

DEFINITION OF MISSING FROM CARE

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.”

In the case of a nonminor dependent (NMD), this 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)).

Youth Missing from Care-Protocol

Youth under the age of (18 years old)

Once the assigned Probation Officer is notified that a youth has absconded from their court-ordered placement, the assigned DPO or designee shall:

- 1) Ensure a missing/runaway report has been filed with the local law enforcement agency by the placement facility or Resource Parent. Verify that the youth is entered into the FBI's National Crime Information Center (NCIC) database.
 - a) Notify the youth's parents, legal guardians, family members, Court Appointed Counsel, Tribes, Tribal Representatives, and Court Appointed Special Advocate (CASA) (if applicable) within 24 hours.
 - b) Notify any known sibling of the youth who is 10 years of age or older and adjudged to be a dependent child of the juvenile court. (If such notice would not be contrary to the safety and well-being of that sibling. Notice to siblings shall be provided in a trauma-informed manner).
 - c) Notify the Court by issuing an Arrest Warrant within 24 hours of learning of the youth's absence.
 - d) Submit a SOC 158A to foster care eligibility to close placement no later than three business days upon learning the youth's absence from foster care.
 - e) Document the youth missing from foster care status in Child Welfare Services (CWS) Case Management System (CMS).
 - f) Contact the placement to identify the circumstances and contributing factors which led to the youth absconding from placement.

- 2) If the youth is suspected to be a victim or at risk of Commercial Sexual Exploitation (CSE) the DPO shall notify the National Center for Missing and Exploited Children (NCMEC) within 24 hours, and provide the following:
 - a) A photograph of the youth.
 - b) A description of the youth's physical features, such as height, weight, sex, ethnicity, race, hair color, and eye color.
 - c) Endangerment information, such as the 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.
 - d) Information about whether the youth is or may be an Indian child, as defined in WIC 224.1, including the name of the youth's Tribe.
 - e) If applicable, officers shall remain in contact with NCMEC and provide any pertinent information needed to safely recover the youth.
- 3) Attempt to locate youth by:
 - a) Contacting significant persons in a youth's life including, parent(s), Indian custodians, relatives, extended family members, teachers, therapist(s), CASA, attorney, Tribal representative, and anyone the youth is close to such as friends.
 - b) Attempt to contact the youth via text, phone, or by email.
 - c) Physically check all places the youth is likely to be.
 - d) Follow up on leads received regarding the youth's whereabouts.
 - e) Search social media websites.
 - f) Develop a plan to return the youth to placement.
- 4) For youth whose whereabouts remain unknown for more than 30 days, DPO's shall:
 - a) Conduct searches on an ongoing basis, but no less than once a month or as new and different information is received and document all efforts to locate in our Juvenile Data Management (JDM) system, and Child Welfare Services Case Management System (CWS/CMS) and subsequent Status Review reports to the Court.
- 5) Once the youth is located, the DPO shall:
 - a) Confirm the youth's safety and well-being.
 - b) Meet with the youth as soon as possible but no later than three business days after their return to foster care and discuss the factors which led to running way.
 - c) Notify the youth's parents, legal guardians, family members, Court Appointed Counsel, Tribes, Tribal Representatives, and Court Appointed Special Advocate (CASA) (if applicable) within 24 hours.

- d) Discuss the youth's experience away from foster care and address any additional trauma by connecting them with local law enforcement due to victimization/exploitation or participation in criminal activity.
- e) Determine if medical treatment is needed and submit a referral to the Nurse.
- f) Submit a referral to mental providers.
- g) If information is received regarding the youth being a possible victim of CSE, notifications to the Human Trafficking/CSEC liaison within the Probation Department and Department of Human Service (DHS) partners will be made.
- h) Contact the youth's previous placement to determine if the youth can return.
- i) A Child Family Team Meeting shall be arranged to discuss factors that contributed to the youth missing from foster care and seek input from the CFT members to identify a new placement.
- j) Update youth's Quality Individual assessment and Integrated Practice- Child Adolescent Needs and Strengths assessments.
- k) Develop a prevention plan with the youth and explore alternative options to prevent the youth from running away from foster care.

Active Efforts to locate an Indian Youth Missing from Foster Care.

Once the assigned Probation Officer is notified that an Indian youth has absconded from their court-ordered placement, the assigned DPO or designee shall:

- 1) Ensure a missing/runaway report has been filed with the local law enforcement agency by the placement facility or Resource Parent. Verify that the youth is entered into the FBI's National Crime Information Center (NCIC) database.
 - a) Contact the placement to identify the circumstances and contributing factors which led to the youth absconding from placement.
 - b) Notify the youth's tribe or ICWA representative within 24 hours of youth's absence from foster care.
 - c) Contact tribal law enforcement if applicable.
 - d) Attempt to make contact with the youth by phone, text and social media. Contact friends and relatives. Visit places youth may have visited or known to visit.
 - e) Provide regular updates to youth's tribe regarding search efforts.
 - f) Document all communication between tribes and tribal law enforcement in our Juvenile Management Data (JDM) system.
- 2) Once the youth is located, the DPO shall:
 - a) Confirm youth's safety and well-being.
 - b) Notify the tribe, caregiver and family members.

