



CALAVERAS COUNTY PROBATION DEPARTMENT

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Preventing Sex Trafficking and Exploitation of Children and Runaway Youth

Background and Purpose: [All County Letter No. 25-67](#) (ACL No. 25-67) and Penal Code 11166(j-k) and W&IC 16501.35 mandates county child welfare agencies and county probation departments report to the appropriate law enforcement agency and to the National Center for Missing and Exploited Children (NCMEC). The following procedures are to be used to locate any child or Non-Minor Dependent (NMD) who have gone missing from foster care.

This policy describes the procedures and protocols to be used when a child or youth is missing and the Probation Officer's ongoing efforts and responsibilities that should be taken to locate and return missing children or runaway youth.

A minor child or youth under the supervision of Calaveras County Probation who are in foster care placement, whose whereabouts are unknown to Calaveras County Probation is considered a missing child for the purpose of California statute and this policy. This could include a child or youth who has been abducted or who has left their foster care placement without permission.

Missing children are also referred to as "runaways", "missing youth", or "missing from care"

DEFINITIONS:

Placement Youth: A ward of the Court ordered placed under W&I 602 wardship or W&I 450 transition jurisdiction.

Foster Care: 24-hour care and supervision to a youth/NMD who has been placed by a child-placing agency, including Probation and County child welfare services in one of the following types of foster homes: a licensed foster family home, a licensed small family home, a family home certified by a licensed foster family agency for its exclusive use, an approved foster family home, a licensed group home for children, resource family home, or a home pursuant to a court order or voluntary placement agreement.

Non-Minor Dependent (NMD): A client over the age of 18 who has a placement order. The placement order can be either W&I 602 wardship or W&I 450 transition jurisdiction.

W&I 450 Transition Jurisdiction Clients: A placement youth who was previously placed under W&I 602 wardship and has a placement order under W&I 450 transition jurisdiction. These clients are not subject to terms and conditions.

Extended Foster Care (AB12): A program within the Child Welfare System that provides services to enhance independence to qualified current and former foster youth between the ages of 18 and 21.

Missing from Care WIC section 16501.35(c)(1): 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. This could include a child who has been abducted or who has left their foster care placement or the home of a parent or guardian in a Family Maintenance case without permission.

****This only applies to a nonminor dependent if the probation officer suspects that the nonminor did not voluntarily leave foster care or is at risk of substantial harm.**

Commercial Sexual Exploitation of Children (CSEC): The sexual trafficking of a youth/NMD where anything of value (food, clothing, shelter, payment, etc.) is given to a youth/NMD or received by another person for the performance of any sexual act.

Sex Trafficking Victim: An individual subject to the recruitment, harboring, transportation, provision, or obtaining of a person for the purposes of a commercial sex act, or a victim of a "severe form of trafficking in person," in which a commercial sex act is included by force, fraud or coercion, or in which the person induced to perform the act is under 18 years of age.

Significant Incident Report: A report generated by a Placement notifying the Probation Department about an incident.

Missing From Care W&I 602—Placement Youth:

A. Complete the following actions as soon as possible, but no later than 24 hours and document in CaseloadPRO:

1. Follow-up with the Placement to verify the youth has not returned to the facility.
2. Obtain a Significant Incident Report from the Placement to include:
When the youth left, the youth's possible destination, the youth's companions and a description of the companions, the youth's type of transportation. Obtain license numbers and descriptions, if possible, and a description of the youth's clothing.
3. Conduct efforts to locate the missing youth.
4. Review prior information on the youth and contact individuals who may know the youth's whereabouts.
5. Notify the prior parent/guardian of the missing youth and request any information they may have, unless parental notification has been limited or terminated by the court.
6. Notify the attorneys, CASA, tribal, and court of jurisdiction.
7. Any known sibling of the youth who is 10 years of age or older and adjudged to be a dependent youth of the juvenile court.
7. Generate a Bench Warrant.

