

PARENTAL KIDNAPPING:  
A NEW FORM OF CHILD ABUSE

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Parental child stealing--the abduction or unlawful retention of a child by a parent--has since the mid-1970s gone from being a virtually unrecognized problem to an issue of serious national and international concern. As the divorce rate and the rate of marital breakdown in this country have jumped dramatically, so have the number of cases involving child custody disputes and those culminating in parental kidnapping. The damaging impact of child snatching on both children and parents has just begun to come to our attention. Despite the widespread public and professional interest in parental child stealing, there has been to date only one systematic research study (Agopian, 1979) on the topic, with only two other projects currently underway. One of these projects is being carried out at the Center for the Family in Transition and it is from this project that I will speak today.

The object of the child stealing project of the Center for the family in Transition has been to examine this until now almost invisible population of children and adults involved in child stealing, and to develop ways of helping the children and adults involved. We knew at the time that we started the project that the lives of parents from whom children have been stolen become inextricably bound with a sense of violation and loss, as they search and face constant frustration in their quest for their lost children. Equally important was our knowledge that those children who are returned need enormous help in coping with their anxieties and sense of traumatic disruption.

There is almost no solid knowledge about the children, the parents who perpetrate the stealing, or the victimized parents. We have made a systematic attempt to assemble and analyse data about the families involved. Through this, we have attempted to generate an understanding of the practical implications of the experience and its legal, psychological and economic impact.

The causes of parental kidnapping and the motivations of the kidnapers are obviously highly varied, but if one is ever to control this constantly increasing social problem, some estimates must be made of the most likely causes. It is only in this way that we can formulate ideas of how and why this occurs, with the purpose of predicting and preventing this stealing: are there certain kinds of situations where snatching is more likely? Are there certain family constellations or background patterns more highly associated with child stealing? Are there certain signs which could be recognized as warnings?

A final goal of the project is the formulation of information for the education of judges, attorneys, and court personnel specifically directed to their complex concerns, such as information on circumstances in which child custody might be granted to the "snatcher"; what sorts of visitation and under what circumstances visitation ought to be permitted after a child is returned, and in what types of situations child kidnapping is

likely to occur: family violence, extended and bitter litigation, cross-national marriages, cases where restrictive visitation rights have been imposed, etc.

Child stealing is an issue that fits well in the context of The Center for the Family in Transition, which is a non-profit clinical and research center founded in 1980 to help families with children cope resourcefully with the problems and possibilities that are part of family transitions, such-as divorce and remarriage. The aims of the Center are to ameliorate distress and significantly reduce the psychological toll of divorce on families, with special emphasis on the children; to evaluate the efficacy of brief preventive services for these families; to generate new knowledge about families in the process of change; to catalyze needed supports for these families; to act as an advocate locally and on state and national levels for programs that support families during times of stressful change; and to join in the education and training of personnel who work with families in transition.

To return to the phenomenon of child stealing, it is sad to note that the literature pertaining to child snatching is rudimentary. Few clinical cases have been described. Epidemiological studies have not been undertaken. The few articles on the subject are in the legal and lay press (see attached bibliography).

"As in the case of other social issues that emerged from behind the closed doors of American households to become social problems in the 1970s, the mandate to address the problem of child kidnapping was generated by presenting estimates of tens of thousands of victims, personal testimony of the anguish and emotional heartache of the parent who has a child abducted, and references to the likelihood of significant long term damage to the children who are kidnapped. Mention is sometimes made in newspaper accounts of the case of the child who was in fact killed in an automobile accident during the course of an abduction (Haas, 1977)." (Gelles, 1980)

"In addition to the parallels between the generation of concern for child kidnapping and other social/family problems such as family violence, child abuse and neglect, marital rape, sexual abuse of children, etc., there are similarities between the current state of knowledge and research on child kidnapping and the early stages of research on child abuse, child neglect, wife abuse, sexual abuse, elderly abuse, and domestic violence.

"First, although interest and concern about parental kidnapping emerged in the 1970s, there is some evidence in legal case law, and a general feeling that child kidnapping has always been an aspect of marital and custody disputes and divorce (Katz, et al, 1980). Thus, parental kidnapping, like child abuse and family violence, has probably not been attended to as a result of 'selective inattention' (Dexter, 1958). Legal precedence, such as the 1932 federal kidnap legislation, also called the 'Lindbergh Law', specifically excluded the taking of a child by a parent from another parent as a case of kidnapping requiring legal redress. Case law indicates that many courts do not view the so called abduction of a child by one custodial parent from another as a case

of kidnapping (Katz, et al, 1980). In other words, in many states, if there is no custody decree, or if there is joint custody, a father 2 can take his child to another state, or country and deny the mother access to this child and not be liable to criminal prosecution . . . . In short, parental or child kidnapping was not considered a social problem prior to the 1970s, in large part because it was not illegal in many states, and even the victim--the parents from whom children were taken or retained--would not think of themselves as a victim of a crime." (Gelles, 1980)

Until the recent passage of the Uniform Child Custody Jurisdiction Act this was the situation. Thus, just as it was difficult to measure the extent of child abuse before it was viewed as a crime and a social problem, it has been equally difficult to determine the magnitude of parental kidnapping without a legal definition of what parental kidnapping is, and a consciousness on the part of victims that may have been victimized from the legal point of view, not only from the psychological point of view, which they always knew.

