

Foster Youth Who Are Missing from Care/Risk of CSEC

Policy and Procedural Guide

Related Policy/Procedure: Commercial Sexual Exploitation of Children (CSEC); Child Interviews; Types of Child Abuse and Neglect. Emergency Response Protocol	Initial Date: 02-19-20
CWS/CMS/Forms: Missing Person Report Client Notebook: Contact Notebook; Search Log.	Effective Date: 03-05-26
Legal & Other References: Public Law (PL) 113-183; Senate Bill 794; Welfare & Institutions Code (W&IC) Sections: 16501.35, 16501.45 and 16524.6; All County Letter (ACL) 15-49; ACL 16-15; ACIN 1-23-15; and County Fiscal Letter (CFL) 15/16-4, AB 161, WIC 16501.35. WIC 827.14, ACL 16-15, PEN section 11166(j)(3), ACL 24-18, ACIN I-13-15, All County Letter No. 25-67 Page Five	Revision(s): 02/24/2026
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OVERVIEW

Children who are missing or have run away from foster care represent one of the most serious safety and accountability concerns within the child welfare system. When a child in foster care goes missing, the state — which has legal custody and responsibility for the child’s protection — is unable to ensure that child’s safety, well-being, or access to essential services. Because children enter foster care due to abuse, neglect, or unsafe living conditions, they are already among the most vulnerable populations. When they run away or disappear, their risk of victimization increases significantly.

Research and federal policy recognize that youth who go missing from foster care are at heightened risk for exploitation, particularly human trafficking, sexual exploitation, substance use, and homelessness. Many missing foster youth are attempting to meet unmet emotional, relational, or safety needs, or are fleeing trauma, placement instability, or lack of connection to supportive adults. Their disappearance is therefore not only a placement issue but also a critical child protection issue.

From a legal and ethical standpoint, child welfare agencies have a duty of care to protect children placed in their custody. When a youth runs away or is missing, the agency must take immediate action to locate the child, ensure their safety, and address the underlying causes that contributed to the disappearance. Failure to do so may expose the child to serious harm and may also violate federal child welfare requirements tied to funding and oversight.

Public Law 113-183, Preventing Sex Trafficking and Strengthening Families Act, authorized provisions designed to increase the oversight by the child welfare or probation agency of youth receiving child welfare services, as these youths are often the most vulnerable to sexual trafficking and exploitation. The purpose of this policy and procedure in accordance with ACL 25-67 will update Nevada County Child Welfare Services: Policy and Procedure for Missing Foster Youth Who Are Missing from Care/Risk of CSEC

PL 113.183 requires the title IV-E agency to demonstrate that it has:

- Developed and implemented policies and procedures (protocols) to locate any child/Non-Minor Dependent (NMD) who has gone missing from foster care. Protocols must include provisions to locate any child/NMD missing from foster care.
- Determine the factors that lead to the child/NMD being absent from foster care and to the extent possible, address those factors in subsequent placements; and
- Determine the child's/NMD's experiences while absent from care, including whether the child/NMD is a sex trafficking victim.
- For any child/youth for who the agency has determined is at risk of or has been a victim of sex trafficking, provide appropriate services.

DEFINITIONS AND SCOPE OF CONCERN

The WIC section 16501.35(c)(1) defined missing from foster care as “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.”

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

POLICY

Nevada County's policy regarding Missing Foster Youth from Care/CSEC Risk defines the roles and tasks needed to expeditiously locate any child/youth missing from care. This policy holds child welfare and probation agencies are uniquely positioned to develop effective strategies in providing more intensive case management interventions in locating and stabilizing this high-risk population. Developing coordinated strategies to effectively serve children/youth is important in efforts to protect them from sex trafficking and other dangers.

The task of Nevada County has been to determine that current protocols (policies and procedures) about children and youth who run away ensure their safety and well-being, develop policies and procedures where they did not exist, as well as strengthen existing policies where appropriate to include new federal requirements codified by Senate Bill 794.

Process: Social Worker Responsibilities/Notifications

When the caregiver or child social worker (SW) or probation officer (PO) first learns that a child/youth/NMD has run away or is otherwise missing from care, the following consideration and steps are to be made.

