



Identifying Risk Factors for a Potential Parental Child Abduction*

The following questions make use of the early identification risk factors¹ for a Parental Child Abduction and can help to identify where a credible risk of abduction may exist. This list of questions is not exhaustive but will help the court to determine when abduction prevention language should be utilized to protect the child's right to safe and continual access to both parties. If one or more risk factors are identified, appropriate abduction prevention language should be utilized (see attached *Judicial Options for the Prevention of Parental Child Abduction*).

General Indicators

These are general questions that can be asked that will serve as immediate indicators that a party may be planning or considering to abduct the child(ren):

Has either party threatened to abduct the child(ren) or done so in the past?

Has either party discussed plans to abduct the child(ren)?

Does either party have the financial and social resources necessary to support an abduction (and possibly to survive in hiding)?

Has either party liquidated assets, made maximum withdrawals of funds against a credit card, or borrowed money from other sources?

Has either party closed a bank account, terminated a lease, or sold a home?

Has either party recently left or lost a job?

Has either party refused to follow a custody determination or visitation agreement?

Is either party without emotional or financial ties to the child(ren)'s current community?

Does either party use multiple names or aliases?

Abuse/Domestic Violence

Parties who pose a threat of PCA may feel that the authorities have not taken them seriously or properly investigated allegations of abuse, molestation or neglect.

Have there been previous accusations or reports of abuse or violence?

Is there a past or ongoing threat of domestic violence?

Are there any signs of coercion, control, or manipulation (including financial or emotional) at present? Is there any documentation of such behavior in the past?

Has either party attempted to use the child(ren) in a manner that would either inflict harm on the other party or to force reconciliation?

*Copyright 2018, Return US Home, Inc.

Emotional or Mental Disorder

Parties who pose a threat of PCA and who fit the paranoid profile hold markedly irrational or psychotic delusions that the other party will definitely harm them and/or the child. The result can be not only parental abduction, but also murder and suicide. Sociopaths often use their children as instruments of revenge or punishment or as trophies in their fight with the former partner. Sociopathic parties have no qualms about continuing coercive, controlling, and abusive behavior or abducting their child, nor do they believe that they should be punished for their actions.

Have there been any documented reports of mental disorder in the past?

Does either party exhibit signs of paranoia?

Are there any signs of sociopathy?

Have there been documented reports of manipulative or controlling behavior in the past?

Ties to a Foreign Country

Parties who are citizens of another country (or who have dual citizenship with the United States) and have strong ties to their extended family in their country of origin have long been recognized as potential abductors.

Does either party have significant ties to a foreign country?

Does either party or the child(ren) hold a passport for a foreign country?

Has either party applied for a passport for him/herself or the child(ren) for a foreign country?

If there are ties to a foreign country, is that country a member of The Hague Convention on the Civil Aspects of International Child Abduction?

Cultural or Religious Influences

Are there any religious or cultural factors that would impact reliance on the legal or justice system?

Alienation from or Past Negative Experiences with the Legal or Justice System?

Has either party had a prior negative experience with the legal or justice system (i.e. past incarceration, or negative interactions with law enforcement, the courts, or child protective services)?

Lack of Financial Resources or Understanding of the Law

Can both parties afford legal representation?

Are both parties aware of their legal rights of custody over the child(ren)?

Are both parties aware that Parental Child Abduction is a crime?

Are both parties aware of the definition of, and laws regarding, Parental Child Abduction?

ⁱ The early identification risk factors for a possible parental abduction have been comprised of those indicated in the following publications: National Conference of Commissioners on Uniform State Laws, *Uniform Child Abduction Prevention Act*, 2006; U.S. Department of Justice Office of Justice Programs, *The Crime of Family Abduction: A Child's and Parent's Perspective*, May 2010; Johnston, Janet R., Sagatun-Edwards, Inger, Blomquist, Martha-Elin, and Linda K. Girdner, *Early Identification of Risk Factors for Parental Abduction*, U.S. Department of Justice Office of Juvenile Justice and Delinquency Programs, Juvenile Justice Bulletin, March 2001; and Hoff, Patricia M., *Parental Kidnapping: Prevention and Remedies*, American Bar Association, December 2000.