

STANDARD FOR RESPONDING TO AND REPORTING ON RUNAWAY YOUTH

PURPOSE

The purpose of this standard is to provide direction and guidance to Child and Family Services (CFS) programs regarding reporting and responding requirements for runaway youth and missing youth. This standard is intended to achieve statewide consistency in the development and application of CFS core services and will be implemented in the context of all-applicable laws, rules and policies. This standard will also provide a measurement for program accountability.

INTRODUCTION

Children and youth in foster care are particularly vulnerable to child trafficking and runaway episodes. To better address the needs of this high-risk population, the Preventing Sex Trafficking and Strengthening Families Act of 2014 (P.L. 113-183) introduced provisions for child welfare agencies to locate and respond to children who run away from foster care who are at risk of becoming human trafficking victims.

State child welfare agencies are required to:

- Develop and implement specific protocols for expeditiously locating any child missing from foster care;
- Determine the primary factors that contributed to the child's running away or otherwise being absent from care, and to the extent possible and appropriate, respond to those factors in current and subsequent placements;
- Determine the child's experiences while absent from care, including screening the child to determine if the child is a possible sex trafficking victim
- Report such related information as required by Health and Human Services (HHS); and
- In no case later than 24 hours after receiving information on missing or abducted children or youth report to law enforcement for entry into the National Crime Information Center (NCIC) database of the Federal Bureau of Investigation (FBI) and to the National Center for Missing and Exploited Children.

All services provided under this Standard are to be delivered in accordance with section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990.

TERMS

Missing Child: Any individual less than 18 years of age whose whereabouts are unknown to such individual's legal custodian. (According to 42 USCS § 5772 [Title 42. The Public Health and Welfare; Chapter 72. Juvenile Justice and Delinquency Prevention; Missing Children])

Runaway Child: A child who willfully leave the residence of a parent or guardian without the permission of the parent, caregiver or guardian. (PL113-183 Preventing Sex Trafficking and Strengthening Families Act)

Child Victim of Human Trafficking: A person who has not attained eighteen (18) years of age who has been involved in a commercial sex act and/or has been recruited, harbored, transported, or obtained for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

CFS STAFF REQUIREMENTS

This standard provides information regarding CFS staff requirements, guidance, and direction on implementation. Below are the requirements for CFS staff for this standard:

- Social workers must immediately notify law enforcement and the child's parents when a child or youth is missing or has run away from foster care.
- Social workers must notify the child's attorney and/or guardian ad litem, probation or parole officer, and The National Center for Missing and Exploited Children within 24 hours when a child or youth is missing or has run away from foster care.
- Social workers must make continued on-going efforts to locate a child or youth who is missing or has run away from foster care.
- Social workers must follow the notification requirements in this Standard when a missing child returns or is located.
- Social Workers must follow the documentation requirements in this Standard.
- Social Workers must screen every youth in foster care who has run away or been abducted after their return, for child trafficking (Please see the Standard for Identifying, Documenting and Determining Appropriate Service for Child Victims of Human Trafficking.)

IMPLEMENTING THE STANDARD

I. When a Child or Youth is Missing or has Run away from Care

A. Notification

If a child in CFS custody runs away, or is discovered to be missing from care and the child's whereabouts are unknown, the child's worker must notify the following parties:

Immediately:

- Local law enforcement
- The child's biological parents, unless they cannot be found or parental rights have been terminated.

Within 24 hours:

- The child's attorney
- The child's guardian ad litem
- The National Center for Missing and Exploited Children (NCMEC) at the 24-hour call center: 1-800-THE LOST (1-800-843-5678) or at <http://cmfc.missingkids.org> and obtain a reference number
- The child's probation or parole officer if involved with Juvenile Probation or the Idaho Department Juvenile Corrections

If the worker believes that a child has unwillingly left foster care or has been removed by an unauthorized person, the CFS social worker requests that the child be placed on the Amber Alert System when making the report to law enforcement. Local law enforcement officials will work with CFS to decide if Amber Alert criteria are met, and will activate the Amber Alert Network, if appropriate.

B. Efforts to Locate

The CFS social worker must continue ongoing efforts to locate any child missing from placement and must actively search for the child until the child is found. Ongoing efforts may include; contacting relatives and friends, utilizing social media and contacting schools and community programs in which the child may have participated.

No later than the next business day from when the child was reported missing the CFS social worker must follow up with the National Center for Missing and Exploited Children (NCMEC) at the 24-hour call center: 1-800-THE-LOST (1-800-843-5678) or by making a report electronically <http://cmfc.missingkids.org>.

The CFS social worker must remain in contact with law enforcement and National Center for Missing and Exploited Children (NCMEC) (if applicable) on a weekly basis until the child is located.

C. Documentation

When a child is missing and/or is known to be on the run a Critical Incident Report must be completed. In addition, iCARE must be updated to reflect the youth is on the run using the iCARE placement screen (Placement > In/Out tab > add narrative). The CFS social worker must

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document all efforts to locate the child, in the iCARE placement screen narrative on a weekly basis until the child is located.

D. Child Located

When information is received regarding the possible location of a missing child, the CFS social worker must staff the case with a supervisor immediately. The supervisor will assist in determining the most appropriate course of action in order to assess the child's safety.

II. When a Missing Child Returns to Care

A. Notification

If a child in CFS custody returns to foster care after being reported to law enforcement as a runaway or missing person the child's CFS social worker will ensure the appropriate law enforcement officials are notified immediately, but no later than 24 hours from when the CFS social worker was notified of the child's return to foster care. If the child has been placed on the Amber Alert System, CFS social worker shall notify law enforcement officials within one hour of the child's return.

No later than 24 hours from when the child returns to foster care, the child's CFS social worker must:

- Update the Critical Incident Report
- Update the placement narrative in iCARE
- Notify the child's attorney
- Notify the guardian ad litem
- Notify the child's parents, unless they: cannot be found or have had their parental rights terminated
- Notify the National Center for Missing and Exploited Children (NCMEC), and
- Notify the child's probation or parole officer if involved with Juvenile Probation or the Idaho Department Juvenile Corrections

The CFS social worker must interview the child as soon as appropriate to determine:

- The reasons why the child ran away or was absent from care; the child's experiences while absent, including screening to determine if the child was a sex or labor trafficking victim.
- If the interview identifies reasons why the child ran away or was absent from care, the CFS social worker must, to the extent possible, address those factors in the child's current and future placements.

If the child indicates or reports to the caseworker or a caregiver that he or she was of a victim of any crime, including being a child victim of human trafficking, the CFS social worker must report the information to law enforcement immediately, but no later than 24 hours.

III. Child Victims of Human Trafficking

Foster youth who run away or are abducted are at a higher risk of being child victims of human trafficking. For this reason, all youth who experienced a runaway episode or abduction must be screened for human trafficking up on their return. (Please see the Standard for Identifying, Documenting and Determining Appropriate Services for Child Victims of Human Trafficking.)

Any action taken not consistent with this standard must be pre-approved by the FACS Division Administrator or designee. The action, rationale and approval must be documented in the file.