

Standardized Statewide Policies:

Varying Response Categories and Specified Response Protocols

The Timothy Montoya Task Force to Prevent Youth from Running from Out-of-Home Placement, and its Intervention Subcommittee, is considering policy options to enhance coordination and collaboration across agencies and entities when a youth has run away from care. To aid this, the Office of Colorado’s Child Protection Ombudsman (CPO) has compiled research on related policy approaches in other states.

The following pages present an overview of two types of potential policy solutions, with examples from states to illustrate what such a policy might look like in practice: **varying response categories based on youth characteristics** (Arizona, DC, and North Carolina); and **specified response protocols** (Michigan, Tennessee, and Washington). In each section and state example, links to documents, state websites and related resources are provided. On page 2, we include relevant Colorado regulation text for consideration and contrast alongside other state examples.

It is important to note that the CPO is providing this information as an informational resource as task force members consider possible changes in Colorado. The curation of this information is not an endorsement of any particular policy, and the CPO neither endorses nor disapproves of the policies included below.

- **Varying response categories based on youth characteristics**
 - Some states have created categories, often tied to determinations of high-risk status, that prompt different responses when a youth runs from out-of-home care. Some services or practices, such as involving specialized investigation staff or working with law enforcement, are only triggered for youth with high-risk classifications.
- **Specified response protocols**
 - Many states have specified response protocols in statute and/or regulation that must go into effect when a youth goes missing from out-of-home care. These policies can span a wide range of actions, involving components such as notification, collaboration with specialized investigation staff, consulting/creating run prevention plans, and entering relevant information into statewide data systems. These responses are often broken down with useful graphics/formatting by time period and relevant entity.

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Relevant Colorado Regulations

12 Colo. Code Regs. § 2509-4:7.303.4B (see page 28 [here](#))

- B. If a child/youth who is in the legal custody of the county department of human or social services is missing then the county departments shall:
1. Report immediately and no later than twenty-four (24) hours from when the county department receives notification that the child/youth is missing, to the local law enforcement agency and to the National Center for Missing and Exploited Children (NCMEC). The county department shall document the details of the reports in the state automated case management system.
 2. **Make reasonable efforts to locate a child/youth who is missing and document those efforts a minimum of once per month in the state automated case management system:**
 3. Upon the return of the child/youth, make reasonable efforts to complete the following activities and document those efforts in the state automated case management system:
 - a. Determine the primary factors that contributed to the child/youth being missing;
 - b. Determine the child/youth's experiences while missing, including conducting sex trafficking screen to determine if the child/youth is a possible sex trafficking victim; and,
 - c. Respond to factors identified in 3, A and B, above, in current and subsequent services.

Varying Response Categories in Arizona

*Arizona's Department of Child Safety policies specific to Locating Runaway Children from out-of-home care can be found [here](#). This document describes a system where **a certain response** (assistance from the Office of Child Welfare Investigations in locating a runaway child) **is prompted for youth with certain characteristics, but not for others.***

“With approval of the DCS Program Supervisor, submit a **Request to Locate At-Risk Runaway Child** to OCWI [Office of Child Welfare Investigations] for assistance in locating a runaway child **when one or more of the following circumstances exist:**

- The child is suicidal.
- The 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., child 13 or younger, child is with a known perpetrator of abuse or neglect, child is significantly developmentally delayed, etc.).
- 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 abuse, gang affiliation, delinquency, previous victimization.”

Varying Response Categories in DC

*DC’s Child and Family Services Agency policies regarding Missing, Abducted and Absent Children can be found in this [policy document](#) and this [Business Process](#) document. **DC differentiates between children who are *abducted* (suspected of being taken without permission), *absent* (gone for less than 72 hours, in contact, no risk of immediate harm, and location may be known), and *missing* (not at place of residence, no contact, whereabouts unknown). **High Risk Child** is also defined as a child who is missing, abducted or absent and whose safety is compromised by one or more of nine characteristics. **A child’s status within these definitions may trigger specific needs in policy**; for instance, some response requirements do not apply for children who are “absent” but not “high risk”.***

“Absent Child – a child who is absent from their place of residence for less than 72 hours whose whereabouts are either known or unknown, but the child is in contact and at no immediate risk of harm. In some cases, a child may be absent for short periods repeatedly and regularly. The risk indicators below should be used to assess risk.