- Under no circumstances should contact with law enforcement be delayed more than 24 hours. Regarding a missing NMD, the SW or PO in order to report the NMD to law enforcement have to reasonably suspect that the NMD left involuntarily or is at risk of substantial harm. The SW or PO shall also consult with their supervisor, program manager, county counsel and minor's counsel to assess if these two prongs were met. If so, the SW or POB is to file a Missing Person Report to the law enforcement agency that has jurisdiction, getting the report number and document the information in the CWS/CMS Contact Notebook.
- The timely reporting of missing foster youth should be immediate and within three hours to be consistent with expeditious location.
- If the youth is a non-minor dependent (NMD) in a supervised independent living placement (SILP) and, if the circumstances of their disappearance warrant such action, the SW is to file a Missing Person Report to the law enforcement agency that has jurisdiction, getting the report number and document the information in the CWS/CMS Contact Notebook
- Direct the caregiver to inquire among neighbors, peers, school, etc. If the youth is a NMD in a SILP with roommates, ask the roommate(s) if they know the whereabouts of the youth. Ask the caregiver to immediately report any information about the missing youth.
- Contact the caregiver by the next business day and confirm the Missing Person Report was filed with law enforcement. Obtain the report number and document the information in the Contact Notebook. If the caregiver has not filed the Report, immediately contact law enforcement and file the report.
- Law enforcement will enter the information into the National Crime Information Center (NCIC) database of the Federal Bureau of Investigation (FBI) and report to the National Center for Missing and Exploited Children (NCMEC). The SW or PO can make a report online or by telephone: 1-800-THE-LOST (1-800-843-5678). There is a cross-reporting requirement mandated in Penal Code section 11166(j-k).

Missing Foster Youth/CSEC Risk notifications:

Upon learning of a missing foster youth, the SW or PO will notify the Court, the youth's parent(s), attorney, tribal representative (if applicable), Court appointed special advocate (CASA), are entitled to notice.

- Immediately tell the youth's/NMD's parent, if available, or legal guardian, that his or her youth has run away and inquire if they know the whereabouts of the youth, specific hangouts, friends, places the youth may have previously runaway to, etc. Specific information about the child's current physical description, any medical ailments and other identifying information to better assist the authorities in locating the foster youth.

- If the parent's whereabouts are known and the parent has no phone, try to locate them at their last known address, as soon as possible but no later than the next business day from the date of learning the youth has run away.
- If missing youth has a sibling 10 years of age or older and under the Court's jurisdiction, they are entitled to notification.
- Ask the parent to contact the department immediately if (s)he gets any information about the youth's whereabouts.
- Ask the parent for a phone number where they can be reached.
- Do not contact the parent or legal guardian if there is an order or other facts showing the parent or legal guardian should not be contacted (i.e. termination of parents' rights, restraining order, etc.)
 - Make inquiries suitable to the situation from:
 - parents
 - non-relative extended family members
 - siblings
 - former out-of-home caregivers
 - relatives
 - youth's friends
 - work associates
 - roommates, former SWs
 - law enforcement
 - youth's former and/or current school
 - any other person who might have any knowledge about the youth's whereabouts.
 - jail clearance
 - teachers
 - therapists

Note: Ask that contact be made with the department immediately if any information about the youth's whereabouts is obtained.

- Continue to make inquiries about noted parties weekly until the youth is found. Follow all leads as new information is received about the location of the youth. For NMDs, these efforts must continue until the court is told the youth's whereabouts are unknown and the court terminates jurisdiction, assuming the NMD meets the requirements of a missing foster youth
- Document all contacts and efforts made to find the child/youth in the Contact Notebook.
- Notify the out-of-home caregiver of the payment termination date, in writing, verbally, in person or by telephone. Enter the date and form by which notice was provided to the foster care provider in the Contact Notebook.
- If the missing youth is not located within the same day as being reported missing, the next day the SW or PO shall file a custody warrant with the Court. The SW shall notify the parents if applicable, minor's attorney, county counsel, CASA, tribal rep is applicable as well. Attach a colored photograph of the missing youth.
- Notify foster care eligibility staff regarding a placement disruption.

