



## State Intervention Policies when Children Run from Care

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 intervention efforts when a child 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 federal Child Welfare Information Gateway has information on all 50 states' policies through May 2020: to view this policy information, click [here](#), choose state(s) of interest, and select Responding to Youth Missing From Care. Additionally, this [National Snapshot](#) of State Agency Approaches to Reporting and Locating Children Missing From Foster Care from the U.S. Department of Health and Human Services has useful policy information and context.

The following pages present an overview of policies in the District of Columbia, Tennessee, and Texas which may be of particular interest to the Task Force. Policies in all three jurisdictions utilize specialized investigation staff tasked with searching for and finding youth missing from out-of-home care. Links to documents, state websites and related resources are also provided.

It is important to note that the CPO is providing this information as an informational resource, not as an endorsement, and this is not a comprehensive capture of Task Force considerations.

**D.C.:** D.C. differentiates between responses depending on length of time missing and other circumstances, and also identifies high risk children. Specialized investigating staff named Diligent Search Units work alongside social workers and others to try and find missing youth.

**Tennessee:** Tennessee's Absconder Unit Investigators work with law enforcement, regional staff, and community partners to find missing youth. Policy also specifies appropriate response protocols when missing youth are found.

**Texas:** Texas employs Special Investigators to work with caseworkers to find youth missing from out-of-home care. These are former law enforcement members, and they use techniques such as location surveillance, the use of license plate readers, and accessing law enforcement records.

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## Policies Regarding Intervention in DC

*In September 2023, D.C.'s Child and Family Services Agency updated their policies regarding Missing, Abducted and Absent Children. This [policy document](#) is supplemented with a more detailed [Business Process](#) document. Below, we pull out some elements of these policies that may be of particular interest to the Task Force.*

### Definitions

D.C. 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 do not apply for children who are "absent" but not "high risk".

### Varied, but Coordinated, Responses

"A positive outcome in this situation depends on **strong collaboration** among the child's social worker and the **many stakeholders who work to locate the child**. It is important for the social worker to keep family members and resource providers informed about the child's status. The social worker, supervisor, and members of the Diligent Search Unit (DSU) should **carefully coordinate** CFSA's outreach to minimize the trauma and impact on clients and families."

DC's policy documents spell out **reporting, outreach, and investigation requirements** for resource providers and caregivers. Reporting requirements are also specified for the agency, the assigned social worker, and supervisory social workers from the agency.

### Specialized Investigating Staff

If a child is in legal custody of the agency, and cannot be found within 24 hours, the social worker is required to request assistance from the **Diligent Search Unit**. For a **high-risk child**, the social worker must initiate a **Child Locator Staffing** no less than 3 business days later which must include several specified individuals. The Child Locator Staffing must identify resources and immediate **supports for the family** during the child's absence and after their return. It must develop a written plan to locate the child and designate responsibilities for each action step in the plan; this plan supersedes all other plans to locate the child.

When the Diligent Search Unit receives a request from a social worker, they submit the form to the Juvenile Clerk's office and begin their search process after receiving a **custody order**. The Diligent Search Unit investigator "engages various parties who may have helpful information, but they **closely coordinate** with the social worker to **minimize interviewing redundancies** and avoid **re-traumatizing** the child's family, friends, and collaterals". They must provide weekly investigation updates to the social worker, and update the electronic case management system.

## Policies Regarding Intervention in Tennessee

Tennessee details its intervention policies in a series of documents: [Responsibilities Regarding Runaways, Absconders and Escapees](#); [Protocol for Reporting Runaways, Absconders, and Escapees](#); and [Protocol for Medical Evaluations for Runaways and/or Commercial Sexual Exploitation of a Minor](#). The Department of Children's Services also lists immediate, next day, and ongoing responsibilities of family service workers, juvenile service workers, and juvenile probation officers in this [Runaway/Absconder/Escapee Checklist](#) document. Themes of interest from these resources are briefly described below.

