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An Analysis of the Unintended Effects of the AMBER Alert System

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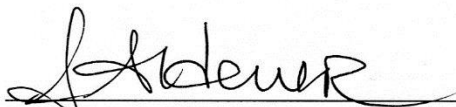# HONORS PROGRAM

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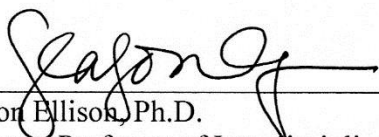An Analysis of the Unintended Effects of the AMBER Alert System

by
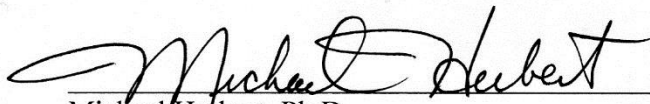
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Abstract:

This thesis encompasses an analysis of the majority of research done up to this point on the America's Missing: Broadcast Emergency Response System (AMBER). It brings up and discusses the significance of research done and the unintentional effects (both positive and negative) of the implication of the system within the United States. In addition, there is a discussion and recommendations of the true facts of child abductions and AMBER that need to be more broadly dispersed to the general public to set straight incorrect, perceived notions of the capabilities and functions of the system.

Keywords: Abduction, AMBER Alert, America's Missing: Broadcast Emergency Response System, Child Abductions, Child Victimization

Problem Statement:

Because the idea of abducted and/or missing children evokes a deep, emotional response; since its inception the AMBER Alert system has received overwhelming support from the American public. However, it has not been subject to critical analysis and evaluation of the efficacy of its methodology and results.

Hypothesis:

While the AMBER Alert system appeals to the emotional side of humanity, when it comes to the system in practice it has significantly less of an effect on preventing abduction, victimization, and loss of children's' lives than was originally intended (NCMEC 2017). In addition, people's perceptions of the capabilities of the system are incorrect.

Introduction:

The abduction of a child is a fear with which all loving and caring parents can associate. In the afternoon hours of January 3rd, 1996, this fear became a reality for Donna Norris, the mother of 9-year-old Amber Hagerman. Living in Arlington, Texas, Norris let her daughter ride her bicycle in a parking lot near their home. While the exact details are still argued over today, it is known that a witness saw a man with a black, flat-bed truck take a young girl into his vehicle and leave the bicycle behind. Four days later the body of young Amber was found in a creek nearby (NCMEC 2016).

This incident was received by the public with outcries and accusations that not enough was being done to try and save the lives of children from abductors who sought to bring substantial bodily harm or death upon juveniles. Eventually there was a proposal for a program to be introduced that allowed the Emergency Alert System (EAS) to be used to broadcast information regarding missing children, and Texas lead the way with such a program. It was this local proposal from Texas that eventually formed what we today know as the AMBER Alert system. In 2003, then President George W. Bush, signed the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today (PROTECT) Act. The act gave substantial federal-level aid to states wishing to set up programs similar to the one in Texas (NCME 2016). Since then, the Alert system has boasted "867 children have been safely recovered specifically <u>as a result of</u> an AMBER Alert being issued" (Amberalert.com). It has become one of the most visible government responses to public outrage of child endangerment ever seen (Zgoba 2004).

Taken at face value, these "safe recoveries" seem impossible to argue against. They constitute part of the main reason that the AMBER Alert system is held in high regard despite the fact that it has not been subject to any sort of rigorous academic examination and research (Griffin 2010). To go even further, there seems to be a collective fear among experts that even with substantial empirical evidence, legislators and the general public will still hold the Alert system in high favor solely due to emotional reasoning not based in logic (Sicafuse, Miller 2010).