- Immediately if the current caregiver states that the youth can return when found.
- Within 14 calendar days from the date the missing youth ran away from placement and within 14 calendar days from the date the NMD left placement.
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- Placement may be kept open and payment continued for up to 14 calendar days from the date the youth ran away from placement if:
 - The caregiver shows a willingness to have the child/youth return to his/her home;
 - The SW agrees that it would be suitable and safe for the child/youth to do so.
 - If the SW agrees to keep the placement open, the bed hold authorization must be in writing.
- If the SW believes that the youth returning to their caregiver is appropriate and in their best interest.
- Notify the youth's attorney within 24 hours but no later than 36 hours.
- As soon as possible, but no later than 5 business days upon receiving notice the youth as run away from placement and the caregiver will no longer accept the youth back, the SW or PO shall ensure the following
 - Secure all his/her clothing and belongings from the placement by having either the caregiver deliver the child/youth's possession to the office or the Nevada County office designee pick up the child/youth's possessions from the caregiver.
 - Store the child/youth's belongings in the appointed area in the Nevada County office.
 - Keep the child/youth's clothing and belongings for a minimum of six months, or until the child/youth is found, or the court directs Nevada County how and when to dispose of the child/youth's belongings.
- If law enforcement requests help to find the missing child/youth, provide help.
- Thoroughly document all efforts to find the child/youth in the next status review report.
- Document all contacts and efforts made to find the child/youth. The SW or PO will ensure attempts to locate the missing youth are aggressive, thorough, non-judgmental, and consider harm reduction.

Additional notifications for missing Tribal foster youth:

- 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 317 © or WIC 634
- The child's or NMD's Court-Appointed Special Advocate (CASA), if one has been appointed.
- The court of jurisdiction.
- Siblings, additional family members

- The child's or NMD's Tribe or Tribal Representative. After noticing the appropriate tribe, the SW and PO shall inquire with the tribe any ideas that could help locate the missing tribal youth.

Also utilizing any additional search efforts such as but limited to contacting 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 such as friends. Physically check all places the youth is likely to be and follow up on leads received regarding the youth's whereabouts.

Penal Code (PEN) 11166

PEN 11166 has been updated to include new communication and reporting requirements in alignment with the federal Trafficking Victims Prevention and Protection Reauthorization Act of 2022. Additional requirements if the SW or PO The PEN section 11166(j)(3)(B) now requires that when child welfare or probation department reports a child missing from care to NCMEC and to law enforcement, including applicable tribal law enforcement. In order to meet this concern, the SW or PO shall staff with but not limited to supervisor, program manager, CASA, parent(s), tribal rep and other relevant parties. The SW or PO must initiate the staffing with the above-named entities. Once the determination is made, the assigned SW or PO must make a report to the NCMEC, law enforcement pertaining to jurisdiction and tribal police (if necessary). The following information must be included in the report:

- 1. A photo of the missing or abducted child or youth.
- 2. A description of the child's or youth's physical features, such as height, weight, sex, ethnicity, race, hair color, and eye color.
- 3. Endangerment information, such as the child's or youth's pregnancy status, prescription medications, 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.
- 4. Information about whether the child or youth is or may be an Indian child
- A report to the NCMEC can be made via a telephone call 1-800-THE-LOST (1-800-843-5678) or online <https://cmfc.missingkids.org/reportit/Account/LogOn>

The newly enacted PEN section 11166(j)(3)(C) further mandates that the probation department and the child welfare services agency maintain ongoing communication with the National Center for Missing and Exploited Children (NCMEC) and appropriate law enforcement agencies, including tribal law enforcement, regarding every child reported missing from care. The purpose is to ensure proper and timely information is passed on to all relevant parties such as the NCMEC, local law enforcement and tribal police, if necessary. The assigned SW or PO shall provide ongoing information but not limited to:

- The location of the child or youth, or a previous recent location
- Names of persons recently in contact with the child or youth
- New social media handles of the child or youth or recently uploaded information on existing handles
- Any new photos obtained from persons in contact with the child or youth or from social media

- Medical updates

Process: Supervisor Responsibilities

- Ensure due diligence searches in accordance with CDSS, Manual of Policy and Procedures, Division 31-320, and support assigned SW or PO attempts to locate a dependent child/youth whose whereabouts are unknown and documentation in CWS/CMS Contact Notebook.
- Ensure search/location efforts are documented in each status review report filed during an absence. These efforts documentation shall include but are not limited to understanding the time frame of reporting missing youth, the individuals or entities entitled to notice that a youth is missing, and required an additional
- Review and sign all documents (i.e., court documents, case plans, eligibility forms, forms as described by CWS/CMS and Division 31, etc.) per the time frames.

