



COUNTY OF MONTEREY PROBATION DEPARTMENT

YOUTH MISSING FROM FOSTER CARE PLACEMENT DIRECTIVE

1.0 PURPOSE

The purpose of this policy is to establish uniform procedures to ensure the immediate and appropriate response when a youth or Nonminor Dependent (NMD) under the supervision of the Probation Department is reported missing from foster care. This policy ensures compliance with all applicable federal and state laws, regulations, and county directives related to missing foster youth, including mandatory reporting requirements and ongoing search responsibilities.

2.0 REFERENCES

This policy is issued pursuant to:

Public Law (PL) 113-183; PL 117-348; Assembly Bill (AB) 2108 (Chapter 660, Statutes of 2024); AB 161 (Chapter 46, Statutes of 2024); AB 107 (Chapter 22, Statutes of 2024), Welfare and Institutions Code (WIC) Section 16501.35, WIC 16524.6, WIC 827.14, WIC 317, WIC 634; WIC 224.1(f)(3); Senate Bill (SB) 794; All County Letter (ACL) 16-15; ACL 16-85; ACL 19-26; ACL 25-10; ACL 22-100; ACL 25-06; ACL 24-18; All County Information Notice (ACIN) NO I-13-17; ACIN I-50-19; ACIN I-59-18; ACIN I-36-21; ACIN I-31-22; ACIN I-51-23; ACIN I-28-19; County Fiscal Letter (CFL) 24/25-49; Penal Code (PEN) Section 11166.

3.0 MISSING FROM FOSTER CARE DEFINITIONS

Pursuant to WIC section 16501.35(c)(1), a youth is considered missing “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.”

3.1 Nonminor Dependent (NMD)

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)).

4.0 POLICY

Effective January 1, 2026, it is the policy of the Probation Department to:

- Take immediate action when a youth/NMD is reported missing;
- Comply with all mandatory reporting requirements;
- Conduct diligent, ongoing search efforts until the youth is located;
- Ensure safety, stabilization, and service linkage upon return;
- Document all actions in accordance with state and departmental requirements.

Caregivers and placement providers must be advised of all responsibilities related to missing youth prior to placement acceptance.

5.0 PROCEDURES

5.1 Immediate Actions Upon Learning a Youth/NMD Is Missing

The assigned Deputy Probation Officer (DPO), or Probation Services Manager (PSM), shall take immediate action and complete all required steps within twenty-four (24) hours.

5.1.1 Law Enforcement Notification

The DPO shall:

1. Confirm the placement provider reported the youth missing to the local law enforcement agency and, if the youth is placed outside of the county's jurisdiction, to the law enforcement agency of jurisdiction, and must obtain a copy of the missing person report; or
2. Immediately file a missing person report with the appropriate law enforcement agency.

5.1.2 Required Notifications Child and NMD

The DPO shall immediately notify:

- Parent(s)/guardian(s)/Indian custodian.
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.
- Youth's attorney
- Siblings age 10+ who are court dependents
- Tribal representative (if applicable)
- CASA (if appointed)
- 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.

5.1.3 Court Notification

- Notify the Court by filing a Notice of Hearing/ Violation of Probation to request a warrant be issued within one business day upon learning the youth was missing.
- NMDs: Submit an Informational Memorandum. *A warrant shall not be requested for NMDs.*

5.1.4 Eligibility Notification

- Within three business days, submit a stop payment request to Juvenile Special Services clerical to notify foster care eligibility to end the foster care payment.

5.2 Assessment for Commercial Sexual Exploitation (CSE)

All youth missing from foster care are considered to be at risk of CSE.

5.2.1 Required Reporting When CSE Is Suspected

Within 24 hours, the DPO shall:

- Confirm the report was made to law enforcement for NCIC entry;
- Report to NCMEC at 1-800-THE-LOST (1-800-843-5678) or by submitting an online report via the NCMEC Online Report;
- Provide required information including photo, physical description, endangerment factors, and tribal affiliation if applicable.

For details on additional NCMEC and law enforcement reporting requirements see ACL 16-15.

5.2.2 Required Communication

Per PC 11166(j)(3)(C), the DPO shall maintain ongoing communication with:

- Law enforcement
- NCMEC
- Tribal law enforcement (if applicable)

Information shared may include recent locations, associates, social media updates, or new photos should they become available.