From this assumption, we must address what Griffin and Wiecko refer to as an "ethical dilemma" regarding the system operators and supporters of the AMBER Alert system (Griffin, Wiecko 2015). According to their empirical research, there has been an exaggeration of the abilities and capabilities of the system. As a result, we have a moral dilemma on our hands. Parents of children have begun to over-estimate what can be accomplished within the commonly held 3 hours after the initial abduction if their child is legitimately at risk of being killed (most kidnappers who intend to kill the children that they take do so within the first 3 hours of the abduction) (Hanfland, Keppel, Weiss 1997). The main reason this problem arises is that 80 percent of AMBER Alert activations involve abductions by a family member or a closer friend of the victim (Griffin 2010). Griffin's research shows that in these situations the child is almost never actually at risk of substantial bodily harm or death (Williams, Griffin, Miller, Wooldredge 2015). As a result, when these "successes" are included in the 867 "safe recoveries", parents incorrectly assume that the AMBER Alert system will keep their child from harm (Griffin 2010, Sicafuse, Miller 2010). The harsh reality is that if a perpetrator wishes to bring harm to a child, they most likely will. The Alert will, more often than not, only go out after the intended harm has already taken place (Griffin 2010).

It has become time, as with many criminal justice programs, that we objectively analyze the AMBER Alert system and weigh the effects it has had since its inception. In recent years the same has been done with California's Three Strikes laws, Megan's laws, and other legislative decisions that are now being described as "Crime Control Theater" (CCT). CCT programs have become massive failures due to their incorrect in-the-moment assumptions of simplistic solutions to extremely complex or mostly unpreventable problems. This discussion is intended to bring discrepancies to the forefront and reveal the often-unintended effects of the America's Missing: Broadcast Emergency Response.

Literature Review:

Original Design:

As a broad overview, the goal of the entire AMBER Alert system is the quick and timely distribution of abduction information to local law enforcement agencies, as well as the general public, through technological infrastructure that facilitates communication in addition to the mobilization of anyone and everyone to get as many bodies looking for the missing child as possible (Fox 2002). The idea behind this is simple: higher numbers mean higher possibilities for interaction.

While there are variances from state to state today, there is a general framework set up by the federal government that dictates what kinds of situations constitute the activation of an AMBER Alert. The following criteria must be met (a) Law enforcement officials have confirmed an abduction has occurred, (b) the child is likely in imminent danger, (c) descriptive information about the perpetrator and/or victim is available, (d) the victim is under 18 years old,

and (e) information about the child has been entered into the National Crime Information Center (NCIC) System (Perets 2003, NCMAC 2012).

The reality of these requirements is that oftentimes law enforcement personnel must make a quick decision to disperse information and usually they encounter a lose-lose situation. If they wait for confirmation for all of the needed, or recommended criteria to be met it might be too late. But if they give out information too early, thus going against the recommended policy in the sake of time and exigent circumstances, the alert could be based on incorrect premises and lead to even more problems. The "lesser of two evils," if you will, becomes one of the inherent limitations from the beginning. Child abduction cases that involve perpetrators looking to do harm often unfold too quickly for systems such as AMBER to take full effect due to the requirement for certain criteria to be met, many of which take a decent amount of time to confirm (Griffin, Wiecko 2015).

Statistics Behind "Successes"

In 70 percent of instances when a child was kidnapped and subsequently murdered, the suspect killed the child within the first three hours (Hanfland, Keppel, Weiss 1997). If AMBER Alerts truly "prevent victimization" (Missingkids.com), it would seem that most of the AMBER Alerts that were successful should be accomplished within the first 3-hour window. The reality is that this is not the case. The average recovery delay for all AMBER Alert cases was 15 hours from issuance of the first alert (Hanfland, Keppel, Weiss 1997). So not only is there a drastically increased average timeline of 15 hours from issuance, that number does not even consider the possibility that an alert was not issued until officials were past that original 3-hour window when most kidnappers kill their captives. Either most cases that AMBER Alerts are issued for fall into

the 30 percent of cases in which the child is not killed within the first 3 hours; OR the more likely case is that instances in which an AMBER Alert was counted as successful in preventing the murder of a child constitute instances in which a child was never actually in danger of substantial bodily harm or loss of life (Griffin 2010, Williams *et. al.* 2015). The latter of these two possibilities has significant empirical support through Griffin's research in an area that previously had a nonexistent empirical background.

