

Testimony of
Mr. Robbie Callaway

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Madam Chairperson and members of the Committee, I am honored to appear before your Subcommittee today and express the views of the National Center for Missing & Exploited Children (NCMEC) regarding the proposed AMBER Alert legislation introduced by Senators Kay Bailey Hutchison of Texas and Dianne Feinstein of California.

It seems most appropriate for these two senators to introduce this legislation. Texas is where the AMBER Plan was pioneered. And California is where the program has most recently made national and international headlines for saving the lives of six children, according to data collected by NCMEC. These recent recoveries truly show the power of the AMBER plan and why national legislation offers a great opportunity to prompt every community in America to adopt this worthwhile program.

The National Center for Missing & Exploited Children is here today to support the passage of this legislation. We know all too well that when a child is kidnapped, time is the enemy, and we need every available resource to bring that child home. The National Center strongly believes every community needs a rapid response when a child is abducted.

Statistics show that the few hours are critical to the outcome of the case. According to the Justice Department, 74 percent of the children who were kidnapped and later found murdered were killed within the first three hours after being taken, so we don't have time to waste. We need to mobilize quickly and get a description of the child and suspect out to the public immediately, so they can be the ears and eyes that will assist law enforcement. The AMBER Plan provides this rapid response. It's an innovative, investigative tool that is literally revolutionizing the way we fight serious child abductions in the United States.

As we endorse this legislation, let me share with the Committee some history of the Center, the AMBER Plan and why we became involved with this life-saving program.

NCMEC is non-profit organization congressionally mandated under the Missing Children's Act of 1984. We work in partnership with the U.S. Department of Justice as the official national resource center and clearinghouse on the issue of missing and exploited children. Our funding supports specific operational functions mandated by Congress, including:

- 1) a national 24-hour toll-free hotline;
- 2) a photo distribution system to generate leads regarding missing children;
- 3) a system of case management and technical assistance to the nation's 18,000 law enforcement agencies and families in the search for and recovery of missing children;
- 4) training programs for federal, state and local law enforcement. NCMEC has worked with law enforcement on more than 83,000 missing child cases, resulting in the recovery of nearly 67,000 children.

In our 18-year history, the Center's mission has been carried out by creating, as well as promoting successful programs, such as the AMBER Plan - America's Missing: Broadcast Emergency Response.

The AMBER Plan is a voluntary partnership between law enforcement agencies and broadcasters to send urgent bulletins to the public when a child has been abducted and the life of the child is in grave danger. Under the Plan, area radio and television stations, or emergency management offices initially activate the alert using the Emergency Alert System. This is the same system used for severe weather emergencies. Instantly, the AMBER Alert engages the entire community to search for both the child and the suspect.

The AMBER Plan was created in 1996 as a powerful legacy to 9-year-old Amber Hagerman, a bright, little girl who was kidnapped and brutally murdered while riding her bicycle in Arlington, Texas. The tragedy outraged the entire community but inspired them to take action. Residents contacted radio stations in the Dallas area and suggested they broadcast special alerts over the airwaves for child abductions just like it's done for tornadoes and hurricanes. In response, the Dallas/Ft. Worth Association of Radio Managers worked tirelessly with local law enforcement agencies in northern Texas and developed this early warning system that's making a big difference in saving children's lives.

In 1999, the AMBER Plan started to show amazing results by assisting in the recovery of 7 children in the Dallas/Ft. Worth community. In response to the program's success, the National Center for Missing & Exploited Children recognized the AMBER Plan as a vital resource for communities when a child is kidnapped. We then decided to spearhead a national campaign to put this program into the hands of every city and town across America. At that time, only a few communities had adopted the program but interest was mounting. Publicity in Reader's Digest had also given the program a big boost on the national front. Soon, the Arlington, Texas Police Department was overwhelmed with requests for the program.

