



SHASTA COUNTY PROBATION DEPARTMENT

PROCEDURE: Youth/NMD Missing or Run Away from Care

PURPOSE:

Missing youth from care is defined as a youth or Non-Minor Dependent (NMD) who is absent from placement or caregiver without permission and whose whereabouts are unknown to the responsible adult or supervising agency, raising concern for the youth's or NMD's safety and well-being. For probation-supervised youth, WIC 16501.35(b) requires the probation department to maintain written protocols for responding when a youth in foster care placement is missing, with an emphasis on safety, engagement, and service response rather than enforcement alone.

Specifically, probation must promptly attempt to locate the youth, coordinate with caregivers and law enforcement as appropriate, assess the youth's safety and risk (including exploitation or trafficking) once located, and use the information learned to adjust supervision conditions, services, or placement to reduce future absences, rather than treating the episode as a violation or punitive matter by default.

For probation-supervised youth, Welfare and Institutions Code 16501.35 also requires the supervision Probation Officer, when information is received that a youth or NMD is missing from placement, no later than 24 hours from the receipt of that information, notify specified entities or persons, including law enforcement agencies and the parent/legal guardian/Indian Custodian, and child's Tribe in the case of an Indian Child of their status missing from care.

Penal Code Section 11166(j)(3) requires reporting to the National Center for Missing and Exploited Children (NCMEC). Regarding children who are reasonably believed to be, or are at risk of being, victims of Commercial Sexual Exploitation. Welfare and Institutions Code Section 827.14 provide the authority to share the information from the juvenile case file with NCMEC.

Reference: All County Letter (ACL) 25-67 provides updated guidance to counties on strengthening prevention and response to missing foster youth, reinforcing youth-centered, trauma informed practices, cross-system coordination, and placement-preservation strategies following a youth's return.

PROCEDURE:

Upon notification of a missing youth/NMD from care, pursuant to 16501.35 WIC the Probation Officer must make a report to local law enforcement and to the law enforcement agency in the jurisdiction of placement immediately, or no less than 24 hours of being advised the youth is missing. After law enforcement is notified, the Probation Officer will send notice to all other required parties, including but not limited to:

- a. Youth's parents/legal guardians/Indian Custodians (unless parental notification has been limited or terminated by the court)
- b. Attorneys for the parents/legal guardians/Indian Custodians attorney (unless parental notification has been limited or terminated by the court)

- c. Youth's attorney or tribal representative (if applicable)
- d. Youth's CASA (if applicable)
- e. Court of jurisdiction
- f. Youth's sibling(s) (if sibling is 10 years of age or older and adjudged to be a dependent of the juvenile court, and if such notice would not be contrary to the safety and well-being of that sibling)
- g. National Center for Missing or Exploited Children (NCMEC) 1-800-843-5678

Notices to family, of a missing youth/NMD from care, should be provided in a trauma informed manner and all notices shall include contact information for the assigned Probation Officer and Supervisor.

The Probation Officer must also notify Foster Care Eligibility regarding any placement change incurred as a result of the child/youth's absence from care. Placement may be kept open and payment continued for up to fourteen (14) calendar days from the date the youth ran away from placement if the caregiver shows a willingness to have the child/youth returned to their home and the Probation Officer agrees.

If the youth/NMD has run away to another state, the out-of-state law enforcement agency must be contacted and notified of the California warrant and given the Probation Officer's contact information.

After notices have been provided, the Probation Officer will begin efforts to locate the missing youth. The Probation Officer must document efforts taken to locate the missing youth from care.

Efforts to locate youth should be documented in Child Welfare Services Case Management System (CWS/CMS) in the contact notes including documentation of required notices as well as in ePro.

Per Penal Code section 11166(j)(3)(B) when the Probation Department reports a youth/NMD missing from care to NCMEC, to local law enforcement and the jurisdiction in which the youth is placed, including applicable tribal law enforcement, the following information must be included when reasonably possible:

- Photo of the missing or abducted youth
- Description of the youth's physical features (height, weight, sex, ethnicity, race, hair color, eye color)
- Endangerment information (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)
- Information about whether or not the youth is or may be an Indian Child, as defined in WIC 224.1, including the name of the youth's Tribe

The Probation Department is required to maintain regular communication with NCMEC and applicable law enforcement agencies, including tribal law enforcement, for all reported youth missing from care with the purpose of providing safe recovery of the missing youth. This includes sharing any information related to the youth's recovery and circumstances related to the recovery. This information may also include but is not limited to:

- The location of the youth, or a previous recent location
- Names of 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

A youth absent from their care without consent is not a valid reason to terminate a youth without a placement preservation plan. Other plans should be considered for runaway behavior.

Repeated violations or periods of youth running away or voluntarily being absent without consent longer than 24 hours should be staffed with a supervisor and proceed with the following:

- Obtain incident report from the placement agency.
- Request a warrant for the youth's arrest via court petition.
- Make all required contacts pursuant to 16501.35 WIC as listed above.
- Update CMS/CWS placement information to AWOL.
- Contact Law Enforcement in jurisdiction of placement and obtain a case number.
 - Document the contact and case number in epro.
- Contact the NCMEC and begin the process to enter the youth's information in the system.
- Contact the Tribe of the youth if the youth is an ICWA youth.
- Contact relatives or known associates in an attempt to determine the whereabouts of the youth.
- These efforts are to be continued and documented in ePro every 15 days until the youth is located.

Placement Preservation: When a youth or NMD under juvenile probation supervision returns after being missing (runaway/absent without consent), placement preservation is critical to prevent repeat episodes and additional trauma. The supervising officer should respond in a trauma informed, non-punitive manner, consistent with WIC 202, 727.2 and 727.3 which empathize rehabilitation, safety and placement stability using the least restrictive approach. The supervising officer should conduct a timely, trauma informed re-entry check focused on safety, basic needs, and the youth's perspective. In addition, per WIC 727.2(d) and 727.3 the probation officer is also required to engage the youth / NMD and caregivers in updating the case plan and supervision conditions to address the underlying reasons the youth went missing, with the goal of placement preservation rather than disruption. The following ACL's provide further guidance and resources:

- ACIN 1-13-17 provides guidance on conducting follow up interviews upon their return.
- ACL 19-26 and ACL 22-100 provide further guidance on practices for responding, engagement and support to reduce repeat episodes and promote placement stability.

Tribal and Indian Custodian Notification & Involvement

When an Indian child is missing from foster care, counties must promptly notify the child's tribe and Indian custodian, document all contacts, and involve the tribe in safety planning and location efforts. The following ACLs reinforce the requirement for ongoing tribal engagement and consultation, including during placement disruptions or absences.

- ACL18-109 Outline ICWA inquiry, notice and documentation requirements
- ACL 21-22 provides practice clarification in ICWA Compliance, Active Efforts, and Tribal Engagement

- ACL 16-15 outlines locating protocols while continuing to meet ICWA requirements

For Indian children, counties must use **active efforts**, to locate the child, engage family and tribal supports and address the underlying reasons the child went missing. Active efforts for probation protocols are affirmative, thorough and culturally responsive actions in partnership with families, tribes, service providers and community supports to actively engage, locate, support and stabilize youth and their placements. This includes culturally appropriate, tribe-informed strategies and cannot be satisfied by passive referrals or law-enforcement only responses. If an Indian child is located or returns, ICWA placement preferences must guide all placement decisions, including temporary or emergency placements, unless a documented exception applies. ACL 12-12 supports stabilizing family-based placements through services rather than defaulting to more restrictive or culturally disconnected settings.