Until recently, a parent could "legally" kidnap a child by taking the child out of the state where he or she did not have custody to another state and obtain a favorable custody ruling. This practice, called "forum shopping" or "court shopping", was possible because of the state's failure to give full faith and credit to prior decrees; unwillingness to practice the "clean hands" doctrine; inclination to favor the local petitioner; and adherence to the *parens patriae* 3 doctrine, which states that the court must be primarily concerned with the child's best interest (although this in itself has never been explicated properly in child stealing cases).

In an attempt to avoid jurisdictional competition, the National Conference of Commissioners on Uniform State-Laws drafted the Uniform Child Custody Jurisdiction Act in 1968. To date, forty-eight states have adopted the Act, 4 which provides uniform guidelines for determining the proper forum for a custody hearing. The federal Kidnapping Prevention Act (28 USC 1738A), which requires nationwide adherence to UCCJA, was then signed into law in 1980 5. The Federal Act has three basic provisions: 1) it requires all states to honor the child custody decisions of other states; 2) it authorizes use of the Parent Locator Service; and 3) it authorizes the FBI through the fugitive Felon Act to track parents suspected of abducting their children.

There remain numerous unsolved problems with the federal legislation, among them the fact that a child snatched prior to a custody decree is not protected by the UCCJA, and that the perpetrator must initiate a custody proceeding in another forum in order for the UCCJA to be invoked. For these reasons and others (Bodenheimer, 1978, Shutter, 1981), the new legislation, while a step in the right direction, does not significantly alleviate the problem of child stealing.

As a result of the lack of hard data about child stealing, we have no reliable, scientifically generated statistics on the incidence and "prevalence of child stealing; on demographic and psychological

characteristics of offenders, victims and children involved; on the number and status of officially reported cases; and on the psychological consequences of child stealing for the child, the custodial parent and the new family. We have little about the psychological profile of the parent perpetrator, nor do we know about the effectiveness of prevention and treatment strategies for families of child stealing. What we do know is that the consequences of child stealing are profound. The parent who loses the child has to deal with a precipitous loss beyond the feelings related to the marital breakup or divorce itself. The child who is kidnapped must cope with the shock of the kidnapping, the sudden loss of a parent and social circle, and an abrupt adaptation to a new environment. The child also often has to deal with lies that the snatching parent tells about the other parent, for example, "Mommy doesn't love you anymore", or, "Your father is dead".

It is now generally agreed that the frequency of parental child stealing is increasing (Agopian, 1981) United States Senate, 1979), and while there is every indication that this is true, again there is no strong evidence for this fact (Gelles, 1980). Most commentators ascribe the increase to the rapidly rising divorce rate (Agopian, 1981, Fisk, 1977; United States Senate, 1979). Another factor cited is the advent of no-fault divorce, which has encouraged spouses to shift the arena of their hostilities from divorce to custody proceedings (Bodenheimer, 1975). Another contributor is the greater interest of fathers in seeking custody of their children as sex role definitions change to include active parenting by fathers. Also implicated is the proliferation of alternative family life styles, such as dual career/dual residence marriages which makes kidnapping logistically possible (Gelles, 1980).

The serious difficulties confronting researchers attempting to assess incidence and prevalence and even to define child stealing have been well addressed by Gelles (1980, 1983). He points out that the use of official statistics is not indicated in the case of "latent social problems" like parental kidnapping--sensitive, emotion laden topics --because subjects are difficult to locate and resistant to participating in research projects. In addition, the low base rate necessitates an extremely large sample. Agreeing on a definition of child stealing has been difficult because experts have not been able to agree on whether a "stolen child" need have been 1) taken or retained, 2) whether the child's whereabouts need be concealed, and 3) whether there need be a custody decree.

The number of children stolen each year has until this time been estimated at 100,000 per year, but there is new and very tragic evidence that this number is under-reported by at least three to four hundred percent. The figure of 100,000 children was so often cited that it had begun to seem "official" but, in fact, the figure had no scientific standing and was a guess and a projection, probably attributable to the founder of a parent support group (Gelles, 1980).

A new national study of the parental kidnapping of children shows that there are many more such abductions than previously believed. The study estimates that there are at least 313,000 incidents a

year, possibly as many as 626,000. The research was conducted by Richard Gelles, a professor of sociology at the University of Rhode Island and a lecturer in pediatrics at Harvard University Medical School. In this study, Gelles (1982) defined child abduction by parent as an incident in which a parent physically takes, restrains or does not return a child under the age of fourteen, after a visit and keeps the child concealed so that the other parent does not know where the child is.

Gelles (1982) has now presented the results of this national survey designed to provide the National Institute of Justice with a preliminary estimate of the incidence of parental child snatching. The findings constitute the first attempt to assess the extent of child snatching in the United States. The survey was conducted by telephone with a representative cross section of adults eighteen years of age and over, at 3,745 sampling points within the United States. The survey was conducted in three waves between June 18 and August 10, 1982. Figures for age, sex, and race were weighted, where necessary, to bring them in line with their actual proportions in the population. The results show that the best estimate of parental child snatching should vary from 313,000 cases a year to 626,000 a year. Taking into account the expected limits of sampling error, the survey data yield a minimum estimate of 230,000 cases a year to a maximum estimate of 751,000 cases a year. At minimum, then, the annual incidence of parental child snatching appears to be at least twice the generally reported rate.