In 2000, the Center hired a full time AMBER Plan Manager to coordinate our nationwide AMBER Alert campaign. And we teamed up with the Texas creators of the AMBER Plan, the National Association of Broadcasters and the Justice Department to develop the necessary protocols and procedures to assist communities with creating strong AMBER Plans. The National Center has even taken steps to protect the AMBER Alert name by registering it as a trademark.

To make sure AMBER Plans are established properly, the Center developed this AMBER Alert Kit that includes a training manual and videotape. It offers a step-by-step guide for implementing effective AMBER Plans. The kit is available free to all law enforcement agencies and

broadcasters upon request. NCMEC created the kit so that the AMBER Plan would not be overused and would be optimally successful. The kit was developed from experiences of AMBER Plans in operation in Texas, Oklahoma, Florida and various other locales.

In this kit, NCMEC established strict guidelines for issuing an alert that are based on the original AMBER Plan criteria developed in the Dallas/Ft. Worth area:

- 1) law enforcement confirms a child has been abducted;
- 2) law enforcement believes the circumstances surrounding the abduction indicate that the child is in serious danger of bodily harm or death; and
- 3) there must be enough descriptive information about the child, abductor and suspect's vehicle to believe an immediate broadcast alert will help.

NCMEC emphasizes that an AMBER Alert should only be used for the most serious child abduction cases. The Alert was not designed for runaway cases or most parental abduction cases unless the life of the child is threatened. The Justice Department reports that in 1999, there were approximately 203,900 family abductions cases reported to police. NCMEC does not suggest that an AMBER Alert be used in every missing child case. Every day in the U.S., nearly 2,000 children are reported missing. This alert should not go off 2,000 times a day or the system will make the public numb to the alert.

In 2001, NCMEC advocated that the Federal Communications Commission adopt a special code within the Emergency Alert System to be used strictly for the AMBER Plan. This code ensures that there is no confusion or public alarm when an alert is broadcast. Currently, many of the Alerts go out as Civil Emergencies or Administrative Alerts. In February 2002, the FCC adopted a new Child Abduction Emergency code that may be used within the EAS when a community activates an AMBER Alert. Now we are encouraging all radio and stations to upgrade their EAS equipment to include the new code as quickly as possible.

On October 24, 2001, NCMEC launched an aggressive AMBER Alert campaign along with other important supporters including: the National Association of Attorneys General, National Sheriffs Association, International Association of Chiefs of Police, and Fraternal Order of Police in an effort to promote national implementation of this pioneering program. In the last ten months, NCMEC and the National Association of Broadcasters have distributed 8,000 AMBER Alert kits to law enforcement agencies and broadcasters in the U.S. and abroad.

For the past two years NCMEC has assisted communities with developing successful AMBER Plans. We have served as the nation's AMBER Alert coordinator by tracking Plans throughout the country in order to document the success of the program. Today, we have become the clearinghouse of all AMBER Alert information. At this time last year, there were only 27 AMBER Plans on the local, regional, and statewide levels. Five of those programs were statewide. Today we are pleased to report there are now 55 AMBER Plans around the nation -- 18 of those Plans are statewide.

We are confident that by this time next year, most communities will have adopted this program. The Center is proud of this progress and reports getting thousands of requests for information about the program since our launch last year. In direct response to last month's high profile recoveries in California and Texas, we have received up to 500 requests daily for information.

Why does NCMEC support federal legislation?

With the expansion of the AMBER Alert program, NCMEC believes that a voluntary system needs to be created and set into motion when an abductor is traveling with a child across state lines. Federal legislation could help coordinate a quick and efficient way states can elect to communicate with each other when time is critical. And creating an AMBER Coordinator within the Department of Justice could help to facilitate this type of rapid response in a more uniform fashion. We would encourage this committee to consider detailing this position to work from the National Center for Missing & Exploited Children so that we can work hand in hand with the Department of Justice, as we do every day, and continue to play a critical role in the success of this vital program. Since the Center was created, it has become the epicenter of the battle against child abductions and we have a wealth of resources that this coordinator could rely on in a moment's notice. That said, we strongly believe that this bill could be made better by including language to this effect. In addition, we believe that opportunities should be made available to communities where broadcasters might benefit from funds that help them secure the necessary equipment for upgrading their Emergency Alert Systems. While highways signs have proven a successful new component, I cannot emphasize strongly enough how instrumental the role of broadcasters - radio and television - is to the success of this program.

