

Interstate AMBER Alert Plan for the Protection of Children Memorandum of Understanding

This is a Memorandum of Understanding (MOU) entitled the Interstate AMBER Alert Plan for the Protection of Children. This Memorandum is the product of a partnership between member states, in cooperation with the National Center for Missing and Exploited Children and the U.S. Department of Justice National AMBER Alert Coordinator.

WHEREAS studies of abducted children who were murdered indicate that 44% of the children died within the first hour of abduction, 74% died within the first three hours of abduction, and only 1% survived more than one day.

WHEREAS timely information about the abduction provided to the public will greatly enhance the efforts of law enforcement to locate the abducted child;

WHEREAS broadcasters are ready to assist law enforcement to provide a timely, efficient method to communicate news of an abducted child to the public;

WHEREAS the National AMBER Alert Network Act of 2002 encourages states to eliminate gaps in Amber Alert Plans, including gaps in areas of interstate travel; and

WHEREAS an interstate partnership has been formed to help safely recover abducted children.

NOW, therefore, the parties to this Memorandum set forth the following as the terms and conditions of their understanding.

Activation Process

A reporting member state, finding it necessary to extend an Amber Alert into another member state, and having confirmed the accuracy of its information and verified that the activation criteria are satisfied, shall notify the receiving member state, providing all available information surrounding the abduction.

If the receiving state is in agreement that the information is accurate and that the activation criteria set forth below are satisfied, the receiving state will immediately activate its AMBER Alert Plan. Member states will be available 24 hours a day, 7 days a week to receive this information.

The reporting member state shall immediately notify the receiving state when the child has been located, or the child has left the jurisdiction of the receiving state, allowing the receiving state to deactivate its AMBER Alert Plan, if appropriate. The duty of the reporting state to provide relevant information to the receiving State is a continuing

obligation, which shall exist as long as the AMBER Alert Plan of the receiving state is activated.

Each member state shall designate a single point of contact who will be available 24 hours a day, 7 days a week.

Activation Criteria

The parties to this MOU have developed strict activation criteria after review of the AMBER Alert Plans in place in their jurisdictions. The primary consideration in the development of the activation criteria was the identification of those abducted children who are at the greatest risk of serious bodily injury or death. Other factors, such as the availability of resources and potential for abuse, were also considered. Public perception of an AMBER Alert Plan broadcast as credible is critical to the success of the plan.

Therefore, in order for the Interstate AMBER Alert Plan to be activated, law enforcement must be satisfied the following criteria have been met:

1. The abducted child must be under eighteen (18) years of age;
2. The abducted child is believed to be in danger of death or serious bodily injury;
3. There is reason to believe that the abducted child is traveling to or in the jurisdiction of the receiving State; and
4. There is enough information available to believe that an activation will assist in the recovery of the child.

The plan is limited to "abducted" children, and, therefore, excludes children believed to be runaways or throwaways from home.

AMBER Alert Plan Training Program

Each member state will provide training to its law enforcement agencies and broadcasters on its AMBER Alert Plan. The training must provide instruction on all aspects of the state's plan, including its activation criteria and broadcasting procedures.

School and Community Notifications

The citizens of each member state must be familiar with its AMBER Alert Plan in order to enhance its success in the safe recovery of abducted children. Therefore, each member state is encouraged to develop an informational brochure which will be made available in an effort to educate the public about the member state's AMBER Alert Plan.

Interstate AMBER Alert Plan Review Committee

The Interstate AMBER Alert Plan Review Committee will periodically review the circumstances surrounding all interstate AMBER Alert Plan activations. The

Committee's review will focus upon the circumstances of the activation, and identify and correct any problems with implementation of the plan. The Interstate AMBER Alert Plan Review Committee consists of the parties to this MOU, and state broadcast associations.

Miscellaneous

This MOU is not intended to and does not create any legal rights to activation of the AMBER Alert Plan.

This MOU is not intended to and does not create any contractual rights or obligations with respect to the signatory agencies or any other parties.

This MOU is not intended to and does not empower members of the public to act as police officers or to take police action. The role of the public is to provide the police with information to assist the police in the recovery of the child.

This MOU shall become effective when entered into by two or more States as between or among such States, and with respect to the U.S. Department of Justice and the National Center for Missing and Exploited Children, when those entities enter into the MOU. Upon subsequent entering into this MOU by additional States, it shall become effective among those States and each member State or entity that has previously ratified it. The signature of an official authorized under the laws of the ratifying State to enter into such agreements shall constitute ratification of this MOU.

I hereby agree to the terms and conditions set forth in the Interstate AMBER Alert Plan for the Protection of Children Memorandum of Understanding.

Signature

National Amber Plan Coordinator
U.S. Department of Justice

Date

I hereby agree to the terms and conditions set forth in the Interstate AMBER Alert Plan for the Protection of Children Memorandum of Understanding.

Signature

President & Chief Executive Officer
National Center for Missing &
Exploited Children

Date

I hereby agree to the terms and conditions set forth in the Interstate AMBER Alert Plan for the Protection of Children Memorandum of Understanding.

Signature

Lowell M. Porter
Chief, Washington State Patrol

Date