



Best practice for responding to youth who run away from foster care

A guide for county and tribal child welfare agencies

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Introduction

Youth who are missing are at great risk of victimization and exploitation. Many do not perceive the inherent risks or see themselves as potential victims. This is especially true for youth who are identified as “high risk,” such as foster care youth. Many runaway youth become involved in illegal and dangerous activities in their efforts to survive.

Youth who run away from foster care are particularly vulnerable to sex trafficking and its dangerous physical and mental health consequences. The national Adoption and Foster Care Analysis and Reporting System (AFCARS) data identified 4,734 youth nationwide with a placement type of “runaway” on Sept. 30, 2017. Runaways represented about 1% of all youth in care on that date (442,995). In addition, AFCARS data indicated that about 766 youth exited care during fiscal year 2017 with “runaway” as their discharge reason.

On Sept. 29, 2014, President Obama signed into law the Preventing Sex Trafficking and Strengthening Families Act [P. L. 113-183]. This law takes important steps forward in protecting and preventing children and youth in foster care from becoming victims of sex trafficking. Section 104 of this law focuses on locating and responding to children who run away from foster care, which includes:

- Developing and implementing plans to expeditiously locate any child missing from foster care
- Determining primary factors that contribute to a child’s running away or being absent from foster care
- Determining a child’s experiences while absent from foster care, including screening for whether they were a victim of sex trafficking.

This law also requires reporting to law enforcement and the National Center for Missing and Exploited Children (NCMEC) within 24 hours of receiving information on missing or abducted children.

On Aug. 1, 2015, the following Minnesota Statute was enacted:

260C.212, children in placement.

Subd. 13. Protecting missing and runaway children and youth at risk of sex trafficking.

(a) The local social services agency shall expeditiously locate any child missing from foster care.

(b) The local social services agency shall report immediately, but no later than 24 hours, after receiving information on a missing or abducted child to the local law enforcement agency for entry into the National Crime Information Center (NCIC) database of the Federal Bureau of Investigation, and to the National Center for Missing and Exploited Children.

(c) The local social services agency shall not discharge a child from foster care or close the social services case until diligent efforts have been exhausted to locate the child and the court terminates the agency's jurisdiction.

(d) The local social services agency shall determine the primary factors that contributed to the child's running away or otherwise being absent from care and, to the placements.

(e) The local social services agency shall determine what the child experienced while absent from care, including screening the child to determine if the child is a possible sex trafficking victim as defined in Minnesota Statutes, section [609.321, subdivision 7b](#).

(f) The local social services agency shall report immediately, but no later than 24 hours, to the local law enforcement agency any reasonable cause to believe a child is, or is at risk of being, a sex trafficking victim.

(g) The local social services agency shall determine appropriate services as described in Minnesota Statutes, section [145.4717](#) with respect to any child for whom the local social services agency has responsibility for placement, care, or supervision when the local social services agency has reasonable cause to believe the child is, or is at risk of being, a sex trafficking victim.

Child and youth are used interchangeably in this guide; however, only “child” is defined in Minn. Stat., section [260C.007](#), subd. 4: “Child” means an individual under 18 years of age. For purposes of this chapter and Minn. Stat., chapter 260D, child also includes individuals under age 21 who are in foster care pursuant to Minn. Stat., section [260C.451](#).

“Minnesota Missing Persons Act” (Minn. Stat. sections [299C.51](#) to [299C.565](#)) states that law enforcement shall accept any report of a missing person without delay. This may be helpful when attempting to locate youth ages 18-21 who are in foster care in a supervised independent living setting.

These provisions pertain to all children and youth under the care, custody, and control of the local social service agency, whether under case management services of child protection, child welfare, children’s mental health, developmental disabilities or corrections.

Purpose

The purpose of this guide is to establish requirements and provide instructions for local social service agency staff when youth, for whom an agency is legally responsible, are reported or believed to have run away. Because of potential dangers to youth, caseworkers are to consider missing and runaway youth as a major event that requires intensive intervention. Caseworkers and their supervisors are required to notify the individuals, agencies and organizations described in these procedures upon learning that a youth is missing.

Federal data reporting requirements

Federal law requires states to report data to the U.S. Department of Health and Human Services regarding sex trafficking and runaway youth. The department has developed the Sexually Exploited Youth (SEY) screen in the Social Service Information System (SSIS) to meet this requirement. It is available under the Person Tree view, but is only visible to agency staff with the security function “Access SEY” assigned to their security role. The purpose of the screen is for local social service agencies to record whether a youth is a sex trafficking victim. The reason for the new screen is that Title IV-E agencies must report annually to the U.S. Department of Health and Human Services the total number of children and youth identified as sex trafficking victims. The law requires trafficking data to be added in AFCARS. This screen must be completed for all youth, whether in placement or not, and also any time workers discover new information regarding sex trafficking.

