



Timothy Montoya Task Force | Meeting Six

Developing a System Response to Youth Who Run From Out of Home Placements

June 14, 2023

Overview

Colorado Law fails to provide guidance to professionals about what information to report to law enforcement and what youth to prioritize for response. Below are some examples of how other state's structure laws and regulations related to youth who run from out of home placements.

Arizona

Internal DHS Agency Policy
Criteria for Reporting to LE

Immediate notification to law enforcement.

With approval of the supervisor, the DCS specialist may submit a referral to the At-Risk Runaways Service for assistance in locating a runaway child when one or more of the following circumstances exist:

- Child is suicidal.
- Child has been diagnosed with a serious mental illness, is prescribed medication for the mental illness, and may pose a danger to self and/or others if not receiving treatment and medication as prescribed.
- The child suffers from a serious physical illness and is prescribed medication, which if not available or administered properly, could place the child at risk of serious physical harm.
- The child is pregnant.
- Other specific child safety concerns exist (i.e., the child is age 13 or younger, the child is with a known perpetrator of abuse or neglect, the child is significantly developmentally delayed).
- The child is known to be, or is at risk of becoming, a victim of sex trafficking. Risk factors include, but are not limited to, substance use, gang affiliation, delinquency, or previous victimization.

Connecticut

Internal DHS Policy

Criteria for Reporting to Law Enforcement

Immediate notification when:

- Child is a danger to self, others, or the community, regardless of age.
- Child has a prior history of sexual exploitation.
- Child is under age 13.

When a child has run away from a congregate care setting, Department of Children and Families (DCF) foster home, or therapeutic foster home, ***contacting the police immediately to file a missing person report may not always be an appropriate course of action.*** Factors to be considered include:

- Child's danger to self, others, or the community
- Medical and physical health
- Chronological age
- Developmental age
- Behavioral and mental health status, including prior trauma history and especially sexual abuse or exploitation
- Social and emotional functioning
- Geographical location from which the child ran.

District of Columbia

Protocols for Reporting Children Missing From Care to Law Enforcement

Citation: D.C. Code § 4-1323.01; CFSA Missing Children Policy

Criteria for Reporting to Law Enforcement/Missing and Absconder Unit

Immediate Notification when there is a High-Risk Child- a child or youth who is missing or has absconded and whose safety is compromised for one or more of the following reasons:

- Child is age 12 or younger.
- Child has one or more serious health conditions that require treatment or ongoing care (including prescription medications) that without would cause serious harm to the child.
- Child is pregnant and there is a concern that the unborn child or children in her care may be at risk.
- Child is parenting and the infant/child is believed to be with him or her and there are concerns regarding the safety of the infant child.
- Child has emotional problems that require treatment and without treatment the child is believed to be a danger to themselves or others.
- Child has a developmental disability that impairs the child's ability to care for her/himself.
- Child has a serious documented alcohol and/or substance abuse problem and could be a danger to self or others.
- Child is absent under circumstances inconsistent with his or her established patterns of behavior and this absence cannot be readily explained (i.e., is believed to have been abducted).

Florida

Protocols for Reporting Children Missing From Care to Law Enforcement Citation: Ann. Stat. §§ 39.0141; 937.021(4); Admin. Code § 65C-30.019

Criteria for Reporting to Law Enforcement

Immediate notification when: the child's caregiver, legal guardian, or child welfare professional shall immediately report a child as missing to law enforcement when any of the following apply:

- Child is under age 13.
- Child has a physical or mental incapacity or a developmental or behavioral challenge that renders the situation more dangerous than it would be for a child with more maturity or resources.
- Child is with others who may endanger his or her safety.
- Child is known or believed to be in a dangerous or life-threatening situation.
- Child is missing under circumstances inconsistent with established behaviors

Nevada

Protocols for Reporting Children Missing From Care to Law Enforcement

Citation: Child Welf. Pol. Man. MTL # 0210

Criteria for Reporting to Law Enforcement

Immediate notification when any of the following apply:

- The child is age 5 or younger.
- The child has a cognitive delay.
- The child is vulnerable due to medical needs.
- The child has runaway or abduction is suspected.

Otherwise, it is the next business day.

North Carolina

Protocols for Reporting Children Missing From Care to Law Enforcement

Citation: Child Welf. Man., Agency Plan for Abducted and Runaway Children

Criteria for Reporting to Law Enforcement

Immediate notification for High-Risk Youth:

- The child's absence is inconsistent with his or her established pattern of behavior and the deviation is not readily explained.
- The child is known or believed to be a victim of human trafficking.
- Other circumstances are involved in the disappearance that would cause a reasonable person to conclude that the child should be considered 'at imminent risk.'

Tennessee

Protocols for Reporting Children Missing From Care to Law Enforcement

Citation: Supp. to Policy # 31.

Response criteria

Immediate notification.

The DCS Absconder Unit (AU) provides assistance by prioritizing cases based on:

- Medical or mental health needs and conditions of the youth.
- Age of the youth.
- Length of time on runaway.

The type of support the DCS AU provides is determined by the **priority level**, as follows:

- **Low priority:** The DCS AU tracks and monitors the youth through available reports and contacts the regional absconder representative at least one time per month.
- **Moderate priority:** The DCS AU assists caseworkers by phone with guidance and possible resources to assist the search. DCS AU tracks the youth through social media and other media avenues to assist the caseworker in determining the possible location of the youth.
- **High priority:** The caseworker partners with the regional absconder representative to identify high-risk youth for an active search. The caseworker and DCS AU staff actively seek the youth by going to relative homes, schools, community centers, malls/shopping centers, and contacting local law enforcement. The DCS AU obtains information from known friends, associates, and relatives of the youth to identify any possible leads and known locations.

Vermont

Protocols for Reporting Children Missing From Care to Law Enforcement

Citation: Fam. Serv. Pol. Man., Policy # 155

Criteria for reporting to law enforcement

Immediate Notification

Criteria to relay to law enforcement:

- Child is intellectually or developmentally delayed or has a mental health diagnosis that would increase risk to the child.
- Child is substance dependent or requires prescribed medications.
- Child was absent for more than 24 hours before being reported to law enforcement.
- Child is in a potentially life-threatening situation.
- Child is believed to be with others who could endanger his or her welfare.
- Child is suspected or known to be a victim of sex trafficking.

- Child is currently at risk of self-harm or suicidal ideation.
- Child is absent under circumstances inconsistent with his or her established patterns of behavior and this absence cannot be readily explained.
- Child disappeared under circumstances that would lead a reasonable person to conclude that the child should be considered at higher risk.