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Youth Missing From Care Policy & Procedures

Purpose:

To provide guidance and instructions to locate and respond to youth, dependents, or wards who go missing from foster care.

References/Regulations:

1. Public Law (PL) 113-183, Section 104 [PL 113-183 Sec 104](#)
2. Senate Bill (SB) 794 (2015-2016) [SB 794](#)
3. Penal Code 11166, j [PC 11166 j](#)
4. 42 United States Code (USC) Section 5772 [USCODE-2010-title42-chap72-subchapIV-sec5772](#)
5. Welfare and Institutions Code (WIC) Section 224.1(f)(3) [WIC 224.1](#)
6. Welfare and Institutions Code (WIC) Section 16501.35 [WIC 16501.35](#)
7. Welfare and Institutions Code (WIC) Section 16501.45 [WIC 16501.45](#)
8. Welfare and Institutions Code (WIC) Section 340 [WIC 340](#)
9. WIC section 16524.6 [WIC 16524.6](#)
10. All County Letter (ACL) 16-15 [ACL 16-15](#)
11. All County Letter (ACL) 19-26 [ACL 19-26](#)
12. All County Letter (ACL) [ACL 24-18](#)
13. All County Letter (ACL) [ACL 22-100](#)
14. All County Letter (ACL) 25-10 [ACL 25-10](#)
15. All County Letter (ACL) 25-67 [ACL 25-67](#)
16. All County Information Notice (ACIN) I-59-18 [ACIN I-59-18](#)
17. All County Information Notice (ACIN) I-28-19 [ACIN I-28-19](#)
18. All County Information Notice (ACIN) I-50-19 [ACIN I-50-19](#)
19. All County Information Notice (ACIN) I-36-21 [ACIN I-36-21](#)
20. All County Information Notice (ACIN) I-31-22 [ACIN I-31-22](#)
21. All County Information Notice (ACIN) I-51-23 [ACIN I-51-23](#)
22. All County Information Notice (ACIN) I-13-17 [ACIN I-13-17](#)
23. All County Information Notice (ACIN) I-14-19 [ACIN I-14-19](#)
24. NCMEC Missing Children's Report <https://cmfc.missingkids.org/reportit>
25. CDSS Missing Children Liaison email: concurrentplanningpolicyunit@dss.ca.gov
26. NCMEC <https://www.missingkids.org/home>
27. California Missing Child Clearinghouse <https://oag.ca.gov/missing>

Definitions:

1. Missing from foster care: 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.
2. CASA: Court appointed special advocates.
3. CC: County Counsel. This is the attorney that represents Child Welfare in all Juvenile cases.
4. CSE: Commercial sexual exploitation. CSE consists of a range of crimes and activities involving the sexual abuse or exploitation of a child.
5. CSEC: Commercial Sexual Exploitation of Children.
6. CWS: Child Welfare Services.
7. CWS/CMS: Child Welfare Services / Case Management System. A statewide tool that supports effective CWS services.
8. Missing Child or Youth: Any individual whose whereabouts are unknown to the child welfare agency or probation department. This includes children/youth who may have been abducted, taken or detained, wandered away and became lost, run away from home, the foster home, or state care facility, or are otherwise missing from care for any reason.
9. Missing NMD: Non-minor dependent. NMDs are defined as missing only when it is reasonably determined that the NMD is in fact missing. There must be competency issues or a reasonable suspicion the NMD is a victim of harm or foul play.
10. NCMEC: National Center for Missing and Exploited Children.
11. NMD: Non-minor dependent. A youth aged 18 to 21 who is a dependent or ward of the Juvenile Court and who is participating in extended foster care.
12. PCW: Protective Custody Warrant. A Protective Custody Warrant is a written order by a judge or other judicial officer directing a law enforcement officer or a social worker to place a child into protective custody due to suspected abuse or neglect, or risk thereof.
13. PO: Probation Officer
14. SOC: System of Care is an organizational approach that involves collaboration across agencies, families, and individuals for the purpose of improving services and access as well expanding the array of coordinated strength-based, culturally and linguistically competent services to all.
15. SW: Social Worker

Policy:

1. Social Workers/Probation Officers will help to expeditiously locate any child, youth, or NMD missing from foster care. This shall only apply to an NMD 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.
2. Social Workers/Probation Officers will ensure that the proper law enforcement authorities are or have been notified of the missing child, youth, or NMD.
3. Factors that led to the child, youth, or NMD being missing from care will be addressed to the extent possible.
4. The experiences of the child, youth, or NMD's while missing from care will be determined. This includes assessing if the child/youth/NMD is at risk of or has been a victim of sex trafficking.
5. Documentation of noticing and search efforts will be recorded in the Case Management System.

