

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

The meeting was called to order by Senator Elwaine F. Pomeroy at
Chairperson

10:00 a.m./~~p.m.~~ on January 27, 1984 in room 514-S of the Capitol.

~~All~~ members ~~were~~ present ~~except~~: were: Senators Pomeroy, Winter, Burke, Feleciano, Gaar,
Hess and Werts.

Committee staff present: Mary Torrence, Revisor of Statutes
Mike Heim, Legislative Research Department
Jerry Donaldson, Legislative Research Department

Conferees appearing before the committee:

Suzanne H. Hardin, Johnson County Coalition for Prevention of Child Abuse
Judge Mike Elwell, Douglas County District Court

CHILD ABUSE ISSUES

The chairman announced this will be a short session today and a continuation of this hearing on child abuse will be Monday.

Suzanne H. Hardin testified her organization is researching the issues of emotional abuse and emotional neglect and addressing what can be done to better protect the one million children who are being psychologically and socially damaged. A copy of her testimony is attached (See Attachment No. 1).

Judge Mike Elwell related examples of what happened to three different children when they ran away from their home. He stated his point is the problem of the child that is missing and what happens to them in many instances is pretty sad. Once the child moves into a particular element that free choice leaves them, and they fall into a category as a runaway or missing child. He explained his proposal relating to picking up runaways (See Attachment No. 2). He then explained his next proposal is in regard to body identification; that the dental records be entered into a computer so that when there is a missing child reported, the dental records of the child can be checked with the computer. The initiation of this legislation followed the flood in Colorado. The KBI would be the repository. His third proposal pertained to adoptions, when the whereabouts of the natural parent is not known. A copy of the proposal is attached (See Attachment No. 3). The chairman noted Senate Bill 486 that was recommended by the interim committee has incorporated some of his ideas. A copy of a booklet entitled ACTION is attached (See Attachment No. 4). A committee member inquired, in addressing the problem of increasing early reporting of child abuse, would it help at all that families should report. Any changes that might be helpful? Judge Elwell replied, don't think it will increase reporting to authorize sanction for someone in the position. It would be sanction against the non-reporting party.

The meeting adjourned.

A copy of the Ebert case decision of the Supreme Court is attached (See Attachment No. 5).

GUESTS

SENATE JUDICIARY COMMITTEE

NAME

ADDRESS

ORGANIZATION

NAME	ADDRESS	ORGANIZATION
Shirley Stearns	1248 Buchanan	Council of Churches
Lucia Baker	2053 Kansas Ave	Kansas N. Serv League
Jim Schalamsky	2700 W 11th	SRS/ADAs
Judy Alley	P.O. Box 647 Lawrence	KACPCA
Andy Kenkel	PO Box 1453 Topeka	Ks Childrens Service League
Cindy Robinson	PO Box 5283 Topeka	Ks Action for Children
Suzanne Hardin	8229 Nall Ave P.V. Ks	JCEPCA
Dorothy H. Sweet	214 W. 6th, Suite 301	KCPA
Jim 14. Baida	820 Quincy, Topeka	United Way
Jim Clark	Topeka	KCDAA
Pean Logan	512 W. 6th, Topeka	DHR
Louis Jelco	P.O. Box 5283, Topeka	Ks. Action for Childn
Jan Owen	P.O. Box 5283 Topeka	KAC
Cheri L. Brown	Lawrence	Visitor from KU
Michal B Goldstein	Lawrence	Visitor from KU
CAROLYN Duwe	Lawrence	visitor from KU
Rich Stenzel	Lawrence	visitor from KU
Joe Hollowell	Topeka	KDHE
KETH R Landis	"	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS
Barb Pomeroy	"	KWPC
Beth Wilkin	"	Girl Scouts
Paul Waide	Topeka	Youth Services-SRS
Paula P. Haman	Topeka	K. DHE
Rene Ross	Topeka	KSN TV
Khonda J. Weiss	Lawrence	

1-27-84

GUESTS

SENATE JUDICIARY COMMITTEE

NAME

ADDRESS

ORGANIZATION

W. J. Smith

117 - N. Lawrence

- Dist Court

TESTIMONY OF SUZANNE H. HARDIN TO THE SENATE JUDICIARY COMMITTEE
JANUARY 27, 1984

1-27-84
Attack #1

Suzanne H. Hardin (chairman)
8229 Nall Avenue
Prairie Village, Kansas 66208
(913) 648-4906

Johnson County Coalition for Prevention
of Child Abuse
Box 524
Shawnee Mission, Kansas 66201

A. The Issue: The Advocacy Committee of JCCPCA is researching the issues of emotional abuse and emotional neglect and addressing what can be done to better protect the one million children who are being psychologically and socially damaged.

B. Emotional abuse and neglect are the #1 forms of child abuse across the country.

C. Behavior characteristics are given on two five year old children who live with parents who give "poor quality care".

D. Definition: Emotional abuse and neglect occurs when families fail to meet the child's basic needs of nurturance, security and stability. It involves a chronic pattern of behavior toward the child that is detrimental to the development of a positive self-image in the child.

E. Problems and Solutions:

1. emotional abuse and neglect are grossly under reported.
2. about $\frac{1}{2}$ of the emotionally abused and neglected children are not identified because they do not fit the classical definition.
3. parents are often totally resistant to intervention and treatment.
4. broad legal definitions may need to be revised to include working definitions for attorneys and the helping professionals.
5. the Kansas degree of proof statute might be too restrictive for effective intervention.
6. the legal standards stating a child's basic needs might need to be revised.
7. early prevention, intervention and treatment must become a community priority.

On May 11, 1984 we are presenting a Forum for professionals and the courts of Johnson and Wyandotte Counties for an in-depth exchange of knowledge and needs. We see this as a positive beginning.

F. Two bills being submitted this session by Cynthia Robinson, attorney in Johnson County, and Suzanne Hardin for the Child In Need of Care Code. (the bills do not reflect the Advocacy Committee or the Johnson County Coalition for Prevention of Child Abuse).

1. Grandparents may petition court for visitation rights with their grandchildren.
2. Preferential placement of a child with the nearest willing and competent relative or person with whom the child has close emotional ties.

We feel both bills are in the best interest of the child.

It is becoming widely accepted that permanent harm can be done to a child who is not kept with the relative or person with whom he has close emotional ties.

G. Closing: Progress in protecting children from emotional abuse and emotional neglect will take an extreme degree of community commitment. Children who do not have adequate stimulation or supportive environments may be damaged beyond repair - the sociopaths of tomorrow.

Professional advocacy, and persistence in individual cases, can further the development of community standards here in Kansas.

ON BEHALF OF CHILDREN EVERYWHERE, WE THANK YOU.

Suzanne H. Hardin

Attch. 1

1-27-84
Attach. # 2

Amend
38-1528 Missing or Runaway Children - Duties of Officers

(a) When a report to a law enforcement agency indicates that a child is missing or a runaway and that child is subsequently located by a law enforcement officer, that officer (shall) or (is authorized) [choose one] to take said child into custody and deliver that child to a court designated shelter facility, court services officer or other person who shall immediately notify the child's parents or nearest relative, guardian, or lawful custodian to come pick up the child. The shelter facility or other person designated by the court who has custody of the child shall discharge the child not later than 24 hours after being taken into custody, unless a court has entered an order pertaining to temporary custody or release.

If, after delivery of the child to a shelter facility, the person in charge of the shelter facility at that time and the law enforcement officer determine that the child will not remain in the shelter facility, the law enforcement officer shall deliver the child to a juvenile detention facility, designated by the court, where the child shall be detained for not more than 24 hours unless a court has entered an order pertaining to temporary custody or release. It shall be the law enforcement officer's responsibility to immediately notify the child's parents or nearest relative or guardian to come pick up the child if that child is being held in a detention facility.

(b) Whenever a child reported as missing or a runaway under the age of 18 years is taken into custody by a law enforcement officer without a court order and is thereafter placed in the custody of a shelter facility, court services officer, detention facility, or other person as authorized by this code, the facility or person shall have physical custody and provide care and supervision for the child upon written application of the law enforcement officer. The application shall state:

- (1) The name and address of the child, if known;
- (2) the names and addresses of the child's parents or nearest relatives and persons with whom the child has been residing, if known; and
- (3) the situation and circumstances of where the child was found and in whose company, if any.

(c) A copy of the application shall be furnished by the facility or person receiving the child to the county or district attorney without unnecessary delay.

(d) In absence of a court order to the contrary, the court or district attorney or the placing law enforcement agency or court services officer shall have the authority to direct release of the child at any time to the parents, relative, guardian, or lawful custodian.

Attach. 2

8/27/89
Attach. # 3 1/27/89

ADOPTION

In order to prevent adoption of children who have been abducted or children whose adoption is being concealed from a natural parent it shall be required that at the time of filing a petition for a non-agency adoption that a copy of the birth certificate be attached to the petition if the child is more than 6 months old or that it be filed prior to the final order of adoption if the child is under 6 months of age and that a copy of the report of adoption be sent to the same agency as shown on the birth certificate after the adoption is finalized.

PROBLEM

A step parent or person who has custody of an abducted child may publish notice of adoption and sign an affidavit that the natural parents' whereabouts is unknown and legally adopt this child.

By requiring the birth certificate you could see if in fact a parent was unknown, also you wouldn't be able to adopt an abducted child because you would not have a birth certificate and if you got a fake one - when the Court sent in a notice confirming an adoption the state receiving it would notify you that they had no such birth certificate of record. Also it would provide a way of tracing back to the court that is hearing the adoption if the adoption was being concealed from a natural parent.

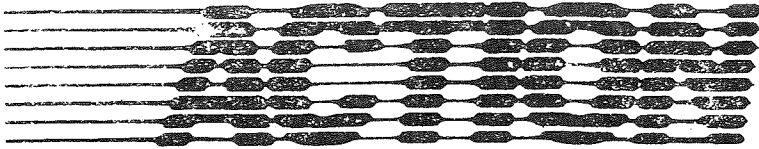
Attch. 3

LET'S HAVE

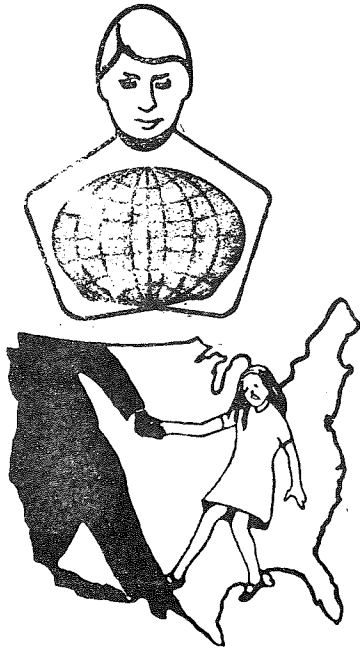
1-27-84

ME

Attach. #4



OUR LOVED ONES HAVE BEEN MISSING TOO LONG!



FIFTH PRINTING

Att. #4

A FIND-ME/KYLE'S STORY PUBLICATION

This booklet is not copywrited. The use of any portion is encouraged. However, it is requested that credit be given to any one of the agencies listed when using the information. We want our efforts known to the general public.