Missing Child – a child under age 18 or a foster child under age 21 who is absent from their place of residence without the knowledge and/or consent of the caregiver, resource provider, or CFSA, and there has been no contact with the child, whose whereabouts are unknown.

High Risk Child – a child who is missing or, abducted, or absent and whose safety is compromised for one or more of the following reasons: The child:

- Is age 14 years old or younger.
- Has one or more serious health conditions that require treatment or ongoing care (including prescription medications).
- Is pregnant and potentially placing the unborn child at risk.
- Is parenting and the infant/child is believed to be with them, and the infant/child is potentially at risk.

- Has an emotional problem that requires treatment, without which the child may be a danger to self or others.
- Has a developmental or intellectual disability that impairs self-care.
- Has a serious documented alcohol and/or substance abuse problem and could be a danger to self or others.
- Is absent under circumstances inconsistent with their established patterns of behavior, and this absence cannot be readily explained.
- Is believed to be a victim of commercial sexual exploitation/sex trafficking”

Several requirements throughout the documents linked above are specified as applying to “missing or abducted, or absent and at high risk” youth, **excluding those absent youth who are not found to be at high risk**. This is the case for some reporting requirements, staffing timelines, and tasks to be performed by supervisory social workers.

Varying Response Categories in North Carolina

*North Carolina’s policies specifying its Agency Plan for Abducted and Runaway Children can be found in [this](#) section of the NC Child Welfare Manual (see pages 100-109). The state **defines high-risk child**, requires a youth’s high-risk status to be **communicated to law enforcement**, and creates **requirements for supervisors specific to high-risk children**.*

High-Risk Child is defined as:

“The **missing child’s safety is severely compromised for one or more of the following reasons:**

- The child is believed to be or has been abducted;
- The child is believed to be in the company of adults who could endanger their safety;
- The child is younger than 13 years of age and/or is believed to be out of the zone of safety for their age or developmental stage;
- The child has one or more health conditions that, if not treated daily, will place the child at severe risk;
- The child is drug dependent, including prescribed medication and/or illegal substances, and the dependency is life-threatening;
- The child has severe emotional problems that, if not treated, will place the child at severe risk;
- The child has a developmental disability that impairs the child’s ability to care for him/herself;
- The child is pregnant and/or parenting and the infant/child is believed to be with their parent(s);
- The child is missing more than 24 hours before being reported to law enforcement;
- The child is believed to be in a life-threatening situation
- The child’s absence is inconsistent with their established patterns of behavior and the deviation is not readily explained;
- The child 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 child should be considered ‘at imminent risk.’”

“If a child or youth is identified as “**high risk,**” this **must be communicated to law enforcement.**”

“Requirements for Supervisors...Upon notification that a child or youth is missing, the supervisor must...

If the child is high risk, obtain and review **daily progress reports** from the worker that include:

- Ongoing strategies and efforts to determine the child or youth’s whereabouts;
- Contacts with law enforcement and others;
- Additional steps taken to assist in finding the child;
- A placement plan for when the child is located; and
- Confirming the worker completes appropriate changes to the Child Placement and Payment Record.”

Specified Response Protocols in Michigan

Michigan’s Department of Health and Human Services’ regulations include a specific [section](#) regarding youth who are **Absent Without Legal Permission (AWOLP)**. This highlights requirements for **notification and search efforts** (divided both into sections based on **timeframe** and **personnel-specific needs**), responsibilities of the **Child Locator Centralized Unit**, and requirements for **when a youth is located**. Other resources that may be of interest include the [Diligent Search Checklist](#) and the [Conversation Guide on Return from AWOLP](#).

