

Fort Bend Family Bar

Luncheon 8/1/2019

NATIONAL CRIME INFORMATION CENTER (NCIC)

CONTACT CRIMES AGAINST CHILDREN COORDINATOR

(713) 693-5000

Local FBI Office: 1 Justice Park Drive, Houston, Texas 77092

- They cannot help until the parent leaves the country with the children or if there is a warrant for the parent's arrest.

<https://www.fbi.gov/services/cjis/ncic>

<https://www.fbi.gov/investigate/violent-crime/cac>

NCIC Files

The NCIC database includes 21 files (seven property files and 14 person files).

- **Article File:** Records on stolen articles and lost public safety, homeland security, and critical infrastructure identification.
- **Gun File:** Records on stolen, lost, and recovered weapons and weapons used in the commission of crimes that are designated to expel a projectile by air, carbon dioxide, or explosive action.
- **Boat File:** Records on stolen boats.
- **Securities File:** Records on serially numbered stolen, embezzled, used for ransom, or counterfeit securities.
- **Vehicle File:** Records on stolen vehicles, vehicles involved in the commission of crimes, or vehicles that may be seized based on federally issued court order.
- **Vehicle and Boat Parts File:** Records on serially numbered stolen vehicle or boat parts.
- **License Plate File:** Records on stolen license plates.
- **Missing Persons File:** Records on individuals, including children, who have been reported missing to law enforcement and there is a reasonable concern for their safety.
- **Foreign Fugitive File:** Records on persons wanted by another country for a crime that would be a felony if it were committed in the United States.
- **Identity Theft File:** Records containing descriptive and other information that law enforcement personnel can use to determine if an individual is a victim of identity theft or if the individual might be using a false identity.
- **Immigration Violator File:** Records on criminal aliens whom immigration authorities have deported and aliens with outstanding administrative warrants of removal.
- **Protection Order File:** Records on individuals against whom protection orders have been issued.

- **Supervised Release File:** Records on individuals on probation, parole, or supervised release or released on their own recognizance or during pre-trial sentencing.
- **Unidentified Persons File:** Records on unidentified deceased persons, living persons who are unable to verify their identities, unidentified victims of catastrophes, and recovered body parts. The file cross-references unidentified bodies against records in the Missing Persons File.
- **Protective Interest:** Records on individuals who might pose a threat to the physical safety of protectees or their immediate families. Expands on the U.S. Secret Service Protective File, originally created in 1983.
- **Gang File:** Records on violent gangs and their members.
- **Known or Appropriately Suspected Terrorist File:** Records on known or appropriately suspected terrorists in accordance with HSPD-6.
- **Wanted Persons File:** Records on individuals (including juveniles who will be tried as adults) for whom a federal warrant or a felony or misdemeanor warrant is outstanding.
- **National Sex Offender Registry File:** Records on individuals who are required to register in a jurisdiction's sex offender registry.
- **National Instant Criminal Background Check System (NICS) Denied Transaction File:** Records on individuals who have been determined to be "prohibited persons" according to the Brady Handgun Violence Prevention Act and were denied as a result of a NICS background check. (As of August 2012, records include last six months of denied transactions; in the future, records will include all denials.)
- **Violent Person File:** Once fully populated with data from users, this file will contain records of persons with a violent criminal history and persons who have previously threatened law enforcement.

THE CHILDREN'S PASSPORT ISSUANCE ALERT PROGRAM (CPIAP)

CONTACT 1 (888) 407-4747 OR (202) 501-4444

<https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/prevention/passport-issuance-alert-program.html>

1. Allows the Department of State's Office of Children's Issues to contact the enrolling parent(s) or legal guardians(s) to verify whether the parental consent requirement for minor passport issuance has been met when a passport application has been submitted for an enrolled child.
2. Upon a child's enrollment in the CPIAP, we may alert the enrolling parent(s) or legal guardian(s) of a pending passport application and past passport issuances for the child.
3. Only for U.S. citizens or children who qualify for U.S. citizenship.