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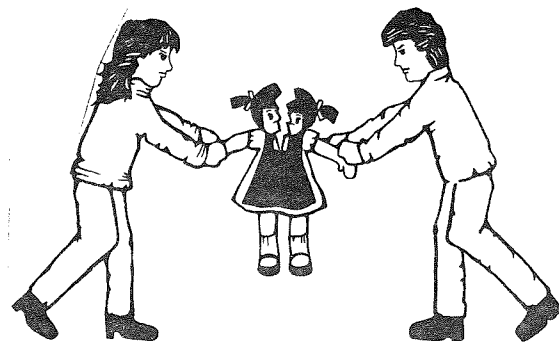
IS A CONFEDERATION TO INFORM OTHERS NATIONALLY. IT IS A LISTING OF INDIVIDUAL ORGANIZATIONS DEDICATED TO INFORMING THE PUBLIC ABOUT THE MISSING PERSONS SYNDROME AND THE

VULNERABILITY OF OUR YOUTHS TO THOSE WHO WOULD ABDUCT THEM FOR ILLEGAL ACTS. THIS INFORMATIONAL BOOKLET WAS COMPILED FROM INFORMATION FURNISHED BY MANY OF THE AGENCIES LISTED. ITS PURPOSES ARE: 1- TO INFORM LEGISLATIVE PERSONNEL, NEWS MEDIA, AND THE GENERAL PUBLIC ABOUT THE MAGNITUDE OF THE PROBLEM. 2- TO ACT AS A HANDBOOK BY FAMILIES WHO HAVE SOMEONE MISSING. 3- TO URGE LAWMAKERS TO GIVE NEEDED LEGISLATION. 4- TO URGE LAW ENFORCEMENT PERSONNEL TO GIVE MISSING CASES A HIGHER PRIORITY. AND 5- TO URGE THE MISSING WHO MAY READ THIS TO GET IN CONTACT WITH THEIR FAMILY EVEN IF THEY WANT TO KEEP THEIR WHEREABOUTS SECRET.

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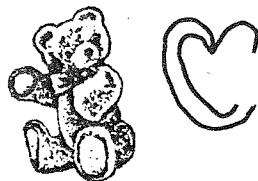
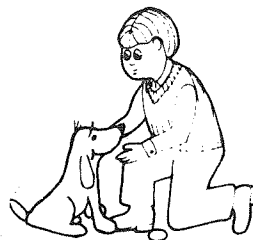
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Mr. Keane



Tracer of Missing Persons



SO YOU HAVE SOMEONE MISSING in your family. So it has created a hurt that just will not go away. So the law enforcement authorities will not offer any assistance. So the general public will not show any sympathy nor understanding. YOU ARE NOT ALONE!

There is nothing that creates a more heart breaking or hopeless or helpless feeling than having someone disappear from the family unit.

There is a paradox involved in the missing persons phenomenon. It is centered around the RIGHT TO PRIVACY. We say that the civil rights of the emancipated missing person are violated if a search is made. YET THERE IS NO GREATER VIOLATION OF ONES CIVIL RIGHTS THAN THE TAKING OF THE PERSON'S LIFE. So the RIGHT TO PRIVACY is the shield behind which law enforcement personnel hide to justify inactivity in a missing person case. At the same time two to six thousand unidentified bodies are being found annually. These are missing persons with the ultimate civil rights violation inflicted upon them!

Suppose you started passing blood. Remembering that this is one of the seven danger signals for cancer, suppose you went to a doctor. Suppose the doctor searched around on his desk to find a scrap piece of paper on which to record your name. Suppose when you finished telling him about the experience he told you there was nothing to worry about - that in the majority of such cases it was something harmless. Suppose he told you to go home and everything would clear up within a short period of time and even if it didn't there still was nothing to worry about. Suppose he told you that if you could determine on your own that you had cancer to come back and he would then examine you and start treatment. At your funeral someone remarks that it's certainly a shame that the medical profession does not take a more active interest in cases such as yours!

THERE IS A CANCER WITHIN SOCIETY. And that cancer is the missing persons phenomenon. Its devastation is working silently and it is playing havoc with an unsuspecting public. Its devastation is far greater than other phenomenon in which the public developed great concern. Remember the legionnaires disease and the tylenol poisoning? In the legionnaires disease cases there were about three or four deaths. In the tylenol poisoning there were seven or eight deaths.

Even now if a suspected case of legionnaires disease is reported any where in the United States, it makes headlines; vast medical resources have been brought into play to solve the problem. Millions have been spent to prevent future tylenol poisoning. Civil rights and the right to privacy are not preventing the search for solutions.

(Continued on Page 35)

MISSING CHILDREN ACT

On October 12, 1982, the "Missing Children Act" was signed into law by President Reagan. The basic provisions of the act are to:

"acquire, collect, classify, and preserve any information which would assist in the identification of any deceased individual who has not been identified within fifteen days after the date of the discovery of the deceased individual;

"acquire, collect, classify, and preserve any information from authorized officials of the Federal Government, the States, cities, and penal and other institutions, or from a parent, legal guardian, or next of kin of an unemancipated person, as defined by the laws of the State of residence of such person, which would assist in the location of any missing person who--

(a) is under proven physical or mental disability making the person a danger to himself or others;

(b) is in the company of another person under circumstances indicating that his physical safety is in danger;

(c) is missing under circumstances indicating that the disappearance was not voluntary; or

(d) is unemancipated as defined by the laws of the State of his residence;"

Thus one can readily see that there is no age limit in those cases with aggravating circumstances. This applies to the COLLECTION OF DATA and not to an active search, which requires a felony warrant. For the adult there must be a separate and independent determination that one of (a), (b), or (c) applies. In most cases a family should be able to present evidence that one is applicable.

Thus the F B I's National Crime Information Center can be used more extensively in the area of missing persons.

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MISSING CHILDREN DAY

On May 25, 1979, young Etan Patz disappeared as he walked to a school bus stop. Perhaps more than any other disappearance, this case was instrumental in bring national public attention to the problem involving young children. Through the efforts of CHILD FIND and others May 25 was designated by Congress as MISSING CHILDREN DAY. Many communities are using this day to promote public awareness.

MURDERED, AMNESIA, MISSING,

.....OR KIDNAPPED

One of the great American traditions is the RIGHT TO PRIVACY. Some people exercise that right by suddenly and without warning abandon everything and move to a new location and/or identity. If a person if "of age" and is not trying to avoid arrest or detention because of some illegal act, he or she has the legal right to do so. However, in doing so certain legal entanglements may develop. And the family left behind undergoes an emotional trauma rarely equalled by any other experience.

NO ONE CAN TELL THE DIFFERENCE IN A MISSING PERSONS REPORT BECAUSE OF FOUL PLAY FROM ONE FOR VOLUNTARY REASONS. However, the perception usually is that the disappearance was for voluntary reasons except for the very young. Perhaps the reason for this is the right to privacy, as mentioned above. Yet if foul play is involved in only 15% of the FBI's often quoted annual missing persons rate of 500,000, these reports would foretell the SIXTH LARGEST CRIME CATEGORY!

1. Larceny-theft	5,983,000	
2. Burglary	3,104,000	Source:
3. Auto theft	991,600	1981 World
4. Aggravated assault	588,100	Almanac
5. Robbery	417,040	
6. MISSING PERSONS FOUL PLAY	75,000	

2,000 to 6,000 unidentified bodies are found annually in the United States. EVERY ONE OF THEM IS A MISSING PERSON FROM SOMEWHERE! For these reasons most ACTION AGENCIES believe that a first time disappearance should be PRIMA FACE EVIDENCE THAT FOUL PLAY WAS INVOLVED unless there are conclusive clues which indicate otherwise.

There are many facets to the MISSING PERSONS SYNDROME. However these generally fall into the following broad categories;

- ABDUCTION of the very young for own purposes or to sell into illegal adoption channel.
- BRAIN WASHING by so-called religious cults.
- CHILD SNATCHING by one divorced (or separated) parent from the other who has custody and taking the child to an unknown location.

WHAT TO DO

If a person disappears from your family unit, the earlier this can be ascertained and an investigation started, the better the chance for success in locating him or her. Too often no report is made at the time you first suspect something is wrong and you lose the ability to follow clues while they are fresh. DON'T WAIT: follow your instincts!

The trauma of having a loved one disappear is rarely equalled by any other emotional experience. You will need all the emotional support you can get to help you through the days to come. Don't hesitate to ask a friend, clergyman, or relative to be there as a sounding board for you. The presence can help you to make sound decisions at a time when it is difficult to evaluate anything except the hurt you are now feeling.

If the missing person is alive the ONLY way to effect a return, except for voluntary returns, is to make contact with him or her. Making contact is a VERY DIFFICULT TASK. If you are not wealthy you will not be able to do everything that should be done. All of your efforts, regardless of cost, will have a VERY LOW probability of success. Before you commit to an expenditure of a large amount carefully weigh the likelihood of this expense successfully bringing about contact with your loved one.

In your search there are two basic approaches: 1) to try to reach the missing on a direct person to person basis, 2) to try to reach the missing through a third party, such as police, schools, groups, etc. There are things in favor of each alternative. Every person must decide which is the best way in their own case. That decision could depend upon the age and circumstance of the disappearance.

Your task will not be easy. THIS IS NOT TO DISCOURAGE YOU, but rather to emphasize that you have to do EVERYTHING you can AS OFTEN AS YOU CAN to have even a small chance of success. Missing persons (except for the very young) generally have the LOWEST PRIORITY with law enforcement personnel. THE BURDEN OF THE SEARCH WILL PRIMARILY BE YOURS! If your loved one is dead, whether by accident or murder, and there is no direct tangible evidence of such, then your case will be handled as just another missing persons case. This is just one more reason why you must be actively involved in the efforts to find your missing loved one. Remember, no one has the individual commitment to solving your case as you do!

(Continued on Page 24)

NATIONAL CLEARINGHOUSE

As a result of the MISSING CHILDREN ACT a central clearing house is being set up which will include data on missing persons and unidentified bodies. This information is being programmed now and hopefully some time in June 1983 the match up process should start. However any system operates effectively only to the extent that it is used. The Missing Children Act does not *require* states and other governmental units to use the NCIC (however, it does permit parents to input the information if their local authorities will not). This is why FIND-ME /KYLE'S STORY believes that no private agency can solve the missing person/unidentified body problem. To try to do so is similar to trying to irrigate a vast arid ranch with a 50-foot garden hose. Although limited success may be attainable in its coverage, it cannot reach more than an extremely small portion. Only by having a central clearing house with total input can a reasonable degree of success be obtained. The above is not to discourage your using private agencies nor to down grade their importance. It is merely to give a comparison of the size of the problem with the capabilities of effort. 50 FEET OF IRRIGATION IS BETTER THAN NONE AT ALL - *and it just might cover the area of your case!* But a 50 foot hose cannot do the work of an irrigation system. Therefore we urge you to write your Governor and state legislative personnel asking that your state pass a MISSING PERSONS ACT requiring information to be submitted to the NCIC.

+++++ T W R CORPORATION

The T W R Corporation has fifteen computers which it will donate to any law enforcement agency that will go beyond the normal call of duty in utilizing missing persons and unidentified bodies information. Already some of these computers have been placed in strategic locations along the east coast. Included with the computer is one year free maintenance.

This T W R network is in addition to the National Crime Information Center (NCIC). Although it is just getting started it has already been useful in identifying some who had no identification.

If your police department is interested have someone contact.....

RICHARD RUFFINO
Inv. Sergeant

COUNTY OF BERGEN



Office of the Sheriff
Missing Persons Bureau

Court Street, Hackensack, N. J. 07601
201/646-2192 - 2140

PREVENTIVE MEASURES

Unfortunately 20/20 hindsight does not translate into 20/20 foresight. After the fact, in looking back, one may spot an action or incident, which, though it was thought proper at the time, may now seem to be the reason for the disappearance. Would the Hinckley family have followed the same course if they had known that the eventual outcome would have been the attempted assassination of the President?

In the case of the young the most suspicious person may be the one you would be the least concerned about. In many cases involving crimes against youth the people inflicting the crimes were church or scout workers. A person so inclined would have no better place to work from than from within a youth activity!

A disappearance prevented is one that does not have to be solved.

GENERAL DISAPPEARANCES

1. Questionnaire:

PARENTS - Do you abuse your children, physically or verbally?

WIVES - Do you nag your husband or deny him affection?

HUSBANDS- Do you ignore or abuse your wife?

In those cases with a "yes" answer, the disappearance factor will probably be substantially higher than those with a "no" answer. A disappearance could be a cry for help.

