


<b>Policy Number:</b>	SSA/CW # 23-01
<b>Policy Title:</b>	Children and Young Adults in State Care or Under State Supervision Who are Missing
<b>Release Date:</b>	April 3, 2023
<b>Effective Date:</b>	April 24, 2023
<b>Approved By:</b>	Dr. Alger M. Studstill, Jr.  Executive Director, Social Services Administration
<b>Revision Date(s):</b>	January 30, 2024
<b>Supersedes:</b>	SSA # 16-04
<b>Originating Office:</b>	Out-of-Home Placement
<b>Required Actions:</b>	Taking immediate action when a child or young adult, for whom the State agency has responsibility for placement, care, or supervision, has run away without authorization or whose whereabouts are unknown; complying with protocols for Critical Incidents; and screening for involvement in trafficking.
<b>Key Words:</b>	Child in Foster Care, Missing Child, Runaways, Trafficking Victims, Transition-age Youth, Young Adults, Youth
<b>Related Federal Law</b>	34 U.S.C. §§ 41307-08; 42 U.S.C. § 671(a)(34), (35); 42 U.S.C. § 5106a(b)
<b>Related State Laws</b>	Md. Code Ann., Family Law Article §§ 5-701 to 5-715, 9-401 to 403
<b>COMAR</b>	COMAR 07.02.11.18
<b>Title IV-E State Plan Referenced?</b>	Yes



## PURPOSE AND SUMMARY

The purpose of this policy is to provide a framework for the Social Services Administration (SSA) and Local Departments of Social Services (LDSSs) to respond when a child or young adult over whom the State agency has responsibility for placement, care, or supervision runs away without authorization or when the child or young adult's whereabouts are unknown. This policy provides step-by-step instructions for LDSSs responding to such reports as critical incidents (CIs), documenting those reports, providing appropriate notice of the incident, locating the child or young adult, following up once the child or young adult is located, screening the child or young adult for human trafficking, and making all appropriate referrals. In addition, this policy addresses disclosure of information and, in particular, responding to inquiries from the media, elected officials, and others.

This policy applies to two different and distinct circumstances. The first circumstance is when a child or young adult for whom the department has responsibility for placement, care, or supervision, leaves the home or facility where they were residing without authorization. This person is considered a "runaway" if the child or young adult has not returned at a prearranged time<sup>1</sup> and has not contacted the LDSS, parent, or foster care provider to inform them of a situation preventing their timely return. The second circumstance is when a child or young adult cannot be located, and the agency has determined that the child or young adult did not leave voluntarily. The person is considered a child or young adult "whereabouts unknown."

In consultation with State and local law enforcement, juvenile justice, health care providers, education agencies, and organizations with experience in dealing with at-risk youth, SSA has developed policies, procedures, and resources, including relevant training for caseworkers, to enable local departments to identify and provide appropriate documented services for any child or young adult for whom a local department has responsibility for placement, care, or supervision whom the agency has reason to believe is, or is at risk of being, a sex trafficking victim. This includes children for whom the local department has an open case but has not yet been removed from the home. Please see the most recent trafficking policy for further information.

## RELATED LAWS AND REGULATIONS

As a condition of receiving federal funds related to children and young adults for whom the agency has responsibility for placement, care, or supervision, the agency must prioritize developing and implementing protocols for locating and ensuring the safety of these individuals, regardless of whether they were in a placement, and screening them for involvement in human trafficking<sup>2</sup>. A local department of social services must report a child or young adult to law enforcement who has run away or whose whereabouts are unknown. The report must be made within 24 hours 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 (NCMEC).<sup>3</sup>

When a child or young adult is located, the agency is required to determine the child's or young adult's experiences while absent from foster care, screen to determine if the child or young adult was possibly victim of human trafficking, determine what primary factors led to the child or young adult leaving the placement, and address those factors to minimize further incidents in the current or future placement. The agency is also required to share with law enforcement and NCMEC information about the child's or young adult's recovery and the circumstances related to the recovery.<sup>4</sup> In addition to the federal mandates, Maryland law identifies the

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<sup>1</sup> This policy does not apply if a child or young adult fails to abide by a curfew but is at a known location or has affirmatively expressed an intent to return.