Notification and Diligent Search Efforts

Immediately

Foster parents, relative/unrelated caregivers, parents, and/or residential facility staff must **immediately and no less than 24 hours** notify law enforcement agencies, state police, local police, or the sheriff’s department, and the supervising agency when a child/youth under their care fails to return at the expected time or leaves a home without permission...

Upon notification, the supervising agency must immediately file a missing person report with the local law enforcement agency, classifying the child/youth as missing and endangered.

Upon notification, private child placing agency providers must immediately notify the MDHHS monitoring case manager of the child's/youth's absence and within one business day must document the notification in the social work contacts in the electronic case record.

Within 24 hours

Within 24 hours of the supervising agency receiving information of the child’s/youth's absence, the supervising agency must notify: The court of jurisdiction. The parents, if appropriate...

- Complete the DHS-3198A, Unauthorized Leave Report to Court/Law Enforcement and shall include where reasonably possible, the following:
 - A photo of the missing or abducted child/youth.

- A description of the child's/youth's physical features, such as height, weight, sex, ethnicity, race, hair color, and eye color.
 - Endangerment information, such as the child's/youth's pregnancy status, prescription medications, suicidal tendencies, vulnerability to being sex trafficked, and other health or risk factors.
- [copies of this form must be sent to the court, to law enforcement for use on the Law Enforcement Information Network [LEIN], and to the electronic case record]

Within One Business Day

Supervising Agency

The supervising agency must take the following actions within one business day of being notified of the child's/youth's absence:

- Update the electronic case record with an AWOLP placement...
- Document action taken to locate the child/youth in the electronic case record...

Private Child Placing Agency Case Managers

The private child placing agency case manager must take the following actions within one business day of the child's/youth's absence:

- Inform the MDHHS monitoring case manager that a copy of the DHS-3198A and a current photo of the child/youth has been uploaded to the electronic case record.

MDHHS Case Managers and Monitoring Case Managers

The MDHHS case managers and monitoring case managers must take the following actions within one business day of being notified of the child's/youth's absence:

- Confirm the child/youth has been classified as missing and endangered on LEIN [Law Enforcement Information Network]...

Diligent Search Efforts

Within Two Business Days

As soon as possible, but within two business days of being notified of the child's/youth's absence, the supervising agency must commence a diligent search for the child/youth. Required actions include...

MDHHS Case Managers Only

Complete automated systems checks, for example, BRIDGES [state benefits system] and Secretary of State, for the child/youth and known family members...

Diligent Search Checklist

Case managers may use the DHS-991, [Diligent Search Checklist](#), as a guide for the search. If the DHS-991 is used, the case manager must upload the completed form to the electronic case record.

Ongoing Diligent Search...

Child/Youth Locator Centralized Unit

The Child Locator Centralized Unit will:

- Receive an email notification generated by the electronic case management system the child/youth is missing and/or exploited.
- Review the electronic case record for completeness.
- Notify local office via reply email of determination or need for additional information.
- Determine if the child's/youth's information will be placed on the Child Locator Website...

Specified Response Protocols in Tennessee

Tennessee's Department of Children's Services (DCS) sets forth the state's Responsibilities Regarding Runaways, Absconders and Escapees in its Administrative Policies and Procedures [here](#). This describes required procedures regarding **prevention** efforts, how to **respond when a youth runs away**, how to **involve absconder units**, and **what to do when the youth is located**. It also includes links to related documents and forms that may be of interest, including the [Protocol for Reporting Runaways, Absconders and Escapees](#); the [Notification Checklist for Absconders/Runaways/Escapes](#); and the [Recovery Checklist for Absconders/Runaways/Escapes](#). Text below is from the [Runaway/Absconder/Escapee Checklist](#).

