

RIVERSIDE COUNTY PROBATION DEPARTMENT

RCP Foster Youth Missing from Care Protocol (AB 2108)

Purpose:	The following procedure will be used when a Probation placed foster youth or Non-Minor Dependent (NMD) is missing from care. Regarding Dual Status youth, this SOP applies to Probation lead cases only. Child Welfare is responsible for initiating this protocol for Department of Public Social Services (DPSS) lead cases. The Dual Status DPO remains responsible for following CSEC protocol and making warrant and location attempts, even when not the lead agency.
Related Policy/ Legislation:	AB 2108; ACL 16-15; ACL 16-85; ACL 25-67; WIC §16501.35; Riverside County Probation (RCP) policies 645 (Escape/AWOL) and 412 (Commercially Sexually Exploited Children) (CSEC), and RCP's CSEC AWOL and Runaway Management SOP.
Process Owner/ Position:	Field-Placement and Youth Support (PAYS)-Placement and Dual Status Supervising Probation Officers

Step 1: Placement Officer receives notification of a foster youth or NMD missing from care.

- Pursuant to WIC § 16501.35, a foster youth is considered “missing from foster care” when the minor’s whereabouts is unknown to the agency, or located in a non-approved location that may pose risk, considering age, intelligence, as well as mental and physical condition. This procedure shall only apply to a nonminor dependent 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.
- The assigned placement officer or their designee will follow up on notifications of probation foster youth or NMDs reported missing from care by calling the foster youth’s or NMD’s placement caregiver to verify that they are still absent from care, including the time the youth or NMD left the placement and the circumstances of their disappearance.
- The placement officer or their designee will verify the youth’s court-ordered curfew, if applicable.
- The placement officer or their designee will determine whether the youth or NMD is a victim of Commercial Sexual Exploitation (CSE) or is a risk of CSE.
- If it is reasonably believed that the youth or NMD will not return to the placement, or if the youth has not returned by curfew or leaves after curfew, the placement officer or their designee shall act promptly and initiate the missing youth protocol.

Step 2: Provide notification to applicable parties

- When a youth or NMD is missing from care, the placement officer or their designee shall provide notification immediately, **but no later than 24 hours** to the following parties (as applicable):
 - Parents, legal guardians, or Indian custodians (unless parental notification has been limited or terminated by the court).
 - Attorneys for the parents/guardians/custodians (unless parental notification has been limited or terminated by the court).
 - Youth’s attorney [WIC § 317(c) or WIC § 634]
 - Court of jurisdiction.
 - Court Appointed Special Advocate (CASA), if appointed.
 - Tribe or tribal representative, if applicable.

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- Youth's social worker, if applicable.
- Any known siblings 10+ years old and adjudged to be a dependent child of the juvenile court (Notice shall be provided in a trauma-informed manner and only if it would not be contrary to the safety and well-being of that sibling).
- Local law enforcement and tribal law enforcement (if applicable). If the youth or NMD is placed outside of the jurisdictional county, law enforcement should be notified in the jurisdictional county where the parents, legal guardians, or custodians reside.
- The following parties shall be notified via email and provided with the Missing from Care Notification Form:
 - Attorneys for the parents/guardians/custodians (unless parental notification has been limited or terminated by the court).
 - Youth's attorney [WIC § 317(c) or WIC § 634]
 - Public Defender via email
 - Riverside: LOPD-RIV.Juvenile@rivco.org
 - Southwest: LOPD-SW.Juvenile@rivco.org
 - Desert: LOPD-IND.Juvenile@rivco.org
 - Juvenile Defense Panel via email
 - Riverside@juveniledefensepanel.com
 - Southwest@juveniledefensepanel.com
 - Desert Conflict Panel via email
 - michelle@desertconflictpanel.com
 - tracy@desertconflictpanel.com
 - fijipaulusa@yahoo.com
 - Court of jurisdiction
 - Notifications may be sent via email to Judge Petersen (mark.petersen@riverside.courts.ca.gov) and Marcus Walls (marcus.walls@riverside.courts.ca.gov), with a declaration or notice filed on the appropriate case by the following business day.
 - Court Appointed Special Advocate (CASA), if appointed.
 - Youth's social worker, if applicable.
- Should the youth return prior to warrant filing, the placement officer or their designee shall notify all applicable parties of the youth's return to care.
- All notices shall include contact information for the assigned placement officer and his/her supervisor.

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Step 3: If the youth or NMD is a victim of CSE or is at risk of CSE, **within 24 hours**, report to law enforcement and National Center for Missing and Exploited Children (NCMEC)

- Follow steps outlined in the Commercial Sexual Exploitation of Children – AWOL and Runaway Management (Attachment A), and CSEC of Children – Youth Identification (Attachment B).