<sup>2</sup> [42 U.S.C. § 671\(a\)\(9\)\(C\)](#), (a)(35); [42 U.S.C. § 5106a\(b\)\(2\)\(B\)\(xxiv - xxv\)](#)

<sup>3</sup> [42 U.S.C. § 671\(a\)\(35\)\(B\)](#); [34 U.S.C. 41307-08](#) and [Child Welfare Information Gateway \(2020\). Responding to Youth Missing from Foster Care. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau.](#)

<sup>4</sup> [42 U.S.C. § 671\(a\)\(35\)\(B\)](#)

necessary steps the LDSS must take when a child or young adult has run away or whose whereabouts are unknown.<sup>5</sup>

SSA policy SSA/CW #22-02 Child Fatalities/Serious Physical Injuries/Critical Incidents requires that an LDSS consider the inability to locate a child or young adult in foster care as a critical incident. Finally, because of the significant number of children and young adults in foster care who fall victim to human trafficking, this policy includes procedures required by subchapter III (Runaway and Homeless Youth) of the Crime Control and Law Enforcement Act<sup>6</sup>, and aligns with SSA policies on human trafficking.

SSA and the LDSS have a responsibility to act promptly and effectively to ensure the safety and well-being of all children or young adults for whom the State has responsibility for placement, care, or supervision, particularly when those children or young adults may be in danger due to runaway or whereabouts unknown status.

## **DEFINITIONS**

Child: An individual under the age of 18 for whom the State agency has responsibility for placement, care, or supervision.

Debriefing: A semi-structured conversation to gather information.

Runaway: A child or young adult who has left, without authorization, the home or facility where they were residing.<sup>7</sup>

Whereabouts Unknown: The child's or young adult's whereabouts are unknown and the agency does not consider the child or young adult to have run away.<sup>8</sup>

Young Adult: An individual between 18 and 21 years old for whom the State agency has responsibility for placement, care, or supervision, and individuals between 18 and 23 years old receiving Chafee program services.

## **PROCEDURES AND TIMEFRAMES**

### Photograph

Consistent with state and federal law and policy, when a child or young adult has run away or the child or young adult's whereabouts are unknown, the file in the electronic system of record will contain a photograph of the child or young adult that has been updated within the prior 6 months. The LDSS will provide the photograph to law enforcement and NCMEC. The recent photo plays a critical role in the efforts to locate the child or young adult.<sup>9</sup>

### Report

The worker responsible for a child or young adult must take the following steps when it is determined that the child or young adult has run away or the child's or young adult's whereabouts are unknown:

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<sup>5</sup> Md. Code Ann., Family Law §§ 9-401 *et seq.*

<sup>6</sup> 34 U.S.C. § 11201, *et. seq.*

<sup>7</sup> [45 CFR §1355.441\(d\)\(4\)\(i\)](#)

<sup>8</sup> [45 CFR §1355.441\(d\)\(4\)\(ii\)](#)

<sup>9</sup> SSA CW#16-03; [42 U.S.C. 671\(a\)\(35\)\(B\)\(i\)](#)

1. Immediately, and not later than 24 hours from the time the LDSS is notified, the worker must:<sup>10</sup>
  - a. Contact the police to file a missing person report and obtain a police report/complaint number;<sup>11</sup>
  - b. Request that the police enter the child's or young adult's name in the National Crime Information Center (NCIC) database and document this request in the electronic system of record as well as any available information from the police;<sup>12</sup> and
  - c. File a missing child or young adult report with the National Center for Missing and Exploited Children (NCMEC) through their [website](#) or by calling 1-800-THE LOST. Note that NCMEC accepts reports for 18 years old and older, but not yet 21 years old.<sup>13</sup>
2. The police cannot legally insist on a waiting period before taking a report. If the police will not take a report concerning a young adult, the worker should document the attempted contact in the electronic system of record. If police refuse to take a report, particularly for a young adult with special needs, the worker will emphasize to law enforcement the need to have a report taken due to the young adult's physical, mental, or intellectual disabilities.
3. When reasonably possible, the worker must include in the report to law enforcement and the NCMEC the following information:<sup>14</sup>
  - a. Child's or young adult's full name;
  - b. A photo of the child or young adult;
  - c. The child's or young adult's date of birth;
  - d. A description of the child's or young adult's physical features, such as gender, height, weight, ethnicity, race, and hair and eye color;
  - e. Endangerment information, such as the child's or young adult's pregnancy status, prescription medications, suicidal tendencies, vulnerability to being sex trafficked, and other health or risk factors;
  - f. Date child or young adult went missing;
  - g. City and State from where the child or young adult went missing;
  - h. Guardian information including agency name and telephone number; and
  - i. To the NCMEC, law enforcement information including agency name, telephone, and police report number.
4. Once the child's or young adult's worker has entered the child or young adult on the NCMEC website and has made a report to law enforcement, the worker must upload the NCMEC entry, the police report including a police report/complaint number, and all relevant reports and documents to the electronic system of record.<sup>15</sup>
5. The worker must change the child's or young adult's living arrangement in the electronic system of

