



Lassen County Probation Department

**Adult & Juvenile
Probation**

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Lassen County Probation Missing from Foster Care Protocol

Policies and Procedures for Reporting and Noticing Requirements for a Missing Child and Non-Minor Dependents (NMDs)

This protocol ensures:

All legal reporting requirements are met.

Active search and recovery efforts are initiated immediately.

Indian children and tribes are afforded their rights under ICWA.

The child's safety, well-being, and permanency plan are prioritized upon return.

Authority and References

- The following laws and directives guide this protocol:
- AB 2108 (2024) – Missing and runaway youth procedures.
- ACL 25-67 – Implementation of AB 2108 and interagency coordination.
- WIC §§ 11402, 16001.9, 16501.3, 16521.6, 224–224.6.
- Penal Code §14213 – Missing persons entry requirements.
- ICWA (25 U.S.C. §1901 et seq.) and related California statutes.
- California Department of Justice (DOJ) and National Center for Missing & Exploited Children (NCMEC) protocols.

Definition of a Missing Child- WIC 16501(c)(1)

A missing child is any youth under Probation's jurisdiction whose location is unknown, and:

- The child has left placement or supervision without permission;
- The child failed to return from a pass, furlough, or appointment;
- The child's safety cannot be confirmed; or
- There is reason to believe the child may be trafficked, abducted, or endangered.
- The child is in a placement in a location not approved by the court.
- The Non-Minor Dependent (NMD) did not voluntarily leave foster care or is at risk of substantial harm. (WIC 16501.35(c)(2)).

A. Reporting and Noticing Requirements for a Missing Child:

1. Reporting Responsibilities:

- **Caregiver/Provider Responsibility:** The caregiver or provider should report the missing child or NMD to probation and law enforcement.
- **Probation Officer Responsibility:** The Probation Officer confirms the reports made by the caregiver/provider and ensures compliance with reporting protocols.

2. Immediate Reporting to Law Enforcement:

- When a caregiver, provider, Social Worker or Probation Officer first learns a child or NMD has runaway or is otherwise missing from care, immediate reporting (***in no case no later than 24 hours***) to the local law enforcement agency is mandatory, Lassen County Sheriff's Office and/or Susanville Police Department.
- Provide local law enforcement:
 - ◆ A photo of the missing or abducted child or youth.
 - ◆ A description of the child's or youth's physical features, such as height, weight, sex, ethnicity, race, hair color, and eye color.
 - ◆ Endangerment information, such as the child's or youth's pregnancy status, prescription medication, 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.
 - ◆ 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.
- Additionally, AB 2108 requires the probation officer, when they receive information that a child receiving child welfare services is missing from foster care, to immediately, but in no case later than 24 hours from the receipt of that information, notify specified entities or persons, including the local law enforcement agency and the child's or NMD's parents or guardians, except as specified.

3. Notifying Parties:

- The child's or NMD's parents or Indian custodians, unless parental notification has been limited or terminated by the court.
- The child's or NMD's legal guardians, unless guardian notification has been limited or terminated by the court.
- 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.

- The child's or NMD's attorney appointed pursuant to WIC section 317(c) or WIC section 634.
- The child's or NMD's Court-Appointed Special Advocate (CASA), if one has been appointed.
- The court of jurisdiction.
- The child's or NMD's Tribe or Tribal Representative, if the child or NMD is, or may be, an Indian child.
- Any known sibling of the child or NMD 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.
- The local law enforcement agency and in the case of an Indian child any tribal law enforcement agency for the child's Tribe. It is recommended that if the child is placed outside of the jurisdictional county, that law enforcement should be notified in the jurisdictional county, where the parent(s), legal guardian(s) or Indian custodian reside.

4. Timely Filing of Warrants:

- A Probable Cause warrant or Bench warrant should be filed ***no later than one business day*** by Child and Family Services or the Probation Department upon learning that the child or NMD was missing from care.