Problems from Incorrect Assumptions

Blind faith in an established system is often cause for an eventual catastrophic failure or can lead to overlooking possible, positive improvements due to the assumption that the established norm is already effective enough. To reference extremes as an example, one must only look at historical or present examples of Authoritarian governmental control. Or even our own country's history as it pertains to basic human rights. Improvements and possible better solutions can only come from true awareness of a problem. If the general public believes that alerts are seen and remembered by fellow members of the populace then they themselves might downplay their own responsibility to pay attention to an alert that has gone out. Lampinen and Moore cite the assumption that someone else (other than an individual themself) will perform the locating of the abductor as part of the reason that, in their performed studies, a mock perpetrator was only noticed in a crowd 5% of the time when hundreds of participants had literally watch a video of the suspect only minutes before (Lampinen, Moore 2016). They explained that this was due to the assumption that someone else will take care of things, and an individual placing responsibility on the collective rather than themselves (Lampinen, Moore 2016).

Their study also touched on the idea that the more often someone was exposed to an alert, the less importance and value they placed on retaining the information. They referred to this numbing from over exposure as the "car alarm" effect. Individuals who were exposed to an average of 3 missing persons alerts per week were significantly less likely to intentionally commit the information to memory compared to individuals who only saw 1 missing person alert over a 6-month period (Lampinen, Moore 2016). They concluded that this lack of conscious memory commitment was due to a subconscious conclusion that Alerts had become an almost normative function of daily life (Lampinen, Moore 2016).

In regard to the public's perception of abductions, AMBER has led to individuals incorrectly coming to the conclusion that child abduction is more common than it actually is (Zgoba 2004). This asumption is similar to the CSI affect in which people assume DNA, fingerprints, and trace human elements being left at the scene of a crime is more commonplace than in reality (Weaver, Salmonson, Koch, Porter 2012). These overestimations have become one of the main contributing factors in the flawed logic that makes parents unrealistically fearful for their children's lives. False assumptions such as these are part of the reason programs described as "Crime Control Theater," such as AMBER, continue to rally unwavering support (Proctor *et.all* 2002, Miller *et.all* 2008, Muschert *et,all* 2006, Proctor *et,all* 2002, Zgoba 2004). The situation then forms into a self-perpetuating mechanism in which policies get put into place that don't actually solve core issues, and eventually another surface attempt is made at solving deeply rooted problems that then inevitably result in failure.

Peripheral Harm

        -harm that comes to secondary or collateral victims over the course of the initial abduction

        Simplistic assumptions such as these may lead individuals to believe that all child abductions involve a perpetrator who wishes to bring harm to the child. This idea is commonly accepted as fact but is not held up by any empirical evidence. In actuality, the opposite is true. AMBER Alerts are most likely to be "successful" when the individual who apprehended the child is a parent or other family member (Griffin 2010). Adversely, Alerts are least likely to be successful when the abductor is a non-family member who causes physical harm to others over the course of the abduction. Griffin and his associates refer to this as "peripheral harm" and have found it to be one of the most successful predictors when it comes to whether an AMBER Alert will be successful or not (Williams, Griffin, Miller, Wooldredge 2015). Thus, we come to empirical data that shows that it is not necessarily the timeliness of an alert that best predicts the outcome, but whether the perpetrator caused harm to "peripherals" in the time leading up to the present investigatory period. Less praise should be given to the AMBER Alert for preventing victimization for a case in which the child was statistically not even at risk of being victimized in the first place, and the realization that should be drawn is the abductor of that instance most likely had no intentions of harm to the one they had taken (Griffin 2010, Griffin, Wiecko 2015, Williams *et. al.* 2015).