8. Follow up to ensure local law enforcement including tribal has been notified and report to NCMEC. (included in the report, where reasonably possible; a photo of the youth, a description of the youth's physical features, endangerment information; such as pregnancy status, prescription medications, suicidal tendencies, vulnerability to being sex trafficked, and other health or risk factors, information about whether the youth is or may be an Indian Child, including the name of the Tribe).

(Key Links for the National Center for Missing & Exploited Children):

<https://www.missingkids.org/home>; <https://report.cybertip.org/>;

<https://www.missingkids.org/gethelpnow/clearinghouses>; <https://takeitdown.ncmec.org/>. Other important links include the NetSmartz child safety resource at missingkids.org/netsmartz/home.

9. Notify the Foster Care Eligibility Worker regarding the placement change when the youth is AWOL/missing and document that the child or youth is AWOL or abducted in the CWS system.

10. Complete a Change in Foster Placement document and document location efforts in the Contact Notebook of the Child Welfare Services/ Case Management Services (CWS/CMS) system.

11. Update the CWS/CMS database with monthly information any continued attempts in trying to locate the child and youth and upload applicable documents. Active efforts should include contacting significant persons in a youth's life, physical checks of all places the youth would likely be, follow-up on leads about youth's whereabouts, visits to relevant addresses and/or local welfare checks by law enforcement, the search of social media and public locator databases. CSEC is the exception.

12. Maintain regular communication with NCMEC and applicable law enforcement agencies. Share information such as location of the youth, or previous recent location, names of persons recently in contact with the youth, new social media or uploaded information, and any new information obtained from persons in contact with the youth or from social media.

****The documentation of a youth's AWOL or abducted status, which must be entered in CWS/CMS every 30 days, and is accomplished by entering a monthly contact. If the youth contacts any probation staff person regardless of county of jurisdiction, every attempt must be made to ascertain the child's whereabouts and current health and safety status. Document the contact and the information gathered.**

Calaveras County Resources:

- **The Resource Connection Calaveras Crisis Center:** Offers a 24-hour crisis line at (209) 736-4011 or (209) 754-4011.
- **Calaveras County Mental Health:** Provides crisis intervention, case management, counseling, and other mental health services to eligible residents. (209) 754-6555
- **Calaveras Children's Advocacy Center:** A service of The Resource Connection that offers counseling and advocacy. (209) 584-9092
- **Calaveras County Sheriff's Office:** (209) 754-6500

Active Efforts When an Indian Child is Missing From Care:

WHAT CONSTITUTES ACTIVE EFFORTS: [ACL 24-18](#) outlines active efforts as affirmative, active, thorough, and timely efforts intended to maintain or reunite an Indian child with their family. Active efforts must be made before county agencies seek court intervention and must

continue to be made throughout the life of the case whenever it is known, or there is reason to know, a child is an Indian child. Except in cases of an emergency removal pursuant to WIC section 306, the agency must make active efforts to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family prior to removal.

Active efforts are efforts and services that exceed reasonable efforts. These efforts must be integrated into child welfare practice by engaging the Indian child, the Indian child's parents, extended family members, and the Indian child's custodian(s), and the tribe(s). These efforts must be made in a manner consistent with the prevailing social and cultural conditions and way of life and conducted in partnership with the Indian child's tribe(s). These efforts include, but are not limited to, identifying culturally appropriate services centered around helping the family to overcome barriers, including actively assisting the family in obtaining services.

The active efforts requirement applies in all foster care, guardianship, or termination of parental rights proceedings involving an Indian child, including private adoptions. The court must conclude, prior to ordering an involuntary foster care placement or termination of parental rights, and at every review hearing (WIC section 366(a)(1)), that active efforts have been made to prevent the breakup of the Indian family and that those efforts have been unsuccessful (WIC section 361.7(a).) Application of the ICWA's substantive and procedural protections is required in Indian child custody proceedings whenever there is reason to know that a child is an Indian child and social workers and probation officers must make active efforts to prevent the break-up of tribal families or reunify them as quickly as it is safely possible (WIC section 224.2(d).) If there is reason to know that a child is an Indian child and social workers and probation officers must make active efforts to prevent the break-up of tribal families or reunify them as quickly as it is safely possible (WIC section 224.2(d).) If there is reason to know that a child is an Indian child, the case must be treated as though the child is an Indian child unless and until a court makes a finding that the child does not meet the definition of an Indian child (WIC section 224.2(i).