5. Harm Reduction:

- Attempt often to contact the youth via text, phone and email. Coordinate communication with the youth's CFT members, including the youth's Tribe in the case of an Indian youth, and/or network of support to ensure the youth does not become overwhelmed by too many attempts to communicate.
- If contact is made, create a Safety Plan for return, broken down by safe and achievable steps, with the youth leading the plan when ready. Also consider input by the CFT in developing this plan. If the youth's whereabouts are known, discuss the possibility of convening a CFT meeting with the youth identifying who they want to participate in the meeting.
- Include clear alternatives to leaving care, along with emergency and social media contact information and identify people the youth agrees to check in with while away from care, including their names and contact details.
- Outline safe ways for the youth to meet basic needs and access services while away from care.
- When local resources are limited, provide an emergency bag containing items such as hygiene supplies, reproductive and sexual health products, a first aid kit, bus passes, and contact information to support returning to care.
- Continuously assess the situation for increased risk. Should there be suspicion that the youth is in immediate danger, contact law enforcement.

B. Reporting and Noticing Requirements for Missing Child & NMDs:

Reference 11166, 11166(j)(3) and 11166(j)(3)(B)

1. Filing a Missing Person's Report:

- When the caregiver, provider, Social Worker or Probation Officer learns that an NMD is missing from care, a Missing Person's Report should immediately be filed (***immediately but in no case later than 24 hours***) with the local law enforcement agency.
- Report the missing/abducted child/youth to the National Center for Exploited and Missing Children (NCMEC), (***within 24 hours***) via the web-based reporting system (<https://cmfc.missingkids.org/reportit>).
- Phone: 1-800-THE-LOST (1-800-843-5678)
 - Report Child/youth to Chief (has log in)
 - Have the following information for the NCMEC report:
 - Child's/Youth's full name
 - Child's/Youth's date of birth
 - Date and location the child/youth went missing (to the best of your knowledge),
 - Name and contact of the investigating law enforcement agency,
 - Law enforcement report/case number
 - Guardian information (for dependent children/youth and NMDs, this will be the Probation Officer; for all other children/youth, this will most likely be the parent/guardian)
 - Recent Photograph

2. Notifying Parties:

- The child's or NMD's parents and/or legal guardian, Indian custodians, unless notification has been limited or terminated by the court.
- 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.
- The child's or NMD's attorney appointed pursuant to subdivision (c) of WIC section 317, or WIC section 634.
- The child's or NMD's Court-Appointed Special Advocate, if one has been appointed.
- The court of jurisdiction.
- The child's or NMD's Tribe or tribal representative, if the child or NMD is, or may be, an Indian child, as defined in WIC section 224.1. All County Letter No. 25-67 Page Eleven
- Any known sibling of the child or NMD 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.

- The local law enforcement agency, including, if applicable, any tribal law enforcement agency for the child's Tribe in the case of an Indian child, as defined in WIC section 224.1.

3. Termination of Dependency:

- The court may terminate dependency for a NMD, who is supervised by child welfare 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 the NMD returns prior to the 391 hearing, then foster care benefits may be extended, provided that all eligibility conditions are met, including a foster care placement order that was in effect on the youth's 18th birthday.

C. Provide Due Diligent Searches:

Reference ACL 16-15 & ACIN 1-13-17

1. Monthly Location Efforts

- The assigned Probation Officer must conduct monthly diligent and active efforts to locate any dependent/ward whose whereabouts are unknown.
- Every effort must be documented in the CWS/CMS Contact Notebook, describing:
- Attempts made, persons or agencies contacted, information gained, and next steps or follow-up actions.
- These efforts must also be summarized in each Status Review Report filed during the child or NMD's absence, including the status of search efforts and any barriers encountered.

2. Active Efforts to Locate a Missing Child/NMD

Search efforts must be comprehensive, timely, and purposeful. Per ACL 25-67, active efforts require meaningful engagement—not passive referrals or superficial attempts. Efforts should include, but are not limited to:

Contacting Significant Persons

- Contact parents, siblings, extended relatives, NREFMs, former caregivers, mentors, friends, tribal representatives (when applicable), current or former school personnel, service providers, therapists, and probation contacts.

- Document each attempted and successful contact, including responses received.

Requesting Parent/Caregiver Assistance

- Ask caregivers/parents to make inquiries and report back all information gathered.
- Note in CWS/CMS the request made and any results.

Physical Checks & Field Follow-Up

- Conduct physical checks of locations the youth is known to frequent.
- Follow up on any tips, new information, or third-party contacts.
- Document dates, times, and outcomes of each field check.

Law Enforcement Requests

- Request welfare checks or address visits as appropriate.
- Log the law enforcement agency contacted, date/time, and findings.

