

UNIT: JUVENILE DIVISION - PLACEMENT
TITLE: MISSING YOUTH FROM FOSTER CARE
SUBJECT: COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN (CSEC)
MANDATES AND PROTOCOL

PURPOSE

Effective January 1, 2016, the definition of Child Abuse under the Child Abuse Neglect Reporting Act (CANRA) (Penal Code Section 11165.1) was expanded to include Commercial Sexual Exploitation. As a result, commercial sexual exploitation of a child is now recognized as a form of sexual abuse and must be reported to the Child Abuse Hotline by all mandated reporters ([ACL 16-15](#)).

Starting September 29, 2016, federal mandates require Child Welfare Services (CWS) and Probation to identify children receiving child welfare services who are, or are at risk of becoming, victims of commercial sexual exploitation ([ACL 16-85](#)), as required by Welfare and Institution Code Section 16501.35(a)(1).

DEFINITIONS

Missing Youth: Any youth who left foster care placement without permission and whose whereabouts are unknown.

Commercial Sexual Exploitation of Children (CSEC): Any child who is being sexually exploited for financial or other gain, which includes but not limited to prostitution, pornography, and sex trafficking.

Child and Family Team (CFT): A group of people who work together to coordinate care and help reach goals for positive change for improving a youth's safety, permanency, and well-being. A CFT is usually attended by the youth, their family, caregiver, probation officer/social worker, and any others providing direct support to the youth.

Child Welfare Services/Case Management System (CWS/CMS): A statewide, online client management database used by Child Welfare Services and Probation Departments that tracks each case from initial contact through termination of services. The CWS/CMS is used to capture data on youth in foster care such as monthly contacts, parent contacts, education information, credit bureaus' information, CFT meetings, and transitional information.

Title IV-E: A federal program, authorized by Title IV-E of the Social Security Act, provides funding for foster youth and youth at imminent risk of removal from the home.

PROCEDURE

In the event a foster care youth is abducted or goes missing and is reasonably believed to be a victim of, or at risk of becoming a victim of, commercial sexual exploitation (CSE), Probation shall contact the National Center for Missing and Exploited Children (NCMEC) via telephone at

1-800-THE-LOST (1-800-843-5678) or online at NCMEC [CyberTipline](#) within 24 hours of being notified that the youth is missing or abducted. In addition, the probation officer file a Suspected Child Abuse Report (SCAR) ([BCIA 8572](#)) with Child Protective Services (CPS) and call the CPS Hotline at (559)852-200. The officer shall also document in the case management system (currently IJS) notes that appropriate reports have been made to Child Welfare Services and NCMEC.

When making a report to NCMEC, the Probation Officer should have the following information readily available in order to expedite the reporting process:

- Youth's full name
- Youth's date of birth
- Recent photograph
- Physical description
 - *height, weight, sex, ethnicity, race, hair color, eye color, etc.*
- Endangerment information
 - *pregnancy status, medications, mental health risk, trafficking vulnerability.*
- Tribal affiliation, if applicable.
- Date and location the youth went missing (to the best of your knowledge)
- Name and contact of the investigation law enforcement agency
- Law enforcement report/case number
- Guardian information

Pursuant to Welfare and Institutions Code section 16501.35, the Probation Officer is required to provide notice immediately, but in no case later than 24 hours from receipt of information when a youth is missing from care to the parent(s), unless parental rights have been limited or terminated; the legal guardian(s), unless rights have been limited or terminated; the youth's appointed counsel; the Court-Appointed Special Advocate (CASA), if one has been appointed; the court of jurisdiction; the youth's Tribal Representative, when applicable; any known sibling age 10 or older who is a dependent child, with notice provided in a trauma-informed manner; and local law enforcement agency. All notices shall include the name and contact information of the assigned Probation Officer and their respective supervisor's contact information.

When a youth goes missing from care, Probation is required to act expeditiously to locate the youth. At minimum, on a monthly basis, the assigned Probation Officer shall document all efforts undertaken to locate the youth. These efforts shall include contacting the individual(s) who reported or discovered the youth's disappearance; reaching out to individuals in the youth's life, including but not limited to parents, siblings, relatives, friends, former caregivers, former and current schools, and service providers; requesting that the caregiver and/or parent make inquiries with these individuals and report any information obtained; and following up on all leads or information regarding the youth's possible whereabouts.

When a youth who has been reported to NCMEC and law enforcement as missing or abducted, and the youth has been returned to care, the probation officer shall contact the NCMEC Case

Manager assigned to the youth's case, who will in turn make the notifications to law enforcement of the youth's recovery, if it has not already been noticed via NCIC.

The probation officer shall assess the circumstances of the youth when returned and document the following:

- Factors that led to youth's running away or being absent
- Address factors in future placements
- The youth's experience while absent
- Where youth and with whom youth may have stayed
- Assess whether youth experienced CSEC
- Identify trauma or victimization
- Document plans to return youth to placement, including developing a safety plan, support resources and/or prevention plan.

Additionally, the probation officer shall:

- Assess the immediate needs of the youth/nonminor dependent
- Offer medical care for injuries, illness, or harm experienced while absent from placement
- Evaluate 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.

Probation Officers, along with CWS, shall participate in Child and Family Team (CFT) meeting to determine appropriate services for children/youth receiving services identified as a victim or at risk of commercial sexual exploitation. In determining appropriate services for the child/youth, during the meeting the following shall take place:

1. Complete an assessment, determine the case plan goal, and develop the case plan.
2. Assess the safety and well-being of the child including the child's risk for becoming a victim of commercial sexual exploitation, and gather information about the child to identify needed services to be included in the case plan at each visit with the child
3. Engage the child/youth and the caregiver in identifying supports and services in the development of the case plan.
4. Convene an CFT and meeting to identify the supports and services needed to achieve positive outcomes for safety, permanency, and well-being.
5. Document in the case plan the services provided to address the commercial sexual exploitation.

Types of services that a CSEC youth may need, include, but are not limited to:

- Specialized and safe housing
- Specialized counseling
- Medical Treatment
- Reproductive health/healthy relationships education
- Pregnancy/Parenting Services
- Survivor peer groups

- Legal assistance
- Addressing gang affiliation
- Tattoo removal
- Financial education training
- Vocational, life skills, and other trainings
- Other trauma-informed rehabilitation services

For children/youth who are identified as at risk of commercial sexual exploitation, appropriate services may include CSEC prevention education, as well as services that address the child's/youth's specific circumstances or vulnerabilities that place them at risk of CSE, such as housing stability, employment assistance, or substance abuse. The purpose is to determine appropriate services that may prevent an at-risk child/youth from later becoming a victim of sex trafficking.