Active efforts must begin early in the family's child welfare or juvenile justice system involvement so that the county agency will already be meeting the active efforts requirements and can continue tribal engagement in assessing and supporting the family and addressing their needs.

Active efforts help to prevent removal from the home, aid in faster reunification with parents, guardians, or Indian custodians, and ensure that culturally relevant and individualized services are offered. An important component of active efforts is not merely referring but also connecting tribal families to available services and resources that are reflective of each family's cultural values and practices. These services must be accessible regardless of the distance or availability. Active efforts may also involve assisting the family with tribal enrollment, including the completion of tribal membership applications. In providing active efforts, county agencies must develop partnerships with the tribe(s), extended family members, tribal social services agencies and other service providers who work with the Indian community. These may include:

- Tribal leaders,
- Tribal representatives, and/or
- Tribal Organizations/Service Providers

The county agency should develop contracts with the tribe(s), tribal service providers, and other providers who serve the Indian community whenever possible, specifically, to be able to refer parents, Indian custodians, and Indian children to culturally relevant services and address each family's individual needs. In order to facilitate identification of Indian children, communication between the county and the tribe(s), and the identification and provision of services to the child and their family, the county agency must engage with the child, the child's family, including extended family members, child and family support network, and all relevant tribes, and must work together as partners in serving and supporting Indian children and families.

Pursuant to 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 youth is missing from care, it is the placing agency's responsibility to notify and work collaboratively with the youth's Tribe. This includes notifying the Tribe immediately, or no later than 24 hours after the agency has received information that the youth 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 youth's status, particularly when the youth 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 youth's case record.

Returning to Care W&I 602—Placement Youth:

When a youth is located, it is the responsibility of the probation officer to arrange for the return of the youth to care and assist in stabilization. When a youth returns to placement, the assigned probation officer should utilize engagement and assessment strategies to identify what prompted the youth's absence, assess for and address any additional trauma that occurred while missing from care, and identify opportunities to enhance the youth's well-being and resilience. It is important to notify the Child and Family Team (CFT) of the youth's return to care and coordinate any changes to the case plan or a placement change with the input of the team, including the Tribe in the case of an Indian child. In addition, the county placing agency must determine the youth's experiences while absent from care, including whether the youth is a victim of CSE per WIC section 16501.35(b)(2). For any youth who has been determined to be at risk of or has been a victim of sexual exploitation, the agency must provide appropriate services.

A. When the youth is returned to care and/or detained:

1. The Probation Officer shall visit the youth as soon as possible, but no later than three business days after the youth has been returned to care. It is important to be mindful of allowing the youth time and space to decompress and stabilize.
2. Interview and assess the immediate needs of the youth:
 - (a) Assess the need for medical care and/or public health nurse consultation to rule out injuries, illness, or other medical conditions and seek medical care as needed.