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<sup>10</sup> [42 U.S.C. 671\(a\)\(35\)\(B\)](#)

<sup>11</sup> [42 U.S.C. 671\(a\)\(35\)\(B\)](#)

<sup>12</sup> [42 U.S.C. 671\(a\)\(35\)\(B\)](#)

<sup>13</sup> [COMAR 07.02.11.18](#); [42 U.S.C. 671\(a\)\(35\)](#)

<sup>14</sup> [42 U.S.C. 671\(a\)\(35\)\(B\)](#)

<sup>15</sup> There will not be a NCMEC entry for young adults 21 years and older receiving Chafee program services.

record<sup>16</sup> to either *Runaway* or *Whereabouts Unknown* depending on the specific circumstances.

6. The worker will notify the child's or young adult's parent or guardian to obtain help in finding the child or young adult unless the LDSS has guardianship or determines that notification is contrary to the child's or young adult's best interest.<sup>17</sup>
7. The worker will notify the court, counsel for the child or young adult, counsel for the parents, and LDSS counsel.
8. As practically and clinically appropriate, the worker will speak with individuals in the child's or young adult's life, *e.g.*, the resource provider, other adults with whom the child or young adult was residing, the child's or young adult's friends, any employer, school staff, and neighborhood acquaintances (placement and origin), to obtain as much information as possible about the child or young adult to share with authorities searching for the child or young adult, including:
  - a. The most current photo of the child or young adult;
  - b. A comprehensive description of the child or young adult, including what the child or young adult was wearing when last seen;
  - c. Any information regarding where the child or young adult might be;
  - d. A list of places frequented by the child or young adult; and
  - e. Any relevant information available on social media.
9. Consistent with SSA/CW #22-02 Child Fatalities/Serious Physical Injuries/Critical Incidents, within 4 business days, the LDSS must:
  - a. Document the event as a CI in the electronic system of record;<sup>18</sup> and
  - b. Complete the Initial Child Fatality/Serious Physical Injury/Critical Incident Report [1080A](#) (not 1080B or C) and submit via this [listserv](#) email.

When collaborating with NCMEC and law enforcement in locating and providing services for runaway, missing and exploited children or young adults, the worker will disclose information as required by this policy.

### Case Management

Once the child's or young adult's worker has taken the initial steps to document and report a child or young adult's status as *runaway* or *whereabouts unknown*, the child's or young adult's worker shall do the following until the child or young adult returns or a court closes the case:

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<sup>16</sup> Workers must maintain accurate and specific information in the electronic system of record on the living arrangement screen and in contact notes pertaining to efforts to locate the child or young adult.

<sup>17</sup> COMAR [07.02.11.18A\(1\)](#)

<sup>18</sup> When a child or young adult is located but goes missing again before being returned to a placement while still in *runaway* or *whereabouts unknown* status in the system, this event is considered part of the initial CI. However, if a child or young adult runs away or is otherwise missing after having been returned to a placement and taken out of *runaway* or *whereabouts unknown* status, the LDSS must view a subsequent incident of running away or whereabouts unknown as a new CI.

1. On a weekly basis, make and document all reasonable efforts to locate the child or young adult in the electronic system of record including, as appropriate:
  - a. Having continuous conversations with family and friends;
  - b. Checking with the child's or young adult's school;
  - c. Monitoring the child's or young adult's social media;
  - d. Calling and texting the child's or young adult's cell phone and sending emails;
  - e. Visiting likely areas that the child or young adult may frequent or where the child or young adult may reside;
  - f. Working with NCMEC to provide any additional information required and to receive any information related to the child's or young adult's location; and
  - g. Visiting the child's or young adult's place of employment and checking other community resources;
2. On a weekly basis, communicate with law enforcement and share any leads regarding the child's or young adult's whereabouts.
3. On a weekly basis, update the parents or guardians, as appropriate in the case of a young adult, and the child or young adult's counsel about the efforts to locate the child or young adult and, if known, the child's or young adult's whereabouts;
4. Maintain contact with the resource provider;
5. Maintain accurate information about the child's or young adult's placement consistent with these guidelines:
  - a. The placement can be held up to 30 days from the date the child or young adult left;<sup>19</sup>
  - b. The LDSS may continue to pay the resource provider for up to 30 days if the placement is held; and
  - c. After 30 days, the worker should end-date the child's or young adult's placement in the electronic system of record; and
6. If the worker receives information that the child or young adult may be residing in another state, contact the appropriate law enforcement agency in the state where it is believed the child or young adult is residing.