2. Changes in behavioral patterns or attitudes.
3. If a youth director (church, scout, etc.) starts to show unusual attachment to your teenager (or pre-teen) try to determine the cause.
4. Become familiar with so-called religious cults. This can be done by checking with agencies specializing in cult activity. By learning of them you may be able to develop a program to negate their possible influence on your child (or adult).
5. Maintain records of fingerprints, dental records, bone fractures, birthmarks, etc. You may make your own fingerprint file merely by the use of index cards and a stamp pad.
6. Have available at all times current photographs of all members of the family.
7. Urge your schools to verify an absense by telephoning the parent or guardian. A child could be abducted on the way to school and that

(Continued on Page 16)

ACTION AGENCIES

"MISSING" is an extremely broad classification. Literally speaking, it covers any situation whereby a person is not where he or she is supposed to be at a certain time. This would include victims of kidnapping, parental abductions, cult brain washing, etc. Likewise, agencies disseminating information on "missing" would include these related areas in addition to the limited topic of "missing people".

The following is the most complete list of "ACTION AGENCIES" that we could obtain at the printing deadline. We used newspapers and magazine articles, letters from individuals, and any other source that we could find. We wrote to virtually all of them asking that they verify the caption. Some answered; some did not. Some others contacted us, asking to be included.

Many of the AGENCIES are short lived, some are narrow in scope, and a few may not be totally committed. These are listed for your information. For additional assistance you should contact the ones which more nearly meet your case needs.

ABDUCTED CHILDREN'S RIGHTS OF CANADA (Lila Lopez Karu) 416/498-5835
P.O. Box 262, Station M, Toronto, Ontario M6S 4T3

--Group of parents organized to help individuals and agencies deal promptly with, or to prevent, the unlawful abduction of children by parents. \$10 fee for individuals, \$25 for corporations. Publishes "Free Our Children".

ABDUCTED CHILDREN INFORMATION CENTER (ACIC) (Harvey Morse) 305/831-2000
1470 Gene Street, Winter Park, FL 32789

--Computerized registry for missing and abducted children operated at no charge by LOCATER'S INTERNATIONAL, INC. (see detectives, Page 10)

ADAM WALSH CHILD RESOURCE CENTER INC. (Sharon McMorris) 305/475-4847
1876 N. University Dr., Ft Lauderdale, FL 33322

--Working for missing, abused, and neglected children.

ANOTHER MOTHER FOR CHILDREN FOUNDATION (Sue Gussman) 404/934-8049
2710 Cosmos Dr. NE., Atlanta, GA 30345

--

BAY AREA CENTER FOR VICTIMS OF CHILD STEALING (Georgia Hilgeman)
1165 Meridian Ave, Ste 112, San Jose, CA 95148 CHAPTERS:
San Jose 408/972-2910; Hayward 415/276-2679; Santa Rosa; 707/544-6536
--Provides support, information, referral, and education to victims and to the public.

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DETECTIVES

One of the most effective ways of making contact with the missing by the direct approach is by employing a competent detective. A well qualified detective will have contacts, knowledge, and procedures not known or available to by the layman. *EVEN SO, SUCCESS COULD BE VERY LIMITED.* You should be extremely careful in your selection of a detective. Make your financial arrangements in advance with conditions spelled out in writing. Verify the character of the detective with Better Business Bureau. The following is listed as a service. KYLE'S STORY representatives have personally met with those marked *; others have written requesting listings.

AARDWOLFE DETECTIVES 213/324-7680

17700 S. Western Ave., #129, Gardena, CA 90248

--Has specialized service in missing persons and custody cases.

*AMBASSADOR SPECIAL SERVICES, LTD (Alice Byrne) 212/951-6159

2055 Flatbush Ave., Brooklyn, NY 11234

--National low cost missing persons detective service.

ANCEL INVESTIGATIVE SERVICE 904/567-2909

P.O. Box 1241, Dade City, FL 33525

813/681-0126

--Former law enforcement person. Of those who contract with him from an ACTION reference will put 10% of his fee in a fund to help those who cannot afford service.

BALL INVESTIGATIVE AGENCY

P.O. Box 17043, Nashville, TN 37217

--

GUY R. GIBSON 212/893-7061

825 Boynton Ave, Apt 10A, Bronx, NY 10473

--Retired police officer.

CHARLES V. KAREN, PI 516/487-0697

16 Valley View Rd., Great Neck, NY 11021

516/487-8748

--Practice limited to kidnapped children, runaways, lost & missing persons.

LEE KELLER, 1518 B Oldtown MNR, Cumberland, MD 21502 301/759-4496

--For fee of \$275 will check all states plus Canada for new license, new plates, new vehicle, etc; also will give three months of phone calls to whatever number is best to trace for a missing person and/or child.

LOCATERS INTERNATIONAL (Harvey E. Morse) 305/831-2000

1470 Gene St., Winter Park, FL 32789

(Continued on Page 32)

FAMILY REUNION MONTH

Except for voluntary action on the part of the missing person and the finding of him or her as a result of their being involved in an illegal activity (if any) the chances of finding the missing person are extremely remote. This is especially true where no clues are left behind. Thus it is to the advantage of the families of the missing to support any promotion or activity which would encourage the missing person to reestablish contact.

There are others who have broken contact with their families, not by running away but by *drifting* away because of indifference, etc. For the DRIFTAWAYS, family ties are not broken as dramatically and suddenly as those of the RUNAWAYS. The driftaway may not even realize what he or she has done. But the long range affect on the family left behind is the same. *A heart attack comes with a sudden and painful announcement and cancer creeps silently; but the two have the same devastating effects!*

FAMILY REUNION MONTH can be the catalyst that gives RUNAWAYS and DRIFTAWAYS the courage to reestablish contact with their families. But this requires public awareness of the phenomenon. To accomplish this we are asking the media to publicize the missing persons phenomenon and the effect it has on the family. This should be done sometime during the period beginning with MOTHER'S DAY and continuing through FATHER'S DAY. Included in this publicity should be the mention that the family is the foundation of America - if the family breaks up, so will America. During FAMILY REUNION MONTH every person who has not had contact with his or her family during the previous year *for any reason*, whether it be for running away, drifting away, a family quarrel, indifference, or bitterness should make contact via visit, letter, telephone, or card.

We are calling upon the Federal, State, and local governments to declare FAMILY REUNION MONTH as an observance to call public attention to the missing persons phenomenon and to the break up of families by indifference and how these affect the families left behind. The U.S. Senate has already adopted it and it is now in the House. Some states and cities have also adopted it. We ask that you contact your Representative, Governor, and Mayor asking for approval of the resolution. We also ask you to contact your local media for publicity.

For a copy of FAMILY REUNION MONTH brochures, the Senate resolution, and/or a state resolution contact any of the sponsors of FAMILY REUNION MONTHS which are indicated in ACTION AGENCIES (Beginning on Page 9).

C A N A D A

FIND-ME representatives have visited Ottawa in an attempt to find out what, if anything, could be done in Canada in the search for a missing person. A Vice-Counsel at the American Embassy stated that the laws of Canada protect the RIGHT TO PRIVACY - that even if they found a missing American that they could not advise the family of the finding unless the person signed a waiver of the "right to privacy".

Where there is a legal basis for searching for an emancipated person have your local police contact the Canadian Police Service Information Center of the Royal Canadian Mounted Police at Ottawa.

We have two Canadian agencies listed in the "ACTION AGENCY" section starting on Page 9. One, OPERATION GO-HOME, deserves additional comment.

This was started by Rev. Norman Johnston, a court chaplain, who perceived the need for such a service among many of the young people being brought before the courts. Rev. Johnston's current address is:

P.O. Box 12,
Westport, Ontario K0G 1X0
613/273-2046

The brochure of OPERATION GO-HOME states: "Adolescence is a difficult period. It is a time when young people strive to develop their own individuality and seek greater independence from parental control. This period can be a trying experience for both the parents and adolescents. During this stage of development the lines of communication may break down and the internal strife within the family unit may mount to an intolerable level. It may reach such a crescendo that the son or daughter may feel that the only solution is to leave home.

"However, after a few weeks, months, or years away from home perhaps all the parties involved may have second thoughts. What impeded the two groups being reconciled? Parents, in general, have no idea where their offspring now are living. On the other hand, the son or daughter fails to make the first move through shame, doubts that the home situation has changed, or fear that they would not be welcome. The fear of not being accepted should not be underestimated: it is a real and constant preoccupation with most of these young people.

"This is what 'Operation Go Home' is all about. Through it committed individuals, who have a sincere interest in their community, offer

(Continued on Page 33)

C U L T S

Being captivated by so-called religious cults is a prime cause for someone to be missing. These cults can brain wash and control people of all ages. If you have any suspicion that cults could have been involved in your disappearance case you should contact one or more of the following:

Where To Go For Help

There are groups of parents and concerned citizens in many cities around the country who want to help by providing information, counseling, referrals, and speakers. A nonprofit organization named Citizens Freedom Foundation (CFF) and several other cult-awareness groups are listed below. Contact the one nearest you for information.

CFF National Office
Box 86
Hannacroix, NY 12087
(518) 756-8014

Spiritual Counterfeits Project
Box 2418
Berkeley, CA 94702
(415) 527-9212

Free Minds, Inc.
Box 4216
Minneapolis, MN 55414
(612) 378-2528

CFF/Bothel
19419 Bothel Way, N.E.
Bothel, WA 98011
(206) 486-6770

TUFF Dallas-Ft. Worth
Box 493
Grapevine, TX 76051
(817) 498-0109

Central Agency for Jewish Education
4200 Biscayne Boulevard
Miami, FL 33137
(305) 576-4030

CULT HOT LINE (24 hour)
Jewish Board of Family
and Children's Services
(212) 860-8533

C.O.M.A. (Council on Mind Abuse)
Box 575, Station Z
Toronto, Ontario M5N 2Z6
(416) 484-1112

The American Family Foundation publishes a newspaper that prints cult-related articles from major newspapers. AFF also puts out a special edition targeted to college students.

Contact: American Family Foundation
Box 336
Weston, MA 02193
(617) 893-0930

There are only a few mental health professionals in the United States today who have any experience in treating former and current cult members. The above groups will help you find one close to you.

J U D I C I A L D E A T H S

Sometimes, especially when the missing person is the sole or partial means of support for the family, the disappearance creates a legal entanglement that is very difficult to overcome. Thus many situations may develop that cannot be solved until it is legally determined whether the missing person is dead or alive.

Although one may never be able to determine factually that the person is dead or alive the courts can be petitioned for a declaration of the presumption of death. After a lengthy waiting period - usually seven years - the next of kin may ask the proper court for a statement of legal death. This procedure may vary from state to state. The following procedure is for Georgia (home state of FIND-ME):

A two part petition is made to the Judge of Probate. One is asking for a statement of presumed death and the other is asking to be declared the administrator of the estate of the missing person (now legally deceased).

1. After a seven year wait, a petition is filed with the Judge of Probate.
2. A legal notice is printed in the local newspaper for four weeks.
3. Two weeks after the last publication a hearing is held whereby anyone who has information is to present it to the Judge.
4. If no information is received another legal notice is printed in the local newspaper for four weeks.
5. Three months after the first publication date of the last notice another hearing is held by the Judge.
6. If no information is received the Judge makes the declaration of presumed death, issues the required legal documents to support the declaration, and appoints the petitioner as the administrator of the estate of the missing person.
7. If subsequent to this declaration the person reestablishes contact with the family, another petition is made requesting that this judgment or declaration be voided.

Although the statute of limitations on a disappearance is usually seven years, unusual circumstances may shorten the waiting period considerably. An Idaho court issued the presumption of death in one case after only three months (this case is described in detail in KYLES STORY: FRIDAY NEVER CAME, The Search For Missing People - see Page 30).