Social Worker and Probation Officer Strategies and Approaches to Engaging Dependent Child/Youth

The SW or PO considers the following findings from the research literature are described by Pergamit and Ernst (2011) when working with the dependent child/NMD who might become missing from placement:

- Child welfare agencies can help prevent runaways from foster care by:
 - Using flexible staffing schedules so workers can meet the child/youth's needs.
 - Having frequent, direct contact with child/youth in foster care.
 - Recruiting and supporting foster homes in communities from which foster child/youth comes into care.
 - Strengthening visitation so youth have more contact with their families.
 - Working with foster parents and child/youth on conflict management and communication is another key prevention strategy.
 - By teaching skills and being available to families to help them work through difficulties, child welfare professionals make an important investment in strengthening relationships that may make the difference in a child/youth's decision to run or stay when times are tough.
- The SW or PO may never know for sure who will attempt to run from foster care, but prevention lies in understanding traits of those who run.
 - Girls are more likely to run than boys.
 - Runaway behavior is not linked to race/ethnicity.
 - Runaways tend to have more school problems, higher rates of suicidal ideation, more reported behavioral problems, and more alcohol, substance abuse, and mental health disorders.

- Child/youth in foster care are more likely to run away the first time if they entered care due to lack of supervision and less likely to run if they entered due to sexual abuse or physical abuse.
- The more placements they have, the more likely child/youth are to run.
- Child/youth in group homes or residential facilities are more likely to run away than child/youth in foster homes; child/youth placed with relatives are least likely to run away.
- The older the child/youth is when entering care, the more likely they are to run away.
- Child/youth placed with siblings were less likely to run than those placed on their own.
- While the likelihood of a first run was low and difficult to predict, a child/youth who had run away once before was found to be very likely to do so again.

Social Worker Strategies and Approaches to When Dependent Child/Youth is Located. A harm reduction and strategic approach

Process: Social Worker Responsibilities

A harm reduction approach when working with a foster youth who has run away focuses first on safety, connection, and meeting immediate needs rather than punishment or blame. The goal is to reduce the risks associated with being absent from care—such as exploitation, trafficking, substance use, or unsafe housing—while maintaining a supportive relationship that encourages the youth to return voluntarily. This approach includes nonjudgmental communication, actively listening to the youth’s reasons for leaving, collaborating on a realistic safety plan, and ensuring access to food, shelter, medical care, and trusted adults. It also involves coordinating with partners such as the National Center for Missing & Exploited Children when required, while centering the youth’s voice in planning next steps. By prioritizing trust, stability, and trauma-informed care, harm reduction strengthens engagement and increases the likelihood of long-term safety and permanency. Examples of harm reduction when working with a runaway or missing youth areas are as follows:

- Try connecting with the youth using their preferred style of communication, texts, social media like Facebook or Instagram
- Whether youth is brought back to care or located but refusing to return, the SW or PO will attempt to schedule a CFT to best assist the youth in maintaining safety, create an action plan and hopefully return to care.
- Be honest, validate and show compassion for the youth. Do not scold, demean the youth.
- Use family members or friends who have a strong relationship with the youth to either return to care and/or participate in the CFT.
- Continually assess safety and risk
- ACIN I-28-18 Harm Reduction for Social Workers and ACIN -I-50-19 Harm Reduction for Probation Officers

Additional steps and strategies to consider when locating a missing youth:

1. When the SW or PO has located any child/youth missing from foster care, the SW or PO must determine the factors that lead to the child/youth's being absent from foster care and to the extent possible, address those factors in subsequent placements.
 - Meet with the child/youth as soon as possible to determine the primary factors that contributed to the child/NMD running away/being absent from care.
 - Best practice is to conduct an in-person interview as soon as possible, but now later than two business days after return to care and in a location that is comfortable for the child/youth and where there is sufficient privacy.
 - Open-ended questions should be asked to allow the child/youth to include more information, attitudes and true feelings. (See PPM Child Interviews)
2. The SW or PO can support runaways after they are back in foster care by recognizing that the child/youth experienced a disruption in services (medical, counseling, etc.) and may have, at a minimum, unmet needs.
 - Offer medical care for injuries, sexually transmitted infections, illness or harm experienced while absent from placement:
 - Refer the child/youth to the public health nurse for consultation to rule out injuries, illness, pregnancy, sexual transmitted infections, effects of substance use, etc.
 - 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.
 - Getting child/youth enrolled and engaged in school following a runaway episode is essential, as in having foster parents and child welfare and school staff work together to provide educational continuity, stability and success for foster youth.
 - Ways to help child/youth stay connected with school include the following:
 - Place information about positive academic achievements in child/youth's case files; they need to experience educational success and be acknowledged for it.
 - Provide intensive individual, home-based tutoring to help child/youth eliminate subject-matter and skill deficiencies and attain grade-level abilities.
 - Provide resources to allow child/youth to participate in after-school activities (e.g., museums, lessons, classes, cultural events) that can promote positive peer relationships and motivate them to be engaged in school and in their academic success.
 - Make sure foster parents know the importance of attending school activities of the child/youth in their care; they should participate at school events.
 - Allow child/youth to be active participants in reviewing their educational options and making decisions about their future; this will engender commitment and responsibility for their actions.