Procedure:

1. Missing Children and Youth
 - a. Upon learning that a child or youth leaves care or is otherwise missing from placement, the Social Worker (SW)/Probation Officer (PO) will immediately (in no case later than 24 hours) report the missing child/youth to the local law enforcement agency that has jurisdiction over the child's placement.
 - i. If local law enforcement was notified by someone other than the SW/PO, then the SW/PO will confirm that the report has been made by contacting the local law enforcement agency with jurisdiction.
 - b. The SW/PO will collect the following information from the caregiver or party reporting the missing child/youth for notification and documentation purposes:
 - i. When the child/youth left, went missing or the last time seen.
 - ii. The child/youth's possible location (i.e. friend's house, park, arcade, family members home, etc.)
 - iii. The name and description of any person(s) who the child/youth left with or may be with.
 - iv. Type of transportation (i.e. car make/model, on foot, bicycle, bus, etc.) and obtain license plate number if possible.
 - v. A description of the clothing worn when the child was last seen.
 - vi. If applicable, the date and time the caregiver reported the missing child to law enforcement, who the report was made to and the report number.
 - c. The SW/PO will notify the following individuals within 4 hours of receiving information that the child/youth is missing by phone:
 - i. SW/PO Supervisor
 - ii. Program Administrator
 - iii. Child/youth's parents
 - iv. All attorneys including County Counsel
 - v. CASA advocate(s)
 - vi. Tribal representative(s)
 - vii. Others entitled to notification shall be made as soon as possible
 - d. Within 24 hours, the SW/PO in collaboration with the CWS Supervising SW/PO, will file a Protective Custody Warrant (PCW) or other applicable warrant with the Mariposa County

Juvenile Court, when applicable, and provide signed copies to local law enforcement and to all law enforcement agencies in the jurisdiction where the child/youth went missing.

- e. Within 24 hours, an email will be sent by the SW/PO to the Placement Team (lhhsa.file.placement@mariposacounty.org) informing them of the youth missing from care and if the Resource Parent is willing to hold the bed for up to 14 days.
- f. Within 24 hours, the SW/PO will contact the foster youth liaison with the school district the children are enrolled, and notify them of the youth missing from care..
- g. The SW/PO will collaborate with the tribal representative(s) on efforts to locate the child, and ensure 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, and/or resolve any placement issues.
- h. The active efforts to collaborate with tribal representative(s) will be documented in the child's case record, per ACL 24-18.

2. Missing Non-Minor Dependents

- a. NMDs who have competency issues or when there is reasonable suspicion the NMD is a victim of harm or foul play, the SW/PO will file a missing person's report or confirm that a missing person's report has been filed within 24 hours of becoming aware the NMD is missing.
- b. Active efforts will be made to collaborate with tribal representative(s) when applicable.
- c. The SW/PO will notify the following individuals within 4 hours of receiving information that the NMD is missing:
 - i. Supervising Probation Officer (SPO)
 - ii. Program Administrator
 - iii. If the NMD is receiving family reunification services, notify the NMD's parents.
 - iv. All attorneys, tribal representative(s), and CASA.
 - v. Others entitled to notice as soon as possible.