Victims, legal experts, and authors of magazine and journal articles also guess that the frequency of parental kidnapping is increasing, perhaps as a consequence of the rapidly rising divorce rate. Back (1981), using National Center for Health Statistics data, estimates that with the 1979 divorce rate at 5.4 per 1,000 population and the number of children involved at 1.18 million and with 12.5% of the 63.2 million under-eighteen children living with mother only (separated or divorced) and 1.6% living with father only, one can derive a ballpark estimate of 8.9 million potential targets of child stealing, up from 6.3 million in 1970, an increase of 41%. Assuming a distribution similar to that of the total child population, roughly 74% of these children are below the age of fourteen and may, therefore, constitute an especially high risk group (Agopian, 1981).

Along with lacking accurate statistics on the magnitude of the problem, we also lack accurate statistics on "demographic" characteristics, such as the ages of the children involved, the sex of the perpetrator, geographic locations, etc. We certainly know nothing of the statistics on the return rate and essentially nothing on the circumstances of the majority of the returns.

We also have a current need for information and informational sources at state and at federal levels--statistics on what happens when we need most strongly special information on the situation of unmarried couples and couples lacking custody decrees. We even need information on federally sponsored child stealing. For fathers entering the Federal Witness Protection Program and being given a new identity, the government may snatch a child from the mother's custody in order to give the father both a new identity and his

children (Civil Liberties News, April 1981). We know nothing of how often this is occurring.

We have for a long time believed that if a parent does something to a child then that is all right. The concept of child as chattel is still with us. Gradually over the years we separated child abuse and neglect out from permissible parental actions. The debate over the issue of whether it is possible to charge a parent with a crime against a child has led us to understand that parents can be, should be, and must be charged with child abuse when they have committed crimes against a child. This whole area of children's rights has been assessed within the context of maltreatment, serious neglect, physical and sexual abuse of children. We now must reconceptualize child stealing as child abuse of the most flagrant sort.

Child stealing, from the point of view of the child, is child abuse. In child stealing, the children are used as both objects and weapons in the struggle between the parents which leads to the brutalization of the children psychologically, specifically destroying their sense of trust in the world around them. This is one basic definition of child abuse. Child stealing is turning up the seamier side of child physical abuse and sexual abuse where there is every evidence that the care given to the children in many cases once they have been stolen clearly fits within the definition of maltreatment and abuse. In situations not involving parental kidnapping, child abuse charges are brought when it is found that the child's diet is inadequate, where schooling is only intermittent if at all, where the surroundings are extremely deprived and where the children are constantly terrified. Nonetheless, when all of this is true within the circumstance of child stealing, we have not conceptualized child stealing as child abuse.

One of the reasons for this may be the lack of any universally accepted definition of abuse and neglect. Although numerous definitions abound, none are free from ambiguities. According to the Federal Child Abuse Prevention and Treatment Act of 1974, child maltreatment is defined as "the physical or mental injury, sexual abuse, negligent treatment, or maltreatment of a child under the age of eighteen by a person who is responsible for the child's welfare under circumstances which indicate that the child's health or welfare is harmed or threatened thereby" (Public Law 93-247, 93rd Congress, Senate 1191, 1974). Certainly, most of our child stealing cases would fit this definition.

Child maltreatment is a multi-faceted phenomenon, Acts of commission (for example, physical abuse) and/or acts of omission (for example, emotional neglect) may be categorized as follows (Halperin, 1979):

- 1) physical abuse: infliction of physical injury, to the child;
- 2) sexual abuse: subjection of a child to sexually stimulating acts by an adult;

- 3) physical neglect: failure to provide a child with a nurturing home environment that supplies the basic necessities of life (for example, food, clothing, shelter, supervision, and protection from harm);
- 4) medical neglect: failure of a caretaker to provide medical treatment in cases of suspected or diagnosed physical ailments except for religious reasons);
- 5) emotional abuse: speech and actions by a caretaker that thwart the health personal and social development of a child;
- 6) emotional neglect: failure of a caretaker to show concern for a child or his/her activities;
- 7) educational neglect: failure of a caretaker to ensure that a child is provided with the opportunity to learn;
- 8) abandonment: failure of a caretaker to make provisions for the continued sustenance of the child;
- 9) multiple maltreatment: a severe and complex combination of several types of abuse and/or neglect.

Every one of these elements is present in most cases of child stealing. Child stealing should thus not be characterized as a domestic problem, but as serious child abuse. We must visualize the harm that is done to both the parents and the child and must become sensitized to the fact that stolen children frequently become gypsies, leading a nomadic lifestyle, deprived of stable schooling and of many of the basic necessities of life. In domestic relations courts we talk about the best interests of the child but that element seems not to be considered in child stealing cases.

What is it then that we really do not know at this time about child stealing? First, the incidence, although Gelles in his new survey has partially answered this problem. Second, how many child stealings occur before a custody decree is issued? Is the frequency of child stealing increasing? Are men typically the abductors and women the victims? How many of the stolen children are found, and after what period of time? What is the psychological impact in the short run and in the long run for the child, parents, and family? What is the sex ratio and age of the "typical" stolen child, and are there ethnic and socioeconomic differences? (Gelles, 1980).