Consultation with Internal Resources

- Consult with internal Runaway/Missing Children Liaisons when available.
- Document the guidance received and actions taken in response.

Search of Public Databases & Social Media

- Review social media platforms and public locator databases such as:
- California Missing Child Clearinghouse
- National Center for Missing & Exploited Children (NCMEC)
- Note platforms searched, dates, and relevant findings.

Active Efforts Requirements

- All search activities must reflect the principles of active efforts, including:
- Persistent follow-up, multiple modalities of contact (in-person, phone, digital, collateral), culturally responsive, trauma-informed approaches,
- Engagement with family and natural supports.

3. Responsibility Upon Locating the Child/NMD

- Once the Probation Officer becomes aware the youth has been located, the probation agency must arrange for immediate and safe return to care.
- Notify law enforcement and NCMEC as required once the youth returns to placement/home.

Document in CWS/CMS:

- How the youth was located,
- Who reported the information,
- Steps taken to secure the youth's safety and return.
- Required notices under WIC 16501.35

4. Assessment Upon Return to Care

Upon the youth's return, the must conduct a comprehensive assessment to identify safety, placement, and service needs. Documentation must include:

Contributing Factors

- Identify the primary factors that led to the youth running away or being absent.
- Describe how these factors will be addressed through active efforts and service planning.

Experiences While Absent

- Assess experiences while missing, including possible commercial sexual exploitation (CSE) or other victimization.
- Note any medical, mental health, educational, or safety concerns requiring immediate attention.

Responding to Identified Needs

- Document how contributing factors will inform placement decisions, case planning, and supportive services.

5. Meeting with the Child/NMD

- The Probation Officer must meet with the child/NMD as soon as possible, and ***no later than three business days after return to care.***
- Meeting should occur in a safe, private, youth-appropriate location.
- Use open-ended, non-leading questions to encourage full and honest sharing.

Document:

- Date, time, and location of the meeting, youth's statements, concerns identified, and services offered or initiated.

6. Assessment of Immediate Needs

Per WIC 16501.35(c), information disclosed by the youth should not be used to implicate them criminally unless required by law and must be used solely for identifying services, ensuring safety, and fulfilling mandatory reporting laws.

The Probation Officer must assess and document:

Medical and Physical Needs

- Need for medical evaluation or treatment for injuries, illness, exposure, or harm.

Mental Health & Service Needs

- Assess need for mental health services, crisis stabilization, CSE services, or foster youth services.
- Address issues such as missing school credits, trauma exposure, or participation in criminalized behaviors.

Placement Assessment

- Evaluate the suitability and safety of return to previous caregiver.
- With youth's agreement, contact previous caregiver to determine willingness and appropriateness for return.

If return is not feasible, collaborate with the youth to identify placement options such as:

- Suitable relative, NREFM, Licensed resource family home, STRTP or appropriate licensed facility.

Prevention & Safety Planning

- Develop a safety plan, support resource list, and/or prevention plan with the youth to reduce the likelihood of future runaway episodes.

Team-Based Support

- Determine need for a Child and Family Team (CFT) meeting or Team Decision Making (TDM) meeting and initiate accordingly.

D. Indian Children and Active Efforts

- If the youth is identified as an Indian child under WIC §224.1:
- The tribe must be notified immediately when the child is missing or recovered.
- Probation Officers must coordinate with the tribe to conduct active efforts to locate and support the child.
- Documentation of all tribal contacts and active efforts must be entered into the case record.

Any future placement decisions must continue to comply with ICWA placement preferences and consultation requirements.

E. Data Reporting:

1. Identification of CSE Victims or At-Risk Youth:

- If it is determined that a youth was a victim of or was at risk of being a victim of Commercial Sexual Exploitation (CSE) during their absence from care, [ACL 15-49](#) provides instruction on proper documentation within the Child Welfare Services/Case Management Services (CWS/CMS) system.

2. Data Collection and Reporting for PL 113-183:

- The PL 113-183 mandates states to submit comprehensive information on children who run away from foster care and their risk of becoming sex trafficking victims.
- Information to be submitted includes, but is not limited to:
 - Characteristics of runaway children.

- Potential factors associated with children running away from care.
- Experiences of children while absent from care.
- Trends in the number of runaway children reported each fiscal year.