#### When a Child or Young Adult is Located

When a child or young adult is located, the worker should complete the following tasks:

1. If the child or young adult contacts the worker by phone to request assistance or if another agency or state locates the child or young adult, the worker will ensure that the child or young adult has transportation to the LDSS.

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<sup>19</sup> COMAR 07.02.11.18(B)

- a. Regardless of the child or young adult's location, the LDSS is responsible for arranging and paying for transportation.
  - b. If the child or young adult is located out-of-state and the LDSS can arrange transportation in the first 24 hours for the child or young adult to be returned, the LDSS should do so.
  - c. If a child or young adult is located in another state, and the LDSS is unable to arrange transportation for in the first 24 hours, the child's or young adult's worker must contact the Compact Administrator for the Interstate Compact on Juveniles at the Maryland Department of Juvenile Services for assistance in returning the child.
2. Notify the court, counsel and the child's or young adult's parents that the child or young adult has been located, unless guardianship has been granted to the LDSS;
  3. Arrange to have the child or young adult medically examined as soon as reasonably possible and, preferably, within 24 hours of return;
  4. Complete a Safe-C OHP within 5 business days;
  5. See the child or young adult within 5 business days;
  6. Notify police of the child's or young adult's recovery and circumstances related to the recovery, and request that the child's or young adult's name be removed from the NCIC database. Note: Police need to physically see the child or young adult in order to remove them from the NCIC database;
  7. Notify NCMEC that the child or young adult has been located; and
  8. Change the child's or young adult's Living Arrangement in the electronic system of record to no longer reflect the *runaway or whereabouts unknown* status.

### Debrief

Regardless of how long a child or young adult was missing, *debriefing* the child or young adult is a critical part of assuring that the child or young adult receives appropriate services.<sup>20</sup>

1. The worker must see the child or young adult within 5 business days of the child's or young adult's return.
2. During this visit, the worker shall have and document a conversation with the child or young adult regarding the reasons the child or young adult ran away. The conversation must include a discussion of:

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<sup>20</sup>Screening of a child or young adult must be completed every time a child or young adult runs away and returns or whenever the worker suspects that the child or young adult is at risk of or has become involved in trafficking. [42 U.S.C. 671\(a\)\(35\)\(A\)](#)

- a. Why the child or young adult ran away and what might deter the child or young adult from running away again;
  - b. Where and with whom the child or young adult was residing, and how the child or young adult was providing self-care; and
  - c. The child's or young adult's experiences.
3. The worker must closely observe the child or young adult for any evidence of physical abuse, substance abuse, new tattoos or branding, and any other cosmetic changes to the child or young adult while the child or young adult was missing.
  4. The worker must pay close attention to any unexplained purchases such as new clothes, a cell phone, sex paraphernalia, large amounts of cash, or any other possessions or conduct indicative of human trafficking.
  5. The worker must document the conversation with the child or young adult and any other information gathered in the electronic system of record.
  6. The worker must also document how the worker addressed the factors that led to the child or young adult running away or going missing and detail any services the worker put in place for the child or young adult.<sup>21</sup>
  7. To minimize the risk of the child or young adult running away again, the worker should discuss with the child or young adult and, when appropriate, the child's parent or caregiver, including a resource provider, how to prevent a recurrence.
  8. During the first meeting with the child or young adult after returning, the worker must screen the child or young adult for human trafficking. (See SSA/CW Human Trafficking policy directive.) Until the Quick Youth Indicators Tool (QYIT) is built into the electronic system of record, workers may continue using the current trafficking screening tool in the system. If the worker opts to use the QYIT before it is built into the system, the worker must upload the completed tool.
  9. If during a conversation or screening, the worker suspects the child or young adult has been a victim of human trafficking or the child or young adult admits to being a victim of human trafficking, the worker must make a report to the appropriate Child Protective Services (CPS) screening unit.
    - a. The screening unit will document the information in the electronic system of record to enable DHS to comply with the requirement of the Child Abuse Prevention and Treatment Act (CAPTA) to report all trafficking cases.<sup>22</sup>
    - b. If the worker cannot identify a specific jurisdiction where the trafficking occurred, the worker should make a report to the LDSS in the jurisdiction where the child or young adult was

