



Human Services Agency

County of Kings – State of California

POLICY/PROCEDURE

SUBJECT: Runaway / Missing Dependent and Non- Minor Dependents	ORIGINAL ISSUE DATE:	PAGE: 1 of 10 PAGES	APPROVED BY:
DIVISION: SOCIAL SERVICES (SS)	PROGRAM: CHILD WELFARE CASE MANAGEMENT (CM)	POLICY NUMBER: SS-CM-XXX	REVISION DATE:

PURPOSE

The purpose of this procedure is to establish protocols on how to locate and respond to children, youth, and non-minor dependents (NMDs) who go missing from a foster care placement.

BACKGROUND

On September 29, 2014, the President of the United States signed into law the Preventing Sex Trafficking and Strengthening Families Act (PL 113-183), amending a number of provisions in Title IV–B and IV-E of the Social Security Act which authorizes federal foster care programs. This law includes provisions to improve the oversight by the child welfare or probation agencies for youth receiving child welfare services, as these youth are often the most vulnerable to sexual trafficking and exploitation. These requirements establish responsibilities for county child welfare agencies to promptly report missing youth, coordinate with law enforcement, and implement protocols to safely locate and support youth who leave placement.

DEFINITIONS

Word/Acronym	Definition
CASA	Court Appointment Special Advocate
CFTM	Child and Family Team Meeting
CSEC	Commercially Sexually Exploited Children

CWS	Child Welfare Services
ICWA	Indian Child Welfare Act
Indian Child	Under the federal Indian Child Welfare Act (ICWA) of 1978 (25 U.S.C. § 1903), an "Indian child" is defined as any unmarried person under the age of 18 who is either a member of a federally recognized Indian tribe, or is eligible for membership and is the biological child of a member.
Missing from Care	Pursuant to WIC §16501.35(c), a child is considered missing from foster care when the whereabouts of a child subject to an order of foster care placement are unknown to the agency, or when the child has been located in a placement 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. For a Non-Minor Dependent (NMD), this definition applies only when, based on the totality of circumstances, the agency suspects the NMD did not voluntarily leave care or is at risk of substantial harm.
NCMEC	National Center for Missing and Exploited Children
NMD	Non-Minor Dependent
NREFM	Non-relative extended family members
SILP	Supervised Independent Living Plan
SW	Social Worker

POLICY

Welfare and Institutions Code (WIC) §16501.35, Penal Code §11166(j)(3), and All County Letter (ACL) 25-67 establish reporting and notification requirements for dependent children, youth, and NMD's who are missing from care or have run away from placement. Kings County Human Services Agency shall ensure that all such youth are reported, documented, and actively searched for in accordance with applicable federal and California law.

The Agency shall collaborate with law enforcement, caregivers, service providers, Tribes, and other appropriate parties to locate missing children, youth, and NMDs to ensure their safety. All required notifications, documentation, and recovery efforts shall be completed within the timeframes established by law and Agency procedures.

PROCEDURE

Provide notice immediately but no later than 24 hours from receipt of information that the child, youth, or NMD is missing from foster care. Child Welfare Services (CWS) staff must make every effort to locate the missing dependent child, youth or NMD(s). Once located, the needs of the child, youth or NMD will be determined.