- (b) Evaluate the need for mental health services and contact the appropriate agency when needed.
 - (c) Evaluate the need for law enforcement assistance due to known or suspected victimization, exploitation, exposure to or participation in criminal activity, etc., and contact the appropriate agency as needed.
2. Assess the factors that contributed to the youth running away and respond to these factors appropriately. Identified factors may be useful for subsequent placements.
 3. Determine the youth's experiences while absent from care, including whether the youth is a possible victim of commercial sexual exploitation (CSE), and where and with whom they may have stayed.
 4. Assess placement needs:
 - (a) Determine if replacement or alternate future arrangements are more appropriate.
 - (b) To provide continuity in placement, contact the previous caregiver, and determine if there is a willingness to have the youth returned to their home and if it is suitable and safe for the youth.
 5. Determine a Preservation Strategy: Pursuant to AB 2247 A placement preservation strategy is a youth-centered process to support, equip and wrap a family with resources in the pursuit of preserving the stability, placement, and wellbeing of children and youth placed in out-of-home placement. The ideal preservation strategy is solution focused, restorative in nature and trauma-informed. It is also focused on the resources, training, and services needed for the resource family in general. [ACL 19-26](#)
- A. Convening a CFT with a third party, or facilitator neutral to the family;
 - B. Using an age appropriate approach;
 - C. A focus centered on the strengths and positive attributes of the child/youth and family;
 - D. Action-oriented tasks when coordinating services and supports to the youth and resource family in a timely manner; and/or
 - E. Strategies which align with the CANS assessment, case plan and any action plans developed by the CFT. CHILD AND FAMILY TEAM The CFTs explore options and establish a plan regarding the foster youth's needs which includes the youth, family, and community partners prior to making any placement decisions. Best practices for a CFT may include:
 - In addition to the child and family, representatives from the foster family agency, short-term residential therapeutic program, Court Appointed Special Advocate, county mental health representative and the Indian custodian or tribal representative to support the child/youth when appropriate; age appropriate engagement and conversations with an opportunity to have their voice heard; and/or Conflict resolution practices

If, after implementing the placement preservation strategy, the probation officer receives a placement change request from the caregiver or provider, or otherwise finds that a foster care placement change is necessary, the probation officer is required to write and serve written notice of a placement change to the following parties at least 14 calendar days prior to the change:

- Foster youth's parent/guardian

- Foster youth's caregiver, including, but not limited to, resource families, foster family agencies and short-term residential therapeutic programs
- Foster youth's attorney • Foster youth, if they are 10 years of age or older; and
- Foster youth's Tribe/s as required by WIC 224.1(f)(3).

6. **TRANSITIONS:** Thoughtful, trauma-informed, and intentional transitions are best practices for any child or young person in out-of-home placement.

- A. Maintaining and preserving sibling relationships in accordance with WIC 16002;
- B. Maintaining all supportive, healthy and important lifelong relationships and connections to the child/youth by providing contact information and action plans to support all lifelong connections;
- C. Coordination with the youth's education rights holder to ensure they can remain in their school of origin when it is determined to be in their best interest; ACL 19-26 Page Six
- D. Planning transitions to occur during natural school breaks, after holidays, or special occasions as permitted; and/or
- E. Providing the youth with tote bags and boxes to pack items and allowing the youth to pack their own belongings.

Furthermore WIC 16001.9(a)(37) outlines that a transition plan shall be completed to include that all children placed in foster care, either voluntarily or after being adjudged a ward or dependent of the juvenile court pursuant to Section 300, 601, or 602, shall have the rights specified in this section. These rights also apply to non-minor dependents in foster care, except when they conflict with non-dependents' retention of all their legal decision-making authority as an adult. The rights are as follows: To be involved in the development of their own case plan, including placement decisions, and plan for permanency. This involvement includes, but is not limited to, the development of case plan elements related to placement and gender affirming health care, with consideration of the child's gender identity. If the child is an Indian child, the case plan shall include protecting the essential tribal relations and best interests of the Indian child by assisting the child in establishing, developing, and maintaining political, cultural, and social relationships with the child's Indian tribe and Indian community.

For a Youth Who Has Experienced CSE or is at Risk of Experiencing CSE,

1. Identify youth receiving child welfare services, and/or who are, or are at risk of becoming, victims of CSE.
2. Document youth identified pursuant to paragraph (1) in the statewide child welfare information system and any other agency record as determined by the county.
3. Determine appropriate services for the youth identified pursuant to paragraph (1).
4. Be provided relevant training in the identification, documentation, and determination of appropriate services for any youth identified in paragraph (1).
5. Report missing child or youth to NCMEC, as required, if the missing child is reasonably believed to have experienced or is at risk of experiencing CSE.