Step 4: Document in Client Management System – Enterprise Supervision

- **Within 24 hours**, the placement officer or designee shall create an Enterprise Supervision activity documenting:
 - Confirmation that the youth or NMD is missing from care, including the name and title of the individual at the placement who provided the confirmation.
 - The timeframe in which the youth or NMD went missing from care.
 - Verification that the placement caregiver has notified the youth's or NMD's parent or guardian.
 - Documentation of notifications made to the assigned placement officer (if handled by designee), and all other required parties, including the date, time, and method of each contact.

Step 5: File Notice of Hearing (NOH) and Warrant Request

- Refer to the following documents:
 - NOH and Warrant Request – Placement Checklist (Attachment C)
 - Process and Content for Notice of Hearing (NOH) WIC § 777 or (Change of Circumstance) WIC § 778 (Attachment D)
 - Notice of Hearing – Bench Warrant Request (Attachment E)

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Step 6: Make initial and ongoing efforts to locate the missing youth or NMD

- **Within 24 hours**, the placement officer or designee shall contact individuals who are significant in the youth's or NMD's life to gather information about where the youth or NMD might be. These individuals included, but are not limited to:
 - Parent(s) or legal guardians
 - Indian custodians (if applicable)
 - Relatives or extended family members
 - Service providers
 - Court Appointed Special Advocate (CASA)
 - Youth's attorney
 - Tribal representatives (if applicable)
 - Friends or other persons the youth is close to
- Conduct in-person checks at locations the youth is most likely to be.
 - If unable to conduct a physical check, request a welfare check from local law enforcement.
- Follow up on all credible leads regarding the youth's or NMD's whereabouts.
- Search social media accounts.
- Refer to Placement Warrant Notification and Attempt Guide (Attachment F).
- All efforts to locate the youth must be documented properly in Enterprise Supervision, including:
 - Contacts made
 - Locations checked
 - Leads followed
 - Social media searches
 - Any law enforcement interactions
- All new information relevant to the youth's recovery shall be shared with the assigned law enforcement agency and NCMEC as required by PEN §11166(j)(3)(C). This information may include but is not limited to:
 - The location of the youth, or a previous location
 - Names of the persons recently in contact with the youth
 - New social media handles of the youth or recently uploaded information on existing handles
 - Any new photos obtained from persons in contact with the youth or from social media

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Step 7: Post-absence assessment

- When a youth or NMD who has run away or been absent from care is located, the placement officer or designee shall complete all of the following actions:
 - Arrange for the youth's return to care and support stabilization, ensuring safe transportation and immediate needs are met.
 - Refer to Placement Warrant Notification and Attempt Guide (Attachment F); Engage the youth to:
 - Identify the primary factors that contributed to the youth/NMD leaving placement
 - Assess what occurred while the youth/NMD was missing, including any exposure to harm, coercion, or unsafe individuals
 - Respond to factors identified by adjusting services or making changes in subsequent placements, when possible
 - Address any trauma the youth experienced while absent and identify opportunities to enhance the youth's/NMD's well-being and resilience
 - Assess for CSE and determine whether the youth is at risk of or may have been a victim of CSE
 - If CSE risk or victimization is identified, ensure the youth is referred to appropriate services
 - Schedule a Child and Family Team Meeting (CFTM) to coordinate updates to the youth's/NMD's case plan, safety planning, service modifications, and/or placement changes
- Document all findings, actions, and assessments in Enterprise Supervision, including but not limited to:
 - Contributing factors
 - Experiences while missing from care
 - CSE screen results
 - Steps taken to adjust services or placement

Documentation in the Child Welfare System/Client Management System (CWS/CMS)

- Upon receipt of the Placement Stop Payment from the placement officer, the Supervising Office Assistant (SOA) will document the missing youth or NMD in CWS/CMS. Documentation shall also include:
 - Location efforts
 - Notifications made
 - CSE victim or at risk of becoming a victim
- Of note, it is important to maintain constant and consistent documentation of all efforts into CWS/CMS.

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Important Reference Links
• 16501.35 WIC • Assembly Bill 2108 • ACL 25-67: Youth Who Are Missing and/or Run Away from Care and Protocol Development • ACL 16-85: Statewide Policies and Procedures to Prevent Child Sex Trafficking • ACL 16-15: Youth Who Are Missing from Foster Care

Total Time:	Varies
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For Auditing Purposes Only

PASS AUDIT FREQUENCY: _ of _ per (year, month, week)			FAIL AUDIT FREQUENCY: _ of _ per (year, month, week)	
AUDITOR:			DIVISION/ UNIT/ AREA:	
DATE:			CASELOAD # or CID:	
STEP	CRITICAL PROCESS	STEP OK?	ISSUE	AREA(S) FOR IMPROVEMENT