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POLICY 414 – MISSING/ABDUCTED/RUNAWAY CHILDREN

A. POLICY

Children in foster care who are missing, have runaway, or have been abducted shall be considered “at risk,” and expedient and thorough efforts shall be made to locate them.

B. PROCEDURES

1. When DFS is notified that a child in custody is missing, the staff receiving the notification will verify that a Missing Person Report has been filed with the police. If a Missing Person Report has not been filed, the staff person receiving the notice or the caseworker of the child must file the report as soon as possible, but no later than within 24 hours. If possible, the caregiver who last saw the child should be encouraged to make the call.
2. The caseworker will report the missing child to the National Center for Missing and Exploited Children (NCMEC). The Division will maintain regular communication with law enforcement and NCMEC in efforts to recover the child safely.
3. The caseworker will document all efforts to locate the child, including contacting the child’s family and previous caregivers. The caseworker with the help of the caregiver, if possible, will contact the child’s friends and school.
4. The caseworker will share all relevant information with law enforcement and NCMEC, including:
 - A current photograph of the child.
 - A description of the child’s or youth’s physical features, such as height, weight, sex, ethnicity, race, hair color and eye color.
 - Information about the child that may put them at higher risk, such as pregnancy, prescription medications, mental health conditions, suicidal tendencies, concerns for human trafficking, or other risk factors.
5. The caseworker will email the Special Investigators and copy the Regional Administrator as soon as possible, but no later than within 24 hours, to notify of the missing child. The email must identify the child’s name, date of birth, date missing, last known location, and efforts to locate the child to date, and any unusual circumstances. If unusual circumstances exist, the Special Investigators must be contacted immediately, including after hours. Unusual circumstances include:
 6. 14 years of age or younger
 - Disabled—either developmentally disabled or emotionally disturbed, and children who may have difficulty communicating identity, needs, or location
 - Drug dependent—whether prescription or illegal

- Absence under circumstances inconsistent with child's established patterns of behavior (for example, stable placement with no history of running away)
 - Believed to be with adults who could endanger the child's welfare. This includes children for whom DFS obtained emergency ex parte custody and the parents are evading DFS.
7. The caseworker and Special Investigator will coordinate efforts to locate the child and immediately notify each other when the child is located.
 8. While the child is gone, the caseworker will identify a placement in anticipation of the child's return, especially if the current placement is unwilling to have the child return.

RECOVERY OF A MISSING CHILD

1. In some instances, missing children may have traveled or been taken out of state. The assigned caseworker or designee will accompany the Special Investigator in recovering the child.
2. When a missing child is located, the caseworker will have a face-to-face contact with the child within 72 hours of the child's return. The caseworker will conduct a thorough interview and document the results in a FOCUS note. The caseworker will also complete the Commercial Sexual Exploitation-Identification Tool (CSE-IT) (please refer to Policy 415: Human Trafficking).
3. The interview must include the following questions or others devised to ascertain the child's whereabouts and other safety issues:
 - Why did the child leave?
 - Where did the child go?
 - How did the child survive, including where they slept (bed, cot, floor) and how they obtained food?
 - Who helped the child while the child was gone?
 - Did the child feel uncomfortable or scared with the any of the people who were encountered while the child was missing?
 - Did anyone threaten or hurt the child while the child was gone?
 - Did anyone force the child to do anything they did not want to do?
 - Did anyone physically harm the child or force the child into sexual situations?
 - Will the child leave again?
4. If the child exhibits symptoms of trauma, the caseworker will alert the Office of Evidence Based Practices for further trauma screening. If the child has been physically harmed or divulges forced sexual activity, the caseworker will make an immediate report to law enforcement, arrange for an immediate physical exam at Nemours, make an immediate referral to the CARE Team at Nemours, and make arrangements for the child to be interviewed at the CAC in conjunction with law enforcement.
5. If the CSE-IT and interviews indicate that the child may have been a victim of human trafficking, the caseworker, in consultation with supervision, should determine to what extent the youth is at risk, and appropriate prevention and mitigation services should be provided. If the caseworker has a reasonable suspicion that trafficking is occurring or has occurred in the past, or the youth is at high risk for trafficking, a report must be made to the Report Line within 24 hours.

6. The caseworker will determine the primary factors that led to the child running away from placement and address those factors to the extent possible and appropriate in the current and subsequent placements. The caseworker will document information in a FOCUS note.
7. If the child is active with DYRS and/or DPBH, the caseworker will consider whether a referral for a Dual Status Youth meeting is appropriate.

SPECIAL INVESTIGATORS' RESPONSIBILITIES FOR RUNAWAY CHILDREN

1. In cases of children or youth who have run away from a DFS placement, the Special Investigator is responsible to:
 - a. Coordinate with the police agency of jurisdiction to verify that the Missing Persons report was filed and entered into DELJIS and that information about the child has been entered into an NCIC Missing Person file.
 - b. Report the child to the National Center for Missing and Exploited Children (NCMEC).
 - c. Review Department records regarding the child and family.
 - d. Contact the current caseworker and former caseworkers for possible leads.
 - e. Explore and document all investigative leads.
 - f. Keep the caseworker informed of progress.
 - g. Assist the caseworker in recovery of the child if appropriate.
 - h. Maintain FOCUS documentation of the runaway incident and all investigative actions.

SPECIAL INVESTIGATORS' RESPONSIBILITIES FOR CHILDREN SUSPECTED OF FAMILY ABDUCTION

1. In cases in which children or youth are suspected of having been abducted from DFS custody by a family member, the Special Investigator is responsible to:
 - a. Coordinate with the police agency of jurisdiction to verify that the Missing Persons report was filed and entered into DELJIS and that information about the child has been entered into an NCIC Missing Person file.
 - b. Report the child to the National Center for Missing and Exploited Children (NCMEC).
 - c. Review Department records.
 - d. Conduct background checks of parents.
 - e. Interview family and friends of suspect parent(s).
 - f. Explore and document all investigative leads.

- g. If indicated, coordinate issuance of arrest warrant of suspect parent(s) with law enforcement or the Attorney General's Office.
- h. Notify and confer with federal authorities when indicated.
- i. Keep the caseworker informed of progress.
- j. Assist in recovery of child if appropriate.
- k. Maintain FOCUS documentation of the abduction incident and all investigative actions.

C. FOCUS

Create a runaway record which will identify the child as missing. When the child is located, the runaway end activities shall be completed. The runaway record shall contain all relevant information and efforts to locate the child.

- D. FORMS** Use the DFS policy website to access any forms:
<https://kids.delaware.gov/policies/dfs-policies>