3. National Center for Missing and Exploited Children (NCMEC)

- a. The SW/PO or their Supervisor must report any youth missing from care to the National Center for Missing and Exploited Children (NCMEC) within 24 hours. NCMEC reporting can be completed online or via phone reporting.
 - i. To report by phone, the SW/PO will call NCMEC at 1-800-THE-LOST (1-800-843-5678). Reports can be filed 24 hours a day.
 - ii. To report online, the SW/PO will follow the instructions given on the website to create an account at [NCMEC Missing Kids Report](#).
 - 1. Once the SW/PO has created an account, the SW/PO will follow these steps to make a report on the website:
 - 2. Select Report New Case located at the top of the screen.
 - 3. Complete the section and select Yes/No/Unknown.
 - 4. Provide any additional information related to Child Sex Trafficking in the Notes section.
 - 5. Complete the Law Enforcement section by including information from the cross report made to the local law enforcement jurisdiction.

6. Complete the Case Narrative section, providing as much known detail as possible regarding the circumstances under which the child or NMD is missing, such as:
 - a. Was the child/NMD upset before leaving?
 - b. Did the child/NMD leave a note?
 - c. Did the child/NMD take any clothing/belongings?
 - d. Does the child/NMD have access to money?
 - e. Where might the child/NMD go?
7. In the Case Narrative section, add the child or NMD's photo.
8. To upload a picture of the child/youth, click on the Browse button.
 - a. Choose File to Upload.
 - b. Select the file with the child's/NMD's picture and click the Open button. The file will automatically be entered.
9. Upload Supporting Documentation. The SW/PO may upload other documentation (e.g., police reports, custody orders, etc.) to be attached to the missing child/youth report by choosing File to Upload, selecting the file, and clicking the Open button. The file will automatically be entered.
10. Complete the Legal Release and Verification section.
11. Once the SW/PO submits the online form, the SW/PO will be contacted by a NCMEC case manager. The SW/PO, NCMEC case manager, and law enforcement will collaborate, and the NCMEC case will remain open until the child is located.

4. Documentation in CWS/CMS

- a. On the day the SW/PO learns a dependent/ward child or NMD is missing from care, abducted, or placed with a parent who is out of contact with CWS/Probation and missing, the SW/PO will create a contact note in CWS/CMS, and the Case Management System. The assigned caseworker must attempt to locate a youth whose whereabouts are unknown, and document location efforts in the Child Welfare Services Case Management System (CWS/CMS) in the contact notes, including documentation of required notices under WIC section 16501.3. Documentation in CWS/CMS and the Case Management System must be clear and detailed. The SW/PO is responsible for documenting:
 - i. The date the Protective Custody Warrant was requested
 - ii. Entering contact with the supervising probation officer describing the specifics of the case
 - iii. The active efforts to collaborate with tribal representative(s) will be documented in the child's case record, per ACL 24-18.
 - iv. Contact with 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, including friends.
 - v. Physical checks of all places the youth is likely to be.
 - vi. Follow up on leads received regarding the youth's whereabouts.
 - vii. Visits to relevant addresses or welfare checks requested/conducted by a law enforcement agency
 - viii. Any consultation with internal/external Runaway/Missing Children Liaisons.

- ix. Search of social media websites (if authorized) and any search of public locator databases.
- x. Location efforts should also be documented in each status review report filed during a youth's absence
- xi. In the case of an abducted child or a child who is placed with a parent and is no longer in contact with CWS/Probation, the SW/PO will:
 - 1. Enter details regarding their contact with County Counsel.
 - 2. Enter a contact with Law Enforcement, or with the Substitute Care Provider (SCP) who contacted Law Enforcement.
- xii. If more than one child is missing from the same family, the SW/PO will update each child's CWS/CMS, and Case Management System case to AWOL status.
- xiii. Enter the details of the report that are filed with the NCMEC
- b. The SW/PO will also record the date the Protective Custody or other warrant was granted/or denied once known.

