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June 5, 2019

ALL COUNTY INFORMATION NOTICE NO. I-14-19

TO: ALL COUNTY CHILD WELFARE DIRECTORS
ALL COUNTY PROBATION OFFICERS
ALL COUNTY BOARDS OF SUPERVISORS
ALL CHIEF PROBATION OFFICERS
ALL TITLE IV-E AGREEMENT TRIBES
ALL CHILD WELFARE SERVICES PROGRAM MANAGERS
ALL GROUP HOME PROVIDERS
ALL OUT-OF-STATE GROUP HOME PROVIDERS
ALL FOSTER FAMILY AGENCIES
ALL COUNTY MENTAL HEALTH PLANS

SUBJECT: RECOMMENDED PRACTICES FOR SERVING COMMERCIALY SEXUALLY EXPLOITED CHILDREN (CSEC) MISSING FROM CARE

REFERENCE: [PUBLIC LAW \(PL\) 113-183](#); [42 UNITED STATES CODE SECTION 5772](#); [SENATE BILL \(SB\) 794](#) AND [SENATE BILL \(SB\) 855](#) ; [WELFARE AND INSTITUTION CODE \(WIC\) SECTION 16501.35](#) AND [WELFARE AND INSTITUTION CODE SECTION 16501.45](#); [ALL COUNTY LETTER 16-15](#) , [ALL COUNTY LETTER 17-71](#), [ALL COUNTY LETTER 16-85](#) [ALL COUNTY LETTER 17-107](#); AND [ALL COUNTY INFORMATION NOTICE I-59-18](#); [COUNTY FISCAL LETTER 16-17-73](#)

The purpose of this All County Information Notice (ACIN) is to provide county child welfare agencies and probation departments with recommended promising practices for serving Commercially Sexually Exploited Children (CSEC) missing from care. While this guidance highlights best practices for serving commercially sexually exploited youth, it can be of benefit to any youth missing from care. Recommended best practices include additional guidance around reporting procedures, engagement during and post runaway, and prevention and safety planning for future incidents of running.

Background

On September 29, 2014, [Preventing Sex Trafficking and Strengthening Families Act \(PL 113-183\)](#) was signed into law, which amended a number of provisions in [Title IV-E](#) of the Social Security Act to include additional requirements for Title IV-E agencies when a child is a victim or at risk of sex trafficking, or when a child is missing from foster care. California incorporated these requirements into state law with the passage of [Senate Bill 794](#) (2015), specifically adding sections [16501.35](#) and [16501.45](#) to the Welfare & Institutions Code (WIC). These sections require counties to develop policies and procedures to expeditiously locate missing youth, as well as collect data for tracking youth who are victims or at risk of sexual exploitation. [All County Letter 16-15](#) outlines the policies and procedures counties are required to develop to locate and respond to youth who go missing from foster care, including reporting and noticing requirements, and the responsibilities of the social worker and/or probation officer.

It is important to understand the definition of missing from foster care/placement and what constitutes a youth as missing. All County Letter (ACL) 16-15 defines a child or youth missing from foster care as an individual whose whereabouts are unknown to the child welfare agency or probation department. In addition, ACL 16-15 notes there may be instances when a youth has left care and their whereabouts are known; however, they refuse to return to placement. In this instance a youth would be considered missing from care. The ACL 16-15 also encourages caregivers, social workers and probation officers to allow a reasonable amount of time for the youth to return, and take into consideration a youth's age, developmental status, mental health and physical condition when identifying the youth as missing from care. Allowing a youth, especially an older youth, a reasonable amount of time to return to placement following their departure, unless they are considered to be at risk of immediate harm, will assist in reducing any unnecessary labels and potential negative impact the term "AWOL" can impose. Should a youth be missing, reporting procedures should be followed as outlined in ACL 16-15.

As mentioned, ACL 16-15 outlines the requirements for expeditiously locating a youth when they are missing from foster care. The [ACL 16-85](#) outlines specific policies and procedures counties must adopt when reporting and documenting a youth who is missing from foster care and believed to be the victim or at risk of commercial sexual exploitation. The recommended best practices below are intended for use by social workers/probation officers, however each recommendation is applicable for use by any provider serving and engaging with youth who are identified at risk or victims of commercial sexual exploitation. These recommendations are intended to be used *in addition* to the existing protocols for youth missing from foster care.

Recommended Reporting Practices for Youth Missing from Care:

- If applicable, contact local Human Trafficking Taskforce detectives to provide information as to youth's absence from care and coordinate efforts to locate.
- In addition to the required report to the appropriate local law enforcement agency and the National Center for Missing and Exploited Children (NCMEC), contact the local California Highway Patrol (CHP) office and provide the missing person report number, as well as a recent photo to be disseminated to CHP officers statewide, especially if the youth is suspected to be on the move. This serves as a proactive measure as local law enforcement agencies may not be able to actively search and share reports. Further, there is not a centralized system that tracks all information tied to one particular youth.