If a youth runs away from DCS custody or supervision the Family Service Worker or Juvenile Service Worker or Juvenile Probation Officer (as applicable) is required to do the following:

Immediately	The Next Business Day
Confirm the youth was reported to law enforcement (LE) as missing and entered into the National Crime Information System (NCIC) as a missing person " (non-delinquent) or wanted person " (delinquent youth) and get the NCIC number.	If the youth returns to custody within 24 hours the FSW/JSW completes only the CS-0705-1, Recovery Checklist and sends to ei_dcs_absconderunit@tn.gov .
Collect the following information from the care giver or contract agency staff NCIC number, date/time the youth absconded, clothing last seen wearing, photographs taken of the youth while at the agency/foster home.	File a petition/attachment with the appropriate juvenile court.
Telephone the parents/legal custodian to notify them the youth has run away and ensure the youth's personal belongings are secured.	Complete the Notification Checklist for Absconders/Runaways/Escapes, CS-0705 and forward to individuals designated on the form. Include a copy of

	the petition/attachment and a photo of the youth when forwarding form to the Absconder Unit.
Review the Protocol for Amber Alert/Endangered Child Alert (ECA) and report all pertinent information to law enforcement so they can determine if an endangered child alert is applicable.	Update information in TFACTS [Tennessee Family and Child Tracking System] Case Recordings, upload all documents gathered including the petition/attachment, form CS-0705 , etc.
Call or email the Regional Absconder Representative (RAR), Absconder Unit (AU), and regional leadership to report the youth ran away.	Notify the unit responsible for updating the youth's placement in TFACTS.
Report the youth missing to the National Center for Missing and Exploited Children (NCMEC) on the website: http://cmfc.missingkids.org/home or by calling 1-800-843-5678. A photograph of the youth is required. A missing child poster will be generated.	If the youth is missing for more than 24 hours, complete and submit CS-0476, Child Welfare Benefits Determination Notification of Change of Circumstances to designated regional staff to add the youth to the Runaway Report.
Ensure an incident report was completed in TFACTS by the residential provider or the FSW/JSW if the youth was placed in a foster home or on a trial home visit (THV).	Visit the parent/legal custodian's home to review and obtain signatures on CS-0749, Penalty for Harboring .
Ongoing Steps	
Share any information learned regarding the whereabouts of the youth with the AU Investigator.	The TL or TC meets with the FSW/JSW every (2) weeks to discuss strategies likely to apprehend the youth.
Continue to make contacts as follows: Make (1) unannounced home visit weekly for the first (30) days. Make (1) unannounced home visit monthly. Conduct a full diligent search immediately.	The AU Investigator meets with RAR at least monthly to review case and determine progress made.
After Child/Youth Returns to Custody or exits custody while on runaway	
Complete CS-0705-1, Recovery Checklist for Absconders/Runaway/Escapees and within one day and send to persons listed on the form.	Ensure any youth who reports sexual assault, physical assault, IV drug youth, or is a victim or suspected victim of human/sex trafficking is taken to the emergency room before the youth is placed in a new placement.

	Report human/sex trafficking disclosure to the DCS Child Abuse Hotline.
Ensure the youth is physically observed by law enforcement to remove their name from the NCIC and notify the juvenile court to release the arrest order, if applicable.	If a youth is apprehended in another state, contact TN Interstate Compact for Juveniles (ICJ) at ICJ@tn.gov to assist with returning the youth to Tennessee.
Complete and submit CS-0476, Child Welfare Benefits Determination Notification of Change of Circumstances to designated regional staff to remove the youth from the Runaway Report.	*If a youth exits custody while on runaway, the youth's placement and legal status must be ended in TFACTS to remove them from the Runaway Report.

Specified Response Protocols in Washington

*The Washington State Department of Children, Youth & Families' regulations for responding to youth missing from care can be found [here](#) (quoted text below comes from the regulations listed at this website, only formatting is modified). It includes components such as **documenting** the situation and recovery efforts; **notifying** individuals or agencies important to the youth - including parents - within 24 hours; and **working with dedicated staff**, known as Missing from Care (MFC) locators. [This website](#) also compiles several related resources created by the state, including: [Run Prevention Tips for Staff](#), [How to Help a Youth Who is at Risk to Run: Prevention Tips for Caregivers](#), and [Youth at Risk to Run: Resource Information](#). Finally, the state has specific [Youth Run Prevention Plan](#) and [Returning Child De-Briefing](#) forms.*

- Active and ongoing efforts must be made to locate a youth MFC [Missing From Care] **within 24 hours of notification** and until the youth returns to out-of-home care...
- When a youth is **MFC overnight or longer, the case must be staffed with a supervisor within two calendar days**, excluding weekends and holidays.
- An attorney must be requested for all youth MFC overnight or longer if the youth does not have an attorney...

