

**ANNUAL REPORT  
OF THE NEVADA STATE ADVOCATE  
FOR MISSING AND EXPLOITED CHILDREN:**

**Missing Children in Nevada 2008**

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**JANUARY 31, 2009**

*For the Sake of Nevada's Children*

Visit us at <http://childrensadvocate.state.nv.us>

For Amber Alert information, visit <http://amberalert.nv.gov>

## **1. THE ESTABLISHMENT OF THE MISSING CHILDREN'S CLEARINGHOUSE**

NRS 432.157 created the Office of Nevada State Children's Advocate for Missing and Exploited Children within the Office of the Attorney General. In addition to the duties relating to advocating for missing and exploited children, the Children's Advocate also serves as the Director of the Nevada Clearinghouse for Missing and Exploited Children. NRS 432.157(3)(b); 432.170. The Nevada Clearinghouse for Missing and Exploited Children was created in 1993 in response to national focus on locating and returning children that are missing. The term "missing children" is broadly defined to include not only cases that continue to garner widespread public attention like stranger abductions, but also cases involving parental and other family abductions, as well as runaway and throwaway children.

The Clearinghouse organization is unique among the nation's clearinghouses in that our clearinghouse is staffed within the Office of the Nevada Attorney General and is supervised by a practicing attorney. Other state clearinghouses are staffed within departments of public safety and have no direct attorney support. The organizational makeup of our Clearinghouse offers advantages in that the Children's Advocate has ready access to our courts to assist in the investigation and prosecution of abduction cases and to assist in the enforcement of civil custody orders. The statute establishing of Office of the Children's Advocate also permits the Children's Advocate to appear as an amicus curiae in any matter concerning a missing child. This opportunity is proving valuable because of the overlap between child custody cases in the Family Court and cases of child abductions.

The Nevada Missing Children's Clearinghouse and the Children's Advocate were created by legislative mandate as a result of the recognition that children's issues needed to be dealt with in a more aggressive manner. The Children's Advocate acts as Director of the Clearinghouse and is assisted by a POST-certified investigator. The Unit organization is unique from other State Clearinghouses because the Unit is staffed within the Office of the Attorney General and is supervised by a practicing attorney. The organizational makeup provides significant advantages in that the Children's Advocate has ready access to our courts to assist in the investigation and prosecution of missing children cases and to assist in the recovery of missing children. The benefit is realized in that the Children's Advocate is increasingly being called upon to provide assistance and expertise to local child protective service agencies, public and private schools, and local courts on issues of inter-jurisdictional conflicts.

## **2. MISSION AND DUTIES OF THE OFFICE OF THE NEVADA STATE CHILDREN'S ADVOCATE AND THE NEVADA CLEARINGHOUSE FOR MISSING AND EXPLOITED CHILDREN**

Forming the Nevada component of the national missing children's recovery effort, the mission of the Nevada State Children's Advocate and the Nevada Clearinghouse for

Missing and Exploited Children is to assist victims, police agencies, social service agencies and family courts in locating missing, abducted, and kidnapped children. The Clearinghouse further assists in the reunification of missing children with their families, helps victims of abductions to access the recovery remedies available through family court, prosecutes child abductors, and protects children and their families from abduction and exploitation through aggressive community outreach and education efforts.

The work of the Clearinghouse is carried out through the implementation of a three-part program known as the Advocate's "Three P's": prevention, protection, and prosecution. The prevention and protection efforts of the Clearinghouse both focus on public education, but on different groups of information consumers—parents and children themselves. To reduce the incidence of child abductions and the sexual abuse and exploitation of Nevada's children, the Clearinghouse has become a primary instructor and presenter of the child safety program SHOUT OUT LOUD, an in-school safety program begun by Nevada Child Seekers and modeled after guidelines for prevention programs provided by the National Center for Missing and Exploited Children. This innovative program presents age-appropriate instruction to kindergarteners, first, second and third graders on abduction reduction strategies and sexual assault reduction strategies. To date, the Clearinghouse has presented the SHOUT OUT LOUD program to over 2500 children in urban and rural schools free of charge, and has many more presentations planned.

