

TULARE COUNTY PROBATION DEPARTMENT

Youth Missing From Foster Care Placement

I. Introduction

Pursuant to Welfare and Institutions Code [WIC 16501.35\(a\)\(1\)](#), the Probation Department shall identify children and youth receiving child welfare services who are, or who may be at risk of becoming, victims of commercial sexual exploitation. This includes dependents and/or wards placed in foster care, nonminor dependents, and youth receiving services pursuant to Section 677 of Title 42 of the United States Code.

The following subsections outline the procedures to be followed when a youth is determined to be missing from foster care, including efforts to locate the youth, notification requirements, search activities, ongoing case responsibilities, and actions to be taken upon the youth's recovery.

II. Definitions

A. Missing Youth

Pursuant to Welfare and Institutions Code [WIC 16501.35](#), a youth is considered "missing from foster care" when the whereabouts of a youth subject to a foster care placement order are unknown to the Probation Department; or the youth has been located in a placement not approved by the court that may pose a risk to the youth, considering the youth's age, intelligence, mental functioning, and physical condition.

B. Missing Nonminor Dependent (NMD)

Pursuant to Welfare and Institutions Code [WIC 16501.35\(c\)\(2\)](#), the above definition applies to an NMD only if, based on the totality of the circumstances, the agency suspects the NMD did not voluntarily leave care, or the NMD is at risk of substantial harm.

III. Applicability

This policy applies to all youth placed in foster care by the Probation Department, including:

- Non-Relative Extended Family Members (NREFM) and approved relative caregivers
- Resource Family Homes (RFA), including those certified by Foster Family Agencies (FFA)
- Short-Term Residential Therapeutic Programs (STRTP)
- Transitional Housing Placement (THP) programs, and Court-ordered independent living arrangements for NMD

IV. General Requirements for the Probation Department

In accordance with [ACL 16-15](#), the Probation Department is required to:

1. Locate any youth reported missing from foster care.
2. Determine contributing factors that led to the youth being absent and address those factors.
3. Determine the youth's experiences while absent. If known, identify minors who are, or are at risk of becoming, victims of commercial sexual exploitation (CSE).
4. Timely reporting of when a youth goes missing from the program and providing required notifications within statutory timeframes.
5. Ensure that foster care programs are informed of and understand the Probation Department's notification requirements for when a youth goes missing from foster care.

V. Foster Care Caregiver Responsibilities

The caregiver shall initiate the following actions immediately upon determining that a youth in their care is missing. Notification shall occur as soon as possible, but no later than eight (8) hours after the youth's failure to return home, and must include the following steps:

1. **Law Enforcement Notification:** The caregiver shall immediately notify local law enforcement and file a missing person report.
2. **Probation Notification:** The caregiver shall notify the assigned Deputy Probation Officer (DPO) immediately, but no later than eight (8) hours after determining the youth is missing.
 - During normal business hours (Monday through Friday, 8:00 a.m. to 5:00 p.m.), the caregiver shall immediately contact the assigned DPO, report the circumstances, and provide the missing person report number.
 - Outside of normal business hours, the caregiver shall immediately contact the Tulare County Probation Juvenile Detention Facility at (559) 735-1602, request to speak with the on-duty Institution Supervisor (IS), report the circumstances, and provide the missing person report number.
3. **Incident Report Submission:** Short-Term Residential Therapeutic Programs (STRTP) shall submit a written incident report within 48 hours documenting the circumstances that led to the determination that the youth is missing from care.

VI. Probation Department Responsibilities

In accordance with [ACL 16-15](#), SB 794 requires counties to report missing youth to law enforcement immediately, and no later than 24 hours after receiving the information. Upon notification that a minor is missing, the assigned Deputy Probation Officer (DPO) shall:

1. **Notify Placement Supervisor:** Contact the Placement Supervisor immediately and consult regarding whether to hold the placement open for up to 14 days.