Recommended Practices for Engaging Youth While Missing from Care:

- Reach out to the youth via text, phone, email and/or social media. Remain neutral and focused on their well-being. Be honest, express concern, but refrain from language that is punitive or condescending. Allow youth to have voice and choice in their return, exploring what the youth feels is in their best interest.
- Utilize youth's Child and Family Team (CFT) members to engage and communicate with youth.
- Coordinate communication with the youth's CFT members to ensure the youth does not become overwhelmed by too much communication.
- Create a safe plan for return, broken down by achievable steps, with the youth leading the plan when ready.
- Consider holding a CFT meeting to create the plan for return, encouraging the youth's attendance, conveying that they will not be forced to come into care as a result.
- Assess for safety. Should there be suspicion that the youth is in danger, or at risk for danger, contact law enforcement immediately.

Recommended Practices for Youth Returning to Care:

The ACL 16-15 describes the required activities under federal law when a missing child returns to foster care. The recommended best practices below may be used in conjunction with the requirements described in ACL 16-15.

- Welcome the youth back by showing genuine happiness and appreciation that they have returned. Be mindful of appearing as though you are judging the youth: specifically, be cognizant of facial expressions and body language, utilize neutral language and do not initially comment on what may have occurred while missing. Identify their return as a success. Returning, whether voluntary or not, was likely very difficult. Verbally acknowledge this difficulty to the youth.
- Focus on the youth and their well-being. Thank them for returning, whether or not it was voluntary. Allow them to assist in determining their own priority needs by asking what their immediate needs are. Offer the youth something to eat, a shower, clothing, medical attention if necessary, and give them time and space to rest even if it does not follow typical sleeping hours. This approach will assist in putting the youth at ease, creating a safe and comfortable environment, and building trust between a youth and their social worker, probation officer, service provider, or caregiver.
- Allow the youth as many opportunities for choice as possible. Exploited youth often have little to no control. Upon returning to care find ways to allow them to make decisions and regain some of the power they have lost.
- While a social worker/probation officer must make a mandated report, cross report, or investigate further upon suspicion a youth has been exploited while missing from care, it may not be immediately necessary to understand the details of what may or may not have transpired while a youth was missing from foster care. Ask the youth if they are ready to discuss their experiences while missing from care. If necessary, allow the youth sufficient time before approaching them for additional information about what occurred while they were away, and allow them to disclose their experiences when they are ready. By not immediately discussing, it allows the youth time to decompress, feel welcome, establish a sense of safety and most importantly not feel pressured to share something they may not be ready to discuss. This approach will avoid triggering the youth and instead allow them to acclimate to return. This will also assist in strengthening the relationship between the youth and social worker/probation officer/service provider/caregiver; building trust and encouraging more open communication.
- Identify the best person to engage with the youth in these moments. Ask whether the youth has a preference. Encourage others who have been involved in the youth's life to make contact if the youth communicates that it would be helpful. Natural supports may be effective in supporting the engagement of the youth. Natural supports are those that are not a part of a formal child serving system and are a part of the family's informal support. They may include extended family, friends, coaches, neighbors, etc.

- When discussing the circumstances of their absence from care, remain objective, non-judgmental, open and engaged. Ask open ended questions to identify motivations for leaving, or concerns for what the youth may have experienced while missing from care. Similarly, focus on their return and determine what may have motivated them to come back. If their return was not voluntary, ask what may help them remain in care longer moving forward. Be realistic, clear and concise. Phrase questions with terms that are understandable for the youth. Utilize solution-focused questions that empower the youth to determine their needs and what may motivate them to stay. For example, “Can you tell me about a time when you almost left, but didn’t? What was different then versus this time?” Reframe their negative comments. Acknowledge a youth’s strengths and positive choices, even in the action of a negative decision.
- Contact youth’s treatment team and notify of return so services may resume as soon as possible, including during nontraditional business hours. Consistency and structure are vital in stabilizing the youth.
- Contact the local law enforcement agency, NCMEC and any other appropriate authorities/parties to inform of youth’s return, in order to avoid any unnecessary traumatic experience should the youth encounter law enforcement when they are not missing from care.
- Ensure any protective custody warrants issued in either dependency and/or delinquency court while youth was missing are recalled.

Recommended Strategies to Prevent Youth from Leaving Care:

- Ensure you have a relationship with or know the important people in a youth’s life, including family, friends, significant others or mentors. Keep track of their contact information. If a youth is often leaving to be with them, find appropriate ways to help a youth remain connected with those individuals while in placement. Ensure the caregiver/placement provider understands the importance of these relationships and supports the youth’s engagement with them. If the support person lives farther away, determine whether resources can be provided to allow in-person visits with the youth, or whether methods of video conferencing can be used, (i.e. Skype, Facetime, Google Hangout, etc.).
- Coach caregivers/placement providers on how to create a supportive environment, utilizing the [Reasonable and Prudent Parent Standard](#). Assist them in creating house rules that are developmentally appropriate. Recognize that it is normal for youth to desire time with their peers, freedom and independence. Build this into their daily life. Determine whether a curfew extension, planned activities with

friends and planned time for the youth to spend with themselves in a private space would help.