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<sup>21</sup> [42 U.S.C. 671\(a\)\(35\)\(A\)\(ii\)](#)

<sup>22</sup> [42 U.S.C § 5106a\(b\)\(2\)\(B\)\(xxiv - xxv\)](#)



- placed.
- c. Even if the worker cannot identify a trafficker or the child or young adult appears not to have had a pimp (*i.e.*, a child or young adult appeared to have been soliciting without a trafficker), the worker should make a report<sup>23</sup> to the CPS screening unit.
10. For young adults, the worker must make a report to the appropriate CPS screening unit. CPS will screen this report out because the young adult was over 18 during the entire incident, but CAPTA requires states to track human trafficking reports.
  11. If the worker confirms that the child or young adult is a victim of human trafficking, the child's or young adult's worker must:
    - a. Report to law enforcement within 24 hours;<sup>24</sup> and
    - b. Refer and document a referral of the child or young adult to a Regional Navigator.<sup>25</sup>
  12. If a child's or young adult's worker concludes that a child or young adult is at risk for human trafficking, the child or young adult may benefit from a referral to the Regional Navigator. The Regional Navigator can assist with other referrals and services.

### **Alignment with Practice Model & Desired Outcome**

The Integrated Practice Model (IPM) expands on SSA's foundational family-centered practice frameworks to include a clear understanding of the impact of trauma on families and the workforce. Empirical data and practice evidence inform decision-making across the continuum of care through systematic collaboration and advocacy for victims, surviving children and young adults, and other family members while respecting families and empowering connections. This policy promotes trauma-responsive interventions and a "safety culture" environment for individuals, families, and LDSS staff. Consistent data evaluation allows for continuous performance improvement in an outcomes-driven approach. Collaboration and engagement honor and support individual and family connections and inform family-centered decision-making regarding safety, permanency, and well-being.

### **Forms**

[Initial Report \(1080A Section\)](#) (4 business days)

[Quick Youth Indicators for Trafficking \(QYIT\) tool](#)

### **Related Information**

#### [Inquiries from Media, Elected Official, or Others](#)

Each LDSS must follow the DHS Media Policy, found on Knowledge Base and available [here](#).

<sup>23</sup> Consistent with federal and Maryland law, a child who has been involved in a commercial sex act is considered a victim of human trafficking, which is child sexual abuse.

<sup>24</sup> [42 USC 671\(a\)\(34\)](#)

<sup>25</sup> See [Trafficking Guidance](#) for more information

### QUICK YOUTH INDICATORS FOR TRAFFICKING (QYIT)

**Instructions:** Record the youth's responses below (Yes, No, Skip). If the youth does not respond or skips the question, provide a narrative.

- A "Yes" to any of the 4 questions means trafficking is likely. A referral to a regional navigator is required by law in Maryland to assure services are located for the identified victim or likely victim.
- A skip suggests the need for additional monitoring. If there are additional indicators for concerns a referral should be made for services and/or to the regional navigator.

1. It is not uncommon for young people to stay in work situations that are risky or even dangerous, simply because they have no other options. <b><i>Have you ever worked, or done other things, in a place that made you feel scared or unsafe?</i></b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Skip
Narrative:	
2. Sometimes people are prevented from leaving an unfair or unsafe work situation by their employers. <b><i>Have you ever been afraid to leave or quit a work situation due to fears of violence or threats of harm to yourself or your family?</i></b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Skip
Narrative:	
3. Sometimes young people who are homeless or who have difficulties with their families have very few options to survive or fulfill their basic needs, such as food and shelter. <b><i>Have you ever received anything in exchange for sex (e.g. a place to stay, gifts, or food)?</i></b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Skip
Narrative:	
4. Sometimes employers don't want people to know about the kind of work they have young employees doing. To protect themselves, they ask their employees to lie about the kind of work they are involved in. <b><i>Have you ever worked for someone who asked you to lie while speaking to others about the work you do?</i></b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Skip
Narrative:	

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 Assessor's Name

Signature

Date

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 Supervisor's Name

Signature

Date

Adapted from: Covenant House New Jersey Quick Youth Indicators for Trafficking (QYIT) Chisolm-Straker, Makini. (2019). "Screening for Human Trafficking Among Homeless Young Adults." Children and Youth Services Review. DHS/SSA/3038/March 2023