2. **Verify Missing Person Report:** Confirm that a missing person report has been filed with law enforcement. If a report has not been filed, immediate reporting is required. Consistent with ACL 16-15 and SB 794, missing youth must be reported to law enforcement without delay. If the caregiver has not contacted law enforcement, the assigned Deputy Probation Officer (DPO) shall ensure the report is submitted immediately.
3. **Provide Notice to Required Parties:** Notify all relevant parties as listed in Welfare and Institutions Code 16501.35(b)(2)(f) immediately, and no later than 24 hours after receiving information about the missing minor. Follow the notification requirements outlined in Section VII.
4. **Notify the National Center for Missing & Exploited Children (NCMEC) and The California Missing Child Clearinghouses (MCC):** Contact (NCMEC) by phone at 1-800-THE-LOST (1-800-843-5678) and (MCC) by phone at 1-800-222-FIND (1-800-222-3463) to report the missing minor. When submitting the report, provide the following information: Minor's full name, date of birth, gender, height, and weight, date the minor went missing, the city and state from which the minor went missing, guardian information, reporting agency information, missing report number, and police report number from the law enforcement agency with which the missing person report was filed. If applicable, information about the minor's tribe.
5. **Notify the Court:** File a Request for Warrant and Notice of Violation of Probation (JV-735) within 72 hours after receiving initial notification of the minor's absence.
6. **Document All Efforts:** Record all actions taken to locate the minor in the CWS/CMS system and the caseload explorer.
7. **Secure Minor's Belongings:** Within five (5) business days, the minor's clothing and personal items must be secured. The caregiver may either deliver the items directly to the office, or the assigned DPO may pick them up from the caregiver. Once the belongings are in the DPO's possession, they must be stored in the designated area at the Visalia Headquarters office.

VII. Required Notifications

The DPO shall notify all relevant parties as listed in Welfare and Institutions Code [WIC 16501.35\(b\)\(2\)\(f\)](#) immediately, and no later than 24 hours after receiving information about the missing child or nonminor dependent missing from foster care. To all the following parties:

- **The Childs or NMD's parents/ Legal Guardians/ Indian Custodians:** Notify missing child's or nonminor dependent's parents, legal guardians, or Indian custodians, unless parental notification has been limited or terminated by the court.
- **The Childs or NMD's attorney and the attorney for the parents/ Legal Guardians/ Indian Custodians:** Notify missing child's or nonminor dependent's attorney appointed or 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 Childs or NMD's Court Appointed Special Advocate (CASA):** Notify the missing child's or nonminor dependent's (CASA), if one has been appointed.

- **The Childs or NMD's Tribe Representative:** Notify the missing child's or nonminor dependent's tribe or tribal representative, if the child or nonminor dependent is, or may be, an Indian child, as defined in [WIC 224.1](#)
- **The Childs or NMD's known siblings:** Notify the missing child's or nonminor dependent's known sibling 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.
- **Local Law Enforcement Agency:** Notify the local law enforcement agency and in case of an Indian child any tribal law enforcement agency for the child's tribe. If the child is placed outside of the jurisdictional county, that law enforcement should be notified in the jurisdictional county, where the parents, legal guardian, or Indian custodian reside.

VIII. Due Diligence Search Efforts

The Department shall engage in ongoing and active efforts to locate the minor. In accordance with [ACL 16-15](#) and the California Department of Social Services (CDSS) Manual of Policies and Procedures, Division 31-320, the assigned Deputy Probation Officer (DPO) shall initiate efforts to locate the minor as soon as information becomes available and, at a minimum, shall make monthly attempts to locate the youth whose whereabouts are unknown and who is determined to be missing from foster care. All location efforts shall be thoroughly documented in the Child Welfare Services/Case Management System (CWS/CMS). Efforts to locate missing youth shall include, but are not limited to:

- **Contacting the missing youth's significant others:** Contact the youths parents, legal guardians, non-relative extended family members, siblings, friends, relatives, roommates, former SW, former/current schools, former caregivers, schools, former/current service providers, and any person who might have any knowledge about the minor's whereabouts.
- **Request assistance from missing youth significant others:** Ask the caregiver or parent/ legal guardian to assist in contacting the above individuals, and to report information to the department immediately if any information about the minor's whereabouts is obtained.
- **Location Checks:** Visiting known or likely locations, including the homes of parents or relatives and other places where the youth have established connections, conduct field visits to relevant addresses, or request that law enforcement conduct welfare checks, as appropriate.
- **Physical Verifications:** Following up on all leads and confirm locations in person where the minor is reasonably believed to be.
- **Social Media Search:** If authorized, search for youth via social media platforms
- **Database Searched:** Search public and the Department's databases (e.g., Ecourts, Spillman, Caseload Explorer)

- **NCMEC and MCC Communication:** Maintaining regular contact with [The National Center for Missing and Exploited Children \(NCMEC\)](#) youths case manager and [California Missing Child Clearinghouses \(MCC\)](#) to share information and receive updates.
- **Law Enforcement Communication:** Maintain ongoing communication and updates with law enforcement agencies regarding the youth's status.
- **Documentation:** All contacts, attempted contacts, and search efforts are to be documented in the Department's case management system and Child Welfare Services system (e.g., Caseload Explored and CWS/ CMS)

For Indian Children/NMD's:

In accordance with [ACL 24-18](#), If the youth is an Indian child, the Department is required to collaborate with the tribal representative in efforts to locate the child and ensure that the Tribe is regularly updated regarding the child's status, in order to prevent the breakup of the family. These active efforts must be provided throughout the duration of the case whenever it is known, or there is reason to know, that the child or non-minor dependent (NMD) is an Indian child.

Active efforts include, but are not limited to, contact with:

- Tribal Leaders
- Tribal Representative, and or
- Tribal organization/ service providers

XI. Continuing Case Planning for Missing Youth

In accordance with [ACL 19-26](#), AB 2247 requires child welfare agencies to develop, implement, and document a placement preservation strategy in consultation with the Child and Family Team (CFT) prior to making any placement changes. A CFT meeting may be convened to identify and implement best practice strategies to support placement preservation. The child welfare agency is required to consult with the youth's CFT for the specific purpose of maintaining the current placement. When there is an indication that a placement may be in jeopardy, the agency should respond expeditiously by convening the CFT as soon as possible to assess needs and implement support to stabilize the placement. Placement preservation strategies may include, but are not limited to, the following:

- Initiate a strengths-based youth and family-centered CFT meeting to collaboratively develop and implement an individual plan designed to meet the youth and family's needs;
- Apply conflict resolution practices to address conflict and concerns, and discuss solutions;
- Review of the Child and Adolescent Needs and Strengths (CANS) assessment tool to identify and discuss strengths and unmet needs to guide case planning;
- Review previous CFT meeting notes to identify any delays or barriers to implementing recommendations agreed to by the previous CFT that may impact placement stability or a youth meeting their goals;

- Actively engage or recruit CFT members such as educational and natural community supports, family members, professionals, and other individuals identified by the child/youth or family; and/or
- Make every effort to ensure the timely provision of support services, as deemed appropriate by the CFT, for specific services to support placement stability such as respite services, referral for assessment for mental health services, or wraparound.

For further information or questions regarding the placement preservation strategy refer to [ACL 22-100](#).