5.3 Search and Recovery Efforts

The DPO shall begin search efforts immediately, including:

- Contacting significant persons in the youth's life (e.g. siblings, relatives, extended family, friends, former caregivers, former and current schools and services providers, therapist(s), CASA, CFT members, and, if applicable, Indian custodians and Tribal representative, to inquire if they have had any recent contact with the youth.
- Requesting the youth's caregiver and/or parent make inquiries to the significant persons in the youth's life and report back any information obtained.
- Physically checking all the places where the youth is likely to be.
- Following up on leads received regarding the youth whereabouts.
- Conducting visits to relevant addresses or requesting a local law enforcement agency conduct a welfare check.
- Searching social media websites.

The DPO shall begin developing a preliminary plan for the youth's safe return.

5.3.1 Active efforts when an Indian child is missing from care

ACL 24-18 provides guidance to county placing agencies on the requirements to make affirmative, active, thorough, and timely efforts "active efforts" to maintain or reunite an Indian child with their family in Indian child custody proceedings. As noted in WIC section 224.1(f)(3), agencies are required to "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." When a child is missing from care, it is the placing agency's responsibility to notify and work collaboratively with the child's Tribe. This includes:

- Notifying the Tribe immediately, or no later than 24 hours after the agency receives information that the child is missing from placement.
- Collaborating with the tribal representative on efforts to locate the child.
- Ensuring the Tribe is regularly updated regarding the child's status, particularly once the child has been located, to determine the most appropriate placement if a placement change is necessary.

Engagement with the Tribe may also provide additional information to assist in locating the youth. All active efforts taken to meet these requirements must be documented in the child's case record, in accordance with ACL 24-18.

5.4 Ongoing Efforts

The DPO shall:

- Continue due diligence search efforts at least once per week, or more frequently if new information arises;
 - Document each search effort in:
 - Tyler Case Management (Activities Contacts Node)
 - CWS/CMS Contact Notebook – See Attachment A on ACL 25-67
 - Include all search efforts in every court report submitted during the youth's absence.
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6.0 PROCEDURES UPON LOCATING THE YOUTH

6.1 Return to Care

The DPO shall:

- Arrange immediate return and stabilization;
 - Notify and convene the Child and Family Team (CFT) as soon as possible;
 - If return is not appropriate, identify alternative placements (relative, NREFM, licensed foster home, or approved program);
 - If the youth is located but unwilling to immediately return to care the DPO shall hold a CFT meeting to discuss ways to support the youth during their absence and create a plan for return when the youth is ready. The DPO shall consistently attempt to have a face-to-face contact with the youth to ensure they are safe, and to continue to support their needs.
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6.2 Immediate Needs Assessment

The DPO shall:

- Refer for medical evaluation through the Foster Care Public Health Nurse as needed.
- Offer medical care for injuries, illness, or harm experienced while absent from placement.

- Evaluate the youth's need for mental health and trauma services, foster youth services, or law enforcement assistance due to victimization/exploitation, exposure to or participation in criminal activity, missing school credits, etc.
- If the youth experienced any new or additional trauma or their needs have increased while away from care the DPO must update the Integrated Practice Child Adolescent Needs and Strengths (IP CANS) within 30 calendar days of determining that a changed condition exists per ACL 25-10.
- Offer to support the youth with accessing services by accompanying them or contacting a significant person in their life who they feel would help them access services.

The Missing/Runaway Youth Debriefing Form (ACIN I-13-17) may be used to guide this process.

6.3 Follow-Up Requirements

Within three (3) business days of the youth's return, the DPO shall:

- Conduct a face-to-face meeting in a private, youth-centered setting.
- Determine the need for an additional CFT meeting.
- Determine the factors that lead to the youth being absent from their placement and to the extent possible, address those factors in subsequent placements.
- Inquire about the youth's experiences while absent from care, including whether they were at risk of being or are a sex trafficking victim.
- Appropriate services shall be provided to any youth who has been determined to be at risk or has been a victim of sex trafficking.
- Unless otherwise required by law, the information disclosed by the youth shall not be used to implicate them in a criminal charge or for any purpose other than tailoring services for them and to meet reporting requirements.
- Explore alternative options to running away from foster care placement and develop a prevention plan and/or safety plan by identifying supports and resources, utilizing a harm reduction approach.

7.0 DOCUMENTATION

All actions taken under this policy shall be documented in:

- Tyler Case Management System (Activities Contacts Node)
- CWS/CMS Contact Notebook – ACL 25-67 Attachment A
- Court reports, as applicable.

Documentation must reflect:

- All notifications
- All search efforts
- All communications with collateral contacts
- All assessments and service referrals
- All actions taken upon return

Approved by: 
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