To enroll your child in CPIAP:

1. Download and complete the CPIAP request form, DS-3077 (one per child).
2. Send proof of your identity using one of the following documents:
 - Your driver's license
 - Your passport, or
 - Other form of photo identification with signature
3. Provide documentary evidence of your legal relationship to the child, such as:
 - Child's birth certificate,
 - Current custody/guardianship/adoption court order(s) from a court of competent jurisdiction,
 - Evidence of authority to act on behalf of parent or legal custodian, or
 - Affidavit of Paternity
4. Send us your completed request form and supporting documents using one of the options listed below. We can process your child's enrollment more quickly when you email or fax your documents.
 - Email: PreventAbduction1@state.gov
 - Fax: 202-485-6222

- Mail:

U.S. Department of State
Overseas Citizen Services Office of Children's Issues
Attention: CPIAP
SA-17, 9th Floor
2201 C Street NW

Keep your Information Current:

Please immediately inform the Office of Children's Issues of any changes to your contact information and submit any additional documents relevant to the application or issuance of a passport to your child. Additional documents may include, but are not limited to, divorce decrees, custody orders, protective orders, warrants, and police reports. Failure to do so may result in your child being issued a U.S. passport without notice to you and/or without your consent. It is your responsibility to immediately provide our office with all relevant and up-to-date information. To update information with our office, please send an email to PreventAbduction1@state.gov, fax to 202-485-6222, or call 1-888-407-4747

U.S. DEPARTMENT OF STATE

CONTACT THE OFFICE OF CHILDREN'S ISSUES, PREVENTION
BRANCH AT 1-888-407-4747

Links to all relevant abduction statutes/treaties

<https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/providers/laws.html>

Steps to Stopping an Abduction in Progress

PreventAbduction1@state.gov

If you have reason to believe that your child is in the process of being abducted by a parent, legal guardian, or someone acting on their behalf, there are steps that can be taken to prevent the abduction. Immediate steps you can take include:

- **OBTAIN A COURT ORDER:** A court order is vital to preventing the departure of a child. You can retain an attorney to discuss your options. Law enforcement may not be able to act unless there is a court order that prohibits the child's travel outside of the United States. Court orders preventing the removal of the minor child from the court's jurisdiction, the state, or the country will give law enforcement more authority to prevent abduction. For information regarding prevention under the International Child Abduction Prevention and Return Act visit [here](#) and also review our page titled [Law and Regulations](#).
- **CONTACT LAW ENFORCEMENT:** Contact law enforcement immediately and inform them of any court orders and the potential for international parental child abduction. Request that law enforcement enter information about your child as missing person in the National Crime Information Center (NCIC) as soon as possible, so that your state's troopers or highway patrol can widen the search for your child. When working with any law enforcement official ask for the officer's full name, e-mail, fax number, direct phone number, a dispatch line with 24 hour coverage, and backup officer.
- **CONTACT AIRPORT POLICE AND THE AIRLINES:** Contact the airlines and airport law enforcement that is stationed at the departing airport, if known. Because the United States has no exit controls, abductions can only be prevented if the appropriate authorities at ports of exit are made aware of courts orders that prohibit travel prior to departure. When contacting airlines, ask to speak with an airline corporate security officer, explain the situation, be ready to prove you have a parental relationship to the

child, and ask if there is a reservation under your child's name. This can help mobilize efforts to stop child abductions.

List of countries to the Hague

<https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/abductions/hague-abduction-country-list.html>

Elements

- The child was *habitually resident* in one Convention country, and was wrongfully removed to or retained in another Convention country;
- The removal or retention of the child is considered wrongful if it was in violation of your custodial rights, and you were exercising those rights at the time of the removal or retention, or you would have been exercising them but for the removal or retention.
- The Convention must have been in force between the two countries when the wrongful removal or retention occurred (the dates are different for every country);
- The child is under the age of 16.

Defenses to the Petition for Return of a Child

A court may deny return of an abducted child if one of the following defenses apply:

- There is a grave risk that the child's return would expose the child to physical or psychological harm or otherwise place the child in an intolerable situation;
- The child objects to being returned and has attained an age and degree of maturity at which the court can take account of the child's views; or
- More than one year has passed since the wrongful removal or retention occurred and the child has become settled in his or her new environment.
- The party seeking return consented to or subsequently acquiesced to the child's removal or retention.
- The return would violate the fundamental principles of human rights and fundamental freedoms in the country where the child is being held.
- The party seeking return was not actually exercising rights of custody at the time of the wrongful removal or retention;

NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN

CONTACT THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN AT 1 (800) THE-LOST

<http://www.missingkids.com/theissues/familyabduction>

FORT BEND COUNTY WOMEN'S CENTER

CONTACT AT (281) 344-5750 FAX TO (281) 232-5041

mail@fortbendwomenscenter.org

The shelter director is Alison

- Registered Agent is Vita Goodell
- 1002 Wilson Dr., Rosenberg, TX 77471

AIRPORT – IAH POLICE DIVISION

CONTACT HPD AT (713) 884-3131 AND REQUEST AIRPORT IAH POLICE DIVISION

https://www.houstontx.gov/police/divisions/airport_iah/index.htm

AIRPORT – HOU POLICE DIVISION

CONTACT HPD AT (713) 884-3131 AND REQUEST AIRPORT-HOU POLICE DIVISION

https://www.houstontx.gov/police/divisions/airport_hou/index.htm

Writ of Attachment available with no prior orders

Sec. 105.001. TEMPORARY ORDERS BEFORE FINAL ORDER. (a) In a suit, the court may make a temporary order, including the modification of a prior temporary order, for the safety and welfare of the child, including an order:

- (1) for the temporary conservatorship of the child;
- (2) for the temporary support of the child;
- (3) restraining a party from disturbing the peace of the child or another party;
- (4) prohibiting a person from removing the child beyond a geographical area

identified by the court; or

- (5) for payment of reasonable attorney's fees and expenses.

(b) Except as provided by Subsection (c), temporary restraining orders and temporary injunctions under this section shall be granted without the necessity of an affidavit or verified pleading stating specific facts showing that immediate and irreparable injury, loss, or damage will result before notice can be served and a hearing can be held. Except as provided by Subsection (h), an order may not be rendered under Subsection (a)(1), (2), or (5) except after notice and a hearing. A temporary restraining order or temporary injunction granted under this section need not:

- (1) define the injury or state why it is irreparable;
- (2) state why the order was granted without notice; or
- (3) include an order setting the cause for trial on the merits with respect to the

ultimate relief requested.

(c) *Except on a verified pleading or an affidavit in accordance with the Texas Rules of Civil Procedure, an order may not be rendered:*

- (1) attaching the body of the child;**

(2) *taking the child into the possession of the court or of a person designated by the court; or*

- (3) *excluding a parent from possession of or access to a child.*

(d) *In a suit, the court may dispense with the necessity of a bond in connection with temporary orders on behalf of the child.*

(e) Temporary orders rendered under this section are not subject to interlocutory appeal.

(f) The violation of a temporary restraining order, temporary injunction, or other temporary order rendered under this section is punishable by contempt and the order is subject to and enforceable under Chapter [157](#).

(g) The rebuttable presumptions established in favor of the application of the guidelines for a [child support](#) order and for the standard possession order under Chapters [153](#) and [154](#) apply to temporary orders. The presumptions do not limit the authority of the court to render other temporary orders.

(h) An order under Subsection (a)(1) may be rendered without notice and an adversary hearing if the order is an emergency order sought by a governmental entity under Chapter [262](#).

Tex. Penal Code Ann. § 25.03

A parent may be charged with kidnapping, and Texas has another law that specifically addresses **parental abduction**. A person commits the offense of Interference with Child Custody if he or she takes or retains a child younger than 18 years of age:

1. when the person knows that the person's taking or retention of the child violates the express judgement or order of a court disposing of the child's custody;
2. when the person has not been awarded custody by a court, knows that a suit involving the child's custody has been filed, and takes the child out of the judicial district if the court is a district court or out of the county if the court is a county court, without the permission of the court and with intent to deprive the court of authority over the child; or
 - It is a defense to prosecution of this crime if you return the child to the geographic area composing the judicial district, if a district court, or the county, if a county court, within three days after the date of the offense.
3. outside of the U.S. with the intent to deprive a person entitled to possession/access to the child of that possession/access and without permission of that person.
 - However, this does not apply if, at the time of the offense, the person taking the child was entitled to possession of or access to the child and was fleeing actual or attempted family violence against the child or the person.
 - It is an affirmative defense to this subsection that (1) the taking or retention of the child was pursuant to a valid order providing for possession of or access to the child, or (2) the actor's retention of the child was due only to circumstances beyond their control and the

actor provided notice or attempted or provide notice to the other person entitled to possession/access to the child.

Tex. Penal Code Ann. § 25.03 (West, WestlawNext through 2015 Reg. Sess.)

Hague Convention Country or Territory	Date of Entry
1 Andorra	1/1/2017
2 Argentina	6/1/1991
3 Armenia	3/1/2018
4 Australia	7/1/1988
5 Austria	10/1/1988
6 Bahamas, The	1/1/1994
7 Belgium	5/1/1999
8 Belize	11/1/1989
9 Bosnia and Herzegovina	12/1/1991
10 Brazil	12/1/2003
11 Bulgaria	1/1/2005
12 Burkina Faso	11/1/1992
13 Canada	7/1/1988
14 Chile	7/1/1994
15 China - (Hong Kong and Macau only)	
16 Colombia	6/1/1996
17 Costa Rica	1/1/2008
18 Croatia	12/1/1991
19 Cyprus	3/1/1995
20 Czech Republic	3/1/1998
21 Denmark	7/1/1991
22 Dominican Republic	6/1/2007
23 Ecuador	4/1/1992
24 El Salvador	6/1/2007
25 Estonia	5/1/2007
26 Fiji	5/1/2017
27 Finland	8/1/1994
28 France	7/1/1988
29 Germany	12/1/1990
30 Greece	6/1/1993
31 Guatemala	1/1/2008
32 Honduras	6/1/1994
33 Hungary	7/1/1988
34 Iceland	12/1/1996
35 Ireland	10/1/1991
36 Israel	12/1/1991
37 Italy	5/1/1995
38 Jamaica	4/1/2019
39 Japan	4/1/2014
40 Latvia	5/1/2007
41 Lithuania	5/1/2007
42 Luxembourg	7/1/1988
43 Macedonia, Republic of	12/1/1991
44 Malta	2/1/2003