XII. When the Missing Youth Is Located or Returns to Care

Pursuant to [ACL 16-15](#), when a missing child or Nonminor Dependent (NMD) has been located, the assigned Deputy Probation Officer (DPO) or designee shall arrange for the immediate return of the child/NMD to care. The assigned DPO will complete the following activities as soon as possible, but no later than three business days after return to care:

Within three (3) business days of return to care, the DPO shall:

- Conduct an Interview - Assess safety and immediate needs, determine reasons for leaving, identify possible victimization or exploitation, and develop a safety or prevention plan
- Assess Health and Mental Health Needs - Offer medical evaluation, assess for STIs, pregnancy, injury, or substance use, evaluate need for mental health services
- Evaluate Placement - Determine whether the placement remains appropriate, convene a Child and Family Team (CFT) or MDT meeting if necessary
- Notify Required Parties:
 - Law enforcement -To withdraw the missing report
 - NCMEC
 - The Court
 - Youth's attorney
 - Tribe (if applicable)
 - Previously notified individuals
- Recall Warrant (If applicable)

Safety and Support Plan for Youth Who are Missing or Running Away from Foster Care

Per [ACIN I-13-17](#), the Probation Department shall should determine if and when a Safety and Support Plan is appropriate for a youth. The Safety and Support Plan is an optional tool used to identify strategies and support that will help the youth feel comfortable and empowered to stay in their foster care placement, when youth feels like leaving. If or when the youth does leave care, use the information gathered in the development of the Safety and

Support Plan to try to locate and return the youth to care. This harm reduction approach ensures the youth knows they are cared about and that their health and safety is considered important and supports the development of trusting relationships.

For youth with repeated runaway behavior, the plan shall include harm-reduction information to support health and safety while absent from care, including:

- Locations of youth shelters
 - Access to medical and mental health services
 - Food and hygiene resources
 - Education continuation support
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Resources

National Center for Missing & Exploited Children (NCMEC) – A national nonprofit organization that assists law enforcement, social service agencies, and families in locating missing children, reducing child sexual exploitation (CSE), and preventing victimization. NCMEC receives and processes reports of missing children under the age of 18, including youth who have run away from home or care; provides technical assistance to law enforcement and child welfare agencies; supports families; coordinates with law enforcement in cases involving potential child sex trafficking; assists in the creation and distribution of missing child posters to generate leads; and forwards tips and leads to the appropriate investigating law enforcement agency. To report information about a missing or exploited child call 24-Hour Call Center:
Hotline Telephone: 1-800-THE-LOST (1-800-843-5678)
Website: www.missingkids.org

California Missing Children's Clearinghouse (MCCH) - NCMEC provides missing child clearinghouses with training, technical assistance and vital information and other resources to help them with missing child cases. The missing child clearinghouses provide diverse services due to the range of their authorities and the variety of agencies in which they exist. The primary services provided by missing child clearinghouses are networking, information dissemination, training development and delivery, data collection and provision of technical assistance in cases of missing and sexually exploited children.
Hotline Telephone: 1-800-222-FIND *Office Telephone:* (916) 227-3290
Website: <https://www.missingkids.org/gethelpnow/clearinghouses>

ACL 16-15 and ACL 16-85 – Provide guidance to child welfare agencies and probation departments on procedures for locating and responding to children who are absent from placement and Nonminor Dependents (NMDs) who are missing from care.

ACL 16-15 Website: <https://cdss.ca.gov/lettersnotices/EntRes/getinfo/acl/2016/16-15.pdf>
ACL 16-85 Website: <https://cdss.ca.gov/lettersnotices/EntRes/getinfo/acl/2016/16-85.pdf>

ACL 22-100 – Provides guidance implementing AB 2247 and Welfare and Institutions Code (WIC) section 16010.7 regarding placement preservation requirements.
Website: <https://www.cdss.ca.gov/Portals/9/Additional-Resources/Letters-and-Notices/ACLs/2022/22-100.pdf?ver=2022-12-12-111221-367>

ACIN I-13-17 – Provides guidance and promising practices for locating and responding to children and NMDs who run away or go missing from care, including risk assessment, youth engagement, and safety planning strategies.
Website: https://www.cdss.ca.gov/Portals/9/ACIN/2017/I-13_17.pdf?ver=2019-06-13-131935-703

Welfare and Institutions Code (WIC) section 16501.35 – Establishes requirements related to the identification, reporting, and oversight of children and NMDs who are missing from foster care.

Website: https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=WIC§ionNum=16501.35.