There are many reasons why this judicial process should be used. Of course the prime ones are (a) with the court order insurance companies must pay off on insurance policies (if any, and if the premiums have been kept up), (b) means will be available for proper disposition of

(Continued on Page 34)

F B I

In the previous four printings ACTION was very critical of the FBI in missing persons cases. The MISSING CHILDREN ACT gave new direction to the FBI in such cases. Heretofore the FBI claimed they could get involved only if a demand for a reward was received. Although this act apparently changed official policy, it had little affect on ACTUAL policy. Another hearing was held on February 2, 1983, by the Subcommittee on Juvenile Justice, Committee on the Judiciary. As a result of that hearing the FBI Directorsent a priority letter which stated in part:

"The record developed by the Subcommittee unequivocally reveals that FBI personnel have failed to accurately and adequately articulate FBI national policy in kidnaping matters as set forth in the manual of investigative operations and guidelines...In view of this and other data developed by the Subcommittee, you are instructed to personally insure that the FBI's national policy is thoroughly understood, followed and accurately articulated...When reports are brought to your attention, without regard for the means of referral, of minors abducted or missing under circumstances indicating a possible abduction, unaccompanied by a ransom demand or evidence of interstate transportation or travel, insure the following

1. Advise FBIHQ immediately
2. Furnish a teletype setting forth specific details...
3. Determine whether it is necessary to institute a preliminary inquiry...
4. Resolve questions pertaining to the abduction...
5. Note that no ransom demand is required.
6. Note that interstate travel can be presumed after 24 hours from time the minor was abducted or missing under circumstances indicating a possible abduction.

You must note that this does not indicate that an actual SEARCH will be made on all cases. However, information should be in place in The National Information Crime Center (NCIC) records if such need is forthcoming. Most stolen cars that are found are found for some other reason. With information being developed as a result of the MISSING CHILDREN ACT, people should be on par with cars.

One must remember that there is no easy and/or sure method of finding missing persons. **IF THERE WAS, THE FBI WOULD HAVE NO TEN MOST WANTED LIST** - they would merely list the criminals as "Missing"!

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"It is not a crime to be missing, but the number of missing is a crime."
--Sgt. Ruffino

PICTORIAL LISTINGS

A possible means of reaching the missing is through various publications that he or she may read, or acquaintances may read, or may be used by professional organizations. Success would depend upon the publication reaching the person (or third party), being seen or read, and making a connection of the information with the missing person's characteristics. Following is a listing providing this service. You should contact the one of your choice for current fees, if you want to follow this avenue of search.

DIRECT APPROACH

NATIONAL CRIME WATCH MAGAZINE

1100 NE 125th St., North Miami, FL 33161

--Publishes photos free on a space available basis.

THROUGH THIRD PARTY (Police, Schools, Etc.)

ACTION AGENCIES (See Page 9)

Child Find

ChildSearch

SEARCH (Charles Sutherland)

201/567-4040

560 Sylvan Ave., Englewood Cliffs, NJ 07632

--Publishes SEARCH with photos of missing persons and mails nationally to law enforcement agencies, hospitals, social services, transportation terminals.

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(Continued from Page 8)

not be known until time for child to get home unless absence is verified.

8. For the young: do not talk to strangers. For adults: if you are alone do not stop to give aid to stalled cars, etc., but notify the Highway Patrol to send aid; do not pick up hitchhikers.

9. LOVE IN THE HOME IS PERHAPS THE BEST METHOD TO PREVENT RUNAWAYS, both juvenile and adult!

ABDUCTION PRECAUTIONS

The Children

1. Make certain your child knows his/her full name, your name, address, and telephone number. Teach him/her how to use telephone. Help may be available simply by dialing "0"/

2. Have pictures taken yearly. For pre-schoolers, four times a year.

Keep records of fingerprints, foot prints, dental and doctor information, birthmarks, and birth certificates. You should keep copies of X-rays as hospitals do not keep such records other than for a few years.

4. Get your child a passport. Once a passport has been issued it is both difficult and suspect to attempt to get another for that person. Contact Passport Services, Bureau of Consular Affairs, Washington, DC, 20524 for a copy of passport procedures.

5. Tell babysitters or friends caring for the child not to let child go with anyone but you.

6. Try to explain to your child that abductors may tell them lies (mother or father does not love them or that the other parent is dead).

7. Keep the very young in sight at all times or have babysitter or other in whose care they may be to do this also.

8. Have child practice buddy system until old enough that this is not necessary for safety.

9. Caution child not to play in deserted places.

The Spouse/Ex-Spouse

1. Know your spouse's Social Security number, date of birth, assets, banks, credit cards, property owned, and places of present and previous employment.

2. Anticipate your spouse's reaction to changes in your life style - A contemplated re-marriage, a new friend of opposite sex, or a move to a new location.

3. Watch for (a) Attitude changes - little concern for the child during marriage but suddenly now great attention; becomes very friendly or cooperative after a lengthy period of anger and conflict.

(b) Unstable behavior - (one support agency reported that 90 out of the first 100 women who contacted them said their husband had beaten them before taking the child).

(c) Life style changes - new marriage, job, home, or a move to a new state.

In Laws/Ex-In Laws/Spouse's Close Friends

1. Keep track of their names, addresses, birth dates, telephone numbers, vehicle license plates, places of employment, etc. This information could be very useful in event of an abduction.

Custody Considerations

FINGERPRINTING

At a symposium held in Louisville, KY, Dec. 1981, on child abuse and missing persons fingerprinting was adopted as a means of identification in the event need develops. It should clearly be understood that fingerprinting WILL NOT make the child (or adult) safer. It WILL NOT prevent a disappearance. It WILL NOT prevent an abduction. But if a need arises requiring identification, fingerprinting could be a valuable tool.

It is ironic that no one seems to question the desirability of having identification marks put on TVs, bicycles, lawn mowers, etc. to be used in identification, if needed; yet some object to having a similar means for their family members. It is ironic that no one seems to object to using pictures for identification; but some do for using fingerprints. It is ironic that no one seems to think that taking a person's picture causes physiological damage to the young, but some think that taking a person's fingerprints does.

Fingerprinting has caught on throughout the country since that symposium was held. (It was attended by several ACTION representatives, law officials, governmental personnel, and others. Many fingerprinting services sprung up, some charging fees. NO ONE SHOULD HAVE TO PAY FOR SUCH A SERVICE. Most police departments will take prints free and give them back to you for safe keeping. If you want a set of prints call your police and request this service. Only by having prints taken by a qualified person will you be assured of getting usable prints; some of these groups are not taking prints properly and may be of only very little use when (and if) the need for their use develops.

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(Preventive Measures continued from page 17)

1. If you are separated, obtain legal custody.
2. If litigation is in process you may require other party to obtain consent from the court prior to leaving the jurisdiction of the court. You may need to explain you fear a danger of abduction and you want to protect your child's right to see you.
3. Specify visitation rights as precisely as you can in divorce papers. Know where your child will be taken, if possible. Know ex-spouse's phone number, etc.
4. Bonds of numerous types are available to help insure return of child. You may need to convince the court of the need.
5. If school age children are involved include in custody order a provision to prohibit the transfer of school papers without prior approval of custodial parent. File this with school.

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marks or clothing or mannerisms, and a telephone number (usually police or sheriff) and address (P.O. Box number whenever possible to avoid crank calls and visits) that someone can contact with information about the whereabouts of your missing person. Always offer the reward for verified information.

6. Ask your Congressman and/or one of your Senators to check Social Security records. Because of the Privacy Act these are the only possible people who may be able to obtain such information. (They may not be able to, but it is worth a try).
7. Check with your State Bureau of Investigation. This may have to be done by your police or sheriff.
8. Check with State Department, Washington, DC, for possible passport data.
9. File a Missing Persons Report with the Salvation Army. Their regional office has a department that will endeavor to find someone using all available public records. Also, go to the local Salvation Army Office and see if your missing person was there to get a free meal. Most offices keep a card index on those who came for food.
10. Keep a pencil and paper by the telephone to notate anything you may learn from a conversation with police, friends, schoolmates, or any one with leads. Tape recorders are also handy.
11. Start a scrap book. It is a good source to inform yourself constantly as to what others have done.
12. GET AS MUCH PUBLICITY AS YOU CAN. If missing person is alive some such publicity may reach him or her and cause a response.
13. Check out which religious cults have been active in your area. Go to local park that young people hang out and talk to them, show your missing person's picture around, see if you can get any leads. Parents that show love and not anger are more likely to get cooperation from young people on the road who are hanging around your area.
14. Get listed in pictorial publications.
15. Send details to ACTION agencies which more nearly match your case.
16. Check out all ideas or suspicions. DO NO RULE OUT ANYTHING EVEN IF IT APPEARS "OUT OF CHARACTER": the mere fact the person is missing (if no foul play) is usually "out of character".
17. Check with each state's motor vehicle registration department (if a car is involved). If your city or county is a member of the computer

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service this can be done almost instantaneously. If not, you may need to write to the Motor Vehicle Registration Department of each state.

18. If your child has been abducted by his or her natural parent, check with your local District Attorney's Office for advice and suggestions.

19. If your missing person is a college graduate contact the college job placement agency. Also contact the Alumni Association.

20. If your missing person is of age to join armed services, you can obtain information about whether he or she is in the service from each branch.

21. Contact missions and other places that offer free food and lodging. Many keep records of names of those receiving such help.

22. Send detail with photo to Missing Persons Bureau, Bergen County, 1 Court Street, Hackensack, NJ 08601.

23. If you use a private detective be careful to obtain a reputable one.

24. IF YOU DEAL WITH PSYCHICS DO NOT LOSE SIGHT OF THE FACT THAT SUCH IS A "LONG SHOT" AT BEST AND THEY ARE NOT DESERVING OF BEING PAID LARGE SUMS OF MONEY - PAY AFTER RESULTS ARE OBTAINED, NOT FOR UNPROVEN "VISIONS".

25. If you can develop a legal reason, file a "Request for Driver Record Information" with Driver's License Bureau of each state.

26. Check with Post Office, utility company, banks, employers, insurance companies, subscription lists, or any other place an address change may be asked for.

27. If missing person is employed in a profession that has to be licensed by state or union, check with appropriate agency in each state to determine if person has been licensed by that state or union.

28. Check past telephone bills for out-of-town numbers which may have been called which may give a possible destination.

29. Check future credit card bills which may give out-of-town purchases.

30. Check area morgues and hospitals for unidentified persons and/or bodies.

BE VERY CAREFUL WHEN DEALING WITH ANYONE WHO IS ASKING MONEY FROM YOU. There are many who would use your emotional state to take advantage of you. Make your decisions to spend money from a sound business basis and not from an emotional one. There are many who have lost their entire life savings in a few weeks with no results!

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MISSING PERSONS REPORT
AND
REQUEST FOR N.C.I.C. ENTRY

Name _____

Address _____

D.O.B. _____ Age _____ Race _____ Sex _____ Comp _____

Height _____ Weight _____ Physical Build _____

Eye Color _____ Hair Color _____ Hair Style _____

Facial Hair And Sytle Beard Mustache Etc _____

Scars _____

Birth Marks _____

Tatoos _____

Condition Of Teeth _____

Eye Glasses _____ Style _____ Contact Lenses _____

Fingerprint Class _____

Other _____

Clothing Last Seen Worn _____

Jewelry Worn _____

Date Last Seen _____ Where Last Seen _____

Possible Destination _____

Possibly Traveling With _____

Reporting Agency _____ Telephone _____

Case Number _____ Date Entered N.C.I.C. _____

Car Information _____

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- BERGEN COUNTY MISSING PERSONS BUREAU (Sgt Richard Ruffino)
1 Court St., Hackensack, NJ 07601 201/646-2192
--Maintains perhaps the largest data bank in U.S. on unidentified bodies.
- CENTER FOR THE FAMILY IN TRANSITION (Dorothy Huntington) 415/752-3431
5725 Paradise Dr., Bldg A, Suite 100, Corte Madera, CA 94925
--Serves children and families of Bay Area involved in parental child stealing. Provides counseling services for victims.
- CHILD FIND (Gloria Yerkovich) 914/255-1848
P.O. Box 277, New Paltz, NY 12561
--Distributes CHILD FIND magazine to schools/officials; communicates to children through schools/public media. computerized matching of children with registered parents. Has extremely good relationship with national media. Sponsors MISSING CHILDREN'S DAY.
- CHILDREN'S RIGHTS, INC. (Arnie Miller) 202/462-7573
3443 17th St. NW, Washington, DC 22210
--Lobbies for legislation to deter child snatching; publishes handbook for parents of snatched children.
- CHILDREN'S RIGHTS, INC. WISC. CHAPTER (Edith St. John) 608/752-8789
121 Elliott St., Janesville, WI 53545
--Support group for victims of child snatching.
- CHILDREN'S RIGHTS OF FLORIDA, INC. (Kathy Rosenthal) 813/546-1593
P.O. Box 173, Pinellas Park, FL 33565
--Formed to assist the left-behind parent by means of crisis counseling and suggestions on ways to locate abducted children privately or with assistance of public authorities.
- CHILDREN'S RIGHTS OF NEW YORK, INC (John Gill) 516/751-7840
19 Maple St., Stony Brook, NY 11790
--Supports legislation to outlaw child-stealing; public education programs; counseling for victimized parents.
- CHILD SEARCH
6 Beacon St., Suite 600, Boston, MA 02108
--Publishes pictures of stolen children and distributes to almost 100,000 schools.
- CHILD STEALING RESEARCH CENTER (Michael W. Agopian, PhD) 213/738-7402
431 S Commonwealth Ave, Los Angeles, CA 90020 805/492-2411
--