Missing From Care NMDs under W&I 450 Transition Jurisdiction:

- A. Contact the appropriate authorities if competency issues exist or if there is reasonable suspicion the NMD is a victim of harm or foul play.

- B. Immediately notify the Placement provider of the NMD's missing status.
- C. Attempt to locate the NMD whose whereabouts are unknown and document the efforts to locate the NMD in CaseloadPro and reports given to the Court. 16001.9
- D. Immediately report suspected commercial sexual exploitation to the appropriate authorities for entry into the National Crime Information Center (NCIC) and the National Center for Missing and Exploited Children (NCMEC).

** The probation officer shall make the decision to hold the child's placement or end the placement. Placements can be held for up to 14 days.

Whenever a decision is made to end the placement of a youth who is AWOL, the probation officer is to complete the Change in Foster Placement document and submit it to the Eligibility Worker and Placement Support Staff. See [ACL 19-26](#)

Returning to Care NMDs under W&I 450 Transition Jurisdiction:

A. When the NMD is returned to care and/or detained:

1. Interview and assess the immediate needs of the NMD:

- (a) Assess the need for medical care and/or public health nurse consultation to rule out injuries, illness, or other medical conditions and assist the NMD to seek medical care as needed.
- (b) Evaluate the need for mental health services and contact the appropriate agency when needed.
- (c) Evaluate the need for law enforcement assistance due to known or suspected victimization/exploitation, exposure to or participation in criminal activity, etc., and contact the appropriate agency as needed.

B. Termination of transition jurisdiction for NMD:

The court may terminate dependency for a NMD, who is supervised by child welfare/probation and on AWOL status, if the case manager has documented the efforts to locate the NMD and, at the W&IC 391 hearing, the court finds that reasonable efforts were made to locate the NMD and inform the NMD of his or her options under EFC. When terminating dependency, the court shall maintain general jurisdiction so that the young adult would be eligible to re-enter foster care later, if still under the age limits (see [ACL 12-12](#) regarding re-entry).

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 probation officer will confirm that a missing person's report is on file with the Department of Justice (DOJ) Missing and Unidentified Person's System before recommending that the NMD status be terminated.

Harm Reduction and Necessary Resources for Preventing and Mitigating Risks for Youth Missing from Care as outlined in [ACL 25-67](#)

A harm reduction approach can be utilized in both preventing and mitigating risks associated when a youth is missing from care. An honest discussion is important and should include legitimate reasons why the youth should stay in their placement, as well as the understanding and acknowledgment that a youth may decide to leave regardless.

These discussions should include how a youth can maintain their own safety while missing from care. This does not mean that leaving placement is encouraged or condoned, but instead meets the youth where they are, encourages openness, and builds trust. This will go a long way in terms of engagement, their progress in healing, and helping build safe behavior. Creating harm reduction informed safety plans with every youth, but especially those at risk for leaving placement, is essential and should include resources that are youth specific and based on the individual youth's needs.

The safety plan should consider where the youth is at and include their preferences, as a youth is much more likely to utilize a safety plan that they had a part in developing. Safety plans should include identified alternatives to the youth leaving care, emergency contact information, social media contact information, name and contact information for persons the youth agreed to check-in with while away from care, and safe ways to meet basic needs and receive services while away from care. If local resources for basic needs are limited, consider providing the youth with an emergency bag including items such as hygiene products, reproductive and sexual health products, a first aid kit, bus passes, and contact information to assist in returning to care. Harm reduction should also be applied to all attempts to engage with a youth while they are missing from care. See All County Information Notice (ACIN) I-13-17 [ACIN I-13-17](#) for form that are to be utilized in documenting, (Special Incident Report, Substitute care Provider Incident Report, Special Incident Runaway Report Addendum, Safety and Support Plan, and Debriefing Form).