

Ross Armstrong

Administrator

DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF CHILD AND FAMILY SERVICES 4126 TECHNOLOGY WAY, SUITE 300 CARSON CITY, NV 89706 Telephone (775) 684-4400 - Fax (775) 684-4455 dcfs.nv.gov

Manual Transmission Letter (MTL)
Family Programs Office: Statewide Child Welfare Policy Manual

MTL # 0210 - 08302019 08/30/2019

TO: Timothy Burch, Administrator – Clark County Department of Family Services

Betsey Crumrine, Social Services Manager V – DCFS – District Offices Laurie Jackson, Social Services Manager V – DCFS -District Offices

Amber Howell, Director - Washoe County

FROM: Kathryn Roose, Deputy Administrator, Division of Child and Family Services

POLICY DISTRIBUTION

Enclosed find the following policy for distribution to all applicable staff within your organization:

0210 Reporting, Locating and Responding to Missing Children

inis policy is/v	vas effective: 08/30/2019
☐ This policy	is new. Please review the policy in its entirety
	replaces the following policy(s): MTL # 0210-11182015 Policy Name: 0210 Missing and Exploited Children
☐ This policy	has been revised. Please see below for the type of revision:
	This is a significant policy revision. Please review this policy in its entirety.
	This is a minor policy revision: (List page number & summary of change):
	A policy form has been revised: (List form, page number and summary of change):

NOTE:

- Please read the policy in its entirety and note any areas that are additionally required by your agency to be in compliance with the policy enclosed.
- This is an ALL STAFF MEMO and it is the responsibility of the person listed above to disseminate the policy enclosed to appropriate staff within his/her organization and to ensure compliance.
- The most current version of this policy is posted on the DCFS Website at the following address: http://dcfs.nv.gov/Policies
 Please check the table of contents on this page for the link to the chapter you are interested in.

0210 REPORTING, LOCATING AND RESPONDING TO MISSING CHILDREN

Policy Approval Clearance Record

☑ Statewide Policy☐ Administrative Policy☐ DCFS Rural Region Policy	 □ New Policy □ Modified Policy ☑ This policy supersedes: 0210 Missing Children
Date Policy Effective:	08/30/2019
Attorney General Representative Review:	8/15/2019
DCFS Deputy Administrator Approval	08/26/2019
DMG Original Approval	10/01/2015
DMG Approved Revisions	08/30/2019

STATEMENT OF PURPOSE

Policy Statement and Purpose: The Child Welfare Agency will ensure efforts to locate, report, and respond timely and appropriately when a child involved with or in the custody of the Agency is missing, abducted or runaway.

The purpose of this policy is to ensure prompt measures are taken to report to the proper authorities and relevant parties when a child who is involved with or in the custody of a Child Welfare Agency is missing, abducted or has runaway and to ensure that all attempts to locate the child occur in a timely manner. The policy also guides caseworkers on how to respond to a child who is found or returns from a runaway including conducting a debriefing to assist in determining factors that contributed to a runaway and screening for sexual exploitation.

AUTHORITY

Federal:

Preventing Sex Trafficking and Strengthening Families Act PL 113-183 ACYF-CB-IM-14-03 Information Memorandum PL 113-183;

ACYF-CB-PI-15-07 Program Instruction PL 113-183;

ACYF-CB- IM-14-1 Runaways from Foster Care:

Trafficking Victims Protection Action (TVPA) 42 U.S.C. § 5772;

<u>Justice for Victims Trafficking Act (JVTA) PL 114 -22. ACYF-CB-IM-15-05 Information Memorandum Child Abuse</u> and Protection Treatment Act (CAPTA), Trafficking ACYF-CB-IM-15-05

NRS: NRS 200.310; NRS 200.340; NRS 432B.159; NRS 432B.165; AB 151 (2019)

NAC: NAC 424.476(2)(5);

Other:

Model Coordinated Response Protocol and Toolkit to Address the Commercial Sexual Exploitation of Children in Nevada; ACYF Guidance to States and Services on Addressing Human Trafficking of Children and Youth in the United States;

DEFINITIONS

Abduction: The wrongful removal or wrongful retention of a child (NRS 125D.030).