In addition, social service caseworkers must complete the Runaway Youth Debriefing form in SSIS documents when a youth has returned after being on the run. The information collected will be utilized to meet federal reporting requirements. The form is also in eDocs: [Runaway Debriefing Form \(PDF\)](#).

When a youth enters foster care

Be prepared in the event that a youth goes missing from foster care. As soon as they enter care, take their photograph for the social service case file and the court file. Record physical descriptive information such as height, weight, hair and eye color, and complexion, and identifiers such as eyeglasses or contact lenses, braces, body piercings, tattoos and other unique physical attributes. If a youth has a history of running away, create a safety plan with all parties and clearly designate roles and responsibilities.

Reporting requirements

Supervisors and primary caseworkers (youth's assigned worker who has responsibility for case management, service coordination and delivery) are expected to work aggressively to locate a missing youth and return them to an approved placement.

Reporting requirements for caregivers

Caregivers, including foster parents, relative caregivers, and staff of residential facilities, shall immediately (within 24 hours) report any missing youth to:

- Local law enforcement agency, providing a description of what youth was last wearing, time last seen, etc., so its agency staff can enter the information into the National Crime Information Center (NCIC) database. Also, report if it is believed that a youth has unwillingly left placement or has been removed by an unauthorized person.
- Child's caseworker and on-call worker, if after business hours.

Reporting requirements for caseworkers

When a caseworker learns that a youth for whom an agency is legally responsible is missing, they shall immediately contact (within one business day):

- Law enforcement agency to ensure a verbal report was made by the caregiver and to provide any additional information.
- Youth's parent(s), guardian, or legal custodian.
- Youth's school, and request that they contact the caseworker if youth contacts or arrives at school.
- Guardian ad litem.
- Other team members who may need to know.

- County attorney to request that an ex-parte order be filed with the juvenile court to have the youth picked up.
- The National Center for Missing and Exploited Children (NCMEC). It will publish on its website and distribute posters locally and nationally. The name and identifying information will be published, but youth will not be identified as a foster youth. This does not violate confidentiality.

A youth who has run away from foster care should NOT have their continuous placement closed in SSIS. The current placement can be ended for reason of runaway. A new placement/location/absence should be completed as setting: unauthorized absence, and reason: runaway.

These are federal requirements that must be documented in SSIS. The contacts and efforts completed should be detailed in a case note titled “runaway.”

Requirements for supervisors

Upon notification by a caseworker that a youth is missing, the supervisor will immediately confirm that the caseworker has completed all required reports and contacts listed above. The supervisor will also:

- Assist caseworker in developing and implementing a plan that has specific strategies to locate missing youth and assure safety as quickly as possible. This plan will include daily and weekly activities to locate youth.
- Meet with the caseworker on a weekly basis to:
 - Review ongoing strategies and efforts to determine youth’s whereabouts.
 - Review contact with law enforcement and others.
 - Determine what additional steps may be taken to assist in finding youth.
 - Develop a placement plan for when youth is located.
 - Double check that all reporting requirements and documentation are completed.
- Document all supervisory meetings in SSIS in a case note titled “runaway.”

Searching for runaway youth

Caseworkers are to follow the steps outlined below anytime a youth is missing.

- Develop a plan with specific strategies to locate youth.
- Meet weekly with supervisor regarding efforts to locate youth.
- In consultation with supervisor, caseworker reviews and/or revises the plan, as needed, to assure progress is made toward locating youth and establishing safety.
- Attempt to contact youth via phone/text, check social media sites such as Facebook, Twitter, etc.
- When a youth’s whereabouts are unknown, caseworkers must make a sustained effort to locate youth by contacting the people, agencies or organizations (and others as identified by the specific case) listed below at least monthly, and requesting that each person/agency contact the caseworker immediately if information becomes available that could assist in locating the youth. People, agencies or organizations to contact include:
 - Local law enforcement agency
 - Local emergency shelters and homeless youth programs

- Most recent caregiver, and any other caregivers with whom youth has a close or long-term relationship
- Relatives, including parents and siblings
- Neighbors and landlord of last known address
- Close friends, classmates or community members with whom youth may have developed a significant relationship
- Teachers, counselors or other school personnel
- Other employees of an agency who may have knowledge of possible locations of youth; check other information systems such as MAXIS (Minnesota statewide automated eligibility system), MMIS (Medicaid Management Information System), PRISM (Providing Resources to Improve Support in Minnesota) child support system and TCIS (Trial Court Information System)
- Probation officer
- County juvenile or adult detention centers.
- Diligently follow up on possible leads regarding youth's whereabouts.
- If a court-ordered placement, consult with the county attorney and guardian ad litem. Keep the juvenile court informed of ongoing search efforts by filing court reports and attending court hearings. These cases shall remain open; court hearings will be held at least every three months.
- If a voluntary placement, consult with the county attorney about the possibility of filing a CHIPS petition.
- Offer support to family and caregivers.
- Document in SSIS the plan and efforts that have been completed in a case note titled "runaway."