        From this data, we can then draw the conclusion that most children are not taken for the reason of bringing harm to them. More likely, parental figures who had gripes against each other or associates took a child in order to spend more time with them, or in an effort to take a child they rightfully feel is theirs to take care of and nurture. This hypothesis was drawn by Griffin and his associates and is supported by their data showing 90% of children are recovered safe and

unharmed (Williams, Griffin, Miller, Wooldredge 2015). They then go on to conclude that the resulting safety is not due to the "success" of the AMBER Alert system, but instead should be contributed to the fact that there was no intention of the abductor ever bringing harm to a child in the first place.

Logical Fallacy of Validation

AMBER Alert's claim to fame is presumptive and gives more credit than is due. To claim to "prevent child victimization" (Missingkids.com) is to draw drastic hypotheticals that themselves can never be proven. This is not an attempt to downplay the sincerity of those involved in the National Center for Missing and Exploited Children and the volunteers that commit hours to working with the public. It is a challenge to evaluate AMBER's main slogan and decide if the main goal should really be one validated by unprovable, and unarguable what-ifs. The question must be posed as to whether the practice of the system is truly ethical legislative policy. This needs to be done by analyzing whether it has actually been successful and whether it is truly effective or simply an illusionary means of controlling crime (Sicafuse, Miller 2012, Griffin, Wiecko 2015).

Methods:

The data collected was compiled through various database searches. Specifically, the term *Amber Alert* was entered into Lexis-Nexis, Academic Search Premier, Sage Journals Online, and JSTOR. All articles available were then read through and thoroughly analyzed. Over the course of the research process it was concluded that there was enough of a body of evidence to spur an analysis and then discussion on the unintended effects that the AMBER Alert

system has had over its almost 20 years of existence. This information was then categorized and presented in a planned and coherent manner.

Discussion:

The Dilemma

Upon concluding research, there was mounting evidence that there is the presence of false perceptions by the public on what the AMBER system actually accomplishes (Griffin 2010, Griffin, Wiecko 2015, NCMEC 2017, Miller, Clinkinbeard 2006, Moore 2016, Sicafuse, Miller 2010, Sicafuse, Miller 2012, Zgoba 2004). From this mounting research, there seems to be a separation between what citizens perceive the system to do and the methods it uses, and what actually happens when a child is abducted. Considering there is empirical and qualitative data that supports the existence of a divide between the perceived reality and truth, there is a need for this data to be presented to the public in order to correct false assumptions. The end goal being, the accurate correction so that there is better awareness of the true capabilities and goals of the amber alert system (Sicafuse, Miller 2010)

Motivations Behind Implementation

Passion to solve the problem of abductions was what originally thrust the issue into the public's eye (NCMEC 2017). This became the motivator for policy, and (in terms of progression through legal avenues) money was allocated with laws put in place in almost no time at all; relative to how long political channels for policy usually take (Zgoba 2004). The exact power behind implication became its own pitfall (Griffin 2010). The U.S. collectively banded together and unified under a new system they thought infallible at the time. Today we are beginning to

learn that this was not the best, and there is room from improvements to the AMBER Alert system (Miller, Clinkinbeard 2006).

The AMBER alert system, after praised "successes" following its implication, was given a perceived infailable reputation status due to the emotional connection, perceived innocence, and value placed on children's lives (Sicafuse, Miller 2010). To question the AMBER alert system was, in a way, perceived as the de-valuing of the safety of children (Griffin 2010, Griffin Wiecko 2015). This approval can, and in many ways already has, prevent positive progression into a program that works even better (Miller, Clinkinbeard 2006).