I. Case-Carrying Social Worker Responsibilities

- a. If advised by a caregiver that a dependent child/youth is missing or has absconded, the assigned Social Worker (SW) shall ensure that local law enforcement is notified immediately, and in any case, no later than twenty-four (24) hours from receipt of information that the child, youth or NMD youth or NMD is missing from care, regardless of caregiver action. Documentation of the date, time, and agency notified shall be entered into the Child Welfare case management system.
 - i. If the caregiver called law enforcement and filed a missing person's report direct the caregiver to obtain the report number and record from the law enforcement agency to which the report was made. Documentation of the date, time, and agency notified shall be entered into Child Welfare case management system.
 - ii. If the ward is a NMD in a SILP and, if the circumstances of their disappearance warrant such action, SW is to file a Missing Persons Report with law enforcement, obtain the report number and document the information in the Child Welfare case management system. Circumstances warrant this action if the NMD has been reasonably determined to be in fact missing from care, there are competency issues, or there is a reasonable suspicion that the NMD is a victim of harm or foul play.
 - iii. SW will direct the caregiver to complete California Department of Social Services form LIC 624 - Unusual Incident/Injury Report as soon as possible, but no later than seven (7) days of the occurrence.
 - iv. SW will inquire from the caregiver about any incidents or triggering events that occurred prior to the child/youth leaving the caregiver's home.
- b. The supervisor overseeing the social worker at the time the child/youth is reported missing shall be responsible for completing the Critical Incident Report. This includes the ongoing supervisor during regular business hours and the after-hours supervisor during after-hours operations. Supervisor will complete the Critical Incident form 01-07-2020 following the reporting and form completion directions as described in Social Services Policy Number [SS-IN-004, Critical and Reportable Incident Reporting](#).
 - i. The supervisor shall document Missing/Runaway child/youth or NMD incidents with in the "Reportable Incident" section, select the option "Other" and identify the incident as "Missing/Runaway Child/Youth or NMD".
- c. SW will direct the caregiver to inquire among neighbors, peers, school, etc. if they know of the whereabouts of the missing child/youth and when was the last time they saw or heard from the missing child/youth was.

- d. SW will direct the caregiver to immediately report any information obtained about the missing child, youth, or NMD to Law Enforcement, referencing the original Missing Persons Report number.
- e. If the dependent is a NMD in a SILP with roommates, SW will ask the roommate(s) if they know the whereabouts of the NMD.
- f. If law enforcement refuses to accept a Missing Persons Report:
 - i. SW will enter information in the Child Welfare case management system and enter the date the attempted report was made, the name and badge number of the law enforcement personnel refusing/ unwilling to accept the Missing Person Report.
- g. [ACL No. 16-85](#) Page Fifteen: *The county social worker must attempt to locate the child/youth and document those attempts in the case record. The social worker must confirm and document in the child's/youth's case record that the child's/youth's whereabouts are unknown once every 30 days from the date of the initial discovery that the child/youth went missing or was abducted. (MPP section 31-320.711)*

II. Notifications

- a. All notices are to include contact information for the ongoing social worker and supervisor.
- b. SW will notify within 24 hours of receiving information that the child/youth is missing from care the child/youth's parents, if available, or legal guardian, that the child/youth has run away or is missing and inquire if they know the whereabouts of the child/youth. Notification efforts shall include attempting contact via all known phone numbers (home, cell, work), leaving voicemail messages to contact the Agency, sending text messages and/or emails when available, conducting a home visit to the last known address when feasible, and sending written notice to the last known mailing address if unable to make direct contact. The SW shall make repeated attempts using different methods and times of day and document all efforts in the Case management system.
 - i. SW will ask the parent or legal guardian to contact the agency immediately if they receive any information about the child/youth's whereabouts.
 - ii. SW is not to contact the parent or legal guardian if there is an order or other facts showing the parent or legal guardian should not be contacted (i.e., termination of parental rights, no contact order, etc.)
 - iii. SW is not to contact the child's/youth's dependent sibling if such notice would be contrary to the safety and well-being of that sibling.
- c. SW will notify within 24 hours of receiving information that the child/youth is missing from care the child's/youth County Counsel, so they can inform the attorneys for the parents, legal guardians, and child's/youth's attorney.