5. Providing Due Diligence Search Efforts

- a. The California Department of Social Services (CDSS) requires the following efforts to be made when a child/NMD is missing from care. The SW/PO will do the following and document it in CWS/CMS, Case Management System, and in the court report:
 - i. Contact significant persons in the youth's life (e.g., parents, siblings, relatives, friends, former caregivers, former and current schools, service providers, etc.)
 - ii. Request caregiver and/or parent make inquiries to the above individuals and report back information obtained
 - iii. Physically check all places the youth is likely to be or is known to frequent
 - iv. Follow up on leads regarding the youth's whereabouts
 - v. Conduct visits to relevant addresses
 - vi. Request law enforcement welfare checks
 - vii. Search social media (Facebook, TikTok, Twitter, etc.)
 - viii. Email [CDSS Runaway/Missing Children Liaison](#) to meet consultation requirements. The Liaison may have additional resources to help with search efforts. To ensure the child's confidentiality is protected, the SW/PO will take all email precautions.
 - ix. Search of public locator databases ([NCMEC](#) and [California Missing Child Clearinghouse](#)).
 - x. Search public locator databases ([NCMEC](#) and [California Missing Child Clearinghouse](#).)
- b. The SW/PO will commence and continue ongoing efforts, on a bi-weekly basis, to locate the child/NMD and will document all efforts and results in CWS/CMS, and the Case Management System.
 - i. The narrative must include:
 - 1. Name of the missing child(ren)
 - 2. Date child went missing
 - 3. Last placement
 - 4. Reason missing (missing from care, Abducted, or Placed with parent - no contact with CWS/Probation)
 - 5. Witnesses

6. How and when the SW/PO was notified or made aware of the fact the child(ren) is out of contact with CWS/Probation
7. Date and time law enforcement and NCMEC were contacted
8. Date, time, and method SW/PO notified the parents and all attorneys
9. Date the request for a Protective Custody Warrant was sent to court
10. Date County Counsel was notified
11. Suspected whereabouts (if applicable)

6. Return to Care

- a. When the child/NMD is located, SW/PO will contact NCMEC case manager to inform her/him that the child is no longer missing.
- b. When a youth is located, it is the responsibility of the caseworker to arrange for the return of the youth to care and assist in stabilization. The Missing/Runaway Youth Debriefing Form provided in ACIN I-13-17 will be utilized when a youth has been located and returned to care. While the caseworker visit should happen as soon as possible, and no more than three business days after the youth is returned to care, the caseworker should be mindful of allowing the youth time and space to decompress and stabilize following their time away. A debriefing interview should ideally be conducted by an adult of the youth's choosing, whenever possible. However, when the interview is not conducted by the caseworker, all information obtained should be shared with the caseworker to ensure it is consistent with the guidance provided in ACIN I-13-17. It is also best practice for the caseworker to consider a placement preservation strategy and incorporate the CFT to avoid any further disruptions. Additionally, if the youth experienced any new or additional trauma or their needs have increased while away from care, the caseworker or designee must update the Integrated Practice Child Adolescent Needs and Strengths within 30 calendar days of determining that a changed condition exists.
- c. Within one day after the child/NMD returns, the SW/PO will:
 - i. Make a face-to-face contact with the child/NMD
 - ii. Assess the immediate needs of the child/NMD
 1. Offer medical care for injuries, illness, or harm experienced while missing
 - a. If medical care has already been provided, offer follow-up care
 2. Evaluate the need for mental health services, foster youth services, or law enforcement assistance and make arrangements as needed
 - iii. Notify all appropriate parties (including parents, attorneys, CASA, etc.).
 - iv. Determine the primary factors that contributed to the child or NMD running away or otherwise being absent from care. Assess for and address any additional trauma that occurred while missing from care and/or address the identified reasons in subsequent placements.
 - v. If a youth is located but unwilling to immediately return to care, the caseworker should consider holding a CFT meeting to discuss ways to support the youth during their absence and to create a plan for their return when they are ready. In this circumstance, the caseworker should consistently attempt to have a face-to-face contact with the youth to ensure they are, at the very least, physically safe, and to continue to support their needs the best they can.