45 Mauritius	10/1/1993
46 Mexico	10/1/1991
47 Monaco	6/1/1993
48 Montenegro	12/1/1991
49 Morocco	12/1/2012
50 Netherlands	9/1/1990
51 New Zealand	10/1/1991
52 Norway	4/1/1989
53 Panama	6/1/1994
54 Paraguay	1/1/2008
55 Peru	6/1/2007
56 Poland	11/1/1992
57 Portugal	7/1/1988
58 Korea, Republic of	11/1/2013
59 Romania	6/1/1993
60 Saint Kitts and Nevis	6/1/1995
61 San Marino	1/1/2008
62 Serbia	12/1/1991
63 Singapore	5/1/2012
64 Slovakia	2/1/2001
65 Slovenia	4/1/1995
66 South Africa	11/1/1997
67 Spain	7/1/1988
68 Sri Lanka	1/1/2008
69 Sweden	6/1/1989
70 Switzerland	7/1/1988
71 Thailand	4/1/2016
72 Trinidad and Tobago	8/1/2013
73 Turkey	8/1/2000
74 Ukraine	9/1/2007
75 United Kingdom	07/01/1988
76 Uruguay	9/1/2004
77 Venezuela	1/1/1997
78 Zimbabwe	8/1/1995



REQUEST FOR ENTRY INTO CHILDREN'S PASSPORT ISSUANCE ALERT PROGRAM

REQUEST FORM An alert request may be filed with respect to an unmarried child under the age of 18. This request can be filed by concerned parents of U.S. citizen children, their appointed agents, or other persons having legal custody of the child. Complete one form for each child, and submit the completed request along with proper documents to Passport Services by e-mail, fax or mail. By signing this form you are affirming that your parental rights to this child have not been terminated by court order.

1. Please provide information about the child in order to make the alert system effective. Please print clearly or type the information.

Child's Full Name (Last, First, Middle)		Date of Birth (mm-dd-yyyy)	Place of Birth
[Redacted]		[Redacted]	[Redacted]
Child's Sex <input type="checkbox"/> Female <input type="checkbox"/> Male	Social Security Number	U.S. Passport Number(s), if any	

2. Please provide the following information about yourself so that we can acknowledge your request, and alert you in the future.

Your Full Name (Last, First, Middle)	Documentation of Identity Provided
[Redacted]	<input type="checkbox"/> Driver's License <input type="checkbox"/> Other Form of Photo Identification with Signature
	<input type="checkbox"/> Passport

Relationship to Child Shown Above	Documentation of Parentage, Guardianship, Legal Custody OR Authority to Act on Behalf of Parent or Legal Guardian, as applicable
	<input type="checkbox"/> Birth Certificate <input type="checkbox"/> Consular Report of Birth Abroad (CRBA) <input type="checkbox"/> Adoption Decree
	<input type="checkbox"/> Current Custody/ Guardianship Court Order(s) <input type="checkbox"/> Evidence of Authority to Act on Behalf of Parent or Legal Custodian <input type="checkbox"/> Other _____

Mailing Address	City	State or Country	Postal Code
-----------------	------	------------------	-------------

NOTE: Since the Department will need to contact you, it is very important that you keep us informed in writing or by telephone of any changes to your contact information. Failure to notify this office of your correct address and phone number may result in passport issuance for your child without your knowledge.

Home Phone	Work Phone	Cell Phone	Email Address(es)
------------	------------	------------	-------------------

3. I request that the U.S. Department of State notify me if it receives a U.S. passport application for the above-mentioned child, or if an application is currently pending, or if there is any U.S. passport still valid for the child's travel.

I object to the Issuance of a U.S. Passport to the Aforementioned Child, but I understand that under prescribed circumstances (see 22 CFR 51.28) the Department is authorized to issue the passport nonetheless.