Return of runaway youth

When youth is located within Minnesota

Caseworkers shall:

- Request assistance of local law enforcement or the local social service agency where youth was found for help in making arrangements for youth to be returned to the responsible agency
- Provide necessary documents/court orders to the other agency, proving that a youth is the legal responsibility of an agency.

When youth is located in another state

Caseworkers shall:

- Request the assistance of the child welfare agency in that state for help in making arrangements for the return of youth to Minnesota
- Provide the necessary documents/court orders to the other agency, proving that a youth is the legal responsibility of an agency.

When youth has been returned

Once youth has been located and is in a safe placement, caseworkers shall:

- Conduct a thorough follow-up interview with youth using the required Runaway Youth Debriefing form to determine the primary factors that contributed to the run, to screen youth for possible sex trafficking or sexual exploitation, and to help them problem-solve to develop solutions
- Inform law enforcement, NCMEC, and all others who were notified of the run, that youth has been located
- Determine if there is reason to believe that youth has been a victim of sex trafficking; make a report to law enforcement within 24 hours
- Determine if there is reason to believe that youth has been sexually exploited, as defined in [Minn. Stat., section 260C.007, subd. 31](#); refer youth to a Safe Harbor regional navigator to determine appropriate services; list of regional navigators is on the Safe Harbor website, and also listed under “Resources” below
- Review youth’s placement options
- Ensure that a medical examination is scheduled as soon as possible if it is determined that one is necessary, taking into account the amount of time on the run and experiences while on the run
- Replace clothing or personal items youth may need
- Address youth’s service, treatment and placement needs, and revise the service plan, if needed
- Ensure that a court hearing is held within 72 hours of youth being picked up to review appropriate placement and services
- Take a current photo of youth (and update annually), and place it in the court and social service case files
- Document in SSIS efforts that have been completed in a case note titled “runaway”
- Update placement screens.

Placement considerations

Current placement

When a youth for whom an agency is responsible runs away from a placement and is still missing after 24 hours, agency staff and caregiver(s) must make a decision regarding continuation of youth’s placement location. When deciding whether to return youth to the last placement, caseworkers shall:

- Interview caregivers and youth separately to determine why youth ran away
- Discuss reasons given by caregivers and youth with supervisor to determine whether the reasons for running away are related to the placement itself, and whether services would be beneficial to stabilize the placement and mitigate future incidents
- Update the out-of-home placement plan (OHPP) to address current service needs and placement decisions
- Document in SSIS efforts that have been completed in a case note titled “runaway.”

New or alternate placement

Any new placement in a substitute care setting must include a determination of the individual needs of youth, and the ability of prospective caregiver(s) to meet those needs. If a youth has a history of running away or indicates that they will not accept a specific placement, caseworkers shall discuss with youth, and take into account where they want to live or what type of placement youth is willing to accept, such as:

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- A particular relative
- A former caregiver or another adult with whom youth has formed a relationship
- Reunification with parent(s), if possible
- A group home or congregate care setting
- A supervised independent or transitional living setting (if youth is able to live independently and is between the ages of 18-21).
- Update the out-of-home placement plan to address current service needs and placement decisions.
- Document in SSIS efforts that have been completed in a case note titled “runaway.”

Resources

[Child Welfare System Response](#) – This links to the Minnesota Department of Human Services website. All reports of known or suspected sex trafficking must be screened in to the child protection system as a form of sexual abuse, regardless of relationship to alleged offenders. Sex trafficking of a child is a mandated report under Minnesota law.

[National Center for Missing and Exploited Children \(NCMEC\)](#) – This links to NCMEC’s website showing the vast array of resources available. For information and resources specific to children missing from social services care, as well as how to report, see the websites <http://www.missingkids.org/theissues/cmfc> and <http://cmfc.missingkids.org>.

[Safe Harbor](#) – This links to the Minnesota Department of Health website, which also has a link to the regional navigators throughout the state.

The following videos can be used for educational purposes with caseworkers and caregivers, as well as youth:

- ["The Making of a Girl"](#)
- ["It's Still Trafficking"](#)
- ["MTVu Human Trafficking PSA"](#)
- ["PSA Male Sex Trafficking"](#)