- vi. Learn about the behaviors and activities while missing, including possible commercial sexual exploitation (CSE)
 - 1. If child/NMD has been identified as involved in or is at-risk for CSE, the SW/PO must:
 - a. To the extent possible, consider factors specific to CSEC or subsequent placements.
 - b. Investigate the child's/NMD's experiences while absent from care, including whether the child/NMD is a possible victim of CSEC.
- vii. Ask about where and with whom the child/youth/NMD may have stayed.
- viii. Assess placement and service needs:
 - 1. Schedule a Child and Family Team meeting within the next two weeks.
 - 2. When applicable, identify, notify and invite 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.
 - 3. A harm reduction approach will be utilized in both preventing and mitigating risks associated with a youth being missing from care. Honest discussion is important and should include legitimate reasons why the youth should remain in their placement, as well as the understanding that a youth may decide to leave regardless. These discussions should include how a youth can maintain their own safety while missing from care. The harm reduction-informed safety plan will be utilized and should include resources that are youth-specific and based on the individual youth's needs. The safety plan should consider the following:
 - a. where the youth is at and include their preferences, as a youth is much more likely to use a safety plan they helped develop.
 - b. identified alternatives to the youth leaving care,
 - c. emergency contact information,
 - d. social media contact information,
 - e. name and contact information for persons the youth agreed to check-in with while away from care, and
 - f. safe ways to meet basic needs and receive services while away from care.
 - 4. If local resources for basic needs are limited, considerations regarding the provision of 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.
 - 5. Harm reduction will also be applied to all attempts to engage with a youth while they are missing from care:
 - a. Attempt often to contact the youth via text, phone, email and/or social media. 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.

- b. If contact is made, remain neutral and focused on their well-being. Be honest, express concern, but refrain from language that is punitive or condescending. Allow youth to have a voice and choice in their return, exploring what the youth feel is in their best interest.
 - c. Create a 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.
 - d. Part of effective harm reduction implementation is to continuously assess the situation for increased risk. Should there be suspicion that the youth is in immediate danger, contact law enforcement.
 - e. Determine if the previous caregiver is willing and able to have the child/youth returned to the home, and if it is suitable and safe to do so.
- 6. A placement preservation strategy to preserve the dependent foster youth's placement will be developed prior to making a placement change. A CFT meeting may be convened to identify and implement best practice strategies to support placement preservation. The CFT should be convened as soon as possible. The placement preservation strategies may include, but are not limited to, the following:
 - a. Initiate a strengths-based youth and family-centered CFT meeting to
 - b. collaboratively develop and implement an individual plan designed to meet the youth and family's needs;
 - c. Apply conflict resolution practices to address conflict and concerns, and discuss solutions;
 - d. Review of the Child and Adolescent Needs and Strengths (CANS) assessment tool to identify and discuss strengths and unmet needs to guide case planning;
 - e. Review previous CFT meeting notes to identify any delays or barriers to implementing recommendations agreed to by the previous CFT that may impact placement stability or a youth meeting their goals;
 - f. Actively engage or recruit CFT members such as educational and natural community supports, family members, professionals, and other individuals identified by the child/youth or family; and/or
 - g. Make every effort to ensure the timely provision of support services, as deemed appropriate by the CFT, for specific services to support placement stability such as respite services, referral for assessment for mental health services, or wraparound.
 - h. If the youth is unable to return to placement, explore other possibilities.
- ix. If the child/youth/NMD went missing from care, discuss alternatives to running away, such as a safety plan, support resources, and/or a prevention plan.
- x. Utilize engagement 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 to coordinate any changes to the case plan or a placement change with the team's input, including the Tribe in the case of an Indian child.

xi. Vacate the Protective Custody Warrant

1. NOTE: There may be situations where the Protective Custody Warrant may remain in effect for up to 5 days for children who have frequent instances of being missing from care, consult with County Counsel.

xii. Document contact with the CWS Social Worker Supervisor/Supervising Probation Officer using a contact note in CWS/CMS and the Case Management System to document the circumstances of the return.

xiii. Notify County Council for those children who were abducted or placed with a parent and have since been out of contact with CWS/Probation.

7. CSEC Protocol

- a. If the child/NMD has been identified as a commercially sexually exploited child (CSEC) or is considered at risk for commercial sexual exploitation (CSEC), the SW/PO will follow the reporting procedure outlined in the CSEC Policy and Procedure.
- b. If the child/NMD has been identified as a commercially sexually exploited child (CSEC) or is considered at risk for commercial sexual exploitation (CSE), the SW/PO will enter information in the CSEC Data section located on the Identification tab of the Client Management section of CWS/CMS/ and the Case Management System.