Agency which Provides Child Welfare Services: In a county whose population is less than 100,000, the agency is a local office of the Division of Child and Family Services; or in a county whose population is 100,000 or DATE: 08/30/2019

0210 REPORTING, LOCATING AND PAGE 1 OF 8 RESPONDING TO MISSING CHILDREN

more, the agency is the agency of the county, which provides or arranges for necessary child welfare services. May also be referred to as "Agency" or Child Welfare Agency".

Amber Alert: The AMBER Alert™ Program is a voluntary partnership between law-enforcement agencies, broadcasters, transportation agencies, and the wireless industry, to activate an urgent bulletin in the most serious child-abduction cases: To qualify for an Amber Alert the following must occur: 1) law enforcement must confirm an abduction has taken place, 2) that the child is at risk of serious injury or death, 3) there must be sufficient description of the child, captor, or captor's vehicle to issue an alert and 4) the child must be a minor (under 18 years of age).

Commercial Sex Act: The giving or receiving of anything of value (money, drugs, shelter, food, clothes, etc.) to any person in exchange for a sex act (as defined in the federal Tracking Victims Protection Act).

Exploited Child: A person under the age of 18 who has been (NRS 432.150):

- a. Used in the production of pornography in violation of the provisions of NRS 200.710,
- b. Subjected to sexual exploitation, or
- c. Employed or exhibited in any injurious, immoral, or dangerous business or occupation

Hague Convention: The Hague Convention of 25, October 1980 on the civil aspects of international child abduction is multilateral treaty, which seeks to protect children from the harmful effects of abduction and retention across international boundaries by providing a procedure to bring about their prompt return.

Missing Child: A person under the age of 18 years who has run away or is otherwise missing from the lawful care, custody and control of a parent or guardian (NRS 432.150(4)).

National Center for Missing and Exploited Children (NCMEC): Assists families and law enforcement agencies, 24 hours per day, when they are notified a child is missing. This national center provides direct support to law enforcement for many investigative services necessary when a child is missing.

National Crime Information Center (NCIC): An electronic clearinghouse of crime data that can be tapped into by virtually every criminal justice agency nationwide, 24 hours a day, 365 days a year. It helps criminal justice professionals apprehend fugitives, locate missing persons, recover stolen property, and identify terrorists. It also assists law enforcement officers in performing their duties more safely and provides information necessary to protect the public.

National Crime Information Database (NCID): A computerized index of criminal justice information (i.e. criminal record history information, fugitives, and stolen properties, missing persons). It is available to Federal, state, and local law enforcement and other criminal justice agencies and is operational 24 hours a day, 365 days a year.

Runaway: A child whose whereabouts are currently unknown and who is believed to have left his or her placement voluntarily.

Sex Trafficking: The recruitment, harboring, transportation, provision, obtaining, patronizing or soliciting of a person for the purpose of a commercial sex act. The commercial sexual exploitation of a child (CSEC), also referred to as child sex trafficking, is defined by federal law as a form of child sexual abuse, and involves the recruitment, harboring, transporting, provision or obtaining of a person under 18 years of age for a commercial sex act (i.e., when something of value is given to or received by any person). Force, fraud or coercion are not necessary for child sex trafficking. CSEC includes child prostitution, child pornography, trafficking of children for sexual purposes, child sex tourism, and forced marriage (Victims of Trafficking and Violence Protection Act).

State: An alternate word for the Division of Child and Family Services (DCFS) or Family Programs Office (FPO).

PURPOSE AND UNDERSTANDING

1. The Federal Preventing Sex Trafficking and Strengthening Families Act requires that the Title IV-E Child Welfare Agency report information on missing or abducted children to law enforcement authorities for entry into the National Crime Information Center (NCIC) database of the Federal Bureau of Investigation (FBI), and to the NCMEC immediately, and in no case later than twenty-four (24) hours after receiving the information. It also requires that diligent efforts be made to locate a child whose whereabout are unknown.

2. Runaway and homeless youth are at greater risk of being commercially sexually exploited or sex trafficked. NCMEC reported in 2017 that one (1) in seven (7) endangered runaways were likely sex trafficking victims, and 88% of these likely victims were in the care of social services or foster care when they ran. Foster children are particularly vulnerable to predators because they typically lack strong family foundation and support, and often experience years of transient formal support due to high social worker turnover and multiple moves between foster homes. It is for this reason that the federal law and this policy expand the population for whom action must be taken when a child is determined to be missing to include not only children in foster care, but also children with open cases in child welfare.