Recently we witnessed an Alert sent out to a number of states to help in the search for 10-year-old Nichole Timmons from Riverside, California. The Alert was not only delivered throughout California, but also activated in neighboring states Oregon, Nevada and Arizona. At the time, it was believed that the abductor was traveling to Colorado. Thanks to the speedy delivery of information, Nichole was recovered. This is a clear example of how alerts can help when a child is taken across state lines.

The Center would like to point out for clarification that AMBER Alerts are currently targeted locally, regionally and statewide. Alerts are not issued nationwide nor should they be. That would defeat the purpose of mobilizing the immediate community from which the child was taken when time is of the essence. It would not be appropriate for radio and TV stations in New York City to interrupt programming to help find a child who was abducted from California - thousands of miles away - unless law enforcement officials had reason to believe the child has been taken there.

We believe national legislation will act as an incentive to communities to develop strong AMBER Plans by providing grant money that could be used for additional equipment such as the Emergency Alert System, which activates the alerts, web sites and highway signage. These added resources could also help communities establish extensive law enforcement training so AMBER Alerts are used properly and mobilize call-in centers to handle the leads and sightings that an AMBER alert generates. The Center believes training and education go hand in hand with

establishing an effective AMBER Plan. It should be the number one priority to all those who have created or who will create an AMBER Plan in their community.

The National Center for Missing & Exploited Children was established under the premise that everyone has a role to play in the search for missing and abducted children: law enforcement, the private sector, government and the watchful eyes of the community. This is why the AMBER Plan has been so successful because it brings all of these parties together to work towards one goal of recovering abducted children. Today, we are proud to say, according to the Center's data, that the AMBER Plan has assisted in the recovery of 30 children nationwide and one of those children is sitting right here at this table. And not only does the program help find abducted children but it acts as a deterrent to this type of crime. In 1999, an abductor actually heard the alert on his car radio as he was driving 60 miles outside Dallas, pulled off the side of the highway and ordered the 9-year-old girl, who he had just abducted, out of his car. Its just one more powerful example of how AMBER Alerts really work.

This year marks the 20th anniversary of the Missing Children's Act, which mandated that information about missing children be entered into the FBI's National Crime Information Center. Twenty years ago, there was no regional, statewide or even national effort to quickly notify law enforcement agencies when a child was abducted. Frankly, it was far easier to track down a stolen car than a stolen child. But today, that's a different story. This AMBER Alert legislation is testament to the unprecedented change that has occurred in our country and to how communities now respond to cases of abducted children.

In conclusion, let me reiterate that the National Center for Missing & Exploited is proud to have played an important role in helping AMBER become a household name. People now know AMBER as the program that finds kidnapped children. They listen for the alert and look for the child and abductor. Communities now understand that they can truly play a critical role when a child is kidnapped. This legislation will act as a reminder that although the AMBER Plan was created out of a tragedy, it continues to be a symbol of hope to families as a way to battle serious child abductions. This legislation will ensure that every community in America has the opportunity to adopt this life-saving program. It will also ensure that Amber will always be remembered as the little girl from Texas who inspired her community and now the nation to create a pioneering program to help rescue other abducted children. There can be no more powerful legacy for Amber Hagerman than that.

Thank you so much for the opportunity to express our views. As always, I hope the Committee will look to the National Center for Missing & Exploited Children as an important resource as you begin this very important legislative process that will help protect our nation's children. We stand ready to assist you and the Justice Department in any way we possible can to promote this essential program.

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