We also do not know the differential impact on a child of an active abduction versus passive restraint, such as not returning a child after a vacation. We also do not know the differential psychological impact of an active abduction involving a traumatic snatch versus a non-traumatic removal by someone well known and beloved to the child, nor do we know the differential impact of a traumatic "re-s snatch" versus a relatively calm return to the custodial parent. A kidnapping within the context of the previously warm relationship with the parent perpetrator may have a totally different psychological impact over time compared with a child

stealing within the context of a previously absent or negative relationship with the parent perpetrator. One must look also at the past and current relationships with the parent victim to understand whether this has meaning for the long term impacts of child stealing.

Given all of this, what do we know now, at least partially? First, what do we know about the parent perpetrator? In a search of the literature (Agopian, 1981; Geiss, 1981; Gill, 1981; Senior, Gladstone and Nurcombe, 1982), in many interviews with police, investigators and attorneys, and in discussions with three perpetrators (two fathers and one mother), these are some of the issues that have come to light:

- 1) Agopian (1981) found that the perpetrators in his sample of 91 cases from the Los Angeles County District Attorney's office between July 1977 and June 1978 were 70% male, 68% caucasian, with a mean age of 32 years. Elliott (1980) found in his content analysis of news stories that the perpetrators were 60% male, and that fathers were more likely to steal more than one child.
- 2) Child stealing seems to occur much more frequently at points of transition: when one spouse announces they are going to file for divorce; when one or the other after separation or divorce becomes heavily involved with someone else, including but not necessarily remarriage; or when a geographic move is contemplated.
- 3) When a marriage sours, partners frequently experience tremendous anger, desire for revenge and thoughts of violence. They need to go through the grieving process, and cope with their depressions. Children are frequently used to ward off the parents' depression, and parenting becomes inadequate to the needs of the child. There are significant changes in parent-child relationships after separation, and for many parents the narcissistic injury involved in the loss is so great, they lose their capacity for concern for the child. The parent may need a child in a way they have never needed them before: unconsciously, for sexual gratification; as the repository for all their anger; and as a comfort to the parent; that is, the child must parent the parent. Parents use the child in parental conflicts. Some parents and children may have difficulty in separating psychologically and have confused ego boundaries. Perpetrators may have an inability to endure the chronic separation from the child and need to have the children with them for ego support. They cannot face the feelings of isolation and loss that come with divorce, and take the children for comfort.
- 4) For the parent who has been "left" in the marital breakup, there may be a sense of frustration, a sense that life is totally out of control. This strengthens their sense of inadequacy and helplessness, and the

subsequent need for revenge against and punishment of the parent whom they blame for their agony. There may be enormous hostility toward the spouse, or the ex-spouse, and the use of the child to provoke, agitate, control and attack the opposing parent. The children may also be used as hostages in a twisted reconciliation attempt with the other parent, or as instruments of psychological torture of that parent. Perpetrators seem to have a difficult time accepting the divorce, and frequently have reconciliation fantasies that are shattered if the parent victim remarries. They then act on their rage and jealousy over the remarriage or a new, stable liaison.

Particularly for fathers, the desire for revenge and vengeance is overwhelming, for they have a sense of losing their whole world, of being narcissistically injured when the wife leaves with the children. Not only revenge is operative here. There is an attempt to use the child to stay close to the wife, particularly in situations where they desperately do not want the divorce. The abduction is used as a club to force the estranged spouse to return to the marriage, or as a "getting even" with the custodial parent--and frequently these issues are not separate ones.

- 5) Perpetrators, particularly fathers, have complained about poorly enforced visitation rights, and that child support is demanded without visitation being permitted. Many fathers also complain about mothers who move out of state with the child without any consultation with the father. It is to be noted that many fathers do not use lawyers to get some assurance of their rights. They rely on verbal agreements with their ex-wives and then are very angry when these women do not hold to the agreements. In line with this, the perpetrators sometimes say that they snatch because they feel they don't have the money or the power to go to court to modify the custody or visitation arrangement.
- 6) From the mothers' perspective, fathers snatch when they owe a great deal of back child support payments and will not return the children until the mothers agree to stop asking for money. The children are then used as a weapon in blackmail regarding eliminating or reducing child support payments. "If you don't stop asking for money, you'll never see the child again".
- 7) Many perpetrators have a sense of righteous indignation that "the system" could take their children away from them and righteous indignation about legal and moral guidelines. They may have a low sense of moral development and not much respect for the law. These people want to take things into their own hands. No matter what anyone says, they have to have the last word. The perpetrators may be people with little conscience who are willful, strong, arrogant people with a sense of righteousness about their behavior.

They have contempt for the custodial parent's morality and frequently feel "in the right"--that is, the judge made the wrong decision because "I'm the better parent". They want people to believe it is a justifiable child stealing.

There is also involved the issue of the moral righteousness of grandparents who frequently insist on retaining "ownership" of their grandchildren even after a different custody award has been made. This issue of the extended family of the perpetrator, particularly the child's grandparents, is a fascinating one. The extended families frequently put pressure on the perpetrator to commit the snatch or they acquiesce in order to maintain the stealing. Paternal grandmothers may also want to exclude the mother in a sense of competition with the mother. Men may also have very hostile relationships with their mothers-in-law, and act out of rage toward them.

