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Timothy Montoya Task Force to Prevent Youth from Running from Out-of-Home Placement

This document compiles the recommendations drafted by the Timothy Montoya Task Force to Prevent Youth from Running from Out-of-Home Placement. Please note that this is a draft document, and the Child Protection Ombudsman will work to harmonize these recommendations with each other and with subsequent task force discussions.

The following pages contain 4 recommendations, as of February 28, 2024:

- **Recommendation 1: Pre-Admission and Recovery Screening Tools** (page 2)
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Recommendation 1: Pre-Admission and Recovery Screening Tools

The Timothy Montoya Task Force to Prevent Youth from Running from Out-of-Home Placement (task force) was created by HB 22-1375 to, among other things, “analyze the root causes of why children run away [and to] address the safety and well-being of a child upon the child’s return”, and was enabled to present recommendations to that effect. The task force has considered various policy options to increase preventive efforts to decrease the likelihood that a youth will attempt to run away, including the use of a running risk assessment screening tool to be utilized shortly after a youth is placed in out-of-home care, as well as a post-running assessment tool after a youth has been returned to care. The task force recommends the following:

The Colorado General Assembly should draft legislation to develop and implement a statewide running risk assessment screening tool that is utilized shortly after a youth has been placed in out-of-home care – as defined in 26-X-XXX – and a post-running assessment tool that is utilized after a youth runs away and is subsequently returned to care. Such legislation should be supported with adequate resources and funding, and should incorporate the following components:

- Securing a third-party consultant or obtaining services from an institution of higher education to develop a running risk assessment screening tool and post-running assessment tool.
- Conducting a one-year pilot program utilizing the running risk assessment screening tool and post-running assessment tool, to include X number of urban counties and Y number of rural counties.
- Incorporating evaluation methods throughout and after the pilot program, and enabling tool modifications based on evaluation and feedback in order to ensure an optimal program to potentially be implemented statewide after the pilot period.
- Development of a system in Trails to ensure that records and tool-related information are accessible statewide.
- Creation of a data/file system to ensure that a youth’s response to the tools are stored electronically and are available for future placements.
- Consideration of whether Memoranda of Understanding would be useful to enable data access.
- Data sharing of results to develop better programs and responses.
- Creation and implementation of standard training for those who will utilize the screening tool.
- Development of practices for monitoring compliance with the requirements of the tool and related data entry.
- Incorporation of trauma-informed practices throughout the development and implementation of the tools.
- Determination of how the information obtained from the tools may be used to adjust a treatment plan for the youth while they are in out-of-home care. This should include possible interventions for a youth threatening or attempting to run away from care.
- Consideration of how/whether to incorporate the Joint Technology Committee

Recommendation 2: Specialized Investigation Staff

The Timothy Montoya Task Force to Prevent Youth from Running from Out-of-Home Placement (Task Force) was created by HB 22-1375 to, among other things, “develop a consistent, prompt, and effective response to recover missing children”, and was enabled to present recommendations to that effect.

Having considered various policy options to ensure that responses to youth running away are handled in a timely manner and with necessary attention to locate a youth before harm, the Task Force recommends the following:

The Colorado General Assembly should draft legislation to create a statewide absconder unit to both respond after children and youth run away from out-of-home care - as defined in 26-X-XXX – and intervene to recover the youth in a trauma-informed, multidisciplinary manner to decrease the likelihood of future running attempts. Such legislation should be supported with adequate resources and funding, and should incorporate the following components:

- This unit should be created through legislation and housed within the Colorado Department of Human Services. In promulgating regulations for the unit, the CDHS shall ensure the following stakeholders are involved in the development of applicable regulations: X, Y, Z...
- The development and implementation of protocols for the unit that incorporate prevention efforts to reduce the likelihood of subsequent attempts to run away.
- A clear delineation of the unit’s scope and authority, which is not to exceed locating youth in specific circumstances, and does not extend to any authority to arrest, restrain, or physically force a youth to return.
- The consideration of how this unit may adopt similar tactics currently utilized in crisis response units.
- That all employees within the unit (including X, Y, and Z) must be trained in trauma-informed practices and receive standardized mandatory training.
- Ensure that the unit works collaboratively with all licensed out-of-home placements through standardized response protocols.
- The development and implementation of protocols and mechanisms to ensure the unit will access and share pertinent data that may aid in the recovery of youth and prevent future runs.
- Such data may include health records, past run history and relevant information, family contacts, and applicable child welfare history. This may include access to various law enforcement databases, as well as social media accounts and contact information for the youth.
- The creation of standardized information sharing requirements with law enforcement, departments of human services, and other partners.
- The development of a system in Trails to ensure that records related to the absconder unit are consistently accessible throughout the state.
- The incorporation of multidisciplinary teams into unit responses and practices.