- d. SW will notify within 24 hours of receiving information that the child/youth is missing from care the child/youth's tribe, CASA, and dependency court, and any known sibling of the child/youth who is 10 years of age or older and adjudged to be a dependent child/youth of the juvenile court.
- e. The notice requirement to the Court is filing a Protective Custody Warrant (PCW) within 24 hours SW of receiving information that the child/youth is missing from care or within 1 business day. *(Refer to section VI Ex Parte Affidavit Re: Protective Custody Warrant (PCW) for additional information)*
- f. Upon locating the child/youth or NMD, the SW shall:
 - i. Notify law enforcement and NCMEC immediately
 - ii. Update all previously notified parties
 - iii. Document the date, time, and circumstances of recovery in the case record

III. Communication and Reporting Requirements

- a. SW will ensure that a Missing Persons Report was filed by the caregiver immediately or as soon as practicable. A Missing Persons Report can be filed at any police station. [Penal Code 14211](#) advises that the report does not have to be taken at the police station closest to where the child/youth went missing.
 - i. SW will confirm with local law enforcement that a Missing Persons Report was filed, and that it was entered into the **National Crime Information Center (NCIC)** database of the Federal Bureau of Investigation (FBI) and document confirmation in the case record.
 - ii. When reporting to the **National Center for Missing and Exploited Children (NCMEC)**, and when reasonably possible, the SW shall include:
 - 1. Child's/youth's full name
 - 2. Child's/youth's date of birth
 - 3. Date and location the child/youth went missing (to the best of your knowledge)
 - 4. Name and contact of the investigating law enforcement agency
 - 5. Law enforcement report/case number
 - 6. Guardian information (for dependent children/youth and NMDs, this will be the SW; for all other children/youth, this will most likely be the parent/guardian).
 - 7. A current photograph of the child/youth
 - 8. A physical description (height, weight, race/ethnicity, sex, hair color, eye color).
 - 9. Endangerment information including pregnancy status, prescription medications, suicidal ideation, known vulnerabilities to commercial sexual exploitation, or other risk factors (consistent with confidentiality laws).

10. Information regarding whether the child/youth is or may be an Indian child, including the name of the child's Tribe.
 11. Documentation of the above information provided shall be included in the case record.
- b. The SW shall maintain regular communication with NCMEC and applicable law enforcement agencies, for all reported missing children/youth until recovery. Updates shall include, but are not limited to:
- i. New or recent locations
 - ii. Names of persons in contact with the youth
 - iii. New social media accounts or activity
 - iv. Updated photographs
 - v. Recovery information and circumstances of return
- c. SW shall make this report either via the web-based reporting system, which can be found at <https://cmfc.missingkids.org/reportit>, or by calling the call center at (NCMEC) 1-800-843-5678.
- iii. SW shall contact the Child Trafficking Response Unit, within the Child Welfare Policy and Program Development Bureau, at CSECEProgram@dss.ca.gov or (916) 951-6160 with any questions.
- d. Pursuant to WIC §827.14, the agency is authorized to disseminate relevant information from the juvenile case file to NCMEC as necessary to carry out reporting and recovery duties under Penal Code §11166(j)(3), consistent with confidentiality requirements.
- i. **Due Diligence Search Efforts/Active Efforts**
- a. Search efforts shall be continuous, active, and documented, and shall reflect diligent and good faith efforts to locate the child/youth as required under WIC §16501.35. The SW will conduct Due Diligence Efforts as per ACL 16-84 to locate the child, youth, or NMD who is missing from care. This includes but is not limited to through available databases, known contacts, relatives, service providers, and other collateral sources. These efforts may include reviewing agency records, contacting known family members and associates, checking available electronic search tools, and coordinating with law enforcement or other agencies when appropriate.
 - b. In the case of an Indian child, the SW will ensure that active efforts are made when attempting to locate the youth. Active efforts are affirmative, active, thorough, and timely efforts intended to maintain the Indian child's connection to family, tribe, and community (Welfare and Institutions Code (WIC) section 224.1(f) and Child Welfare Services (CWS) Manual of Policies and Procedures (MPP) Division 31, section 31-002(a)(1)(A-K).). The SW will make ongoing efforts to identify, notify, and engage the child's tribe and extended family members during attempts to locate the youth and will collaborate with tribal representatives when known or identified. Efforts will be conducted in a culturally

appropriate manner and will include continued outreach and coordination with the tribe to support the child's safety, permanency, and connection to their tribal community and culture, consistent with ICWA requirements and ACL 24-18 guidance.