STANDARDS/PROCEDURES

Reporting Responsibilities for Children in Foster Care

- 1. Foster homes and caregivers should know where a child is or is expected to be at all times.
- 2. Licensed foster homes and caregivers are required by <u>NAC 424.476(5)</u> to verbally notify the Agency and law enforcement *immediately* (written notice as soon as practicable, but no later than the business day immediately following the event) upon determination that a child is missing, runaway or suspected to have been abducted or victim of sexual exploitation.
 - a. A child is determined to be missing when the location of the child is unknown and there has been no contact with the child for three hours despite multiple attempts to make contact (in person, electronic, social media, etc.). The three hours does not apply when a child is five (5) years or under, a child that has a cognitive delay, a child that is vulnerable due to medical needs, or when it is clear that a child has runaway or when abduction is suspected. In these cases, verbal notification to the agency and law enforcement must occur immediately.
 - b. When reporting a missing child, the foster parent should speak directly to an agency caseworker, intake worker or on-call worker. Leaving a voice mail message is not sufficient. When an Agency caseworker does not answer the foster parent must attempt to contact the caseworker's Supervisor, and if unsuccessful with the Supervisor, the Manager. If the report is made after working hours, the foster parent should follow the policy for contacting the on-call number.
- 3. Foster parent should be *instructed* to file a police report with their local law enforcement agency, obtain the law enforcement report number and provide it to the caseworker. If the foster parent is unable to file a report, the caseworker must ensure a report is made with the local law enforcement agency.
- 4. The case worker must ensure notification to the birth parent or legal guardian within 24 hours. If unable to reach birth parent or legal guardian, the case worker must make recurring efforts to notify the parents.
- 5. When a parent or other person seeking custody of a child is the perpetrator of an act of abduction against the child, consult with agency attorney to review requirements and procedures of NRS 432B.159 which addresses the presumption concerning custody and visitation.
 - a. If the missing child scenario appears to be as a result of parental abduction, contact the Nevada Attorney General's Office, Missing Children's Unit to report a possible parental abduction at 702-486-3456; fax number is 702-486-2377.
 - I. This is in addition to the official report filed with law enforcement.
 - II. It is not necessary to report runaway or missing children who have not been abducted, as the Attorney General's Office Investigators receive this information via NCIC reporting.
- 6. The case worker must make a report to the National Center for Missing and Exploited Children (NCMEC) at 1-800-843-5678 (1-800-THE-LOST) as soon as practicable but no later than 24 hours of becoming aware that the child is missing and/or exploited.
- 7. The case worker will provide Law Enforcement and/or Missing and Exploited Children with all requested pertinent information about the child, some of which might include:
 - a. The child's full name, including known aliases and nicknames.
 - b. Current Photo of the child. (Caseworkers need to maintain yearly updated photos in each child's file).
 - c. Note: Any efforts to locate the child that include a photograph of the child may only be distributed or displayed if it does not identify the child as a foster child. This includes media with a heading of "missing child" and not "missing foster child".
 - d. For exploited children, the date, time, and location where the crime was committed.
 - e. For missing children, provide the date, time, and location where child was last seen if known.