- Recruit mentors for child/youth, including family members, who will encourage and help them define and reach their educational goals.
3. The SW or PO's endeavors to learn of behaviors and activities while missing from foster care, including whether the child/youth is a possible victim of commercial sexual trafficking (CSEC) and where and with whom he or she may have stayed.
 - Unless required by law, the information disclosed by the child/youth should not be used to implicate them in a criminal charge or for any purpose other than tailoring services for the child/youth and to meet reporting requirements.
 4. The SW or PO assesses the child/youth's placement and service needs.
 - With the child/youth's agreement and to provide continuity in placement, contact the previous caregiver and determine if there is willingness to have the child/youth returned to his/her home and if it is suitable and safe for the child/youth to do so.
 - If the child/youth cannot return to his or her previous placement, team with the child/youth to explore the possibility of placing him or her with a suitable relative, NREFM, licensed foster family home or other licensed facility that would best meet the child/youth's needs.
 - Explore alternative options to running away from foster care placement, including:
 1. Developing a safety plan that identifies the child/youth's role and responsibilities.
 2. Establish a support network and determine resources; and
 3. Negotiate a prevention plan.
 5. The SW considers the following when there is information/evidence that child/youth was victim of CSEC:
 - Change language by refraining from using the word "prostitute". This implies the child/youth has a choice.
 - These children are victims and are being trafficked by adults.
 - Interventions and services should consider the severe physical and psychological violence and trauma CSEC youth have experienced.
 - Victims of sexual exploitation have immediate and long-term needs that should be addressed.
 - Identify state and/or local resources that provide the level of care needed for this victim population, i.e. See County Inventory/California Homeless Youth Project at <http://cahomelessyouth.library.ca.gov/docs/pdf/county-inventory.pdf>)

RESOURCES

ACL 16-15: Youth Who Are Missing from Foster Care, 4/28/16

<http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acl/2016/16-15.pdf>

ACL 15-49: Commercially Sexually Exploited Children (CSEC) Documentation in the Child Welfare Services/Case Management System (CWS/CMS) 5/28/15

<http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acl/2015/15-49.pdf>

ACL 14-62: Commercially Sexually Exploited Children (CSEC) Program, 9/3/14:

<http://www.dss.cahwnet.gov/lettersnotices/EntRes/getinfo/acl/2014/14-62.Pdf>

Administration for Children and Families: Runaways from Foster Care; (Runaway and Homeless Youth) RHY Programs and Services, 11/4/14

https://www.acf.hhs.gov/sites/default/files/fysb/info_memo_rhy_foster_care_20141104.pdf

Preventing and Responding to Runaways from Foster Care, 5/2014

<http://fosteringperspectives.org/fpv18n2/runaways.htm>

Youth Who Run Away from Out-of-Home Care/Child Welfare Information Gateway

<https://www.childwelfare.gov/topics/outofhome/casework/children/older/runaway/>

Running Away from Foster Care: Youths' Knowledge and Access of Services, 4/9/11

<http://www.1800runaway.org/wp-content/uploads/2015/05/Part-C-Youth-in-Foster-Care.pdf>

National Center for Missing & Exploited Children/ NCMEC

<https://cmfc.missingkids.org/home>

Commercial Sexual Exploitation of Children (CSEC) Protocol, 9/10/15

[http://www.sdcourt.ca.gov/pls/portal/docs/PAGE/SDCOURT/JUVENILE3/POLICIESPROCEDURESANDPROTOCOLS/JUVPOLICIESPROCEDURESANDPROTOCOLSFORMS/CSEC%20PROTOCOL%20\(FINAL%20091015\).PDF](http://www.sdcourt.ca.gov/pls/portal/docs/PAGE/SDCOURT/JUVENILE3/POLICIESPROCEDURESANDPROTOCOLS/JUVPOLICIESPROCEDURESANDPROTOCOLSFORMS/CSEC%20PROTOCOL%20(FINAL%20091015).PDF)