



TRINITY COUNTY PROBATION DEPARTMENT

PROCEDURE: Placement Missing Youth and Warrant (also searchable in system as AWOL)

Overview:

If a youth absconds from their court ordered placement, the Deputy Probation Officer (DPO) will request a warrant. The DPO will follow ACL 16-15 and ACL 25-67 guidelines. During the runaway period, the department is required to exercise due diligence in making efforts to locate the youth. All activities shall be documented in the case management system.

Definitions:

Missing Youth: 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 leave foster care or is at risk of substantial harm (WIC section 16501.35(c)(2)).

ACL: All County Letter

NMD: Non-dependent Minor

CSEC: Commercially Sexually Exploited Children

Reference(s):

[ACL 16-15](#); Division 31;

[ACL No. 25-67: Youth Who Are Missing / Run Away from Care and Protocol Development](#)

[ICWA Active Efforts All County Letter No. 24-18](#)

ACL [19-26](#): Placement Change Requirements

[All County Letter 22-100](#): Placement Preservation Strategy Frequently Asked Questions

[PROMISING PRACTICES FOR YOUTH WHO ARE MISSING OR RUN AWAY FROM FOSTER CARE ACINI-13 17](#)

Procedure:

Upon the report of a missing or AWOL or absconded non-NMD youth:

1. DPO will verify the placement made the immediate report to local law enforcement.
2. DPO will verify the placement made the immediate report to the parent/guardian.
3. DPO will ensure receipt of the Police Report Number and Incident Report.
4. DPO will refer to Child Welfare Services Policy as an additional verification of current requirements and gain their assistance with entering information in the state data base.

5. DPO will ensure WIC section 16501.35 mandates notification to specific entities and persons, immediately, but in no case later than 24 hours, from receipt of information that the minor or NMD is missing from foster care. The required notifications include:
 - a. • 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 section 317(c) or WIC section 634. • The child's or NMD's Court-Appointed Special Advocate (CASA), if one has been appointed. • The court of jurisdiction. • The child's or NMD's Tribe or Tribal Representative, if the child or nonminor dependent is, or may be, an Indian child. • Any known sibling of the child 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. Notice to siblings shall be provided in a trauma-informed manner. • The 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. These notices shall include contact information for the case carrying social workers or probation officers and their supervisors within the placing agency issuing the notice.
6. DPO will ensure requirements of Penal Code Section 11166 have been met. This includes reporting to NCMEC. Refer to ACL 25-67 for updated details of the increased mandates to this section of law.
7. DPO will make specific active efforts when an Indian child is missing from care. The ACL 24-18, released in March 2024, provides guidance to county placing agencies regarding the requirements to make affirmative, active, thorough, and timely efforts ("active efforts") intended to maintain or reunite an Indian child with their family in Indian child custody proceedings. As noted in WIC section 224.1(f)(3), "identifying, notifying, and inviting 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," is a requirement. 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 has received information that the child is missing from placement, collaborating with the tribal representative on efforts to locate the child, and ensuring that the Tribe is regularly updated regarding the child's status, particularly when the child has been located, to determine the most appropriate placement, if a placement change is necessary. Engagement with the Tribe may provide additional information to assist in locating the youth. The active efforts to meet such requirements must also be documented in the child's case record, per ACL 24-18.

The DPO must make regular attempts to locate a ward whose whereabouts are unknown by, but not limited to, making the following efforts:

1. Weekly, determine the youth's whereabouts by contacting significant persons in the youth's life (e.g. parents, Indian custodians, tribal representative, siblings, relatives, youth's best friends, former caregivers, former and current schools and service providers, if applicable).
2. Weekly, the DPO will request caregiver and/or parent make inquiries to the above individuals and report back information obtained.
3. Upon learning whereabouts, notify supervisor and attempt to safely apprehend youth, if possible.
4. Weekly, follow up on leads received regarding the youth's whereabouts.
5. Conduct visits to relevant addresses, or request another law enforcement agency to conduct a welfare check in places the youth is likely to be.
6. Searching social media websites (if authorized).
7. Search of public locator databases {e.g. California Missing Child Clearinghouse, National Center for Missing and Exploited Children, etc.}

Additional Tasks:

1. Complete all the permanency planning hearing reports and nonminor dependent review hearings for youth even when warrant is active. The department's diligent efforts to locate the youth must be included in each of the reports.
2. Plan and coordinate apprehension efforts when a youth's whereabouts become known.
3. Ensure all CWS/CMS/CARES data entry is thoroughly and timely completed.

To meet the requirements to assess the circumstances of the youth when returned, the DPO must:

1. Determine the primary factors that contributed to the child or nonminor dependent running away or otherwise being absent from care;
2. Respond to those factors identified in subsequent placements, to the extent possible.
3. Determine the child's or nonminor dependent's experiences while absent from care.
4. Determine whether the child or nonminor dependent is a possible victim of commercial sexual exploitation.
5. Document the activities and information described in (A) to (D), inclusive, for federal reporting purposes, consistent with instructions from the department.
6. Determine the youth's or NMD's experiences while absent from care, including whether the youth/NMD is a possible victim of commercial sexual exploitation. for a child or youth who has experienced CSE or is at risk of experiencing CSE, protocols must also contain policies and procedures that require social workers and probation officers to do all the following:
 - a. Identify children receiving child welfare services, including dependents or wards in foster care, nonminor dependents, and youth receiving services pursuant to Section 677 of Title 42 of the United States Code, who are, or are at risk of becoming, victims of CSE.

- b. Document individuals identified pursuant to paragraph (1) in the statewide child welfare information system and any other agency record as determined by the county.
 - c. Determine appropriate services for the child or youth identified pursuant to paragraph (1).
 - d. Be provided relevant training in the identification, documentation, and determination of appropriate services for any child or youth identified in paragraph (1).
5. Report missing child or youth to NCMEC, as required by PEN section 11166, if the missing child is reasonably believed to have experienced or is at risk of experiencing CSE. Ensure NCMEC reporting requirements are included.

The DPO shall:

1. Assess the immediate needs of the youth/NMD.
 - a. Offer medical care for injuries, illness, or harm experienced while absent from placement (e.g. refer the case to the public health nurse for consultation to rule out injuries, illness, pregnancy, sexual transmitted infections, effects of substance use, etc.).
 - b. 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.
2. Determine reasons for the youth running away and, when possible, address the identified reasons in subsequent placements.
3. Learn of behaviors and activities while missing from foster care, including whether the youth or NMD is a possible victim of CSE and where and with whom he or she may have stayed
4. Unless otherwise required by law, the information disclosed by the youth should not be used to implicate them in a criminal charge or for any purpose other than tailoring services for the youth and to meet reporting requirements. Assess placement and service needs.
 - a. Determine the need for Team Decision Making meeting or Child and Family Team meeting.
 - b. With the youth's agreement and in an effort to provide continuity in placement, contact the previous caregiver and determine if there is willingness to have the youth returned to their home and if it is suitable and safe for the youth to do so.
 - c. If the youth cannot return to his or her previous placement, team with the 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 youth's needs.

5. Explore alternative options to running away from foster care placement, including developing a safety plan, support resources and/or prevention plan. This may include a Harm Reduction Strategy:
 - (a) Develop individualized, youth-informed harm reduction safety plans that include:
 - (i) Emergency contacts and safe adults
 - (ii) Youth-preferred safe places
 - (iii) Social media handles
 - (iv) Emergency supplies (hygiene kits, bus passes, etc.)