

DEFENITIONS

A youth or Non-Minor Dependent (NMD) missing from foster care is any individual whose whereabouts are unknown after a reasonable amount of time for the youth/NMD to return, considering the youth's/NMD's age, intelligence, mental functioning, and physical condition or when the youth's/NMD's caregiver or Deputy Probation Officer (DPO) simply does not know the youth's/NMD location. However, there may be instances in which the youth/NMD runs away, but their whereabouts are known to the DPO (e.g. the youth left their placement and is with a friend and refuses to return). In these situations, the youth is also considered missing from foster care.

Federal law defines a "missing child" as any individual less than 18 years of age whose whereabouts are unknown to the child's parent or legal guardian, which includes youth who've gone missing for any reason (34 U.S.C. 11292).

Although no longer considered a child under U.S. federal law, NMDs who are missing from care are considered a Missing Young Adult (MYA). The National Center for Missing and Exploited Children (NCMEC) can assist with cases of MYA (between the ages 18 - 20 years old). See the Resources section of this procedure for more information.

Commercial Sexual Exploited Children (CSEC): Youth who are victims or suspected to be victims of human trafficking.

Specific Procedure

Youth (under the age of 18)

1. Upon learning that a youth has runaway or is otherwise missing from foster care, the assigned DPO or their Supervisor (SDPO), shall:
 - a. Confirm that the youth has been reported as missing to the local law enforcement agency; or
 - b. Immediately report the missing youth to the local law enforcement agency.
 - i. For the purposes of this procedure, immediately means done at once or within two hours of learning the youth is missing.
 - c. Immediately notify the youth's parent(s)/guardian(s), substitute care provider (foster parent, program staff, etc.) attorney, tribal

representative (if applicable), and Court Appointed Special Advocate (CASA) (if applicable).

- d. Notify the Court by filing a Request for Warrant and Notice of Violation of Probation (JV-735) no later than one business day upon learning the youth was missing.
 - e. Notify the youth's assigned foster care eligibility staff by submitting a SOC 815 form no later than three business days upon learning the youth was missing.
 - f. Determine if the youth is reasonably believed to be a victim of, or is at risk of being the victim of, commercial sexual exploitation, as defined in WIC 11165.1. ACL-16-08
 - i. If a youth is believed to be a victim of or at risk of being the victim of commercial sexual exploitation, the DPO shall immediately, or in no case later than 24-hours from receipt of the information, report the incident to the appropriate law enforcement agency that can enter the information into the National Crime Investigation Center (NCIC) database of the Federal Bureau of Investigation (FBI) and report to the National Center for Missing and Exploited Children (NCMEC). WIC 16501.35, ACL 15-49
 - g. Attempt to locate the youth by:
 - i. Contacting significant persons in the youth's life (e.g. siblings, relatives, friends, former caregivers, former and current schools and services providers to inquire if they have had any recent contact with the youth.
 - ii. Requesting the youth's caregiver and/or parent make inquiries to the significant persons in the youth's life and report back any information obtained.
 - iii. Physically checking all the places where the youth is likely to be.
 - iv. Following up on leads received regarding the youth whereabouts.
 - v. Conducting visits to relevant addresses or requesting a local law enforcement agency conduct a welfare check.
 - vi. Searching social media websites.
 - vii. Conducting a search of public locator databases (e.g. California Missing Children Clearinghouse, National Center for Missing and Exploited Children, etc.).
 - h. Develop a plan to return the youth to placement upon their return.
2. For youth whose whereabouts remain unknown after 30 days, the DPO shall:

- a. Conduct due diligence searches on an on-going basis, but no less frequently than once a month or as new and different information is received.
 - b. Document search efforts in the Child Welfare Services (CWS) Case Management System (CMS) in the youth's 'Contact Notebook' and in each status review report filed during the youth's absence.
- 3. Once the youth is located, the DPO shall:
 - a. Arrange for the immediate return of the youth to care.
 - i. With the youth's permission, contact the youth's previous substitute care provider (foster parent, program staff, etc.) to determine if there is willingness to have the youth returned and if it is suitable and safe for the youth to do so.
 - ii. If the youth cannot return to their previous placement, explore the possibility of placing them with a suitable relative, non-related extended family member (NREFM), licensed foster family home, or other licensed placement that would best meet the youth's needs.
 - b. Assess the immediate needs of the youth.
 - i. Offer medical care for injuries, illness, or harm experienced while absent from placement (e.g. refer the youth to the Foster Care Public Health Nurse for consultation to rule out injuries, illness, pregnancy, sexually transmitted infections, effects of substance use, etc.).
 - c. Evaluate the youth's 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.
 - i. Offer to support the youth with accessing services by accompanying them or contacting a significant person in their life who they feel would help them accessing services.
 - d. Meet with the youth as soon as possible, but no later than three business days after their return, preferably face to face, in a location that is comfortable for the youth, and where there is sufficient privacy.
 - e. Determine the need for a Child and Family Team (CFT) meeting.
 - f. Determine the factors that lead to the youth being absent from their placement and to the extent possible, address those factors in subsequent placements.

- g. Inquire about the youth's experiences while absent from care, including whether they were at risk of being or are a sex trafficking victim.
 - i. Appropriate services shall be provided to any youth who has been determined to be at risk or has been a victim of sex trafficking.
 - ii. Unless otherwise required by law, the information disclosed by the youth shall not be used to implicate them in a criminal charge or for any purpose other than tailoring services for them and to meet reporting requirements.
- h. Explore alternative options to running away from foster care placement and develop a prevention plan and/or safety plan by identifying supports and resources.

Non-Minor Dependents (age 18+)

1. Upon learning that a Non-Minor Dependent (NMD) is missing from foster care, the assigned DPO or their Supervisor (SDPO), shall:
 - a. Confirm that the NMD has been reported as missing to the local law enforcement agency; or
 - b. Immediately report the missing NMD to the local law enforcement agency.
 - i. For the purposes of this procedure, immediately means done at once or within two hours of learning the NMD is missing.
 - ii. If it is suspected that the NMD is a victim of harm or foul play (e.g. abducted or held against their will) and not voluntarily absent from care, the DPO shall confirm the missing person's report is on file with the Department of Justice (DOJ) Missing and Unidentified Persons System.
 - c. Immediately notify the NMD's parent(s)/guardian(s) (if the NMD has given permission to communicate with them), attorney, tribal representative (if applicable), and Court Appointed Special Advocate (CASA) (if applicable).
 - d. Notify the Court by submitting an Informational Memorandum addressing the youth's whereabouts.
 - i. Due to the adult status of the NMD, a warrant shall not be requested.
 - ii. The youth's NMD case shall remain open until the NMD is located or they reach the age of 21.

- e. Notify the NMD's assigned foster care eligibility staff by submitting a SOC 815 form no later than three business day upon learning the NMD was missing.
 - f. Determine if the NMD is reasonably believed to be a victim of, or is at risk of being the victim of, commercial sexual exploitation, as defined in WIC 11165.1.
 - i. If a NMD is believed to be a victim of or at risk of being the victim of commercial sexual exploitation, the DPO shall immediately, or in no case later than 24-hours from receipt of the information, report the incident to the appropriate law enforcement agency that can enter the information into the National Crime Investigation Center (NCIC) database of the Federal Bureau of Investigation (FBI) and report to the National Center for Missing and Exploited Children (NCMEC).
 - g. Attempt to locate the NMD by:
 - i. Contacting significant persons in the NMD's life (e.g. siblings, relatives, friends, former caregivers, former and current schools and services providers to inquire if they have had any recent contact with the NMD.
 - ii. Physically checking all the places where the NMD is likely to be.
 - iii. Following up on leads received regarding the NMD whereabouts.
 - iv. Conducting visits to relevant addresses or requesting a local law enforcement agency conduct a welfare check.
 - v. Searching social media websites
 - vi. Conducting a search of public locator databases (e.g. California Missing Children Clearinghouse, National Center for Missing and Exploited Children, etc.).
 - h. Develop a plan to return the NMD to placement upon their return.
2. For NMD whose whereabouts remain unknown after 30 days, the DPO shall:
- a. Conduct due diligence searches on an on-going basis, but no less frequently than once a month or as new and different information is received.
 - b. Document search efforts in the Child Welfare Services (CWS) Case Management System (CMS) in the NMD's 'Contact Notebook' and in each status review report filed during the NMD's absence.
3. Once the NMD is located, the DPO shall:
- a. Arrange for the immediate return of the NMD to care.

