



ALAMEDA COUNTY PROBATION DEPARTMENT

MEMORANDUM

BRIAN FORD
Chief Probation Officer

DATE: April 27, 2026

TO: All Positive Youth Development Staff

FROM: Jenifer Brown, Deputy Chief Probation Officer

SUBJECT: **NEW REPORTING REQUIREMENTS/ FOSTER CARE MISSING YOUTH**

CDSS released an All-County Letter, (ACL 25-67), September 16 of 2025, which allocates new reporting requirements for communication to be provided to law enforcement (LE) and National Center for Missing and Exploited Children, (NCMEC), by Title IV agencies such as Probation and Social Services. Specifically, when a youth who is a foster youth in care and is missing from care, there are new reporting requirements to both LE and NCMEC.

The purpose of this All-County Letter (ACL) is to announce the passage of Assembly Bill (AB) 2108 and its impact on reporting requirements regarding youth missing from care including the requirement for each county placing agency to submit updated protocols for review and approval. This ACL also describes changes made by passage of AB 161 to Penal Code section 11166, which added additional reporting and communication requirements with law enforcement agencies and the National Center for Missing and Exploited Children regarding children missing from care.

Definition of a Missing Youth: The WIC section 16501.35(c)(1) defined missing from foster care as “when the whereabouts of a child subject to an order of foster care placement are unknown to the county child welfare agency or probation department, or when the county child welfare agency or probation department has located a child subject to an order of foster care placement in a location not approved by the court that may pose a risk to the child, taking into account the age, intelligence, mental functioning, and physical condition of the child.”

Non-Minor Dependent: the above definition shall only apply if based on the totality of the circumstances, the county child welfare agency or probation department suspects that the nonminor dependent did not voluntarily leave foster care or is at risk of substantial harm (WIC section 16501.35(c)(2)).

Example Situations for Discussion: A youth or Non-Minor Dependent (NMD) missing from foster care is any individual whose whereabouts are unknown after a reasonable amount of time for the youth/NMD to return, considering the youth's/NMD's age, intelligence, mental functioning, and physical condition or when the youth's/NMD's caregiver or Deputy Probation Officer (DPO) simply does not know the youth's/NMD location. However, there may be instances in which the youth/NMD runs away, but their whereabouts are known to the DPO (e.g. the youth left their placement and is with a friend and refuses to return). In these situations, the youth is also considered missing from foster care.

The Preventing Sex Trafficking and Strengthening Families Act of 2014 mandates that State agencies report immediately, and in no case later than 24 hours, information about missing or abducted youth both to law enforcement and the NCMEC.

The National Center for Missing and Exploited Children (NCMEC) can assist with cases of MYA (between the ages 18 - 20 years old). See the Resources section of this procedure for more information.

The purpose of these additional communication requirements is to aid in efforts to provide safe recovery of the missing youth, including by sharing any information related to the youth's circumstances that can aid in their safe recovery.

Active Efforts:

The ACL 24-18, released in March 2024, provides guidance to county placing agencies regarding the requirements to make affirmative, active, thorough, and timely efforts ("active efforts") intended to maintain or reunite an Indian child with their family in Indian child custody proceedings. As noted in WIC section 224.1(f)(3), "identifying, notifying, and inviting representatives of the Indian child's Tribe to participate in providing support and services to the Indian child's family and in family team meetings, permanency planning, and resolution of placement issues," is a requirement. When a child is missing from care, it is the placing agency's responsibility to notify and work collaboratively with the child's Tribe. This includes notifying the Tribe immediately, or no later than 24 hours after the agency has received information that the child is missing from placement, collaborating with the tribal representative on efforts to locate the child, and ensuring that the Tribe is regularly updated regarding the child's status, particularly when the child has been located, to determine the most appropriate placement, if a placement change is necessary. Engagement with the Tribe may provide additional information to assist in locating the youth. The active efforts to meet such requirements must also be documented in the child's case record, per ACL 24-18.

Pursuant to WIC section 16501.35(b), these policies shall, at a minimum, do all the following:

Youth (under the age of 18)