False Application of Capabilities

Similar to other programs that have been described as "Crime Control Theater," the implementation of a system that is thought to solve a problem to onlookers, but does not, limits the finding of an actual solution (Griffin, Wiecko 2015, Lampinen, Moore 2016). This becomes an impassable, self-imposed, societal roadblock. When we look at the present slogan of the AMBER Alert system that states it "prevents victimization" of children (Missingkids.com, NCMEC 2017), there is the possibility of falsely giving credit for the program working in more than just the category of child abductions. Incorrect assumptions of the capabilities of AMBER are then constructed and supported (whether intentional or not) by the slogan and proclaimed goals of the system (Griffin 2010, Sicafuse, Miller 2012)

Allowing the present perceptions of the effects of the AMBER Alert system to continue ignores the true issues that lead many children to be abducted by family members (instances that AMBER Alert is usually activated for, regardless of whether it is contextually the correct or incorrect application) (Sicafuse, Miller 2012). Most of these cases involve one or more

parents/guardians with mental health issues. Many involve situations of domestic violence.

Almost all involve in some way substance abuse (be it the individual doing the taking, or the

individual being taken from) (Sicafuse, Miller 2012). With the incorrect belief that the AMBER

Alert system is a solve-all for issues with children, there is an ignoring of the true issues and

motivations that often bring about a situation in which a child gets abducted (Griffin, 2010)

The Good of AMBER

One of the biggest positives, and at the core of the system itself is the facilitation of inter-

departmental communication between law-enforcement and emergency services personnel by the

construction of technological infrastructure (NCMAC 2012, NCMEC 2017). By far, this is the

biggest area of success for the system. These communication avenues have had a plethora of

finances, personnel, and man-hours invested into them with the primary goal of getting

information distributed (Missingkids.com, NCMEC 2017). In the past, it was required that

individuals make phone calls or contact each department/association and hope they didn't forget

any details. With technological advancement, there has become a presence of a pre-prepared

activation list that goes out within milliseconds. Not only does this include emergency services,

but in addition, news companies, radios, businesses, and even individual cell phones (Zgoba

2004). The effectiveness of these alerts can be disputed when it comes to the general public's

actual retention of information, but as they pertain to trained personnel who are on or off the

clock, it provides necessary information to people who are dispersed among the desired

geographical area (Lampinen, Moore 2016).

Putting the discussion of whether a child was ever truly at risk or not in a situation aside,

it also must be noted that the location and return of a child to where they need to be is another

positive of the program, and can be formally recognized (Griffin 2010, Miller, Clinkinbeard 2006, NCMEC 2017, Sicafuse, Miller 2010, Sicafuse, Miller 2012, Williams *et. al.* 2015, Zgoba 2004). The positive identification and location, with return of a child to their rightful and lawful location, should be regarded as something that the AMBER Alert system has helped with. This positive should be taken with caution though as to not go so far as to suggest that the system does not need improvement (Lampinen, Moore 2016, Miller, Clinkinbeard 2006).

Conclusion:

From a psycho-social perspective it is recognized that the issuance and instigation of the AMBER Alert system was created with altruistic and positive intentions for the lives of children, adults, and the general population (Miller *et. al.* 2008, Missingkids.com, NCMEC 2017, Sicafuse, Miller 2010, Zgoba 2004). With that being said, there does become an appropriate time in which civil discussion and questioning is needed in order to critically analyze and evaluate the efficacy of the methodology and results of the AMBER Alert system. I would hope this analysis and study has brought to light the need for a continuation of such a discussion, as written herein, at the public and national level. It should be noted that the current analysis is simply a reflection of the data available in the present time. Should more information come to light or be presented that comes in conflict, as with everything it should be considered and evaluated legitimately. The goals, accomplishments, and beliefs about the AMBER Alert system need to be recognized for what they are in truth, without the collective societal misconception to playing any part in that realization. The hypothesis was held that the system, in practice, has less of an effect on preventing abductions, victimization, and loss of children's lives than was originally intended. In addition, it was held that the general public's perceptions of the capabilities of the system do not necessarily reflect the truth of what AMBER can accomplish.

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