- 8) If a woman is the perpetrator, it is usually a woman who gave up the custody to pursue a career, or for whatever reason, and then becomes extremely guilty about the relinquishment of the children. The women also feel that because they are the mother, they deserve to have the children back. Female perpetrators also feel stigmatized as women in losing custody. There is some evidence also that mother perpetrators may have experienced physical abuse by the husband during the marriage. Many investigators familiar with child stealing feel that women perpetrators are much more disturbed psychologically than male perpetrators.
- 9) Alcoholism, physical abuse of the wife, violent temper, violence, drug involvement and criminal activities seem now to be involved with many of the perpetrators. These also seem to be very impulsive people, who dislike rules and regulations and have difficulty in accepting responsibility. Child Find believes that 60% of child stealers have criminal records. This cannot be confirmed in any way.
- 10) Gill (1981) feels that the perpetrators have violent tempers, are impulsive, and have a history of loss (either death or divorce) in childhood. They are emotionally uncommunicative, feel alienated and discriminated against, and lack confidence in themselves as a person. The men may feel threatened by the wife's independence. There also is a scorn for the children's needs and the use of children as chattel to punish the adult victim.

Perpetrators in general appear to be immature, to have a number of previous marriages and to be unable to form personal commitments to a partner. They also show an extreme jealousy of the ex-spouse as well as anxiety about the ex-spouse's new life (particularly remarriage

or a new liaison). They have difficulty with contractual relationships and difficulty keeping jobs. They frequently have "very big eyes and wild dreams", which results in much moving around, chasing that dream. They may be from broken homes themselves or have cut off all contact with their family of origin. There seem also to be earlier difficulties with other children in other marriages--such as giving a child up for adoption, having a vasectomy, or losing contact with the child of another marriage.

- 11) What perpetrators call "love" and a desire to maintain a full time relationship may well be guilt about not having been involved earlier in close relationships with their children. These men have sometimes experienced a sense of denigration on the part of their wives of their importance as a person to the child; they then need to feel important as someone who is "molding" the child's developing personality after the snatch. In addition, many men have warm and close attachments to the child and are so terrified of losing that attachment that they steal their children, forgetting in the process the child's best interests.
- 12) In California, at least, perpetrators frequently are from another country, particularly from cultures that believe that fathers own children. They may also be husbands of mothers who are extremely unyielding about their beliefs that only mothers can raise children, or are important to children, and who set up power struggles about that issue.
- 13) Parents whose attorneys encourage child stealing as a resolution of a custody dispute may also be the perpetrators. This is a serious ethical issue for attorneys which must be faced.
- 14) A crucial and as yet unanswered question is how many of the female perpetrators are battered wives who have legitimately had to take their children and run for their safety. Currently, battered women are still subject to, that is, not exempted from, persecution for child stealing in forty six states.
- 15) Finally, there may be more positive motivations involved, such as the removal of the child from a seriously disturbed parent who has been granted custody.

Next, what do we know now about the impact of the child stealing on the child victims?

- 1) The loss they suffer at the time of the snatch is not just the loss of the parent victim but the loss of their whole community: home, school, friends, pets, their familiar environment, etc. There is often severe depression, resulting from the loss of the custodial

parent, friends and familiar surroundings. If they return, the children must then suffer a second loss-- that of the absconding parent who may be forbidden by the frightened custodial parent to ever see the child again, or the loss of the new community to which they had adjusted.

The children become "emotional dishrags" because the perpetrator tells the child that the parent victim doesn't want them anymore, doesn't love them anymore, that the parent victim is dead, or may be getting married and doesn't want them around. The older children (ages 8 or 9) are pressured more heavily by the perpetrator to form a negative image of the parent victim, probably to assure that the child will not attempt to contact the parent victim. The older children also suffer more guilt about not trying to contact the parent victim and therefore the experience seems more difficult for these older children than for the children under the age of five.

The issue of trust is a major one--stolen children are taught to be fearful of police, to be fearful of returning home, because they might be put up for adoption, or locked away forever if the police find them.

The children are usually not well cared for; they move frequently from town to town; food and shelter are inconsistent and unpredictable, schooling is inconsistent and erratic. Middle class children frequently plunge into poverty and instability; they live lives of deprivation and neglect and that in itself is traumatic for the children. They frequently live out of vans, living like vagabonds, being hungry and dirty. Neglect and malnutrition are common. Physical and sexual abuse are not uncommon. District Attorney Robert Hutchins 6 believes that there is evidence now that stolen children may be put into child slavery rings, pornography rings, or put up for adoption on the black market. Agopian (1982) suspects that a large portion of stolen children who remain missing are unloaded by the absconding parent and end up in foster homes and institutions.

- 2) The act of parental kidnapping exacerbates many of the problems the child is suffering as a consequence of the marital separation and the divorce itself (loss of stability, security, and trust) (Haller, 1982). These symptoms are seen in child victims after their return: excessive fearfulness, even of ordinary occurrences; fear of going outside the house; being despondent, lonely and mistrustful of other people and therefore not being able to get close to them and alleviating the loneliness; anger at either or both the parents; a sense of helplessness since they are unable to control what happens to them in their environment; night

terrors and nightmares. Children may cease growing emotionally as well as socially and academically, perhaps with regression in the younger children. There may be an inability to trust adults, and severe disruption in all adult relationships (Terr, 1982). There is disruption in identity formation (Watson, 1975). A child whose life is unstable and unpredictable cannot develop a stable and integrated personality structure. Anger at the custodial parent for not protecting him from being stolen, or anger at rescuing him from the absconding parent if the "snatch" occurred much earlier, is frequently a result (Edwards, 1981). Children become withdrawn, silent, reclusive, fearful of being stolen again, fearful of leaving the house, fearful of being alone, and lack trust in their parents. There is a realization that they have been used as weapons in the battles between the parents and the parents thus become suspect. 7 The children develop severe phobias, particularly fears of being snatched again and suffering another sudden loss (Terr, 1982). Those children who suffer repeated counter-snatchings are the most fearful of all.