- i. This includes initiating direct contact with the Tribe as soon as the child/youth is identified as missing, sharing available information regarding last known whereabouts, and requesting the Tribe's assistance in identifying family, community members, or locations the child/youth may access. The SW will follow up with the Tribe after initial contact to provide updates and obtain new information and will incorporate any leads provided by the Tribe into active search efforts. When applicable, SW will coordinate with designated tribal contacts and prioritize outreach to relatives or connections identified through the Tribe.
- c. Contacting significant persons in the child/youth's life (i.e., parents/legal guardian/Indian custodian, siblings, relatives, friends, former caregivers, former and current schools, and service providers, if applicable) to determine whether they have had recent contact with the child/youth, or if they are aware of the child/youth's whereabouts. Efforts should be made to obtain a most recent photograph of the child/youth.
 - i. Eliciting the assistance of the above mentioned persons to make further inquiries about the child/youth's whereabouts and requesting that they advise the child/youth to make contact with the social worker to make a plan for the child/youth to return to care, and to report back to the SW any knowledge about the child/youth's whereabouts.
 - ii. Including consultation with the child/youth's or NMD Tribe regarding culturally appropriate resources and alert systems (e.g., Feather Alert).
- d. Physically checking all the places where the child/youth is likely to be.
- e. Following up on leads received regarding the child/youth's whereabouts.
- f. Conducting visits to relevant addresses, or requesting law enforcement agency to conduct a welfare check
- g. Searching social media websites (i.e., Facebook, Twitter, Instagram); and
- h. Search of public locator databases (i.e., California Missing Child Clearinghouse, National Center for Missing and Exploited Children, etc.).
- i. Efforts will continue monthly and will be documented in Child Welfare case management system until the missing child/youth is located.

IV. Documenting Missing Child/Youth and Non-Minor Dependents in the Child Welfare Case Management System

- a. Upon receiving information that a child/youth or NMD is missing from care, SW shall ensure documentation in the Child Welfare Case Management System, in accordance with **ACL 25-67: Documenting Missing Dependent/Nonminor Dependent**

- b. All required entries, including placement status updates, must be completed following the guidance provided in ACL 25-67 and WIC 16501.35

V. **Absent from placement for Missing/Runaway Foster Child/Youth**

- a. Assess and determine if caregiver is willing to take the child/youth back upon their return.
- b. Determine length of time payment is to continue for child/youth's probable return. SW should consult with their supervisor about an appropriate length of time not to exceed 14days absent from placement. (EAS 45.302.23 and 82-812)
- c. Any payments beyond 14days must be approved by a Program Manager.
- d. SW will notify the caregiver that payment shall continue until the date determined and this serves as a hold of the child/youth's placement.
- e. The placing SW will submit to the Social Service Assistant (SSA) the completed 90-8756 Initial/Change in Placement form identifying that the child/youth is missing from placement to include the effective date.
- f. Upon return or no later than 14days of the child/youth being absent from placement the ongoing social worker must submit and updated 90-8756 Initial/Change in Placement with child/youth current placement status.
- g. The assigned Social Services Assistant will enter the placement data into the Child Welfare case management system and generate report to submit to the eligibility inbox.

VI. **Ex Parte Affidavit Re: Protective Custody Warrant (PCW)**

- a. The SW shall file an Ex Parte Affidavit re: PCW and PCW advising the Juvenile Court of the child/youth disappearance and steps taken to locate the child/youth no later than one (1) business day, from learning the child was missing from care. PCW's will only be completed on minors.
 - i. Complete PCW Request for child/youth with color photograph of the child/youth attached and forward it to the Supervisor for approval.
 - ii. Once approved by the supervisor, make three (3) copies plus the original and file with the court.
 - iii. Once the Judge signs the warrant, the court clerical staff enters the warrant information into the law enforcement data base.
 - iv. SW will provide a copy of the Ex Parte Affidavit re: PCW and PCW as follows:
 - a. Original is filed with the court
 - b. A copy for the file
 - c. A copy to the Court Officer
 - d. A copy scanned and emailed to County Counsel (*Do not send hard copy to County Counsel.)
- b. If child/youth is located and returns to care, SW will make arrangements to recall any PCW's submitted on the child's/youth behalf.

