



April 2004

Guidance on Criteria for Issuing AMBER Alerts *from the National AMBER Alert Coordinator*

The centerpiece of every successful AMBER plan lies in the development of clearly defined activation criteria. In response to requests from law enforcement and broadcasters handling alerts at the state, regional, and local levels, the U.S. Department of Justice is offering guidance on a set of criteria. It is designed to work towards achieving a uniform, interoperable network of plans across the country and to minimize potentially deadly delays due to confusion among varying jurisdictions. The following are criteria recommendations:

★ Law enforcement confirmation of an abduction

It is recommended that AMBER plans require confirmation by law enforcement of an abduction prior to issuing an alert.

This component is essential when determining the level of risk to the child. Clearly, stranger abductions are the most dangerous for children and thus are primary to the mission of an AMBER Alert. To allow activations in the absence of significant information that an abduction has occurred could lead to abuse of the system and ultimately weaken its effectiveness. At the same time, each case must be appraised on its own merits and a judgment call made quickly. Law enforcement must understand that a “best judgment” approach, based on the evidence, is appropriate and necessary.

★ Risk of serious bodily injury or death

It is recommended that plans require a child be at risk for serious bodily harm or death before an alert can be issued.

This element is clearly related to law enforcement’s recognition that stranger abductions represent the greatest danger to children. The need for timely, accurate information based on strict and clearly understood criteria is critical, again keeping in mind the “best judgment” approach.

★ **Sufficient descriptive information**

It is recommended that in order for an AMBER Alert to be effective in recovering a missing child, the law enforcement agency have enough information to believe that an immediate broadcast to the public will enhance the efforts of law enforcement to locate the child and apprehend the suspect.

This element requires as much descriptive information as possible about the abducted child and the abduction, as well as descriptive information about the suspect and the suspect's vehicle. Issuing alerts in the absence of significant information that an abduction has occurred could lead to abuse of the system and ultimately weaken its effectiveness.

★ **Age of child**

It is recommended that every state adopt the "17 years of age or younger" standard; or, at a minimum, agree to honor the request of any other state to issue an AMBER Alert, even if the case does not meet the responding state's age criterion, as long as it meets the age criterion of the requesting state.

Most AMBER plans call for activation of the alert for children under a certain age. The problem is that age can vary---some plans specify 10, some 12, some 14, 15, and 16. Differences in age requirements create confusion when an activation requires multiple alerts across states and jurisdictions. Overuse of the AMBER Alert system will undermine its effectiveness as a tool for recovering abducted children.

★ **NCIC data entry**

It is recommended that immediate entry of AMBER Alert data into the National Crime Information Center (NCIC) system be a plan requirement.

Text information describing the circumstances surrounding the abduction of the child should be entered, and the case flagged as a Child Abduction. Many plans do not mandate entry of the data into NCIC, but this omission undermines the entire mission of the AMBER Alert initiative. The notation on the entry should be sufficient to explain the circumstances of the disappearance of the child. Entry of the alert data into NCIC expands the search for an abducted child from the local, state, or regional level to the national. This is a critical element of any effective AMBER Alert plan.

Summary of Department of Justice Recommended Criteria:

- ! **There is reasonable belief by law enforcement that an abduction has occurred.**
- ! **The law enforcement agency believes that the child is in imminent danger of serious bodily injury or death.**
- ! **There is enough descriptive information about the victim and the abduction for law enforcement to issue an AMBER Alert to assist in the recovery of the child.**
- ! **The abduction is of a child aged 17 years or younger.**
- ! **The Child's name and other critical data elements, including the Child Abduction flag, have been entered into the National Crime Information Center (NCIC) system.**