1. Upon learning that a youth has run away or is otherwise missing from foster care, the assigned DPO or their Supervisor (SDPO), shall contact and document:
 - a. Confirm that the youth has been reported as missing to the local law enforcement agency; or
 - b. Immediately report the missing youth to the local law enforcement agency and Tribal law enforcement if an Indian child.
 - i. For the purposes of this procedure, immediately means done at once or within two hours of learning the youth is missing.
 - c. Immediately notify the youth's parent(s)/guardian(s)/Indian custodian(s), substitute care provider (foster parent, program staff, etc.) tribal representative (if applicable), any known siblings over the age of 10 and adjudged to be a dependent of the juvenile court, and Court Appointed Special Advocate (CASA) (if applicable). The child's attorney appointed pursuant to WIC section 634. The attorneys for the parents, legal guardians, or Indian custodians unless notification of the parents, guardians or Indian custodians has been limited or terminated by the court.
 - d. Notify the Court by filing a Request for Warrant and Notice of Violation of Probation (JV-735) no later than one business day upon learning the youth was missing.
 - e. Notify the youth's assigned foster care eligibility staff by submitting a SOC 815 form no later than three business days upon learning the youth was missing.
 - f. Determine if the youth is reasonably believed to be a victim of, or is at risk of being the victim of, commercial sexual exploitation, as defined in WIC 11165.1.
 - i. If a youth is believed to be a victim of or at risk of being the victim of commercial sexual exploitation, the DPO shall immediately, or in no case later than 24-hours from receipt of the information, report the incident to the appropriate law enforcement agency that can enter the information into the National Crime Investigation Center (NCIC) database of the Federal Bureau of Investigation (FBI) and report to the National Center for Missing and Exploited Children (NCMEC).
 - ii. The PEN section 11166 has been updated to include new communication and reporting requirements in alignment with the federal Trafficking Victims Prevention and Protection Reauthorization Act of 2022, PL 117-348. The amendments to PEN section 11166(j)(3) add to the existing reporting requirements for when a child or youth who is receiving child welfare services and who is reasonably believed to be the victim of or is at-risk of being the victim of CSE is discovered to be missing from care. The PEN section 11166(j)(3)(B) now requires that when child welfare or probation department reports a child missing from care to NCMEC and to law enforcement, including applicable tribal law enforcement, they must now also include in the report, where reasonably possible:
 1. A photo of the missing or abducted child or youth.
 2. A description of the child's or youth's physical features, such as height, weight, sex, ethnicity, race, hair color, and eye color.

3. Endangerment information, such as the child's or youth's pregnancy status, prescription medications, suicidal tendencies, vulnerability to being sex trafficked, and other health or risk factors, to the extent such information is released in compliance with other applicable laws. 4. Information about whether the child or youth is or may be an Indian child, as defined in WIC 224.1, including the name of the child's Tribe. For details on additional NCMEC and law enforcement reporting requirements please see ACL 16-15 and ACL 16-85. A child that is missing from care can be reported to NCMEC by phone or by making an online report: • Phone: 1-800-THE-LOST (1-800-843-5678) • NCMEC Online Report The new PEN section 11166(j)(3)(C) requires the probation department and child welfare services agency to maintain regular communication with NCMEC and applicable law enforcement agencies, including tribal law enforcement, for all reported children missing from care. The purpose of this communication is in efforts to provide safe recovery of the missing child or youth, including by sharing any information related to the child's or youth's recovery and circumstances related to the recovery. This information may also include but is not limited to:

- The location of the child or youth, or a previous recent location
- Names of persons recently in contact with the child or youth
- New social media handles of the child or youth or recently uploaded information on existing handles
- Any new photos obtained from persons in contact with the child or youth or from social media

Although PEN section 11166(j)(3) requires reporting to NCMEC only children receiving child welfare services who are missing from care and have also experienced or are at risk of CSE, the CDSS recommends county placing agencies to report all foster children missing from care to NCMEC. For more information on best practices when reporting children that are missing from care to NCMEC, please see the following NCMEC website links:

[NCMEC information](#)

[NCMEC "Sound Policy and Practice Recommendations"](#)

[NCMEC "Case Worker Guide to Reporting Missing Children"](#)