- f. For missing children, provide the name(s) of the person/people who saw the child last if known.
- g. Any pertinent medical history, conditions such as developmental disability, or if they are medically fragile.
- h. Identify and secure any computers and wireless devices used by the child and provide law enforcement access to these items. Ask law enforcement to look for clues in any chat and social networking websites the child has visited. Provide law enforcement any known information about the child's social networking.
- i. Compile descriptive information about the child. Descriptive information should include items and information such as: a recent photo of the child, a description of the clothing worn at the time the child was last seen, cell and other phone numbers, date of birth, hair and eye color, height, weight, complexion, identifiers such as eyeglasses or contact lenses, braces, body piercings, tattoos, other unique physical attributes, and/or any general health and medical conditions the child may have.
- 8. Notify Supervisor via text message, telephone, or email when notification to law enforcement has been made according to agency policy and procedure.
 - a. Notify the child's service providers that the child is missing and/or is a victim of exploitation no later than two (2) business days after becoming aware of the issue. Service providers may include, but are not limited to:
 - b. Legal Representative (Guardian ad Litem, CASA, or Attorney);
 - c. Therapist:
 - d. Probation or Parole Officer;
 - e. Independent Living Service Provider/Case Manager.
- Child welfare caseworkers must document their actions including the report number provided by law enforcement and confirmation from the NCMEC of the successful filing of the missing persons report in a UNITY case note.
- 10. Each jurisdiction to update the placement location directory as directed by their agency (e.g. runaway or absconder, etc.).
- 11. If the child is residing in another state through the Interstate Compact on the Placement of Children (ICPC), the caseworker will immediately contact the ICPC worker providing supervision to request their assistance in reporting the child as missing to the local law enforcement agency in the state which the child resides. ICPC will contact Interstate Compact for Juveniles (ICJ) for assistance if needed. The caseworker will notify the ICPC Office as soon as possible that the child has been reported as missing and of the efforts to locate the child via the NVICPC@dcfs.nv.gov email address.

Reporting Responsibilities for Children Who are Not in Foster Care

Children in an open case who are not in foster care in which the child welfare agency is providing services to a family have the same requirements listed above for children in foster care with the following differences:

- 1. When a caseworker learns that a child is missing and the parents do not know their whereabouts, the caseworker should work with the parent/guardian to complete the required reporting.
 - a. If the parent/guardian is unwilling and the caseworker has reasonable cause to believe that the parent's refusal to make the report constitutes maltreatment, the child welfare agency must ensure the required reporting is completed and complies with <u>0506 Intake and Priority Response Times Policy</u> to address the new maltreatment.
- 2. The parents should be provided FPO 0210D Reporting Requirements and Tips for Locating Missing Children

Continued Efforts to Locate the Missing Child

- 1. After initial contacts, the child welfare caseworker or their designee must make reasonable efforts to locate the child at least every thirty (30) calendar days and document those efforts in UNITY using the "AWOLP" case note type until the child is located or the case is closed. Efforts should include but are not limited to:
 - a. Continue to seek information from the parents, relatives, adult mentors, child attorney, friends, and others, who may have information about the child's whereabouts while the child is in missing or on runaway status.
 - b. Ask the other children in the home if they have heard from or know where the child may be.

- c. Check past locations the child has been known to frequent or where they were previously found.
- d. Check all of the child's contacts (i.e., local family members, friends, teachers, significant other, etc.) to ask if they have heard from the child and if they know of his/her whereabouts.
- e. If at any time new information is obtained on the child's location, all law enforcement agencies and other agencies notified that the child was missing must be contacted immediately.
- f. Check social media of the youth, friends and family.
- g. Continue to call or text youth directly on their cell phone.
- Using applicable examples above, child welfare caseworkers must document their actions of continued efforts
 to locate the child in UNITY with a monthly case note until the child has been located. See FPO 0210D –
 Reporting Requirements and Tips for Locating Missing Children.
- 3. For missing children who are not in foster care, the above efforts that apply should be completed by the child welfare caseworker, their designee or the parents and documented in a UNITY case note.

Procedures After a Child Has Been Located, Returned and/or identified as a Victim of Exploitation

Upon a child's return to care, the child welfare caseworker must ensure that all of the following steps are completed:

- 1. **Welcome the child back**. Ensure the child knows and is aware of the concerns expressed regarding his/her safety and wellbeing by friends, family and others who have significant relations with the child.
- 2. Assess and meet the child's immediate physical and health needs.
- 3. Notify supervisor, child's parents, legal guardian (if parental rights have not been terminated), parole or probation officer (if child is on parole or probation), and any other agencies and people who were contacted that the child has been located.
- 4. **If law enforcement finds the child.** The NCIC and NCMEC should be automatically notified the child has returned.
- 5. Cancel reports to law enforcement and NCMEC. Inform local law enforcement as soon as reasonably practicable but no later than (twenty-four) 24 hours of becoming aware that the child has been located. Notify the National Center for Missing and Exploited Children by calling 1-800-843-5678 (1-800-THE-LOST) and file a recovery report within forty-eight (48) hours of becoming aware that the child has been located.
- 6. If applicable, notify the Attorney General's Office, Missing Children's Unit.
- 7. Identify Services the child may need.
- 8. Interview Child Utilizing Returning Child De-Briefing Tool (Attachment B). The Returning Child De-Briefing tool asks questions to help identify why the youth ran away, what they did while they were gone, reasons that contributed to their absence, if they have any immediate safety, medical, emotional needs upon return and if there is anything that could have been done to prevent them from leaving. Guidelines for completing the tool include:
 - a. Within twenty-four (24) hours of the child's return, a trusted adult must complete an interview with the child utilizing the tool to initiate strategies to prevent the youth from leaving and make referrals for appropriate services.
 - b. The tool is required to be completed for the first runaway episode if a child has been missing for twenty-four (24) hours or longer.
 - c. After subsequent runaway episodes review the tool to consider changes and possible referrals to support runaway prevention.
 - d. At next supervision of the case, review the tool and determine if additional supports are needed.
- 9. Screening for commercial sexual exploitation/sex trafficking. If the child was missing, returns from runaway, from being absconded or is suspected of being a victim of exploitation, a screening for sexual exploitation must be completed within twenty-four (24) hours of the child's return. This screening is not required if the child has previously been identified as a victim of exploitation through the use of the NRIT.

- a. The NRIT assesses if a child is 1. A confirmed victim of commercial sexual exploitation, 2. At high risk of commercial exploitation, or 3. No indicators apply to this youth at this time.
- b. The NRIT is not meant to be used as a questionnaire, rather it requires the person administering it to use their cumulative knowledge of the child to complete. The purpose of the NRIT is to provide identification and prevention of commercial sexual exploitation (CSEC).
- c. If the NRIT indicates there are "no indicators apply to this youth at this time," file the hardcopy NRIT in the case file and document in UNITY pursuant to local agency procedure.
- d. If a child is identified as high risk or confirmed, Refer to statewide policy 0214 Commercial Sexual Exploitation of Children (CSEC) for further instructions.

Preventing Runaways

- The following questions and the checklist entitled Runaway Prevention Interventions Guide (FPO 0210C Runaway Prevention Intervention Guide), may be used to engage a child in identifying triggers that might prompt a runaway episode. They also help identify coping strategies to prevent a runaway episode.
 - a. What are your strengths? What are you good at?
 - b. What are some triggers or behaviors that you have noticed occur when you start to feel like running?
 - c. What has helped prevent you from running in the past?
 - d. Who is a good support to you when you feel like running?
- 2. Applying Prudent Parenting Standard/Normalcy: The Prudent Parenting Standard expands opportunities provided to foster children by allowing prudent decision-making by foster caregivers. This Standard, when appropriately used, offers the necessary guidance and latitude to ascertain appropriate parental decisions, which support the safety, best interests and healthy and normal development of the child. Normal activities for the child/youth include, involvement in social, extracurricular, cultural, and enrichment activities; which provide a child's natural opportunities to experience safe risk-taking, supported by parental guidance and nurturing. Children/youth experiencing these types of commonplace activities in their daily lives provides the necessary learning opportunities for healthy development and normal maturation. Caseworkers should encourage caregivers to promote normalcy for every foster child as another means of preventing runaway behavior.

Providing regular opportunities for foster children to have typical, social interactions with people outside of the foster care system help to promote normalcy and a sense of belonging. Refer to statewide <u>policy 1011</u>

Reasonable and Prudent Standard/Normalcy for further information.

Case Closure When a Child is on Runaway

- 1. If a child turns eighteen (18) years old, has not elected to remain on Court Jurisdiction and is on missing/runaway status, case closure will be reviewed, and recommendations made pursuant to agency procedure.
- 2. If the case is closed follow agency procedure on case closure. In addition, please notify the following of case closure:
 - a. NCMEC;
 - b. All parties to the case and the child's service providers, including but not limited to: therapist, Independent Living (IL) Specialist, and parole or probation officers;
 - c. Document all notifications in an 'AWOLP' UNITY case note;
 - d. Refer to statewide policy 0202 Case Closure for further instruction on case closure.