- i. With the NMD's permission, contact the NMD's previous substitute care provider (foster parent, program staff, etc.) to determine if there is willingness to have the NMD returned and if it is suitable and safe for the NMD to do so.
 - ii. If the NMD cannot return to their previous placement, explore other placements that would best meet the NMD's needs.
 - b. Assess the immediate needs for the NMD.
 - i. Offer medical care for injuries, illness, or harm experienced while absent from placement (e.g. refer the NMD to the Foster Care Public Health Nurse for consultation to rule out injuries, illness, pregnancy, sexually transmitted infections, effects of substance use, etc.)
 - ii. Evaluate the NMD's need for mental health services, foster NMD services, or law enforcement assistance due to victimization/exploitation, exposure to or participation in criminal activity, missing school credits, etc.
 - iii. Offer to support the NMD with accessing services by accompanying them or contacting a significant person in their life who they feel would help them accessing services.
 - c. Meet with the NMD as soon as possible, but no later than three business days after their return, preferably face to face, in a location that is comfortable for the NMD, and where there is sufficient privacy.
 - d. Determine the need for a Child and Family Team (CFT) meeting.
 - e. Determine the factors that lead to the NMD being absent from their placement and to the extent possible, address those factors in subsequent placements.
 - f. Inquire about the NMD's experiences while absent from care, including whether they were at risk of being or are a sex trafficking victim.
 - i. Appropriate services shall be provided to any NMD who has been determined to be at risk or has been a victim of sex trafficking.
 - ii. Unless otherwise required by law, the information disclosed by the NMD shall not be used to implicate them in a criminal charge or for any purpose other than tailoring services for them and to meet reporting requirements.
 - g. Explore alternative options to leaving another foster care placement and develop a prevention plan and/or safety plan by identifying supports and resources.
- 4. Harm Reduction Integration

- a. Screen for **CSEC risk** using probation officer referrals and NCMEC alerts.
- b. Maintain a **youth-centered, nonjudgmental approach**—offering choices and reiterating safe return messaging—even after violations.
- c. Equip youth with culturally and trauma-informed safety plans: phone access, basic needs, trusted contacts, digital/physical boundaries.
- d. Coordinate referrals to advocacy groups, mental health, placement monitoring, and family engagement—following ACL 16-08, 16-15, and WIC § 16501.35.

Resources

1. To report a youth missing from foster care or find additional information visit the National Center for Missing & Exploited Children (NCMEC) at www.missingkids.org/theissues/missingfromcare
2. The California Missing Children's Clearinghouse (MCCH) maintains a toll-free 24-hotline, seven days a week, to receive information and inquiries regarding missing youth. They also relay the information to the appropriate law enforcement agencies.
 - Hotline: 1-800-222-FIND, Office: (916) 227-3490 Email: missing.persons@doj.ca.gov
3. The Preventing Sex Trafficking and Strengthening Families Act of 2014 mandates that State agencies report immediately, and in no case later than 24 hours, information about missing or abducted youth both to law enforcement and the NCMEC (42 U.S.C. § 671(a)(35)(b).