- COALITION ORGANIZED FOR PARENTAL EQUALITY (Peter T. Cyr) 207/775-0258
68 Deering Street, Portland, ME 04101
--Divorce should not deprive children of either parent.
- COBRA CONNECTION (Don Bennafield) 216/454-9109
P.O. Box 1958 Station A, Canton, OH 44705-0958
--Publishes and distributes 46 page manual "SAVE A CHILD" that INFORMS, INSTRUCTS, CREATES AWARENESS OF THE MISSING PHENOMENON, AND teaches PREVENTION, ALSO DISTRIBUTES ABC FLYER FOR CHILDREN AND interested groups. Also makes public appearances showing photographs of missing children on Television and other media outlets.
- COMMITTEE TO FIND ETAN PATZ (Julie Patz) 212/777-3683
113 Prince St., New York, NY 10012
--Seeks national clearinghouse; was instrumental in informing many ACTION agencies of each other. Sponsors NATIONAL MISSING CHILDRENS DAY.
- DEE SCOFIELD AWARENESS PROGRAM, INC. (Betty DiNova) 813/839-5025
4418 Bay Court Ave., Tampa, FL 33611
--Promotes awareness, legislation; aids victim's families; maintains scrapbook/statistics on missing children. Sponsors FAMILY REUNION MONTH.
- FAMILY & FRIENDS OF MISSING PERSONS (Mary Miller) 206/782-8306
P.O. Box 21444, Seattle, WA 98111
--Victim assistance program conducted by specially trained volunteers.
- FATHERS FOR EQUAL RIGHTS (Leigh Travis, PhD)
861 Honey Creek Dr., Ann Arbor, MI 48103
--
- FIND-ME, INC. (John & Louise Clinkscales) 404/884-7419
P.O. Box 1612, LaGrange, GA 30241-1612
--Information center for families with a missing member; counsels families; promotes awareness and information to media and public. Interested in all ages and types of disappearances; specializes in older teens and adults - a group that gets the least media and public attention and concern. Publishes ACTION booklet. Sponsors FAMILY REUNION MONTH.
- FOR KIDS SAKE (Christine Scudder & Kerry Phillips) 713/451-9349
12837½ Greens Bayou, Houston, TX 77014 713/821-5433
--Helps victims parent to obtain the necessary warrants; aids the parent in choosing a lawyer or investigator.

(Continued on Page 25)

(Continued from Page 6)

Non-custodial parental kidnapping is quickly becoming a primary cause of young children disappearing. Police generally consider this to be a domestic problem; however, recent laws enacted in many states make it a crime for a non-custodial parent to detain a child beyond normal court awarded visitation times. If necessary, visit your nearest law library and get their help in looking up the statutes that pertain to this problem in your state. Your local District Attorney can also give you information. If parental kidnapping is suspected, place the abductor on the same check list of procedures that is outlined for all missing persons, as follows: (age of missing person would determine which are applicable in each case)

1. File a missing persons report IMMEDIATELY with local police or sheriff. Be truthful. This may mean taking a critical self-analysis of family conflicts and/or relationships. Too often authorities are handicapped in giving assistance because they are not aware of all the circumstances leading up to the disappearance.

2. Ask the local authorities to fill out the "Missing Persons Report and Request For N.C.I.C. Entry" form (See Page 21). If the local person will not take the information get the person's name and badge number and go to the nearest FBI office and tell them that you talked to Officer _____ and he or she would not take the report. You will be given a packet to get more detailed information and return to the police. The information will then be ready for entry into the NCIC. There are two basis for qualifying for entry:

- A. Juvenile who is unemancipated.
- B. Adult or emancipated person
 - a. physically incapacitated.
 - b. mentally incapacitated.
 - c. four or suspicious circumstances
 - d. otherwise deemed involuntary

3. Ask authorities to check if missing person is being detained for a crime anywhere. This has been successful in some cases.

3. Ask authorities to register your missing person with their State Department of Justice (or computer data bank).

4. Stay in touch with authorities. However, don't make a pest of yourself, but do not allow yourself to be intimidated to the extent that you are not getting the cooperation all citizens are entitled to.

5. Offer a reward in your newspaper and have a reward poster printed with a photo, description, date of disappearance, any identifying

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FRIENDS OF CHILD FIND

P.O. Box 7046, Ardsley-on-Hudson, NY 10503

--Headquarters for national association of independent volunteer groups taking responsibility of dissemination of CHILD FIND material.

FRIENDS OF CHILD FIND OF LOUISIANA (Karlyn Ritchie)

P.O. Box 399, New Roads, LA 70760

--

FRIENDS OF CHILD FIND OF OKLAHOMA (Robin Gunning)

405/842-7293

P.O. Box 19121, Oklahoma City, OK 73144

--Helps families of kidnapped children; promotes public awareness; supports legislation against child stealing.

FRIENDS OF CHILD FIND OF OREGON (Leslie Pitts)

P.O. Box 756, Springfield, OR 97477-0131

--Promotes public awareness; conducted first volunteer fingerprinting program in Oregon.

GALLERY 345 (Karen DiGhia)

212/673-7354

345 LaFayette St, New York, NY 10012

--Promotes awareness through exhibits on child abuse.

HALLMARK INTERNATIONAL RESEARCH (Kevin H Steadman)

801/531-0920

455 South 300 East, Suite 303, Salt Lake City, UT 84111

--Traces family tree or ancestry. Sometimes may obtain information on missing.

H.E.A.R.T. (Help Every Abduction Return Today) (Leslie Campbell)

10937 Red Arrow Hwy, Rt 1, Mattawan, MI 49071

616/668-3733

--Non Profit Michigan based self help organization for families victimized by parental child snatching; major interests includes legislative lobby, fingerprinting drives, recovery follow up, support and referral outreach, and cooperation with search organizations nationwide.

IDENT-I-CHILD (Mike Meredith)

801/487-3613

P.O. Box 26814, Salt Lake City, UT 84126

--Dedicated to educating parents about the facts of child abduction and to motivate them to have safety programs in home.

KYLE'S STORY (Louise and John Clinkscales)

404/884-7419

205 North Chilton Ave., LaGrange, GA 30240

--Supplements FIND-ME in areas FIND-ME is prohibited by IRS regulations to work. Assists in publishing ACTION booklet.

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M.E.N. INTERNATIONAL, INC (Kenneth R. Pangborn) 813/544-8286
4977 87th Ave. N., Pinellas Park, FL 33565
--Has affiliates throughout the U.S. and world which provide referrals to community based organizations and individuals

MISSING CHILDREN HELP CENTER (Ivan DiNova) 813/681-HELP
410 Ware Blvd, Suite 715, Tampa, FL 33619
--Voice of the missing child.

MISSING CHILDREN OF AMERICA, INC. (Nancy Barros) 907/243-0318
P.O. Box 1938, Anchorage, AK 99510
--Educates through seminars, workshops, etc; Locate through referrals to detectives; Identify with "Know Your Child" package.

MISSING PERSONS NATIONWIDE, INC. (Alfie Brisben) 813/856-5144
P.O. Box 5331, Hudson, FL 33567
--Reaching out to assist in the ever growing problem of the missing.

MISSING TEENS AND YOUNG ADULTS (Eileen Luboff) 408/425-3663
P.O. Box 7800, Santa Cruz, CA 95061 408/426-7972
--Forming a nationwide group of parents of missing teens and young adults for purpose of helping each other. Wants parents willing to participate in doing necessary leg work to distribute posters, do cooperative advertising, talk on phone with warmth and love to other parents needing help. Sponsors FAMILY REUNION MONTH.

NATIONAL CHILDREN FINGERPRINT BANK (Kenneth Campbell) 813/366-4669
P.O. Box 3737, Sarasota, FL 33578
--For a fee will maintain child's fingerprint to age 18 for possible use by law enforcement personnel in search.

NATIONAL CHILD WATCH (Fred Reik) 919/469-3441
P. O. Box 1104, Cary, NC 27511
-- Consolidating several group into a major organization.

NATIONAL COALITION FOR CHILDRENS JUSTICE (Ken Wooden) 215/295-4236
1214 Evergreen Road, Yardley, PA 19067
--Promotes awareness through journalism/public speaking.

NATIONAL MISSING CHILDREN'S LOCATE CENTER INC (John R. Bennett) 503/224-5596
1123 Yamhill St., Portland, OR 97205
--Claims to be only private, non profit organization that actually undertakes an investigation of each case. Sponsors FAMILY REUNION MONTH.

(27)

NATIONWIDE MISSING PERSONS BUREAU (Mildred Storer) 713/449-0355
3500 Aldine Bender, Box A, Houston, TX 77032 713/847-5741
--Nation-wide Missing Person's Clearing House Bureau.

OAR-CHEMUNG COUNTY NEIGHBORHOOD JUSTICE PROJECT (Aletha A. Rollins) 607/734-3338
451 E. Market St., Elmira, NY 14901
--Provides assistance to victims of crime, including cases where a child has been kidnapped by a former spouse. (Schuyler Co.)

OKLAHOMA PARENTS AGAINST CHILD STEALING (J.C. & Angela Kincaid) 918/336-1921
P.O. Box 2112, Bartlesville, OK 74005
--Provides personal assistance to the custodial parent in locating and recovery of their missing children; keeps informed of federal and state laws pertaining to missing children and makes these laws known to the victimized parent; actively supports other organizations concerned with missing children.

OPERATION GO-HOME (Rev. Norman Johnson) 613/273-2046
P.O. Box 12, Westport, Ontario K0G 1X0
--Canadian network for referrals from the missing and/or parent.
(See Page 12)

PARENTS AGAINST CHILD SNATCHING (Kimberly Willis) 404/921-8526
5311-A Williams Rd., Norcross, GA 30093
--Provides victim-parents with emotional support and guidance in legal remedies. Supports pending legislation favorable to such cause. Works with local enforcement agencies to improve cooperative effort. Holds monthly meetings; accepts donations.

PARENTS AGAINST CHILD SNATCHING, INC. (Donna Hodge) 412/264-9025
P.O. Box 581, Coraopolis, PA 15108 412/526-5537
--Offers advice, counseling and guidance to the parents of abducted children.

PARENTS AGAINST LEGAL KIDNAPPING 512/243-0649
P.O. Box 14384, Austin, TX 78610
--Counsels families, promotes awareness, urges corrective legislation.

PARENTS ALONE (Mary Anne Havey) 316/684-7654
Dept of Psychology, Wichita State University, Wichita, KS 67208
--Assists parents in coping with child-stealing.

PARENTS HELPING PARENTS
Rt 1 Box 406D, Myakka, FL 33551
--Provides information, promotes awareness, seeks to protect children through neighborhood involvement.

PARENTS OF MURDERED CHILDREN (Charlotte Hullinger) 513/242-8025
 1739 Bella Vista, Cincinnati, OH 45237
 --Compassionate outreach program; Mrs. Hullinger also serves on President Reagan's Task Force on Law Enforcement.