- i. SW will contact the Sheriffs Record Department via email records@co.kings.ca.us and or phone call to ext. 2809 regarding the child/youth being located and to recall the PCW.
- ii. If the child/youth is picked up by the Law Enforcement, the warrant would have been executed and does not need to be recalled.
- iii. SW is to follow-up within three (3) Business Days to confirm the PCW has been recalled.

VII. Harm Reduction Approach

- a. The SW shall utilize a harm reduction approach when engaging with children/youth who are missing or at risk of leaving placement. This includes but not limited to:
 - i. Developing child/youth-centered safety plans
 - ii. Providing emergency contact information
 - iii. Engaging the Child and Family Team (CFT), including the Tribe when applicable
 - iv. Maintaining non punitive communication focused on the child/youth's safety and well-being
 - v. Allow youth to have voice and choice in their return, exploring what the child/youth feel is in their best interest. ACL 25-67
 - vi. Conducting debriefing interviews within three (3) business days of return, allowing child/youth time to stabilize
 - vii. Safety planning shall be documented in the case record

VIII. Assessment and Determination of Child/Youth or NMD Needs and Possible CSEC Involvement Upon Return of Child/Youth or NMD

- a. Determine the child/youth/NMD's experiences while absent from care, including whether the child/youth/NMD's is a sex trafficking victim. Interview child/youth/NMD's upon return, assessing for:
 - i. Locations where the child/youth/NMD's stayed while absent from placement
 - ii. Persons with whom the child/youth/NMD's interacted with
 - iii. How the child/youth/NMD's was able to obtain food, shelter, clothing, etc.
 - iv. Involvement in illegal activity
 - v. Substance usage
 - vi. Need for mental health services or law enforcement assistance due to victimization or exposure to criminal activity
- b. If at any time during the child, youth, or NMD's absence the SW reasonably believes the child, youth, or NMD's is a victim of or at risk of Commercial Sexual Exploitation (CSE), the SW shall:
 - i. Immediately report to law enforcement
 - ii. Report to NCMEC as required under Penal Code §11166(j)(3)

- iii. Complete “Commercial Sexual Exploitations Identification Tool (CSE-IT) *located on SharePoint.*
- iv. Document the CSE indicator in Child Welfare Case Management System
- v. Determine and provide appropriate services pursuant to WIC §16524.6.

REQUIRED FORMS

HSA [Critical Incident form 01-07-2020](#)
 SOC 158A [Foster Child’s Data Record and AFDC-FC Certification](#)
 RFA [LIC 624 - Unusual Incident/Injury Report](#)

RELATED LEGISLATION

[ACL 16-15](#) Youth Who are Missing from Foster Care
[ACL 16-85](#) Statewide Policies and Procedures to Prevent Child Sex Trafficking
[ACL 19-26](#) Placement Change Requirements
[ACL 20-105](#) Assembly Bill 2207: Resource Guide Of Model Policies, Protocols And Procedures To Identify, Document, Determine Appropriate Services, And Locate A Youth Who Is At-Risk For, Or A Victim Of, Commercial Sexual Exploitation

[ACL 22-100](#) Placement Preservation Strategy Frequently Asked Questions
[ACL 24-18](#) Providing Active Efforts Where It Is Known, Or There Is Reason To Know, A Child Is An Indian Child

[ACL 25-67](#) Youth Who Are Missing And/Or Run Away From Care And Protocol Development

[ACIN I-13-17](#) Promising Practices for youth who are missing or run away from foster care
[ACIN I-59-18](#) Harm Reduction Approach- Provides an introduction to the California Department of Social Services' (CDSS) Harm Reduction Series and how the approach can be utilized while serving Child/NMD abused through Commercial Sexual Exploitation (CSE)

[Public Law 113–183 113th](#) Preventing Sex Trafficking and Strengthening Families Act