



STATE OF MICHIGAN
FAMILY INDEPENDENCE AGENCY
ALLEGAN COUNTY



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**A GUIDELINE FOR LOCATING
CHILDREN
MISSING IN MEXICO**

**Prepared for the
HON. JUDGE MICHAEL BUCK
Allegan Co. Family Court**

A GUIDELINE FOR LOCATING CHILDREN MISSING IN MEXICO

This information is presented as a general guideline for locating children missing in Mexico.

Documentation:

Prior to contacting any agency regarding children missing in Mexico, have the following document copies available and ready to FAX, if possible:

- A list of the missing individuals and birth dates
- A summary of how child(ren) came into Court's jurisdiction and explanation of presenting problems
- Court orders regarding jurisdiction
- Pickup orders
- Birth certificates
- Pictures, if available
- Marriage certificates
- Immigration documents (e.g. Resident Alien Card)
- Social Security cards
- Vehicle titles
- Redacted information found on LEIN
- Contact names and numbers of police departments involved
- Information regarding any outstanding warrants

Research:

Identify and locate any available information on *possible* whereabouts by:

- Searching for information in Service case file(s), including CPS and foster care
- Searching CIMS for information
- Checking for possible information with FIS/ES workers
- Discussing case with other Service workers to see if they may have any relevant information
- Obtaining information from relatives/friends, if cooperative; attempt to obtain names of relatives/friends in Mexico; listen for "clues." These clues may be places, people or any information that may provide a lead to follow
- Checking FIS/ES files for copies of any other relevant documents
- Making collateral contacts with schools, hospitals, other social services agencies
- Identifying where family lived prior to entering U.S. or State
- Making collateral contacts to any out-of-state agencies, if identified

Logically, it may be presumed that a child's family will likely return to the area of Mexico where they have established roots. Thus, birth records and marriage licenses can provide clues to where the family may have fled.

Search Contacts:

A. Register the child(ren) with the:

Ben Ermini
Director, Missing Children's Division
NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN
Charles B. Wang International Children's Building
699 Prince Street
Alexandria, VA 22314-3175

1-800-843-5678 (1-800-THE-LOST)

- During the initial call, basic information will be asked about the case
- A case manager will then be assigned to make contact and will call to obtain detailed information
- Application forms will faxed or mailed for completion
- Completed forms are to be returned to the National Center for Missing and Exploited Children (NCMEC), along with copies of all required supporting documentation that have been acquired
- The NCMEC case worker will maintain contact regarding case status
- For children missing in Mexico, the case may be referred to Cristina Fernandez, International Missing Children, 703-837-6244.

B. Contact the U.S. State Department for assistance in locating child(ren) missing in Mexico.

- A general letter of inquiry may be submitted to either of the following addresses:

U.S. Consulate General
P.O. Box 10545
El Paso, TX 79995-0545

American Embassy Mexico
P.O. Box 3087
Laredo, TX 78044-3087

Be sure to include all pertinent information regarding the case when requesting assistance from the State Department. The letter should include full names of the missing child(ren) and parent(s), dates of birth, city of birth and/or marriage, reason for request. Also include contact information, including telephone numbers and e-mail addresses. Based on the information provided, the inquiry letter may be forwarded to the appropriate Consular Agent who will then make contact. However, it is also possible inquiries may be redirected to another address.

- Or a letter of inquiry may also be submitted directly to the Consular Agent in charge of the Mexican State where the child(ren) may be residing. The U.S. address for Consular Agents may be found on the Internet. Using a search engine, the following key words will find an appropriate site, most likely the U.S. Department of State web site:

Mexico
“Consular Agents”
Consulate

You may also go to the following sites directly; however, web sites are subject to change over time and may no longer be available.

<http://foia.state.gov/mms/KOH>
Select “M” for Mexico (or Mexico City)

<http://www.state.gov/r/pa/ei/bgn/1838.htm>

The web address for the U.S. Department of State is:

<http://foia.state.gov>
Select “Key Officers List,” then “M,” select “Mexico City”

Consular Agents will require the same information that the NCMEC requires. He or she will provide their FAX number and may provide an e-mail address for easy communication. Because Consular Agents in Mexico do not have designated State Department e-mail addresses, they may use common Internet providers such as Yahoo.

Since Mexico has 31 States, it may take many telephone calls and/or letters to make contact with the appropriate Mexican State Consular Agent. Further, it is unknown if all Consular Agents are equally helpful.

C. Telephone Contact Notes:

- Telephone numbers provided for consular agents on the Internet may not be correct (missing numbers); cross check them against another source if they do not work.
- Also, when dialing Mexico telephone numbers from the U.S., do not dial “1” for long distance first. Dial “011” instead.

CONSIDERATIONS:

The following information was obtained from Guillermo Galarza, NCMEC (1-877-446-2632 #6306), Meredith McEvoy, State Department Office of Children's Issues (202-312-9705) and Detroit BCIS Duty Agent, Manfred Zarsl (313-568-6042). Locating missing children and their parents in Mexico does not mean that they can or will be returned to the United States for the following reasons:

- Individuals with dual citizenship (Mexican/American) are considered *Mexican citizens* while residing in Mexico, not U.S. citizens.
- For *Mexican citizens* residing in Mexico, Mexico's laws supercede those of the United States or individual States.
- Thus, if a Mexican citizen has an outstanding warrant in the United States for child abuse but has committed no crime in Mexico, it is improbable that s/he will be extradited back to the States to face charges, although perhaps not impossible.
- Individuals with dual citizenship may re-enter the United States at any time; however, a Mexican citizen without proper immigration status who decides to return to the United States will be required to apply for re-entry through the Bureau of Citizenship and Immigration (BCIS).
- The Bureau of Citizenship and Immigration Services does not make it easy for Mexican citizens to enter the United States under current immigration laws. Of concern is the immigrant's ability to be a contributing member of society. If the Mexican citizen and his or her children were to require welfare assistance, the Bureau of Citizenship and Immigration Services would most likely deny entrance into the United States.
- If reunification is the issue, the Bureau of Citizenship and Immigration Services will likely take the position that if the family chooses to be reunited, dual citizen children may be reunited with their parent(s) in Mexico instead of allowing the alien parent(s) into the United States.
- *However*, according to Cristina Fernandez with NCMEC's International Missing Children division, the return of missing child(ren) and/or their parent(s) may be dependent upon the willingness of State and local authorities to aggressively pursue the matter. In other words, there may be other avenues to explore, such as extradition. Aggressive pursuit would require a cost-benefit analysis by State and local authorities to determine if the matter is worth pursuing.