PARENTS WITHOUT PARTNERS (Louise Spalding) 301/654-8850
 7910 Woodmont Ave, Suite 1000, Bethesda, MD 20814
 --International organization dedicated to the needs and interest of single parents and their children.

PEOPLE AGAINST PARENTAL KIDNAPPING
 298 Hurley St., Cambridge, MA 02141
 --Support work for those in need during child stealing.

ROBERTA JO SOCIETY (Robin Steely) 614/474-5020
 P.O. Box 124, Circleville, OH 43113
 --Gathering statistics on missing children and unidentified bodies; offers counseling for victimized FAMILIES; seeks national clearing house for missing children under 18.

SACRAMENTO STOLEN CHILDREN ACTION NETWORK
 5125 47th Ave., Apt. 56, Sacramento, CA 95834
 --Provides education to public, assists parents of stolen children.

SAVE-A-CHILD (Paul P. Mills, Sr.) 804/598-2720
 P.O. Box 448, Powhatan, VA 23139
 --Maintaining files of missing persons by distinctive marks; assists victim-parents; promotes awareness and neighborhood child fingerprinting; mediates for runaways and informants of missing, abused or neglected children. Donations appreciated.

SEARCHING PARENTS ASSOCIATION (Susan Humphrey) 517/362-7148
 P.O. Box 583, E. Tawas, MI 48730
 --Aids searching parents find their missing children. Offers emotional support. \$5 fee.

EDWIN SHAW IV, INC. (Sandy Shaw) 919/654-5501
 615 E. First Ave., Chadbourn, NC 28431
 --Can get information distributed through contacts in trucking industry. Sponsors FAMILY REUNION MONTH.

SOCIETY FOR YOUNG VICTIMS (June Vlasaty) 401/847-5083
 29 Thurston Ave., Newport, RI 02840
 --First organization to lobby for national information center; licensed detective; organizes search teams for police; maintains scrapbooks and computerized statistics. Affiliate of FIND-ME. Sponsors FAMILY REUNION MONTH.

STOLEN CHILD INFORMATION EXCHANGE (Barbara Freeman)
 2523 Daphne Place, Fullerton, CA 92633.
 --Claims to be only counseling organization that deals conclusively with Parental Kidnapping, enabling better understanding and explaining the problem; provides technical advise to many nationally televised programs. Telephone Hotline number not set up at time of this printing; call area code 714 for information for Fullerton and ask for number.

SUICIDE PREVENTION AND CRISIS CENTER 907/279-3214
 P.O. Box 2863, Anchorage, AK 99510
 --

TOP PRIORITY: CHILDREN (Teddy Kieley) 619/323-1559
 P.O. Box 2161, Palm Springs, CA 92263
 --Distributes free newsletter on children's issues; working on the problem of missing children.

UNITED PARENTS AGAINST CHILD STEALING, INC. (Helen Hombosky)
 P.O. Box 35428, Tucson, AZ 85740
 --Helps victims in Tucson area.

VOLUNTARY ACTION & INFORMATION CENTER (Patt Harvey) 816/531-1945
 605 West 47th St, Kansas City, MO 64112 816/421-4980
 --

HIDE AND SEEK FOUNDATION (Ernie & Linda Rivers) 503/472-2987
 P.O. Box 806, McMinnville, OR 97128
 --Actively searches for missing family members, specializing in adults; undertakes an investigation of each case at no cost; offers crisis counseling; promotes awareness through public speaking (members of International Platform Assn); educates public with preventive measures; supports legislation against child stealing; offers a support network of other searching families.

INDIVIDUALS:
 Betsy Hutman, 505 E. 79th St., 18B, New York NY 10012 212/988-5807
 Carla Shelton, 3112 Plaza De Nosa, Las Vegas, NV 89102 702/876-0945
 Margaret Strickland, 420 Milford Dr, Merrit Island FL 32952 305/452-8707

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 +THERE IS NO LIMIT TO WHAT CAN BE ACCOMPLISHED IF ONE DOES NOT+
 +CARE WHO GETS CREDIT FOR IT! +
 +++++

KYLE'S STORY: FRIDAY NEVER CAME The Search for Missing People

by John Dixon Clinkscales

Missing people are the silent refugees. Yet they far outnumber the combined totals of all the other refugee groups. Kyle Clinkscales is one of these silent refugees, having last been seen on January 27, 1976. Louise and John, his parents, have gone through many difficult and frustrating experiences since then. Instead of keeping their feelings to themselves, they have chosen to share the information gleaned from four and a half years of heart-breaking research about the missing phenomenon in their search for their son.

John Dixon Clinkscales discusses the possible reasons for disappearances and the inaction of local and federal authorities in this and many other cases, both solved and unsolved. Most important, *Kyle's Story: Friday Never Came* contains lists of sources of help for the missing person and the family. It is a handbook for the missing phenomenon.

Few of us remain unmoved by the daily stories of disappearances of children and adults. Here is a first-hand account, told with warmth and vigor, on a subject that affects us all. If you have ever thought of disappearing as a solution, or know of anyone who might make this decision; if you are concerned with the number of cases of missing persons; or if you are just curious about this type of human behavior reported so often; this is a book you should read for its clarity of purpose and valor.

Vantage Press, Inc.
516 West 34th St., New York, N. Y. 10001

John Dixon Clinkscales was born in Talladega, Alabama. He is a graduate of Samford University, Birmingham, and attended graduate school at Auburn University on a teaching fellowship.

Since finishing college, Mr. Clinkscales has served in administrative and executive capacities in industry. His civic work includes several years of heading up a youth baseball program in LaGrange and several years teaching Sunday school. His hobby is camping. Troup Travelers, a club he organized, is recognized as one of the top chapters in the National Campers and Hikers Association.

Mr. Clinkscales has now founded FIND-ME, Inc. (For INDividuals Missing Everywhere) to get the message of the missing into every American home. FIND-ME will help the family of the missing.

The Runaway Hotline: How It Works

Runaway children in need of help can now call on an understanding Uncle Sam. The Federal Government has established the National Runaway Switchboard, a 24-hour telephone hotline that offers aid to young runaways—no strings attached.

When a child calls the toll free (800) 621-4000 number, a trained volunteer can refer the caller to a suitable, local place to stay or to other needed services. The switchboard also arranges conference calls between runaways and parents or relays messages to families. But no parents are called without the runaway's permission. "Respecting the caller's wishes is very crucial to what we do," says project director David Palmer. "If they know they can trust us they'll be willing to use us."

Runaway callers range from eight to over 21. Almost twice as many calls are from females as males.

Runaway hotlines will relay messages without revealing the location of the caller. These numbers are: 1-800/231-6946 (in Texas, 1-800/392-3352) 1-800/621-4000 (in Illinois, 1-800/972-6004)

FIND-ME believes, and has always allowed the practice, that no one would be charged for its services. Therefore, this booklet was furnished you at no cost and with no strings attached. On an individual mailing this booklet cost 77¢ to get it to you. FIND-ME has no means of support except for voluntary contributions. We will continue to supply the ACTION booklet to any one who requests one on an individual basis, free of charge. However, we do not have funds to furnish multiple copies for informational purposes.

Please Help

We do not ask you to pay for your ACTION booklet, but if you can contribute to the cost of future printings, it will assure that others who are in need of information will be able to receive it. For a \$10, or more, tax deductible donation FIND-ME will send you a copy of KYLES STORY: FRIDAY NEVER CAME, The Search For Missing People (See Page 30). (Use form below, or merely write a note with your donation, requesting KYLE'S STORY). If FIND-ME's activity does not meet your criteria for support; we request you make a donation to any of the ACTION AGENCIES, in order that their work may continue. (Form on Page 32).

YES I WANT TO...

- CONTRIBUTE TO COST OF PUBLICIZING FAMILY REUNION MONTH AND OF ACTION BOOKLETS
- Urge law enforcement agencies to give missing cases higher priority.
- Help publicize the vulnerability of our youths
- Help counsel the families of the missing.

FIND-ME IS RECOGNIZED BY IRS AS A TAX EXEMPT CORPORATION. DONATIONS ARE TAX DEDUCTIBLE.

I am enclosing my donation for:

\$10 \$25 \$50 \$100 \$ _____

A copy of *KYLE'S STORY: FRIDAY NEVER CAME. The Search For Missing People* will be sent for each contribution of \$10 or more. *KYLE'S STORY* is a manual on the missing and it relates a 5 yr. search for a missing son. It retails for \$9.95.

Mail Contributions To: **FIND-ME, INC.**
P.O. Box 1612
LaGrange, GA 30241

KYLE'S STORY SHOULD BE MAILED TO:

Name _____
Street or _____
P.O. Box _____

City _____ State _____ Zip _____

(Continued from Page 10)

--Over 20 years experience; experts on UCCJA, custodial matters, parental abductions, missing persons, works with legal profession and law enforcement. See ACIC in ACTION AGENCIES (Page 9).

MUTUAL INVESTIGATIVE SERVICE (Dick Gauthier) 212/238-3190
8512 5th Ave., Brooklyn, NY 11209
--Specializes in child snatching cases.

JAMES G. (Jim) POPP, JR., PI 817/691-4441
2301 Midwestern Pkwy, Suite 203, Wichita Falls, TX 76308
--

QUINT & ASSOCIATES 303/249-3387
Village Suite 44, 307 Main St., Montrose, CO 81401
--

RAPID DETECTIVE AGENCY 201/437-4812
P.O. Box 1064, Bayonne, NJ 07002
--Specializes in locating missing children; affiliated with a number of different organizations throughout the country.

SECURITY AND INVESTIGATOR SERVICES (Rbt. J Hussey, BS MA) 516/269-5639
P.O. Box 8, Kings Park, NY 11754
--Retired NYC detective specializing in missing persons and child custody cases. Will donate 10% to a fund to help others if referred to by an ACTION agency.

SENTRY INVESTIGATIONS (Sidney Schulman) 213/939-7359
6010 Wilshire Blvd., Los Angeles, CA 90034
--States that if missing person is not found in 6 months, fee will be refunded.

(Continued on Page 33)

I WANT TO CONTRIBUTE FINANCIALLY TO THE COST OF YOUR PROGRAM.

NAME OF CONTRIBUTOR _____	CONTRIBUTION TO ACTION AGENCY
ADDRESS _____	NAME _____
CITY _____ STATE _____	ADDRESS _____
ZIP _____ PHONE _____	CITY _____ STATE _____
	ZIP _____ AMOUNT _____

() PLEASE MAIL ME A BROCHURE OF OTHER LITERATURE.

Use above to make a contribution to the ACTION AGENCY of your choice, or merely send a check with a note attached.

*LOYD SHULMAN 213/380-2400
P.O. Box 17790, Los Angeles, CA 90017
--Better known as the "legendary" Mr. Keene, tracer of missing persons; claims to find 9 out of 10 "lost souls".

*WHITNEY INVESTIGATIONS (Frank Military) 702/798-8447
P.O. Box 18000, Suite 212, Las Vegas, NV 89114
--Devotes 10% of time to those who cannot afford services. Over 10 years experience in missing persons cases.

*YOUNG AMERICAN: DETECTIVE-CONSULTANTS AND POLICE INNOVATORS 504/467-0700
P.O. Box 56972, New Orleans, LA 70156 (Daniel Villarrubia)
--Former policeman. Has specialized training at Scotland Yard and other areas.

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(Canada, continued from page 12)

themselves as intermediaries between parents and their offspring. The aim is to bring both parties together again and this is done by opening up the lines of communication and attempting to reconcile the parties involved.

"The initial steps of the journey home being with the parents, or offspring, contacting one of the referral units across the country.

"It may be a parent who is worried and would like to know where his child is now living and let it be known that the welcome mat is out. In such a case the information is relayed across the country to the other referral units and contacts are made among the Street People to see if anyone knows of their whereabouts. When the offsprings address is discovered contact is initiated and the parents attitude is made known.

"On the other hand it may be the son or daughter who wishes to return but is unsure of the welcome at home. In this case contact is made with the parents to see what their attitude is toward their offsprings return."

The Royal Canadian Mounted Police have access to the FBI's NCIC, so if someone who is listed in NCIC is found in Canada information is available.