When youth are MFC, [Children's Administration] staff must:

- a) Create the FamLink Temporary Situation in Placement to **document youth is on the run**.
- b) **Document LE run report number** in a case note. If the caregiver did not file a run report or contact NCMEC [National Center for Missing and Exploited Children], the caseworker immediately contacts LE [Law Enforcement] to file a run report and obtain the LE run report number..
- c) **Notify individuals or agencies important to a youth within 24 hours** of learning the youth is MFC. Individuals to notify may include but are not limited to:
 - i) **Legal parent or guardian**; Relatives; Child's Attorney, Court Appointed Special Advocate, Guardian Ad Litem; School; Therapist; Tribe

- d) Make **ongoing search efforts to locate the child beginning within 24 hours** of learning the youth is MFC and continue until the youth returns to care. **Ongoing outreach and search efforts may include**, but are not limited to the following locations, individuals, and entities:
 - i) Bus stations; Youth centers; Family members' and friends' homes; Places the youth may frequently be found; School; Homeless shelters; Agency available data bases; Probation/parole; Communication with family, friends and known associates
 - e) **MFC locators only**: May search social media websites and Not Safe For Work (NSFW) websites such as Craigslist and Backpage.com
 - f) Notify the Regional MFC lead within 48 hours of learning a youth is MFC.
 - g) Conduct a **MFC staffing with the supervisor within two calendar days** (excluding weekends and holidays) for youth MFC overnight or longer. **Document the staffing results** in FamLink. The MFC staffing includes:
 - i) **Search strategies and efforts**;
 - ii) **Protective factors and vulnerabilities** of youth
 - iii) Individuals **contacted**
 - iv) **Potential reasons the youth ran**
 - v) Determining if the youth **needs an attorney** appointed
 - vi) Determining if a **pick-up order and warrant** are needed, and
 - vii) Discussing if a **court hearing** should be scheduled. Some factors to consider when making this determination are:
 - (1) **Placement problems** or no appropriate placement options available
 - (2) All other **efforts and interventions have failed**
 - (3) Youth is a **chronic runner**
 - (4) If court sanctions would be an **effective deterrent for the youth**
 - h) Write and file a declaration for a **pick-up order or warrant** for the youth.
 - i) Discuss the following areas at the court hearing:
 - i) **Placement problems** or no appropriate placement options available,
 - ii) **Additional services needed to support or stabilize** the youth,
 - iii) Search and run **prevention strategies** that have occurred and
 - iv) Any **efforts to locate** the youth.
 - j) Document the following in a monthly case note until the youth returns to out-of-home care or ages out of care:
 - i) **Continued efforts** to locate youth...
- 2) When youth return to care, CA staff must:
- a) **Notify** LE, NCMEC...and other individuals important to the youth's case...
 - b) **Assess and address any identified health or safety concerns** and assist the youth in accessing appropriate care within 24 hours of the youth's return to out-of-home care.
 - c) Close the Temporary Situation Placement and document the youth's current placement in the **Placement page in FamLink**.
 - d) Conduct a **debriefing interview**...

- e) Complete the **Returning Child De-Briefing form** in FamLink with the youth.
- f) **Develop a run prevention plan** or review and update an existing run prevention plan...
 - i) **Services or activities that the youth needs to help them stay in care** including, but not limited to: Increase in family time or other safe, positive social connections; Independent living skills; Medical visits; Substance use disorder treatment; Behavioral health services
 - ii) **Interventions that could prevent the youth from running from care**, including but not limited to: Alone time; time to visit with friends; listening to music; creating a list of individuals that youth will reach out to if they have a desire to run in the future; talking to youth about what they are feeling during the 'need to run' moment...