- c) Meet with the youth as soon as possible but no later than three business days after their return to foster care and discuss the factors which led to running away.
- d) Contact the youth's previous placement to determine if the youth can return.
- e) A Child Family Team Meeting shall be arranged to discuss factors that contributed to the youth missing from foster care and seek input from the youth's tribe or tribal representative to identify a new placement.
- f) Update youth's Quality Individual assessment and Integrated Practice- Child Adolescent Needs and Strengths assessments.
- g) Develop a prevention plan with the youth and explore alternative options to prevent the youth from running away from foster care.

Non-Minor Dependent (age 18+)

- 1) Once the assigned Probation Officer is notified that a Non-Minor Dependent is missing from foster care, the assigned DPO or designee shall:
 - a) Confirm that the NMD has been reported as missing to the local law enforcement agency or report the NMD as missing to the local law enforcement agency. Verify that the NMD is entered into the FBI's National Crime Information Center (NCIC) database and document the law enforcement report in the Juvenile Data Base Management (JDM) System.
 - b) If applicable, contact any tribal law enforcement agency for the NMD's tribe.
 - c) If it is suspected that the NMD left under harm, foul play, or against their will, the NMD shall be reported to the Department of Justice (DOJ).
 - d) Notify the youth's parents, legal guardians, family members, Court Appointed Counsel, Tribes, Tribal Representatives, and Court Appointed Special Advocate (CASA) (if applicable) within 24 hours.
 - e) If the NMD is suspected of being a victim or at risk of being commercial sexual exploitation (CSE) the DPO shall notify the National Center for Missing and Exploited Children (NCMEC) within 24 hours and provide the following:
 - i. A description of the youth's physical features, such as height, weight, sex, ethnicity, race, hair color, and eye color.
 - ii. Endangerment information, such as the 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.
 - iii. Information about whether the youth is or may be an Indian child, as defined in WIC 224.1, including the name of the child's Tribe.
 - iv. officers shall remain in contact with NCMEC and provide any pertinent information needed to safely recover the youth.

- f) Notify the Court by issuing an Arrest Warrant within 24 hours of learning of the NMD absence.
 - g) Submit a SOC 158A to foster care eligibility to close placement no later than three business days upon learning the NMDs absence from foster care.
 - h) Document NMD missing from foster care in Child Welfare Services (CWS) Case Management System (CMS).
 - i) Contact the NMD Transitional Housing Program (THP) or care takers to identify the circumstances and contributing factors which lead to the NMD missing from foster care.
- 2) Attempt to locate youth by:
 - a) Contacting significant persons in a youth's life including, parent(s), Indian custodians, relatives, extended family members, teachers, therapist(s), CASA, attorney, Tribal representative, and anyone the youth is close to such as friends.
 - b) Attempt to contact the youth via text, phone, or by email.
 - c) Physically check all places the NMD is likely to be.
 - d) Follow up on leads received regarding the NMD whereabouts.
 - e) Search social media websites.
 - f) Develop a plan to return the NMD to placement.
 - g) For NMD whose whereabouts remain unknown for more than 30 days, DPO's shall:
 - h) Conduct searches on an ongoing basis, but no less than once a month or as new and different information is received and document all location efforts in our Juvenile Data Management system, and Child Welfare Services Case Management System (CWS/CMS) and subsequent Status Review reports to the Court.
- 3) Once the NMD is located, the DPO shall:
 - a) Meet with the NMD as soon as possible but no later than three business days after their return to foster care and discuss the factors which led to running way.
 - b) Discuss the NMD experience away from foster care and address any additional trauma by connecting them with local enforcement due to victimization/exploitation or participation in criminal activity.
 - c) Determine if medical treatment is needed and submit appropriate referrals to mental health providers. Encourage NMD to visit the Public Health Department for additional services related to pregnancy, sexual transmitted disease testing, and other medical concerns.
 - d) If information is received regarding the NMD being a possible victim of CSEC, notifications to the Human Trafficking/CSEC liaison within the Probation Department and Department of Human Service (DHS) partners will be made.

- e) A Child Family Team Meeting shall be arranged to discuss factors that contributed to the NMD missing from foster care and seek input from supportive adults, tribes and/or tribal representatives.
- f) Contact the NMD's previous placement to determine whether the NMD can return.
- g) Develop a prevention plan with input from tribes or tribal representatives and explore alternative options to prevent the NMD from leaving.

References

California [ACL 25-67](#)

California [ACL 24-18](#)

Resource

To report a youth missing from foster care or find additional information visit the National Center for Missing & Exploited Children (NCME) at www.missingkids.org/theissues/missingfromcare