A Canadian film, *JUST ANOTHER MISSING KID*, won an Oscar as being the best documentary of 1982. It was about a college student disappearing enroute from Ottawa to Boulder, CO. It was first shown on Canadian TV in early 1981, and was shown by PBS in the U.S. in October 1981. If it is ever shown on TV again or if it comes to your movie house please see it.

(Continued from Page 5)

TEENS ENTRAPPED INTO PROSTITUTION/DRUG PUSHING and they cannot or will not keep contact with family.

VOLUNTARY

With Reason - teens running away from intolerable home conditions or adults escaping broken marriages, etc.

Without Reason.

When someone disappears, just as when someone commits suicide, a common comment is made quite often - "I would have never thought that." Many of the times the reason is the result of stress. And stress is something that is hard to detect. Mental disorders can be observed the same as physical handicaps. But stress is something we usually cannot see. When stress takes over - from real or imaginary reasons - rational things become irrational and irrational things become rational. So when a person who is controlled by stress commits suicide he or she is doing what is perceived to be a rational act. Disappearing sometimes becomes a viable alternate to suicide.

There are three basic solutions to the MISSING PERSONS SYNDROME:

1. Involvement of law enforcement agencies in ALL FIRST TIME MISSING CASES unless it is ascertained that NO FOUL PLAY was involved. This can usually be done only by making contact with the missing person.
2. The study by various social agencies of the causes of the problem resulting in voluntary disappearances "with reason" so that conditions may be recognized and corrected without having to resort to such measures. Such is now being done but only as the conditions relate to suicide.
3. With law enforcement agencies assuming the responsibility of pursuing missing cases to a satisfactory solution (apprehending the violator or determining that no law was violated) the ACTION AGENCIES can devote all their resources to trying to reach the missing with publicity and to counselling families who have some one missing.

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(Judicial Deaths, Continued from Page 14)

legal situations, if any, (c) may give means for obtaining social security information.

Of course the family should never lose the feeling that this is a LEGAL process and has nothing to do with their own search for the solution.

(Continued on Page 35)

(Continued from Page 3)

Thus the public has a DOUBLE STANDARD when it is dealing with the missing persons phenomenon. PERHAPS IF MISSING PERSONS WERE A DISEASE THERE WOULD BE A GREAT PUBLIC DEMAND. Statistically a family had over three hundred times the possibility of being involved with an unidentified death somewhere than either a tylenol or legionnaires disease death. Too bad the public does not understand this!

There are some who would tell you that you should forget the missing person because if he or she did not think enough of you to keep you informed, you should not try or even want to find him or her. THOSE WHO TELL YOU THAT DO NOT HAVE A REAL CONCEPTION OF WHAT FAMILY LOVE IS ALL ABOUT. Don't listen to them.

In your search you should be aware of the effect that time has. In only a short period an unemancipated person becomes an emancipated person. Five years after a 15 year old disappears, you have a 20 year old missing person. Information input into the National Crime Information Center on the basis of being an unemancipated person will be deleted when the person reaches age of being emancipated. To get the information put back in, it would have to be under the conditions of an emancipated person. (See MISSING CHILDREN ACT, Page 4)

When and if contact is reestablished relationships will perhaps be different. You should prepare yourself for that. You should be understanding and not vindictive.

If there were no clues left behind, your case has a VERY LOW PROBABILITY OF BEING SOLVED, except by action originated by the missing person. You should not be taken in by the promise of success by anyone. The purpose of this ACTION booklet is as much to prepare you for life without your missing loved one as it is to give you tips on how to develop a search. But you should not give up. It has been said that the cleaner "409" is so named because it represented the 409th attempt to develop the formula. What if that company had quit on the 408th try?

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(Judicial Deaths, Continued from Page 34)

As this process could place the missing person in legal limbo, it could cause problems that would be solved only by petitioning the courts to have this judgment set aside. This is another reason why every one should keep in contact with his or her family.

For copies of forms to file write to FIND-ME, INC., P.O. Box 1612, LaGrange, GA 30241.



Missing persons are the SILENT REFUGEES. Nobody knows how many there are: The FBI does not know. The Justice Department does not know. The International Assoc. of Chiefs of Police does not know. There is not even a line on the Uniform Crime Report to list missing persons.

Missing persons are the unknown. Yet they outnumber the 1979 "boat people", the 1980 Cubans, and all the other refugee groups combined. The families of the missing are the ignored ones. The government spends millions on the well known refugees, but practically nothing on the largest group of all. Public opinion seems to be supporting the missing, yet the public does not

realize that 2,000 to 6,000 missing persons end up as an unidentified body somewhere in the United States each year. IF A DISEASE CAUSED THAT MANY DEATHS there would be no end to the public clamor for a solution. PERHAPS IF MISSING PERSONS WERE A DISEASE WE WOULD CURE IT!

FAMILY REUNION MONTH: MOTHER'S DAY THRU FATHER'S DAY

NOV 2

FIND-ME. INC.
P.O. BOX 1612
LAGRANGE, GA 30241 - 1612

SHERLYN K. SAMPSON
CLERK OF THE DISTRICT COURT



TO

Judge John Mike Elwell
Douglas County Dis Court
111 E 11th St
Lawrence, KA 66044

1983
NOV 16
PM

Interest In Fingerprinting May Broaden City Program

The LaGrange School Board may include students below the seventh grade in a voluntary fingerprinting program approved by the board on Jan. 27.

City students in grades 7 through 12, if they volunteer and have parental consent, will be fingerprinted by police this year to combat the nationwide problem of missing and unidentified persons, the board decided at its last meeting.

But Superintendent James McAllister said he has received "thirty to forty" calls from parents of children below the seventh grade requesting that the program be broadened.

"That's a pretty good indication that we ought to provide it (fingerprinting) in these lower grades," said Oron Trotter, chairman of the board's school activities committee, which recommended the plan.

A schedule for implementing the plan in the schools is to be announced at the next board meeting Feb. 24.

Trotter said starting at the seventh grade, or age 12, "would

take care of most runaways, but not all cases of kidnapping, which goes all the way down to infants.

"We've got to be careful not to do psychological harm" when considering youngsters at a very young age, however, Trotter said.

School officials have predicted that about half of the 2,600 students in grades 7 through 12 would participate.

LaGrange High Principal Neil Sherrod said this morning he has heard "nothing but positive" reaction to the plan.

The board took its action on the seventh anniversary of Kyle Clinkscales' still-unsolved disappearance.

Kyle's father, John Clinkscales, says a fingerprint record of his son might have proved helpful.

Parents will keep the fingerprint card with their permanent records and the police department and school system will have no record that the student was even fingerprinted, according to school board member Charles Hudson.

School Board Tables Plan To Fingerprint Students

The Troup County School Board voted Thursday to "table" a plan in which students would be fingerprinted at school to help overcome the problem of missing or unidentified persons.

John Clinkscales, whose son Kyle has been missing since Jan. 27, 1976 when he was last seen leaving the Moose Club here, has asked both LaGrange and Troup County school officials to fingerprint students on a voluntary basis.

"Certainly I think they're making a mistake not to offer it," Clinkscales said Thursday afternoon when informed of the board's inaction.

"I think they ought to at least make it available and explain the benefits of it," he said.

He said there is a "distinct possibility it could come in handy when you have 2,000 to 4,000 unidentified bodies found in the United States every year. Fingerprints are the only means of identification."

Parents could keep the fingerprint

cards or they could be included in the student's records at school, he said.

The LaGrange School Board has also taken the proposal under advisement.

Since the fingerprint cards would not go into the files of the FBI, "I honestly see little value in it," said

"If they know what school he (the unidentified person) is from, they could identify him."

Besides, he said, "I know from dealing with high school kids for 25 years that they wouldn't do it."

Clinkscales said parents can go to a book store and buy a stamp pad for about \$1 and make their child's fingerprints themselves on a three-by-five index card.

And Sheriff Gene Jones said, "I'll be glad to fingerprint any of them and let the parents keep the records. That way, they won't feel we're keeping them for any kind of investigation."

Clinkscales said the school plan was merely a way to expedite the process.

* That is correct, but how would anyone know what school the person attended!

OPEN LETTER TO SCHOOL BOARDS THROUGHOUT THE UNITED STATES:

THE ABOVE NEWSPAPER ARTICLES REFLECT TWO DIFFERENT POINTS OF VIEW. WITH THE ACTION, THE LaGRANGE SCHOOL SYSTEM BECAME THE FIRST IN THE STATE AND ONE OF THE FIRST IN THE SOUTHEAST TO OFFER FINGERPRINTING ON A VOLUNTARY BASIS. THIS FOLLOWS SIMILAR ACTION TAKEN IN A GROWING NUMBER OF COMMUNITIES - IN FLORIDA, UTAH, NEW JERSEY, CALIFORNIA AND OTHER STATES. VARIOUS CIVIC AND LAW ENFORCEMENT GROUPS HAVE BEEN URGING FAMILIES TO PUT ID NUMBERS ON BICYCLES, TV SETS, AND OTHER PERSONAL PROPERTY TO AID IN THE IDENTIFICATION, IF NECESSARY. FINGERPRINTING IS AN EFFORT TO IDENTIFY - IF NEEDED - THE MOST VALUABLE POSSESSION WE HAVE, OUR CHILDREN AND OTHER MEMBERS OF OUR FAMILY. MANY OF THE ESTIMATED UP TO 6,000 UNIDENTIFIED BODIES FOUND EACH YEAR ARE SCHOOL AGE CHILDREN. SCHOOLS AND LAW ENFORCEMENT PERSONNEL COULD DO THE COMMUNITY A GREAT SERVICE BY PROVIDING VOLUNTARY FINGERPRINTING. TO OFFSET THE FEELING OF STARTING A "POLICE STATE" THE PRINTS SHOULD BE RETAINED BY THE PARENTS FOR SAFE KEEPING WITH OTHER VALUABLE PAPERS. THIS IS A REQUEST FOR YOUR SCHOOL SYSTEM TO OFFER SUCH A SERVICE. We request a reply as to what action your school board takes whether the action is positive or negative.

John & Louise Clinkscales,
FIND-ME, INC, P.O. BOX 1612, LaGrange, GA 30241

Phone: 404/884-7419

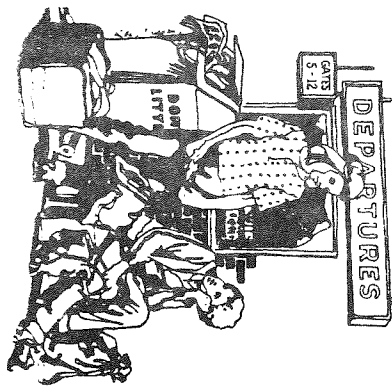
If one of our ~~schools is burned we will recover~~ ^{students becomes such a victim} ~~authorities could check with the school for our losses from the person who caused the fire-identification."~~

~~If we do not know who started it we can find out by checking with the hardware store where the material was bought."~~

With the change of events, did your perception of the story and those involved change? If so, why? One of the greatest tragedies we have is the large number of unidentified bodies being found each year. Most of these are never identified, but are buried anonymously without their families ever knowing what happened. Many of these could have been identified if there had been fingerprints available. However, fingerprinting is like insurance. Certainly neither will prevent the tragedy from happening. Neither is needed until the tragedy happens. Neither is available after it happens. Both could be quite valuable if the tragedy happens. Most of us cannot imagine a school not being insured. Schools could provide the family with a great service by including a VOLUNTARY FINGERPRINTING program in their activities. SCHOOLS PREPARE STUDENTS FOR LIFE; THEY SHOULD ALSO PREPARE THEM FOR DEATH (if it occurs in the above manner).

An actual account of a young girl who had been abducted at 18 months old, but abandoned by her abductors a few years later:

He also said that a lengthy court procedure would be required to establish the girl's identity legally. He said children often are identified through footprints taken at birth but that no such prints for the Serna child were on file at the hospital where she was born.