There is a constant fear about a re-snatch, particularly if the return is via a snatch; there is restricted activity, and fear over a long period of time which is fed into by the fear of the parent victim after the return. Many children fear being killed, and dream of being killed.

The children have difficulty in leaving home to do normal developmental things, like going to overnight camp, for fear that they will never see their parent again. They sometimes fear riding in cars, even with adults they know, because of their fear of being kidnapped. Many lose trust in any adult, and have difficulty in forming new attachments such as making new friends.

In school they are unable to concentrate, since frightening fantasies intrude on their cognitive processes. They are also frequently found to be lying and stealing. These children develop a sense of being an "odd-ball", that something very shameful has happened to them.

For the young children, there may be regression in toilet training, speech, rebelliousness and clinging. Regardless of age, these children seem to be filled with anger about what their parents have done to them, about the use the parents have made of them in their struggles with each other. Very sadly, there is often anger at the parent victim for not allowing the parent perpetrator to have visitation, originally, or after the stealing. The strain of not being able to talk about the perpetrator after the return is very great.

These children worry about their future: if they marry and have children, would their spouses steal the children?

- 3) Attachments to perpetrators may be very strong, just as they are in hostage and abuse situations. There frequently is anger at the parent victim about not being able to see the perpetrator anymore. This is a particularly important issue since many of the children develop very strong attachments to the perpetrators and do not wish to be returned. This is also an issue for the judges in the awarding of custody to the perpetrator, at times an extremely difficult decision. There may be a desperate need to keep a good image of the perpetrator as part of an idealization of the parent; an eagerness to forgive the perpetrator that goes directly opposite to what the parent victim wishes.

Children carry with them their introjects--the physical removal from a parent does not necessarily change their identifications. The identifications with the parent perpetrator are extremely important and remain with the child; one frequently has the situation of negative identification in which the child is returned and the custodial parent begins to see the child act like the parent perpetrator used to act, and becomes even more, negative toward that child.

Disorders of attachment are most frequently seen, and have the most disastrous future connotations. Attachments to adults are shattered by the lack of trust these children experience. The capacity to form significant human relationships may be seen in Winnicott's (1963) terms as the capacity for concern.

This capacity arises as the result of a transaction between a child and a parent who has the ability to give spontaneously the feeling of concern and understanding of the needs of the child (Huntington, 1982). These children have experienced just the opposite--a parent who does not care--and their future relationships are compromised. They sometimes hunger in an indiscriminate way for adult relationships outside their family.

- 4) Guilt is an important issue also for the returned children. There may be a strong bonding between the abducted child and the perpetrator--seeing their fathers in particular as a hero; the child and the father collude in the appearance of being outlaws on the run. The child has idolized the father and his ability to flee the law and to exist outside convention.

These children are extremely guilty when they return and are very fearful of the reaction of the other

parent. They do not know who to believe, they are bewildered and very fearful. They frequently don't want to leave when they are picked up for the return. These children are caught up in loyalty conflicts about revealing information about the parent who stole them, believing that that would be a betrayal. Steve Lawrence from the Lipsett Organization says that the children at the time of the return frequently think that they are being arrested for possessing stolen toys. They are afraid their mothers are going to give them hell for not calling them after being away for so many months. He also believes the children initially take total responsibility for the child stealing, are very fearful about the parent victim's problems because of what the parent perpetrator has told them and what they need to watch out for.

Many children have a sense that the stealing was their fault and that it could have been avoided. They feel to blame for both the stealing and for the divorce. Many of the older children feel very guilty about not having tried to contact the parent victim. Many have the sense they have done something wrong, particularly about the stories the perpetrators tell. And also very importantly, being told they will be put in Juvenile Hall or a foster home before they are returned. 9

- 5) Many of the children have a belief their victim parents do not want them to talk about the experience--that there is something very wrong and therefore they feel guilty. They are also guilty about missing the perpetrator and guilty about missing the perpetrator and guilty about the amount of money the parent has spent to get them back, guilty about not having tried to call the parent victim. There frequently is a maintenance of an identification with the perpetrator, and this causes many problems within the family. There is anxiety over the visitation with the parent perpetrator after the stealing. There is much continued visiting in some cases. These children feel it is not possible to have a relationship with both parents, and they are torn between them. It is not uncommon to see total confusion when they are returned, particularly with a sense of being returned to a stranger. The reunion is very happy for the parent victim, but the child may be frightened and may not know or remember the custodial parent. Steve Lawrence feels the children have a need for help in figuring out how to relate to the parent who stole them because they eventually end up having contact with the child stealer again. The relationships are never again the way they ought to be, either with the perpetrator or the victim.

Children sometimes feel that the perpetrator should pay the kids and the parent victim for the hardships that they experienced, yet there is a great sadness about needing a father, if the father is the perpetrator, and

not being able to have one. There is also anger at Judges for imposing sentences on the parent perpetrator, and anger at judges for not imposing sentences on the perpetrator. Guilt is always with these children. Being placed in protective custody, in a dependency unit or a foster home compounds their idea they have done something wrong.

