

Youth Missing from Foster Care/Out-of-Home Placement

415.1 PURPOSE AND SCOPE

This policy establishes the guidelines and requirements for staff when a youth or non-minor dependent (NMD) supervised by Merced County Probation absconds from their out-of-home placement and are determined to be missing from care.

415.2 DEFINITIONS

Missing Youth: 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 (WIC 16501.35).

Out-of-Home Placement: placement of a youth outside of the home of their parent or legal guardian to include but not limited to the following: resource family home (RFA), foster family agency (FFA), short-term residential therapeutic program (STRTP), regional center home, transitional housing placement (THP), or supervised independent living placement (SILP).

415.3 POLICY

The Probation Department recognizes missing youth and NMDs are vulnerable to multiple risks and may experience or engage in harmful behaviors including: homelessness, physical injury, untreated behavioral health conditions, drug use, sexual exploitation, and delinquency. As such, Department staff will take steps to mitigate these instances through prevention/intervention, prompt reporting, and continued location efforts. In addition, staff will assess the contributing factors and the youth's/NMD's experiences while absent from care upon the youth's/NMD's return (WIC 16501.35).

415.4 PREVENTION AND INTERVENTION

Officers will utilize the following strategies to reduce the risk of absconding by youth in placement:

- (a) Ongoing discussions with the youth regarding their thoughts about absconding.

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- (b) Ongoing discussion with the caregiver/program staff regarding behaviors and statements from the youth that would indicate a potential to abscond.
- (c) Assessing the minor's risk factors, e.g. substance abuse, delinquency history, history of absconding, and adjustment to placement.
- (d) Advising the youth of the alternatives and available supports.
- (e) Development of a safety plan if appropriate.
- (f) Convening a Child Family Team Meeting if the youth begins to exhibit behavior or make statements regarding absconding.

415.5 REPORTING REQUIREMENTS

Staff will provide notice immediately, but in no case later than one business day (Monday through Friday, excluding County holidays) from the receipt of information that the youth or NMD is missing from foster care/out-of-home placement to the following parties:

- (a) The youth's or NMD's parents, legal guardians, or Indian custodians, unless parental/guardian notification has been limited or terminated by the court.
- (b) The attorneys for the parents, legal guardians, or Indian custodians, unless notifications of the parents, guardians, or Indian custodians has been limited or terminated by the court.
- (c) The youth's or NMD's attorney.
- (d) The youth's or NMD's Court-Appointed Special Advocate, if one has been appointed.
- (e) The court of jurisdiction.
- (f) The youth's or NMD's tribe or tribal representative, if the youth or NMD is, or may be, an Indian Child, as defined in [Section 224.1](#) of the California Welfare and Institutions Code.
- (g) Any known sibling of the youth 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.

Notification can be made via phone call, email, text, or in person to most parties. Notification to the youth's or NMD's siblings should be made through personal contact via phone or in person. For youth that remain under the jurisdiction of the juvenile delinquency court, a notice of hearing pursuant to 777 of the Welfare and Institutions Code shall be filed within one business day of learning the youth is missing from foster care/out-of-home placement. The filing of this notice satisfies the notification requirements for the court and the youth's or NMD's attorney.

415.5.1 NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN

Officers will report immediately, and in no case more than 24 hours after becoming aware of a youth being missing from care, information regarding the youth to the National Center for Missing & Exploited Children (NCMEC) (42 U.S.C. § 671(a)(35)(B)). Officers will include in the report when reasonably possible:

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- (a) [a photo of the missing or abducted 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.](#)
- (d) [information as to whether the youth is or may be an Indian child, as defined in WIC 224.1, including the name of the youth's tribe.](#)

[A youth that is missing from care can be reported to NCMEC by phone or by making an online report:](#)

- (a) [Phone: 1-800-THE-LOST](#)
- (b) [NCMEC Online Report](#)

415.6 INITIAL AND ONGOING EFFORTS TO LOCATE

[Upon learning that a youth is missing from care, the assigned officer or designee will make immediate attempts to locate the youth. These efforts will be documented in the Department's case management system and CWS/CMS. In addition, no less frequently than once a month, officers shall continue attempts to locate missing youth/NMDs. These continued efforts will also be documented in the Department's case management system and CWS/CMS. The efforts will also be noted in each status review report filed during the youth's/NMD's absence. \[\\(ACL 16-15\\)\]\(#\)](#)

. Efforts to locate youth/NMDs may include but are not limited to the following:

- (a) Contacting significant persons in the youth's/NMD's life [\(e.g. parents, siblings, relatives, friends, former caregivers, former and current schools, and service providers, if applicable\)](#) to determine their possible whereabouts.
- (b) Requesting parents or legal guardians make inquiries to the missing youth or NMD and report back information to the officer.
- (c) Physically checking locations where the youth/NMD may be.
- (d) Following up on leads received regarding possible whereabouts.
- (e) Searching social media sites with Department approval.
- (f) [Conducting visits to relevant addresses.](#)
- (g) [Searching public locator databases \(e.g. California Missing Child Clearinghouse, NCMEC\)](#)

415.6.1 ACTIVE EFFORTS WHEN AN INDIAN CHILD IS MISSING FROM CARE

[When a missing youth is, or may be, an Indian Child, the Department will notify and work collaboratively with the youth's Tribe. This includes notifying the Tribe immediately, or no later than 24 hours after learning the youth is missing from care, collaborating with tribal representatives on efforts to locate the youth, and ensuring 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](#)

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placement change is necessary. Engagement with tribal representatives may provide additional information to assist in locating the youth. The active efforts to meet such requirements must also be documented in the Department's case management system and CWS/CMS (ACL 24-18).

415.7 ASSESSMENT UPON RETURN TO CUSTODY OR PLACEMENT

Engaging the youth immediately upon return is critical. A debriefing interview should be conducted by the assigned officer or an adult of the youth's choosing, as soon as possible. When the interview is not conducted by the officer, all information obtained should be shared with the officer, to ensure that information collected is consistent with the formal debriefing information. When conducting the interview, the officer or other adult should ask about the youth's immediate needs (e.g., Are you hungry? Are you hurt? Do you want to see a doctor?) and focus on meeting the youth's immediate and long-term needs. The officer should keep the dialogue open-ended, and use or establish their relationship with the youth to build trust and encourage them to open up to you.

Information gathered through this process should be gathered for purposes of determining treatment needs, developing case plans to support the youth, and reporting required data to the state on children who run away from foster care for federal reporting purposes. Unless otherwise required by law, the information disclosed by the youth should not be used to implicate them in a criminal matter or for any purpose other than tailoring services for the youth. If during the debriefing, if it is revealed the youth was a victim or is at risk of commercial sexual exploitation, the officer shall document this information in the Department's case management system and CWS/CMS (ACIN I-13-17)

When a youth or NMD is located and returned to custody or placement, the officer shall do the following:

- (a) Meet with the youth/NMD in person to determine the contributing factors leading to the youth's/NMD's decision to abscond from placement through a debriefing interview.
- (b) Determine the youth's or NMD's experience while absent from care, including when the youth/NMD was a victim of commercial sexual exploitation of children (CSEC). If it is determined the youth or NMD was a CSEC victim, the officer will refer them to the appropriate resources.
- (c) Have the youth or NMD assessed for immediate needs including medical and behavioral health needs.
- (d) Discuss alternatives to absconding with the youth or NMD and develop a safety or prevention plan, if appropriate, for future placement.
- (e) Activities regarding the assessment of the youth or NMD upon return will be documented in the Department's case management system and CWS/CMS.