FAMILY PROGRAMS OFFICE: STATEWIDE POLICY

Timeline:

Requirement	Starting Date	Deadline	Responsible Party	Actions to be Taken
Report to law enforcement when a child is missing	Immediately upon determining a child is missing	Immediately	Foster Home or Caregiver or Assigned Case Worker	Case Worker ensures law enforcement is notified about missing child and either obtains law enforcement report number from foster parent or completes report to law enforcement and obtains report number from law enforcement within 3 hours of determining the child is missing
Notify Supervisor that child is missing	Determination child is missing	As soon as the notification has been made to law enforcement	Assigned Case Worker	Case Worker notifies Supervisor that child is missing via text, call or email
Notify parents that child is missing	Determination child is missing	Within 24 hours	Foster Home or Caregiver or Assigned Case Worker	Case Worker ensures parents are notified that their child is missing or makes recurring efforts to notify the birth parents if unable to reach them
Notify child's service providers that child is missing	Determination child is missing	Within two business days	Assigned Case Worker	Case Worker ensures child's service providers are notified the child is missing
Report to NCMEC	Determination child is missing	Within 24 hours	Assigned Case Worker	Case Worker completes report to NCMEC and documents report information in a UNITY Case Note
Children returning from a run-away episode be debriefed using Returning Child Debriefing Tool	Date child returns from first runaway episode that was 24 hours or longer	Within 24 hours	A Trusted Adult	Debrief the child using the Returning Child Debriefing Tool
Children returning from a run-away episode be screened using the NRIT unless a child was previously confirmed as a CSEC	Date child returns	Within 24 hours	Assigned Case Worker	Administer the NRIT based on cumulative knowledge and information learned upon debriefing of child

Documentation:

Child welfare caseworkers must document their actions including the report number provided by law enforcement and confirmation from NCMEC of the successful filing of the missing persons report in UNITY within five (5) days.

Child welfare caseworkers must document their actions of continued efforts to locate the child in UNITY with a monthly case note until the child has been located.

Case File Documentation (paper)

File Location	Data Required
Location in primary file	Returning Child Debriefing Tool
	Nevada Rapid Indicator Tool (NRIT)

UNITY Documentation (electronic)

Applicable UNITY Screen	Data Required
Placement Location Directory Case notes (AWOLP case note type)	Update placement status Case Notes with law enforcement and NCMEC report details Case notes outlining efforts to notify

JURISDICTIONAL ACTION

Development of Internal Policies:

Agencies are expected to follow this policy as written and to develop internal policies as necessary.

Supervisory Responsibility:

- A. Notification:
- 1. Once notification that a child is missing, has run away, has been located, comes to the attention of the supervisor, the supervisor must:
 - a. Ensure that staff follows the Reporting, Locating, and Responding to Missing Children Policy and procedures in its entirety.
- B. Ongoing Efforts:
- 1. Discussion of the child welfare caseworker's efforts to locate the child must be completed in the ongoing case staffing with supervisor.
- 2. A child's placement must be identified of his/her return from missing or runaway status.
- 3. Discussion of Returning Child De-briefing tool, referrals for child, and strategies to prevent the child from leaving.
- C. When a child is identified as a CSEC:
- 1. Discussion of the referrals and services provided to victim of exploitation.
- 2. Direct the caseworker to the Commercial Sexual Exploitation of Children (CSEC) Policy and ensure requirements of that policy are completed.

STATE RESPOBSIBILITIES

The State will provide technical assistance regarding program development and implementation to the child welfare agencies. The State will monitor ongoing compliance with this policy through the quality assurance process.

POLICY CROSS REFERENCE

DATE: 08/30/2019

Policies: Statewide Policy 0214 Commercial Sexual Exploitation of Children (CSEC)

Statewide Policy 0801 Youth Independent Living Program

Statewide Policy 1011 Reasonable and Prudent Parent Standard/Normalcy

History and Updates: This policy supersedes Statewide Policy 2010 Missing and Exploited Child

ATTACHMENTS FPO 0210A – Runaway Report Form

FPO 0210B – Returning Child De-Briefing Tool

FPO 0210C - Runaway Prevention Intervention Guide

FPO 0210D - Reporting Requirements and Tips for Locating Missing Children

FPO 0210E - Hotlines and Helplines

FPO 0210F - Emergency Supportive Service