- 6) Lowell Streicker, the director of the freedom Counseling Center in Burlingame, brings up the issue of a special group of child stealing victims whose parents are involved in a religious organization, possibly a cult. When these marriages break up the custodial parent moves away with the child and the non-custodial parent steals the child back into the cult and the child is exposed to sexual and physical abuse as part of the cult's idiosyncratic practices, and also exposed because because of the high degree of pathology in the parent perpetrator. Relatives will also get involved in child stealing --the child is awarded to relatives and one or both parents snatch the child back, with the natural parents taking the child with them into the cult and grandparents will hire someone to go to the cult and steal the child, because they are afraid of the damage occurring to the child (this is very frequent). One parent may also perceive the other as being the enemy of the true faith and that parent conceives that the eternal salvation of the child depends on "rescuing" the child from the parent who is not in the religious group. Frequently, the cult orders the child stealing parent to steal the child, and the perpetrator is responding to pressure from that group. The return of the child is complicated by the child's experience in the cult group. These children appear to be confused, disoriented, and in addition, seem to have internalized some sense of the parent perpetrator's paranoid fantasies about the evil doings of the outside society.
- 7) In the future, the children feel distrustful of people, have a hard time falling in love, hard time letting go, and feel very vulnerable for many years. One must look always at the very long term effects (one of our interviewed victims had been stolen twenty-five years before, and she said, "I have a feeling like I was lost in time and space", because she moved so much and went to so many different schools. She still does not feel normal).

What do we know about siblings?

The child victim frequently has sibs who were not stolen and one sees between them, after a child is returned, the great difficulty in talking about what has happened. There is also a great deal of guilt in the sib who was not snatched, over not preventing the stealing of their sib. They frequently wonder why the perpetrator did not take them. There also is the enormous

burden of psychological support that these sibs who were not stolen bear for their parent victims. These sibs frequently have a sense of losing both parents: the parent victim becomes so involved in the search that they lose contact with their remaining children.

The sibs of the child victim also have difficulties in trusting anyone. For example, one of our victim parents whose child has never been returned commented that her son who was not stolen, while watching a TV special on the Guyana massacre, said, "Jim Jones is just like my father. You can't trust anybody". There frequently is great difficulty in rebuilding sibling relationships if the children were not snatched together.

What do we know about parent victims?

The consequences for the parent victim most often mentioned by Gill (1981) and Agopian (1981) are severe depression upon losing one's child, rage at the perpetrating spouse, a sense of helplessness at not knowing how to recover the child, a sense of paralysis in one's life and an inability to cope with day-to-day life and frustration at the courts and law enforcement agencies for being given the run around. If the child is returned, the parent lives in fear of another snatch. The financial burden involved in a lengthy search can also be staggering. Many parents hire private detectives. One parent mentioned by Elliott (1981) was reputed to have spent nearly a quarter of a million dollars unsuccessfully trying to retrieve her children. Parent victims frequently have nightmares, especially about their child crying out for help, trying to find the child and not being able to. Many of the parent victims interviewed said that it is a worse situation for a parent to have a child stolen than to know that a child is dead. When a child is abducted, you grieve until the child is returned, you never know what the child's fate is; it's like a living hell, at least, when a child dies, that's the end of it--you grieve and the mourning period is over. Mourning is never complete, because there is no ending.

The fights between the parent victim and the perpetrator continue, even after the return--the fight never settles.

There may be rage at the child for not calling home or writing, then unbearable guilt experienced about that rage and the perceived rejection of the victim in favor of the perpetrator. Some parents are guilty about feelings that they have not tried hard enough to get the child back and are afraid of the return, particularly when the return occurs after a number of years. The guilt about this is then transmitted to all the members of the extended family--they should have known, they should have been able to stop it, they should not be so helpless, and frequently that guilt is then projected onto the child victim as anger against the child.

There is depression, powerlessness, sense of helplessness and numbness, as well as rage at people who say, "At least you know your child is with its father and is therefore safe". There may be enormous guilt over having excessively disciplined the child

in the past or having been nasty, and over not having taken the spouse seriously when he threatened to steal the child. There is continued yearning for the children, a sense of no longer being a whole person without them. Many parents experience a loss of self-esteem, and have thoughts of suicide immediately after the children are snatched, and transient thoughts of suicide repeatedly while the children are missing.

Enormous anger floods these parents, along with irrational guilt that they did not prevent the snatch. There is also a feeling that knowing a child is dead would be better than the unknown of "Where is my child?"

Depression, anxiety, sleeplessness, and sometimes increased drinking develop. There is also a loss of friends because the friends cannot tolerate the stress of the parents' continued concern for locating the children; because friends also fear it could also happen to them. Many parents experience a paralysis of action, and a total sense of powerlessness.

There is an avoidance of counseling, for fear that going into therapy would indicate that they were "crazy" and therefore deserved the snatch. Along with this goes a further sense of being victimized, if they are poor and cannot hire detectives to help them. There is then a gradual development of an identification as a victim--the sense of self developed around being a parent victim. Frequently the extended families focus the blame on the parent victim for "allowing" the child stealing to happen, and further add to the sense of worthlessness. It is not unusual to hear of guilt in terms of "What have I done wrong?" and the feeling that some parents have that they deserve the snatch because they were bad parents. The parent victims may also believe that the children don't want to return and feel defeated, embarrassed and cheated about this. Parents also believe that if they had taken the threats seriously or if they had prepared the child appropriately, this would never have happened. This fits in completely with the children who are very angry with the parents who "allowed" the snatch to occur. For both the parents and the children there is a loss of a sense of security and permanence.