### Specialized Investigating Staff

Juvenile Service Workers must conduct a thorough search when a child has run away, and have the option to seek assistance from the Absconder Unit (AU). The three regions of Tennessee all have assigned **Absconder Unit Investigators**; their primary function is to “**actively search for youth** who have absconded from [the Department of Children's Services] custody, Trial Home Visit, or Probation/Aftercare supervision”. These investigators **work directly with regional staff, law enforcement, and community partners** to find the missing youth.

Each Regional Administrator appoints at least one **Regional Absconder Representative**, who serves as a liaison between the region and the AU and maintains an active list of children who have run away. They also ensure that if a child has been missing for more than 24 hours, the [Notification Checklist for Absconders/Runaways, Escapees](#) has been completed, and other materials, including photographs, detailed information, and the custody order, are provided. The checklist records basic information about the youth; details about the event of running away; information around the **notification of law enforcement**, the National Center for Missing and Exploited Children and the absconder unit; and historical information about the child such as drug use, history of violence, identifying marks, **LGBTI identification**, user names on **social media**, and contact information for family members and associates.

### Protocols when Youth are Found

Tennessee also outlines responsibilities when **youth are located**, with different requirements for Child Protective Services/Family Support Services/Family Crisis Intervention Program cases, Juvenile Justice probation/aftercare cases, and **custodial cases**. For the latter, when a youth returns to custody, the family/juvenile service worker must complete the [Recovery Checklist for Absconders/Runaways/Escapees](#) within one business day. Among other requirements, the service worker must also convene a Child and Family Team Meeting – before placement if possible – to “determine how best to **meet the youth's needs** and determine the **primary factors contributing to the youth running away** in order to appropriately respond to needs and **discourage further runaway episodes**”.

## Policies Regarding Intervention in Texas

The Texas Department of Family and Protective Services' Child Protective Services Handbook establishes [policies](#) for responding to missing youth in out-of-home care. Several non-mandatory [resource guides](#) accompany these policies, including a Runaway/Missing Youth & Victims of Human Trafficking Protocol [resource guide](#) for the state's five largest counties, and a separate Locating Missing Children in DFPS Conservatorship [resource guide](#) for the rest of the state. Below are elements that may be of interest to the Task Force, including additional details from correspondence with Special Investigations Specialist Damaris Nicholson.

### Notification Requirements

According to policy as dictated in the CPS Handbook, "when a child or youth in DFPS conservatorship is missing, it is extremely important that the agency make every effort to **quickly locate** and ensure the safety of the child or youth". The caseworker or assigned on-call staff must notify their supervisor, law enforcement, the National Center for Missing and Exploited Children, and contact a [Special Investigator \(SI\)](#) as described below. The caseworker has primary responsibility for the case, but must work closely with the assigned SI for recovery.

### Specialized Investigating Staff

The caseworker must provide the SI with details about the child and circumstances around their absence, and maintain regular contact with the SI until the child is recovered. SI actions are described in detail for large counties [here](#) (page 21) and for the rest of Texas [here](#) (page 19). The primary difference between this guidance is the large counties' inclusion of **child sexual exploitation identification** materials and other provisions for **human trafficking**, which are absent for the rest of the state.

**Special Investigator** actions for all of Texas detailed in both resource guides include: working with law enforcement, conducting a **search of the last place the child was staying** if appropriate, collaborating with the National Center for Missing and Exploited Children, obtaining a **Writ of Attachment** to physically remove child if found where appropriate, searching information online including **social media use and continued cell phone activity**, interviewing associated individuals, documenting active search efforts in the case management system, providing reports to the courts, and convening various monthly and quarterly update meetings. Appendix D in both guidance documents provide a **Flowchart** for Primary Caseworker & Special Investigator Steps When a Child Goes Missing or Runs Away.

There are **five SI Regional Directors**, and **279 SI throughout the state**. SIs have **previous law enforcement experience**, and some are still licensed. SI will **conduct surveillance** at physical locations where the missing youth may be, which often involves coordination with law enforcement. They have access to law enforcement **records**, **license plate readers**, criminal history checks, family history checks, and can access things like **SNAP card usage to help pinpoint location**.