- Coach caregivers to pay attention to particular times of day that may be harder for youth. Does the youth need more support or attention during those times? Make changes accordingly. For example, perhaps a youth is accustomed to being out on Friday evenings. Plan an outing or activity together with youth to help them feel busy and fulfilled during this time, including whomever is important to the youth when possible.
- Identify the youth's interests and functional strengths and build them into their case plan and life. Connect them to activities that support those interests. If youth have a difficult time identifying their interests and strengths, utilize the Child and Adolescent Needs and Strengths assessment tool to work with the caregiver to identify these potential strengths and expose youth to other new experiences and opportunities.
- Support caregivers in keeping the youth balanced. Be cognizant of services overload and allow the youth to have healthy, fun experiences. Boredom can be a vulnerable place for most adolescents. Assist caregivers in keeping youth busy in activities that are of interest to them without overwhelming them.
- Identify triggers which may encourage a youth to leave and when a youth is likely to encounter these triggers. Co-create a safety plan (see below) with the youth, identifying alternatives to leaving. For example, contacting a trusted adult or friend, taking space, listening to music or simply just getting out of the house.

Safety Planning Around Leaving Placement:

The dynamics of sexual exploitation are complex and have wide impacts on a youth's mental health. For youth who have been sexually exploited, leaving placement is often an aspect of their recovery process. In some instances, youth may feel compelled to return to an exploitive situation. Some must return due to threats of violence or coercion, while others may desire to return because of a sense of familiarity and normalcy.

While leaving placement inevitably poses risk, it is difficult to prevent altogether. The harm reduction approach, identified as a promising practice for serving youth abused through commercial sexual exploitation, aims to reduce the impact of risky behaviors over time, rather than to immediately eliminate them completely. A harm reduction approach understands that youth may leave placement, and rather than attempting to stop a youth from leaving altogether, it places emphasis on the young person being the central driver in reducing their own self-harm. It also recognizes the service provider's role is to engage

and connect youth with services that will ultimately achieve safety and stability. For more information regarding the harm reduction approach and its strategies, please reference ACIN [I-59-18](#).

Utilizing a harm reduction approach, social workers/probation officers can work with a youth to determine steps both the adults in the youth's life, as well as the youth should take in the event they do go missing from care. Social workers/probation officers can include these steps in a safety plan for the youth if they leave care. For the purposes of this ACIN, the term safety plan is defined as a plan put in place to ensure the safety of the youth is maintained in a given situation, as well as the responsibilities of the youth and CFT for ensuring that plan is implemented and maintained. For more information regarding the use, design and function of safety plans, please reference ACL [17-107](#). Below are strategies for engagement around safety planning for when a youth may leave care:

- Discuss desire for youth to stay in placement, as well as the understanding that a youth may decide to leave. The reality of a youth leaving placement is high. Have honest discussions with the youth about this and how they can maintain their own safety while missing from care. This does not mean that leaving placement is encouraged or condoned, but instead meets youth where they are, encourages openness and builds trust. This will go a long way in terms of engagement and their progress in healing; helping build safe behavior.
- Ask the youth how they define safety, and use their definition to assist in developing safer behaviors and making safe decisions. Be mindful that their definition will influence their choices.
- Safety plan around leaving placement and how youth may reduce harm while missing from care including:
 - Ensure they have emergency contact information and the locations of various community resources.
 - Work with the youth to identify one person they may be willing to check in with while absent from care, whether this is via phone, email, or social media. Ensure the youth understands their social worker/probation officer must also be able to communicate with the identified person (assuming the identified person is in fact not the youth's social worker/probation officer).
 - Provide youth with a small bag containing hygiene products, safe sex materials, bus passes and/or a first aid kit. Preventing leaving may be

difficult but utilizing opportunities to help them reduce the impact of potentially unsafe choices will continue to build safe behaviors.

- Identify a plan, person and location youth can reach out to when ready to return. Develop contingency plans for these should an emergency arise.
- Discuss reality of what youth may engage in during their absence from care. How does the youth feel safety can be maintained during these activities? For example, if they will be engaging with purchasers do they know how to access contraceptives?
- Keep current photos of the youth to provide to law enforcement and/or NCMEC when a youth runs away.
- Monitor the youth's social media accounts and user names. Sometimes a youth's posts will give indications of who they are with, where they may be, or alert if they are planning to leave placement. Monitoring these can lead to locating the youth. Provide the account names to law enforcement.
- Pay attention to warning signs that a youth may be considering leaving placement. Utilize the youth's support person, and/or CFT, to engage the youth and determine what can be done to prevent them from leaving placement. Be mindful that some youth may not want to leave placement but are pressured and/or threatened to leave by an exploiter or peers.

Contact Information

If you have any questions related to CSEC and their absence from placement, please contact the Child Trafficking Response Unit within the Child Welfare Policy and Program Development Bureau, at (916) 651-6160 or CSECPprogram@dss.ca.gov.

Sincerely,

Original Document Signed By:

MARY SHEPPARD, LCSW
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Child Protection and Family Support
Children and Family Services Division

c: County Welfare Directors Association
Chief Probation Officers of California