- The development of an information system for the specialized investigation staff which is conducive to information sharing across multidisciplinary teams.
- The creation of standard response times, and mandated memoranda of understanding with facilities.
- The proper prioritization of requests for absconder unit involvement, and requirements for communicating when the unit is responding.
- The consideration of a regionalized model for the unit to adequately address the unique needs and circumstances of urban and rural areas.
- The consideration of whether to adopt and require the use of standardized, trauma-informed information-gathering forms and protocols similar to those used in Tennessee.
- The consideration of whether this unit could also be the location of other related entities or programs recommended by the Timothy Montoya Task Force.
- The development of procedures to follow if it is discovered that a recovered youth has been victimized in some way. This should include a practice that provides the youth with a clear understanding of next steps, their rights, and how their preferences will be incorporated.

Recommendation 3: Standardized Statewide Policies

The Timothy Montoya Task Force to Prevent Youth from Running from Out-of-Home Placement (task force) was created by HB 22-1375 to, among other things, “analyze how entities responsible for the care of children who run away from out-of-home placement can coordinate a thorough and consistent response to runaway behaviors” and was enabled to present recommendations to that effect.

The Timothy Montoya Task Force to Prevent Youth from Running from Out-of-Home Placement has two recommendations regarding standardized statewide policies responding to youth running from care. Elsewhere, task force recommendations include “securing a third-party consultant or obtaining services from an institution of higher education to develop a running risk assessment screening tool and post-running assessment tool”. The task force recommends supplementing this by also requiring the contracted entity to do the following:

Recommendation 3-A: Create Multi-Tiered Categories of Risk of Running from Care

The task force recommends that the contracted entity also create multi-tiered categories of risk, designating a youth’s risk levels associated with running from care. The task force recommends utilizing objective characteristics similar to those in Appendix A. A youth will receive a designation in a particular category of risk at the beginning of their out-of-home placement. This designation may be reconsidered and re-evaluated periodically as conditions for the youth may change. A youth’s designation in a particular category of risk will then determine how and when various entities should respond if the youth were to run from care. The task force recommends that these categories be utilized statewide.

Recommendation 3-B: Create Varying Response Protocols for Each Category of Risk

The task force recommends that the contracted entity create varying response protocols for each category of risk to achieve the following: If a youth runs from care, the risk category they have been attributed (see Recommendation 1) should be utilized to trigger specific types of required response protocols. For instance, if a youth is designated as High Risk*, their running from care would prompt certain response requirements not shared with those youth who have been categorized as Low Risk*. The youth’s risk designation would impact response components such as: timeframes, involvement of specialized investigation staff and other agencies/entities, notifications, recovery efforts, and reporting practices.

[*The CPO recognizes that designations of “at risk” or “high risk” can be harmful for youth and are deficit-based terms. These terms are used here as placeholders, and the task force encourages the contracted entity to have these concerns in mind while carrying out these recommendations.]

Appendix A: Elevated risk of running from care characteristics:

- Characteristics that indicate elevated risk:
 - The youth is believed to be in the company of adults who could endanger their safety;
 - The youth has exhibited suicidal tendencies, or expressed suicidal ideation;
 - The youth is believed to have intent to severely physically harm another person;
 - The youth is 11 years of age or younger and/or is believed to be out of the zone of safety for their age or developmental stage;
 - The youth has one or more health conditions that, if not treated daily, will place the youth at severe risk;
 - The youth is drug dependent, including prescribed medication and/or illegal substances, and the dependency could be a danger to self or others;
 - The youth has severe emotional problems that, if not treated, will place the youth at severe risk;
 - The youth has a developmental disability that impairs the youth's ability to care for him/herself;
 - The youth is pregnant or parenting and potentially placing the unborn child or child at risk;
 - The youth is missing more than 24 hours before being reported to law enforcement;
 - The youth is believed to be in a life-threatening situation
 - The youth's absence is inconsistent with their established patterns of behavior and the deviation is not readily explained;
 - The youth is known or believed to be a victim of human trafficking (sex trafficking, labor trafficking, or both); and/or,
 - Other circumstances involved in the disappearance that would cause a reasonable person to conclude that the youth should be considered 'at imminent risk.'

Recommendation 4: **Physical Infrastructure**

The Timothy Montoya Task Force to Prevent Youth from Running from Out-of-Home Placement (task force) was created by HB 22-1375 to, among other things, identify “methods to deter children from running away from out-of-home placement” and was enabled to present recommendations to that effect.

The task force recognizes that youth in out-of-home facilities receiving treatment or care are deserving of supportive, trauma-informed environments. The task force also recognizes that this must be balanced with measures to ensure residents are secure and safe. As such, the following recommendations to enhance a youth’s security and safety should be done in the least restrictive way possible.

The task force recommends the use of physical infrastructure – both inside and outside facilities – to prevent youth from running from out-of-home care. The use of such infrastructure may include but is not limited to delayed locks, secured perimeters, and pedestrian safety mechanisms (such as crosswalks and traffic signals). The task force recommends the use of advanced technology (such as motion detectors and light sensors) as a way of meeting safety and security needs in the least restrictive way possible.

The task force makes these recommendations with the following conditions:

- Youth should be assessed prior to placement in facilities with such physical infrastructure to ensure the placement is appropriate. This placement should be regularly reviewed to determine if a less restrictive environment is available and adequate.
- The presence of such physical infrastructure should not be seen as a substitute for adequate staffing.

[For task force discussion: what is the specific legislative request/policy mechanism to further implement and operationalize this recommendation?]