

109TH CONGRESS
1ST SESSION

H. R. 1672

To provide protection and victim services to children abducted by family members.

IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 2005

Ms. WOOLSEY introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide protection and victim services to children abducted by family members.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rights for Abducted
5 Children Act of 2005”.

6 **SEC. 2. FINDINGS.**

7 The Congress makes the following findings:

8 (1) Each year more than 203,000 children in
9 the United States (approximately 78 percent of all

1 abducted children) are abducted by a family mem-
2 ber, usually a parent.

3 (2) Child psychologists now classify family ab-
4 duction as a form of child abuse and it is a crime
5 in all 50 States and the District of Columbia.

6 (3) Family abduction is currently defined solely
7 as custodial interference, suggesting that the only
8 victim of this crime is the left-behind parent.

9 (4) Children who are abducted by family mem-
10 bers suffer emotional, psychological, and, often,
11 physical abuse at the hands of their abductors.

12 (5) More than half of the parents who abduct
13 their children have a history of alcohol or substance
14 abuse, a criminal record, or a history of violence.

15 (6) The most common motive for family abduc-
16 tion is revenge against the other parent, not pro-
17 tecting the child's safety.

18 (7) Too often, insufficient attention is paid to
19 the needs and welfare of the child victim, aggra-
20 vating the trauma that the child has already experi-
21 enced.

22 **SEC. 3. CHILD VICTIMS' RIGHTS AND SERVICES.**

23 (a) VICTIM COMPENSATION AND ASSISTANCE.—The
24 Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.)
25 is amended—

1 (1) in section 1403(d) (42 U.S.C. 10602(d))—

2 (A) in paragraph (3) by striking “and” at
3 the end;

4 (B) in paragraph (4) by striking the period
5 and inserting a semicolon; and

6 (C) by adding at the end the following new
7 paragraphs:

8 “(5) the term ‘victim’ includes a child victim of
9 a family abduction; and

10 “(6) the term ‘family abduction’ means the tak-
11 ing, keeping, or concealing of a child or children by
12 a parent, other family member, or person acting on
13 behalf of the parent or family member, that prevents
14 another individual from exercising lawful custody or
15 visitation rights.”; and

16 (2) in section 1404(d) (42 U.S.C. 10603(d))—

17 (A) in paragraph (4) by striking “and” at
18 the end;

19 (B) in paragraph (5) by striking the period
20 and inserting a semicolon; and

21 (C) by adding at the end the following new
22 paragraphs:

23 “(6) the term ‘victim’ includes a child victim of
24 a family abduction; and

1 “(7) the term ‘family abduction’ means the tak-
2 ing, keeping, or concealing of a child or children by
3 a parent, other family member, or person acting on
4 behalf of the parent or family member, that prevents
5 another individual from exercising lawful custody or
6 visitation rights.”.

7 (b) CHILD VICTIMS’ AND CHILD WITNESSES’
8 RIGHTS.—Section 3509(a) of title 18, United States Code,
9 is amended—

10 (1) in paragraph (2)(A), by inserting “family
11 abduction,” after “sexual abuse,”;

12 (2) in paragraph (3), by striking “child;” and
13 inserting “child, and includes family abduction;”

14 (3) in paragraph (11), by striking “and” at the
15 end;

16 (4) in paragraph (12), by striking the period at
17 the end and inserting “; and”; and

18 (5) by adding at the end the following new
19 paragraph:

20 “(13) the term ‘family abduction’ means the
21 taking, keeping, or concealing of a child or children
22 by a parent, other family member, or person acting
23 on behalf of the parent or family member, that pre-

1 vents another individual from exercising lawful cus-
2 tody or visitation rights.”.

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