Signature Date (mm-dd-yyyy)

Please read the Dual Nationality for Children information accompanying this form. It relates to a child who may have a foreign nationality in addition to U.S. nationality.

Please submit via e-mail, fax, or mail the completed form along with the proper copies of the original documents to the U.S. Department of State, Overseas Citizen Services, Children's Issues; Attention: Children's Passport Issuance Alert Program; SA-17, 9th Floor, Washington, DC 20522-1707; Email: PreventAbduction1@state.gov; Telephone Number 1-888-407-4747, Fax Number 202-485-6222.

DUAL NATIONALITY FOR CHILDREN

Many children, born in the U.S. or born abroad to a U.S. citizen parent, are citizens of both the U.S. and another country. A child may acquire the citizenship of a foreign country, for example, through the child's birth abroad, or through a parent. There is no requirement that a U.S. citizen parent consent to a child's acquisition of another nationality. Even though U.S. law may prevent one parent from obtaining a U.S. passport for a child (for example, because of the two-parent signature requirement), a parent may still be able to obtain a foreign passport for a dual national child from the embassy or government of the other country. Under U.S. law, a United States citizen child is required to enter and depart the United States on his or her United States passport. However, please be advised that, since there are currently no exit controls from the United States, U.S. citizen children can still exit the United States undetected on foreign passports.

U.S. law and regulations concerning the issuance of U.S. passports do not apply to foreign governments when they issue passports to people (including children) whom they consider to be citizens of their country, whether or not the foreign passport is issued in the United States and/or to a person the United States considers to be a U.S. citizen. If you think there is a possibility that your child may have another nationality, you are encouraged to contact the relevant country's embassy or consulate directly to inquire about the rules governing the issuance of that country's passport to your child, including the possible availability of mechanisms to prevent the issuance to your child of that country's passport without your consent. The address and telephone numbers for the embassies and consulates for foreign countries within the United States can be found on the Consular Affairs web page at >>travel.state.gov<< under each foreign country's Country Specific Information.

PRIVACY ACT STATEMENT

AUTHORITY: The information solicited on this form is requested pursuant to provisions in Titles 8 and 22 of the U.S. Code, as well as the corresponding federal regulations, including specifically 22 U.S.C. § 211a and Public Law 106-113, Div. B, §1000(a)(7) [Div. A., Title II, §236] of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 and Executive Order 11295 (Aug. 5, 1966), and the regulations contained in 22 C.F.R. § 51.28.

PURPOSE: The primary purpose for soliciting the information is to enable the U.S. Department of State to notify you of any pending U.S. passport applications for the child identified on the form and of any U.S. passport held by the child that is still valid for travel. The child's social security number is requested because that number is a unique identifier used to establish the identity of the passport holder.

ROUTINE USES: The information solicited on this form may be made available as a routine use to other government agencies, to assist the U.S. Department of State in adjudicating passport applications and requests for related services, and for law enforcement and administrative purposes. It may also be disclosed pursuant to court order. The information may be made available to foreign government agencies to fulfill passport control and immigration duties. The information may also be provided to foreign government agencies, international organizations and, in limited cases, private persons and organizations to investigate, prosecute, or otherwise address potential violations of law or to further the Secretary's responsibility for the protection of U.S. nationals abroad. This would include, among other entities and agencies, disclosure to The National Center for Missing and Exploited Children, Central Authorities of countries party to the Hague Convention on the Civil Aspects of International Child Abduction ("the Convention"), attorneys of record and legal aid services to assist in facilitating operations under the Convention; local police in connection with notification of next-of-kin and child custody disputes; social services agencies; and parents involved in cases brought under the Convention. The information may also be made available to private U.S. citizen 'wardens' designated by U.S. embassies and consulates. For a more detailed listing of the routine uses to which this information may be put, see the Prefatory Statement of Routine Uses and the listing of routine user set forth in the System of Records Notice (SORN) for Overseas Citizens Services Records (State-05), found at: <http://www.state.gov/m/a/ips/c25533.htm>

DISCLOSURE: Filing a request through the Children's Passport Issuance Alert Program and providing the information requested on this form, including the child's social security number, is voluntary. Failure to complete the form may result in a passport being issued to your child without your knowledge.

PAPERWORK REDUCTION ACT STATEMENT

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time required for searching existing data sources, gathering the necessary documentation, providing the information and/or documents required, and reviewing the final collection. You do not have to supply this information unless this collection displays a currently valid OMB control number. If you have comments on the accuracy of this burden estimate and/or recommendations for reducing it, please send them to: U.S. DEPARTMENT OF STATE, CA/OCS/L, 10th Floor, WASHINGTON, DC 20522-1707.