- g. Attempt to locate the youth and using Harm Reduction practices by:
 - i. Contacting significant people in the youth's life (e.g. siblings, relatives, friends, former caregivers, former and current schools and services providers to inquire if they consult to rule out injuries, illness, pregnancy, sexually transmitted infections, effects of substance use, etc.).
 - h. Evaluate the youth's need for mental health services, foster youth services, or law enforcement assistance due to victimization/exploitation, exposure to or participation in criminal activity, missing school credits, etc.
 - i. Offer to support the youth with accessing services by accompanying them or contacting a significant person in their life who they feel would help them access services.
 - i. Meet with the youth as soon as possible, but no later than three business days after their return, preferably face-to-face, in a location that is comfortable for the youth, and where there is sufficient privacy.
 - j. Determine the need for a Child and Family Team (CFT) meeting.
 - k. Determine the factors that lead to the youth being absent from their placement and to the extent possible, address those factors in subsequent placements.
 - l. Inquire about the youth's experiences while absent from care, including whether they were at risk of being or are a sex trafficking victim.
 - i. Appropriate services shall be provided to any youth who has been determined to be at risk or has been a victim of sex trafficking.
 - ii. Unless otherwise required by law, the information disclosed by the youth shall not be used to implicate them in a criminal charge or for any purpose other than tailoring services for them and to meet reporting requirements.
 - m. Explore alternative options to running away from foster care placement and develop a prevention plan and/or safety plan by identifying supports and resources.
 - i. have had any recent contact with the youth.
 - ii. Requesting the youth's caregiver and/or parent make inquiries to the significant persons in the youth's life and report back any information obtained.
 - iii. Physically checking all the places where the youth is likely to be.
 - iv. Following up on leads received regarding the youth whereabouts.
 - v. Conducting visits to relevant addresses or requesting a local law enforcement agency conduct a welfare check.
 - vi. Searching social media websites.
 - vii. Conducting a search of public locator databases (e.g. California Missing Children Clearinghouse, National Center for Missing and Exploited Children, etc.).
 - n. Develop a plan to return the youth to placement upon their return.
2. For youth whose whereabouts remain unknown after 30 days, the DPO shall:
- a. Conduct due diligence searches on an on-going basis, but no less frequently than once a month or as new and different information is received.
 - i. Document search efforts in the Child Welfare Services (CWS) Case Management System (CMS) in the
 - b. Youth's Contact Notebook' and in each status review report filed during the youth's absence.
3. Once the youth is located, the DPO shall:

- a. Arrange for the immediate return of the youth to care.
 - i. With the youth's permission, contact the youth's previous substitute care provider (foster parent, program staff, etc.) to determine if there is willingness to have the youth returned and if it is suitable and safe for the possibility of placing them with a suitable relative, non-related extended family member (NREFM), licensed foster family home, or other licensed placement that would best meet the youth's needs. It is important to also ensure current placement preservation policy is maintained: ACL 19-26 and 22-100. If the youth is unable to remain, ensure a transition plan is developed with the youth.
- b. Assess the immediate needs of the youth.
 - i. Offer medical care for injuries, illness, or harm experienced while absent from placement (e.g. refer the youth to the Foster Care Public Health Nurse for consultation to rule out injuries, illness, pregnancy, sexually transmitted infections, effects of substance use, etc.).
- c. Evaluate the youth's need for mental health services, foster youth services, or law enforcement assistance due to victimization/exploitation, exposure to or participation in criminal activity, missing school credits, etc.
 - i. Offer to support the youth with accessing services by accompanying them or contacting a significant person in their life who they feel would help them access services.
- d. Meet with the youth as soon as possible, but no later than three business days after their return, preferably face-to-face, in a location that is comfortable for the youth, and where there is sufficient privacy. For the post-return interview refer to ACIN I-13-17 for further assistance and documentation.
- e. Determine the need for a Child and Family Team (CFT) meeting.
- f. Determine the factors that lead to the youth being absent from their placement and to the extent possible, address those factors in subsequent placements.
- g. Inquire about the youth's experiences while absent from care, including whether they were at risk of being or are a sex trafficking victim.
 - i. Appropriate services shall be provided to any youth who has been determined to be at risk or has been a victim of sex trafficking.
 - ii. Unless otherwise required by law, the information disclosed by the youth shall not be used to implicate them in a criminal charge or for any purpose other than tailoring the youth to do so.
 - iii. If the youth cannot return to their previous placement, explore
 - iv. services for them and to meet reporting requirements.
 - h. Explore alternative options to running away from foster care placement and develop a prevention plan and/or safety plan by identifying supports and resources.

For Non-Minor Dependents (age 18+)

1. Upon learning that a Non-Minor Dependent (NMD) is missing from foster care, the assigned DPO or their Supervisor (SDPO), shall:

- a. Confirm that the NMD has been reported as missing to the local law enforcement agency; or
 - b. Immediately report the missing NMD to the local law enforcement agency.
 - i. For the purposes of this procedure, immediately means done at once or within two hours of learning the NMD is missing.
 - ii. If it is suspected that the NMD is a victim of harm or foul play (e.g. abducted or held against their will) and not voluntarily absent from care, the DPO shall confirm the missing person's report is on file with the Department of Justice (DOJ) Missing and Unidentified Persons System.
 - c. Immediately notify the NMD's parent(s)/guardian(s)/Indian custodian(s) (if the NMD has given permission to communicate with them), tribal representative (if applicable), and Court Appointed Special Advocate (CASA) (if applicable).
 - d. Notify the Court by submitting an Informational Memorandum addressing the youth's whereabouts. The NMD's attorney appointed pursuant to WIC section 634. The attorneys for the parents, legal guardians, or Indian custodians unless notification of the parents, guardians or Indian custodians has been limited or terminated by the court.
 - i. Due to the adult status of the NMD, a warrant shall not be requested.
 - ii. The youth's NMD case shall remain open until the NMD is located or they reach the age of 21.
 - e. Notify the NMD's assigned foster care eligibility staff by submitting a SOC 815 form no later than three business day upon learning the NMD was missing.
 - f. Determine if the NMD is reasonably believed to be a victim of, or is at risk of being the victim of, commercial sexual exploitation, as defined in WIC 11165.1.
 - i. If a NMD is believed to be a victim of or at risk of being the victim of commercial sexual exploitation, the DPO shall immediately, or in no case later than 24-hours from receipt of the information, report the incident to the appropriate law enforcement agency that can enter the information into the National Crime Investigation Center (NCIC) database of the Federal Bureau of Investigation (FBI) and report to the National Center for Missing and Exploited Children (NCMEC).
 - g. Attempt to locate the NMD by:
 - i. Contacting significant persons in the NMD's life (e.g. siblings, relatives, friends, former caregivers, former and current schools and services providers to inquire if they have had any recent contact with the NMD.
 - ii. Physically checking all the places where the NMD is likely to be.
 - iii. Following up on leads received regarding the NMD whereabouts.
 - iv. Conducting visits to relevant addresses or requesting a local law enforcement agency conduct a welfare check.
 - v. Searching social media websites
 - vi. Conducting a search of public locator databases (e.g. California Missing Children Clearinghouse, National Center for Missing and Exploited Children, etc.).
 - h. Develop a plan to return the NMD to placement upon their return.
2. For NMD whose whereabouts remain unknown after 30 days, the DPO shall:

- a. Conduct due diligence searches on an on-going basis, but no less frequently than once a month or as new and different information is received.
 - b. Document search efforts in the Child Welfare Services (CWS) Case Management System (CMS) in the NMD's 'Contact Notebook' and in each status review report filed during the NMD's absence.
- 3. Once the NMD is located, the DPO shall:
 - a. Evaluate the NMD's need for mental health services, foster NMD services, or law enforcement assistance due to victimization/exploitation, exposure to or participation in criminal activity, missing school credits, etc. Arrange for the immediate return of the NMD to care.
 - i. With the NMD's permission, contact NMD's previous substitute care provider (foster parent, program staff, etc.) to determine if there is willingness to have the NMD returned and if it is suitable and safe for the NMD to do so.
 - ii. If the NMD cannot return to their previous placement, explore other placements that would best meet the NMD's needs.
 - b. Assess the immediate needs for the NMD.
 - i. Offer medical care for injuries, illness, or harm experienced while absent from placement (e.g. refer the NMD to the Foster Care Public Health Nurse for consultation to rule out injuries, illness, pregnancy, sexually transmitted infections, effects of substance use, etc.)
 - ii. For the post-return interview refer to [ACIN I-13-17](#) for further assistance and documentation
 - iii. Offer to support the NMD with accessing services by accompanying them or contacting a significant person in their life who they feel would help them access services.
 - c. Meet with the NMD as soon as possible, but no later than three business days after their return, preferably face to face, in a location that is comfortable for the NMD, and where there is sufficient privacy.
 - d. Determine the need for a Child and Family Team (CFT) meeting.
 - e. Determine the factors that lead to the NMD being absent from their placement and to the extent possible, address those factors in subsequent placements.
 - f. Inquire about the NMD's experiences while absent from care, including whether they were at risk of being or are a sex trafficking victim.
 - i. Appropriate services shall be provided to any NMD who has been determined to be at risk or has been a victim of sex trafficking.
 - ii. Unless otherwise required by law, the information disclosed by the NMD shall not be used to implicate them in a criminal charge or for any purpose other than tailoring services for them and to meet reporting requirements.
 - g. Explore alternative options to leaving another foster care placement and develop a prevention plan and/or safety plan by identifying supports and resources.

It is critical to document **all contacts and efforts** to locate the youth from the time the youth is missing to when the youth return to care and debriefing. Ensure that all DPO's review the documentation section of ACL 25-67 for accuracy and efforts.

Resources

1. To report a youth missing from foster care or find additional information visit the National Center for Missing & Exploited Children (NCMEC) at www.missingkids.org/theissues/missingfromcare
2. The California Missing Children's Clearinghouse (MCCH) maintains a toll-free 24-hotline, seven days a week, to receive information and inquiries regarding missing youth. They also relay the information to the appropriate law enforcement agencies.
 - Hotline: 1-800-222-FIND, Office: (916) 227-3490 Email: missing.persons@doj.ca.gov
3. For any questions on ACL 25-67 contact the California Department of Social Services, Family Reunification and Pathways to Permanency Policy Unit Email: Reunification-Permanency@dss.ca.gov