After the children are returned, parents live in fear of a resnatch. They also fear that the court will award custody to the perpetrator after the return. When the children are returned, parents sometimes have the feeling that the children are fragile and therefore the parent does not use normal limit setting, to the detriment of the child. Many parents try not to think about the stealing and therefore do not let the children talk about it. It becomes a family secret. The parents also seriously restrict the child's activities. The parents transfer their continual fear of a re-s snatch onto the children and greatly magnify the children's own fears.

When parents and children are reunited and start talking about the stealing, other issues come up between the parent and child that neither one can tolerate or deal with effectively. Many parents don't want to hear about these issues; they just want to

focus in on the stealing, and sometimes the stealing may not be as important as other parent-child issues that are going on.

What do we know about the impact on the new families?

One of the crucial issues which has not in any way been addressed by the literature is the impact on the new family after a child is returned. There is disruption of the new marriages which have occurred, and the new spouse may become the "wicked stepparent" just as it does in any remarriage, but with a particularly violent feeling when a child is returned from a kidnapping. The new spouse may not understand why the child simply does not like them and cannot allow that step-parent into their lives. There is also a change in the amount of time that the new spouses have for each other which frequently disrupts the marriage. The child's fear of being alone also disrupts the remainder of the family and the family frequently has difficulty in setting limits with the returned child. There is also a great difficulty in accepting the child's anger about returning and sometimes wishing to be back with the perpetrator. The family may also have difficulty in accepting the child's sadness and bitterness about the loss of the parent perpetrator and the loss of the life that the child led with that parent. Also the child's anger that the resnatch was all lies and deception may disrupt the family on return. Adults cannot comprehend the child's "ingratitude" when they (the adults) have spent so much money, time, emotional energy, etc., in trying to find the child. They also become very angry at the child for wanting to see or return to the parent perpetrator. There frequently is competition between the returned child, the new spouse and the new children which threatens and frequently disrupts totally the equilibrium of the new family. There is a lack of recognition by the parent victims of the importance to the child of the attachment to the parent perpetrator and they demand either knowingly or unknowingly that the child be eternally grateful for being returned when the child is frequently very angry about it. They also fail to understand the importance to the child of the other life that the child has been leading with other friends, other schools and the like. The parent victims hate the parent perpetrators and the children frequently do not.

When there has been a remarriage, the marriage may go sour after the return-of the child, when, for example, the new spouses feel all the attention goes to the child, and nothing is available for them. There are step-sib problems and half-sib problems. The pain, jealousy and rage toward the children who would prefer being with the perpetrator frequently gets out of hand and is sometimes suppressed with symptom formation consequent in all members of the family. There is difficulty in reintegrating the stolen children who have been gone for an appreciable length of time, when there have been family changes after the original stealing.'

What are our future needs?

We lack public awareness of the seriousness of the problem of child stealing: its extent or its devastating impact on the

children, adults and families involved. We lack adequate responses on the part of law enforcement agencies, school systems and the medical care delivery system.

We need appropriate, active, easily accessible preventive measures and services to deal with the victims. These services range from financial resources to aid parents in the recovery of their children, and financial resources for post-recovery legal and psychiatric fees, to parent support groups; to informational sources; to hot lines and to counseling for children, adults and entire family systems.

Sensitization of police, family law attorneys, district attorneys, pediatricians, mental health personnel and school personnel to the psychological, social, economic and family impacts of child stealing is the most immediate need. From this recognition hopefully will come more appropriate and available services to deal with this new and virulent form of abuse of this nation's children.

March 1984

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#### FOOT NOTES

- 1 Dr. Huntington is Director of Research and Evaluation, Center for the Family in Transition, Corte Madera, California, and is Project Director of the Child Stealing Project. This work is supported by the James Irvine Foundation and the Morris Stulsaft Foundation.
- 2 WMH Comment: Note the assumption that it is the father who kidnaps the child.
- 3 WMH Note: Literally "parent of the county," refers traditionally

idiots

to the role of state as sovereign and guardian of persons under legal disability. *Parens patriae* originates from the English common law where the King had a royal prerogative to act as a guardian to persons with legal disabilities such as infants,

and lunatics. In the United States, the *parens patriae* function belongs with the states.

- 4 WMH Note: As of 21 Jan 1991 all states have enacted some form or another of the UCCJA. It is not in effect in Guam, Puerto Rico, and the Virgin Islands. The PKPA, 28 USC 1738A is, however, effective in these places.
- 5 WMH Note: 28 Dec 1980, the Feast of the Holy Innocents
- 6 WMH Note: This observation should be taken with some caution.
- 7 WMH Note: It is the editor's belief that parents come in "matched pairs". Is this the child's way of saying the same thing?
- 8 WMH Note: This is an example of "Public Policy" in favor or eliminating kidnapping and the "Best Interests" of the particular child. The editor's opinion is that Public Policy should govern as to to otherwise rewards the kidnapper and encourages others to do the same.
- 9 WMH Note: This, like it or not, may well happen. Often a child is picked up by the authorities and held in custody pending a court hearing. While the usual pattern is to pick up the child early in the morning and then go directly to court, it has happened, say when a flight is delayed, that court is carried over for a day or two. During this time the child is placed in the children's shelter.