FIND-ME, INC.,
 P.O. Box 1612,
 LaGrange, GA 30241-1612

SUPERINTENDENT OF SCHOOLS and/or
 CHAIRMAN OF BOARD OF EDUCATION

EACH YEAR 6,000 SCHOOLS BURNED BY UNKNOWN ARSONISTS

The United News Service has pieced together an amazing story that has heretofore gone unnoticed. Based upon information gathered from throughout the country UNS has determined that as many as 6,000 schools are burned each year by unknown causes. Although it is possible that some of these fires could have been accidental, authorities believe that most were the acts of unknown arsonists.

One of the most unusual features of the findings is that most of the schools were not insured.

Apparently this rate of school burnings has been occurring for several years. Most officials believed that each fire was an isolated case with no national significance.

UNS asked one school official if, as a result of these findings, his school system would take out insurance. The official replied, "No, we feel that it is impractical. To do so would be quite time consuming and expensive. We feel it would not be accepted by the students and parents. If one of our schools is burned we will recover our losses from the person who caused the fire. If we do not know who started it we can find out by checking with the hardware store where the material was bought."

The principal of one school that had been burned tried to obtain insurance the next day after the fire. When asked why he had not obtained insurance before the fire, he replied, "We didn't need the insurance then, so I did not see any point in getting it. We need it now, that's why I am here."

++++
 If you had read such a news story what would be your reactions? Almost without exception it would be perceived that the school officials were not acting in the best interest of the school system. The above story obviously is not true. However, with a few changes in events the story becomes basically correct. Now turn to the next column for this corrected version.

U.S. Postage
PAID
 Permit No. 33
 LaGrange, GA

Unidentified EACH YEAR 6,000 SCHOOLS BURNED *Bodies Are Found* BY UNKNOWN ARSONISTS

The United News Service has pieced together an amazing story that has heretofore gone unnoticed.

Based upon information gathered from throughout the country UNS has determined that as many as 6,000 *unidentified bodies are found each year* ~~schools are burned each year by unknown~~ causes.

Although it is possible that some of these ~~fires~~ *deaths* could have been accidental, authorities believe that most were the ~~acts~~ *results* of ~~unknown arsonists.~~ *of foul play*

One of the most unusual features of the findings is that most ~~of the schools were not insured.~~ *apparently had no finger prints on file.*

Apparently this rate of ~~school burnings~~ *unidentified deaths* has been occurring for several years. Most officials believed that each ~~fire~~ *death* was an isolated case with no national significance.

UNS asked one school official if, as a result of these findings, his school system would ~~take~~ *offer* ~~finger printing,~~ *offer* ~~out insurance.~~ The official replied, "No, we feel that it is impractical. To do so would be quite time consuming and expensive. We feel it would not be accepted by the students and parents.

Ebert v. Ebert

No. 54,198

VIRGINIA ANN EBERT, *Appellant*, v. PATRICK C. EBERT, *Appellee*.

SYLLABUS BY THE COURT

TORTS—Intentional Tort—Exception to Doctrine of Interspousal Tort Immunity. The intentional tort exception to interspousal immunity created in *Stevens v. Stevens*, 231 Kan. 726, 647 P.2d 1346 (1982), is: (1) discussed; (2) adhered to; and (3) held not limited to prospective application.

Appeal from Riley district court; JERRY L. MERSHON, judge. Opinion filed January 14, 1983. Reversed and remanded.

Dorothy L. Thompson, of Everett, Seaton, Knopp & Thompson, of Manhattan, argued the cause, and *Donn J. Everett*, of the same firm, was with her on the brief for appellant.

Anne B. Miller, of Miller, Ball & Miller, of Manhattan, argued the cause, and *Paul E. Miller*, of the same firm, was with her on the brief for appellee.

Donna M. Dill, of Schroeder, Heeney, Groff & Hiebert, a Professional Association, of Topeka, was on the brief *amicus curiae* for the Kansas Civil Liberties Union.

The opinion of the court was delivered by

MCFARLAND, J.: This is an action wherein plaintiff-wife, Virginia Ann Ebert, seeks damages for physical injuries which she alleges were intentionally inflicted upon her by defendant-husband, Patrick C. Ebert, during the course of their marriage. The trial court dismissed the claim herein on the grounds of interspousal tort immunity. Plaintiff appeals therefrom.

The trial court's decision and the parties' briefs were all filed prior to this court's decision in *Stevens v. Stevens*, 231 Kan. 726, 647 P.2d 1346 (1982), which substantially altered the existing Kansas law. In *Stevens* we held:

"As pointed out in *Cuffy v. Cuffy*, 230 Kan. 89 [631 P.2d 646 (1981)], perhaps the foremost justification for immunity is based on the premise that personal tort actions between husband and wife will disrupt and destroy the peace and harmony of the home and this is contrary to the public policy of the state. In light of our Kans. Const. art. 15, § 6 and the Kansas Married Women's Act, K.S.A. 23-201(a) and (b), and 23-203 there is no constitutional or statutory interspousal immunity. When a spouse inflicts intentional harm upon the person of the other spouse, peace and harmony in that home has been so damaged there is little danger that it will be further impaired by maintenance of an action for damages. See *Apitz v. Dames*, 205 Or. at 262-63. Accordingly, an exception to the doctrine of interspousal tort immunity is now created and declared by this court as regards willful and intentional torts. The case of *Fisher v. Toler*, 194 Kan. 701 [401 P.2d 1012 (1965)], holding otherwise, is hereby overruled. One spouse may maintain an action for willful and intentional torts committed against him or her by the other spouse. 231 Kan. at 728-29. (Emphasis supplied.)

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The holding of *Stevens* would and require reversal unless temporary ant-husband therefore urges that

1. Reconsider *Stevens*;
2. Limit *Stevens* to its facts;
3. Apply *Stevens* prospectively.

Defendant first contends the holdings were erroneous and should be reversed. Arguments advanced by defendant *Stevens* and rejected. The argument alteration in interspousal immunity legislative determination. We do immunity doctrine was judicially the subject of statutory law. It is court to make alterations to said doctrine. 203 Kan. 841, 457 P.2d 21 (1969). Tort Immunity, 92 A.L.R.3d 901, In *Brooks v. Robinson*, 259 Ind.

Indiana Supreme Court responded interspousal immunity was with nature and therefore not subject to jurisdiction.

"It is next urged by counsel for defendant interspousal immunity is to be abolished, tort sanction for such action. However, as obvious creature of the common law and is therefore to the doctrine of *stare decisis* is indeed a jurisdiction of our courts. However, it cannot and must not where our view is opaqued and reality distorted common law to be as immutable as the laws render our system of jurisprudence forever in the common law lies in its ability to adapt to governs." 259 Ind. at 22-23.

We conclude recognition of the interspousal immunity is sound law.

Defendant-husband next argues its facts. *Stevens* was a wrongful death children against their stepmother for father. We held that a claim based shooting of her husband could be maintained children, as such an action could husband had he survived. Defendant

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The holding of *Stevens* would clearly be controlling herein and require reversal unless tempered in some manner. Defendant-husband therefore urges that we:

1. Reconsider *Stevens*;
2. Limit *Stevens* to its facts; or
3. Apply *Stevens* prospectively.

Defendant first contends the holding and rationale of *Stevens* were erroneous and should be reconsidered. The public policy arguments advanced by defendant-husband were considered in *Stevens* and rejected. The argument is then made that any alteration in interspousal immunity is a matter reserved for legislative determination. We do not agree. The interspousal immunity doctrine was judicially created and, in Kansas, is not the subject of statutory law. It is therefore appropriate for this court to make alterations to said doctrine. *E.g.*, *Carroll v. Kittle*, 203 Kan. 841, 457 P.2d 21 (1969). See also Annot., Interspousal Tort Immunity, 92 A.L.R.3d 901, § 18.

In *Brooks v. Robinson*, 259 Ind. 16, 284 N.E.2d 794 (1972), the Indiana Supreme Court responded to the contention the doctrine of interspousal immunity was within the province of the legislature and therefore not subject to judicial abrogation as follows:

"It is next urged by counsel for defendant-appellee that if the doctrine of interspousal immunity is to be abolished, the courts should wait for legislative sanction for such action. However, as observed beforehand, the doctrine is a creature of the common law and is therefore judicially created. Judicial devotion to the doctrine of *stare decisis* is indeed a justifiable concept to be followed by our courts. However, it cannot and must not be so strictly pursued to the point where our view is opaqued and reality disregarded. To do so is to envision the common law to be as immutable as the laws of the Medes and Persians, and thus render our system of jurisprudence forever impotent. The strength and genius of the common law lies in its ability to adapt to the changing needs of the society it governs." 259 Ind. at 22-23.

We conclude recognition of the intentional tort exception to interspousal immunity is sound law and we adhere thereto.

Defendant-husband next argues *Stevens* should be limited to its facts. *Stevens* was a wrongful death action brought by two children against their stepmother for the death of the children's father. We held that a claim based on the wife's intentional shooting of her husband could be maintained by the deceased's children, as such an action could have been brought by the husband had he survived. Defendant-husband in the case before

us seeks to limit the holding of *Stevens* to wrongful death actions on the basis that only in such cases is there no marriage left to preserve. We do not agree.

The parties herein were married on December 22, 1980. Six months later plaintiff-wife brought an action for divorce which was later amended to include the claim herein for damages inflicted by intentional torts. Multiple incidents are alleged to have been involved, the same occurring both prior to and subsequent to the filing of the divorce action. Substantial injuries are claimed including a broken toe, broken ribs, facial lacerations, etc.—all allegedly intentionally inflicted by the defendant-husband. The personal injury claim was dismissed by the trial court on September 25, 1981. In dismissing the tort claim, the trial court stated:

"As was pointed out in the defendant's brief, the Kansas Supreme Court in the case of *Fisher v. Toler*, 194 Kan. 701, squarely upheld the doctrine of spousal tort immunity for intentional torts. In the recent case of *Guffy v. Guffy* [230 Kan. 89], the doctrine of spousal immunity for nonintentional torts was squarely upheld. In his well-reasoned dissenting opinion in *Guffy*, Mr. Justice Prager pointed out that the Court's decision in *Fisher* has been criticized as unreasonable and represents a blind adherence to an antiquated doctrine.

"Speaking in all frankness, this Court is personally persuaded to the view that interspousal immunity concerning intentional torts should be abolished in this State. Intentional tort spousal immunity constitutes a substantially different question in my mind than nonintentional tort spousal immunity.

"Indeed our high Court or the legislature may abrogate the doctrine of spousal immunity for intentional torts sometime in the future but this is not the law of Kansas at this time. If this issue was devoid of Kansas law and precedent, I would then feel free to enter a decision as a trial judge based on my own perceptions and best judgment concerning contemporary public policy and conditions but such is not the case."

Less than a year later, intentional torts were indeed excepted from the interspousal immunity doctrine by our decision in *Stevens*. We fail to see the logic in subjecting a person to civil liability for intentional injury to his or her spouse only if the spouse dies from the injury. As noted in *Stevens*:

"When a spouse inflicts intentional harm upon the person of the other spouse, peace and harmony in that home has been so damaged that there is little danger that it will be further impaired by maintenance of an action for damages." 231 Kan. at 728.

We decline to limit the interspousal immunity intentional tort exception to wrongful death actions.

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Finally, defendant urges that *Stevens* should be applied only prospectively. Defendant does not contend that he was relying on interspousal immunity as enunciated in *Fisher* when he allegedly beat his wife in a drunken rage. Indeed, that would be a difficult proposition to sell.

Batteries committed by one spouse upon the other were not lawful acts prior to the *Stevens* decision as such deeds have long been criminally culpable. *Stevens* merely adds possible civil liability in damages for such already wrongful acts.

Defendant's argument is basically that it is just not fair to apply *Stevens* retrospectively. We do not agree.

No argument has been advanced which leads us to believe that either public policy or the interests of justice would be better served if the intentional tort exception to interspousal immunity created in the *Stevens* decision were to be afforded only prospective application. We, therefore, decline to so hold.

The judgment of the trial court dismissing plaintiff's intentional tort claim is reversed and the case is remanded for further proceedings.

SCHROEDER, C.J., dissenting.