there is reason to believe the suspect will flee this state, consideration should be given to notifying the New England States Police Network (NESPN) so that police agencies in other states will be on the lookout for the parties.

Stations that decide to do so will likely interpret their regular broadcasting to air the AMBER Alert. It is expected that this will take place every 30 minutes for the first 4 hours unless the Alert is terminated.

Cable and television stations may decide to broadcast a text message.

TERMINATION

The State Police Communications Section should be notified immediately when an abducted child is recovered or found. The Alert Activation Officer (Major) must take appropriate action to cancel the Alert and arrange to have the broadcasters so notified.

GUIDELINES

An AMBER Alert should only be issued for serious child abduction cases. It should not normally be used for runaway or parental-abduction cases, the two leading causes of missing children. The only cause for an alert under these circumstances would be if law enforcement believes the life of the child is in serious danger (e.g., if a parent threatened to harm the child and this information can be verified). Each case will need to be judged on an individual basis.

Circumstances where an AMBER Alert **would** be activated include:

- ❖ Child is abducted and there are witnesses to the crime.
- ❖ Child is missing but there is evidence of foul play, and law enforcement believes the child was abducted.
- ❖ Vehicle was stolen or "carjacked" and a child was left inside the vehicle.

- ❖ Child is missing and particular consideration is given to their behavior or mental capacity in some way contributing to their disappearance. The child is also considered endangered.

Circumstances where an AMBER Alert **would not** be activated:

- ❖ Child is missing and law enforcement has no evidence of foul play.
- ❖ Child runs away from home.
- ❖ Child is missing as a result of a custody dispute and the child is not considered to be at risk of bodily harm or death.
- ❖ An adult is missing.

Should any of the above circumstances occur, law enforcement may still alert the media to these cases by utilizing the standard protocol for such cases.

EXAMPLES

A 14 year old girl is seen by neighbors returning to her home after school. Her father arrives home several hours later and determines the girl is not home. There is no sign of foul play, and a check with neighbors reveals that no one saw the girl leave, nor did anyone see anything unusual or suspicious at the residence. The police are called and further investigation reveals no information regarding the girl's location. The girl returns home and it is discovered that she went shopping at a mall with a family friend, and neglected to leave a note or tell anyone where she was going. Although the determination is made in hindsight, knowing that the girl had only gone shopping, an evaluation of the scenario reveals very little benefit that would have been derived from the broadcast of this case. There would have been very little information to provide the public in this case, other than a description of the girl and the clothing she was last seen wearing. There was no suspect description, no vehicle description and no direction of travel. There was no sign of foul play, and the girl was certainly old enough to have gone somewhere of her own volition. **This case would not qualify for an AMBER alert.** Normal means of media involvement would still be available to aid in this investigation.

A 21 month old child is playing in his own yard, while his mother attends to chores in and around the house. The mother does not see her son in the yard. She then notices an unfamiliar vehicle parked near her driveway. As the mother exits the house the vehicle pulls away, and the child is not found. The police respond and conduct an area search, but the child is not found. Due to the age of the child, and the mother's ability to provide a description of the child and suspect vehicle, **this scenario would qualify for an AMBER alert.** The ongoing investigation should, of course, include extensive area searches in the event the child had wandered a relatively far distance.

Two children, ages 3 and 5, are picked up by their father for weekend visitation. He is under court order to return the children to their mother at the end of the weekend, but fails to appear. The mother calls the police and they obtain information that the father is preparing

to flee the country with the children. There is no history of inappropriate behavior by the father, and no indication that the children are in any danger. **This scenario would not qualify for an AMBER alert.** Although there is sufficient descriptive information available of the victims and the suspect, the suspect's actions place him in violation of a custody order, and the children may be taken out of the country, there is no reason to believe the children are in imminent danger of serious bodily harm or death.

The father of a 4 year old girl arrives at her home in violation of an order of protection. He is highly intoxicated, and removes the girl from the home in spite of the babysitter's protests. He has been physically abusive to the child in the past, is despondent over his pending divorce, and makes comments to the sitter that if he can not have custody of his child, no one will. He puts the child in his car and leaves at a high rate of speed. The police respond and a preliminary investigation, which includes interviewing other family members and checking numerous potential destinations, does not result in locating the suspect, nor are leads developed regarding his possible destination. **This scenario would qualify for an AMBER alert.** Although this is a custodial situation, the father's history of abuse against the child, his mental and physical condition, and the threats he has made lead the police to believe the girl is in imminent danger of serious bodily harm or death.