During the past twenty-four months, the primary adult outreach focus of the Clearinghouse has been on public education on child safety issues and issues relating to abduction prevention, the prevention of child sexual abuse, and the dangers of unmonitored on-line computer use by children. This child safety component of the Clearinghouse's outreach efforts have centered on two related efforts. First, the Clearinghouse maintains a website which contains a great deal of important information on child safety, and links to related agencies in the child recovery effort. Second, through participation in community outreach and public education efforts, the Clearinghouse has distributed well over ten thousand pieces of child safety literature to members of the public throughout the state. These informative brochures and notices are provided to the Clearinghouse by the National Center for Missing and Exploited Children and the U.S. Department of Justice's Office of Justice Programs and the Office of Juvenile Justice and Delinquency Programs, and are distributed free of charge.

The Children's Advocate also prosecutes criminal suspects who are alleged to have unlawfully abducted or kidnapped children. Within this growing case load, the Children's Advocate is currently prosecuting approximately 100 criminal defendants in the Eighth Judicial District Court. Missing children investigations can be extremely labor intensive. In the past twenty-four months, the Children's Advocate has been successful through the use of both civil law and criminal remedies such as pick up orders issued by family courts and arrest warrants issued by criminal courts in recovering abducted children from states bordering Nevada, and numerous states farther afield as distant as New York and Florida. With the assistance of the U. S. Department of State, the

Department of Homeland Security, Interpol, and foreign police agencies and governments, the Clearinghouse has recovered children victimized by international abductions in Mexico, Canada, and Australia. The Clearinghouse has coordinated child recovery investigations with agencies in many American jurisdictions, including Florida, Tennessee, Hawaii, Colorado, New York, New Mexico, Indiana, California, Montana, Georgia, Ohio, North Carolina, South Carolina, Wisconsin, Illinois, Maryland, Oklahoma, Texas, Oregon, Missouri, Louisiana, Washington, and Arizona.

On the civil law and investigative side, the Clearinghouse operates as the local partner of the National Center for Missing and Exploited Children, and as a center for public education of state and federal laws pertaining to missing, exploited, and victimized children. The work of the Clearinghouse to bring Nevada's missing children home is accomplished through cooperative efforts between the Clearinghouse and local police agencies in Nevada, as well as police agencies across the country and in foreign countries around the world, and the Clearinghouses in the other forty-nine states, and the United States Department of Justice. The Clearinghouse provides assistance in education to law enforcement agencies under the statutory authority of NRS 432.157, and advocates generally for the well-being of Nevada's children before public and private bodies. This includes researching and drafting informative articles on child safety issues for the Children's Advocates' website, training curricula for law enforcement agencies, and legislation pertaining to child safety issues.

### **3. OTHER DUIES AND EFFORTS OF THE CHILDREN'S ADVOCATE**

The Children's Advocate serves on the Nevada State AMBER Alert Committee, provides administrative and legal assistance to the AMBER Alert Committee, and has recently been involved in a comprehensive review of the Committee's AMBER Alert Plan and drafted modifications to the Plan creating an Executive Committee. The Children's Advocate also serves on the Clark County Child Death Review Committee. This Committee, and others in the state, were organized for the purposes set forth in NRS 432B.403, including reviewing the records of selected cases of deaths of children, assessing and analyzing such cases, and making recommendations to prevent future deaths of children and for improvements to laws, policies, and practices to reduce such deaths and to support the safety of children in Nevada.

To date, activations of the Nevada AMBER Alert system have led to the safe return of 29 missing children.

### **4. THE RELATIONSHIP WITH CHILDREN'S PROTECTIVE SERVICE AGENCIES**

Child Protective Service agencies frequently call upon the Children's Advocate to help fulfill their own missions. Under the authority of NRS 432B.390, 432B.550, and other statutes, a child may be placed in protective custody if he is the victim of abuse or neglect. In some cases when custody of an abused child has been ordered by a court to be placed with an agency providing child welfare services, parents attempt to abduct the child from the agency's legal custody. Because these cases evidence the combined

dangers of demonstrated child abuse and child abduction in contravention of a court order, they are particularly high priority, and criminal proceedings typically ensue.

## 5. CURRENT PROJECTS

The Children’s Advocate is currently working on a number of projects to increase the efficiency and effectiveness of the operation of the Clearinghouse. The Children’s Advocate is finalizing a set of investigation protocols for non-stranger abduction cases that will both standardize the procedures involved in the investigation of reports of these missing children and provide a broad and comprehensive approach to case management and decision-making subsequent to the investigation. Similarly, the Children’s Advocate is finalizing a set of prosecution protocols for non-stranger cases to establish guidelines for distinguishing which cases are appropriate for the Advocate’s diversion program—Family Intervention Program for Abduction Parents—from those that are not. Some of the preliminarily suggested factors include the level of subterfuge or violence associated with the abduction, the distance traveled with the abducted child, the duration of the abduction, the level and detail of the abduction planning, and the trauma experienced by the child victim and the left-behind parent. Also in the planning stage is a training program for law enforcement officers on the special needs of a missing child investigation and the ABC’s of the operation of the AMBER Alert System in Nevada and the AMBER Alert Plan and criteria for activation of the E.A.S. system.

## 6. WORKLOAD STATISTICS

Both the civil and criminal caseloads of the Clearinghouse are growing. It bears repeating that missing children investigations are typically labor-intensive affairs requiring the investment of many man-hours of work. The Clearinghouse works to recover Nevada children who may be found away from home inside Nevada as well as in any other jurisdiction, and to recover children from other jurisdictions who are located in Nevada. Part of this work is made of by acting as a coordinator between the National Center for Missing and Exploited Children and police agencies.

|   | Proj<br>FY08 | Actual<br>FY08 | Proj<br>FY09 | Proj<br>FY10 | Proj<br>FY11 |
|---|--------------|----------------|--------------|--------------|--------------|
| Number of children recovered through assistance of Missing Children’s Unit                                | 52           | 67             | 60           | 60           | 60           |
| Percent of assistance requests responded to within 48 hours   | 98%          | 98%            | 98%          | 98%          | 98%          |
| Number of child safety and crime prevention Events conducted  | 2            | 45             | 45           | 45           | 45           |
| Number of child abduction investigations (including in-state, out-of-state, and international abductions) |              | 87             | 75           | 75           | 75           |
|   |              |                | <u>FY 08</u> |              |              |
| Existing Criminal Prosecutions  |              | 98             |              |              |              |

|   |      |
|---|------|
| Civil Enforcement Actions                       | 100  |
| Telephone inquiries                             | 699  |
| Responses to Inquiries                          | 593  |
| Total open cases                                | 140  |
|   |      |
| AMBER Alert recoveries                          |      |
| Nevada  | 29   |
| Nationally                                      | 432  |
|   |      |
| Children missing in Nevada in 2008 (NCMEC/NCIC) | 7221 |

Additionally, the Clearinghouse receives Lead Reports on missing children from the National Center for Missing and Exploited Children on a daily basis, totaling approximately 600 annually.

Because the case load of the Clearinghouse is growing. The number of children recovered through the legal or investigative assistance of the Missing Children's Unit is a key measure of the effectiveness of this unit and an important indicator of the need for the services provided

## **7. IN CLOSING**

According to the National Center for Missing and Exploited Children, at any time there are approximately 800,000 children missing from their homes in America. This social problem is one of international concern, as reflected by the Hague Convention on the Civil Aspects of International Child Abduction. As the central agency in the State of Nevada responsible for the coordination of missing child recovery efforts, the Nevada Clearinghouse for Missing and Exploited Children works to educate the public about this on-going threat to the well-being of our children, and to facilitate the recovery of missing children as part of the national and international effort. Through the implementation of the Children's Advocate's "Three P's", we strive to provide "Silver Star Service" to the children of Nevada.