

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

HOUSE AD HOC COMMITTEE ON MISSING CHILDREN IN FOSTER GROUP HOMES

Report of Interim Meeting
Wednesday, December 20, 2023
House Hearing Room 1 -- 2:00 P.M.

MINUTES RECEIVED
CHIEF CLERK'S OFFICE

12/21/23

Convened 2:01 P.M.
Recessed
Reconvened
Adjourned 5:22 P.M.

Members Present

Representative Parker, Chairman
Representative Contreras
Representative Hernandez
Representative Jones
Representative Marshall

Members Absent

Agenda

Original Agenda – Attachment 1

Request to Speak

Report – Attachment 2

Committee Attendance

Report – Attachment 3

Invited Speakers

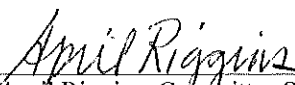
Senator David Farnsworth
Janna Bentley
Sarah Rogers
Jayden Rogers
Jasmine Rogers
Alisa Zoccoli
Janell Jones
READING of testimony of Megan Torrez
Lori Regnier
Sherika Rhymes
Joie Lynn Wilson
Meagan McCabe
Steve Follett
READING of testimony of Anika Robinson
DCS Katie Ptak
Kendall Seal
Kim Vehon

Committee Action

Printed Material

Attachments

4, 5, 6, 7


April Riggins, Committee Secretary
December 21, 2023

(Original attachments on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)

ARIZONA HOUSE OF REPRESENTATIVES

INTERIM MEETING NOTICE OPEN TO THE PUBLIC

Convened: 2:01 PM.
ADJourned: 5:22 PM

HOUSE AD HOC COMMITTEE ON MISSING CHILDREN IN FOSTER GROUP HOMES

Date: Wednesday, December 20, 2023

Time: 2:00 P.M.

Place: HHR 1

Members of the public may access a livestream of the meeting here:
<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2023121011>

AGENDA

1. Call to Order
2. Introduction of Committee Members
3. Invited Speakers
4. Response by the Arizona Department of Child Safety
5. Public Testimony
6. Closing Committee Member Remarks
7. Adjournment

Members:

Representative Barbara Parker, Chair
Representative Patricia Contreras
Representative Alma Hernandez
Representative Rachel Jones
Representative David Marshall

12/18/2023
RA

People with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. If you require accommodations, please contact the Chief Clerk's Office at (602) 926-3032 or through Arizona Relay Service 7-1-1.

Information Registered on the Request to Speak System

*House Ad Hoc Committee on Missing Children in Foster
Group Homes (12/20/2023)*

5, Public Testimony

Support:

Alisa Zoccoli, representing self; Jim Kresse, representing self

All Comments:

Alisa Zoccoli, Self: I am here and would like to speak today

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD



HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on MISSING CHILDREN Bill Number _____

Date 12/20/2023 Support Oppose Neutral

Name LORI FORD Need to Speak? Yes No

Representing AZ DCS OVERSIGHT GROUP Are you a registered lobbyist? _____

Complete Address 3401 W. TONTO LN PHX AZ 85027

E-mail Address azdcsoe@gmail.com Phone Number 575-574-2298

Comments: I WOULD LIKE TO SPEAK DURING PUBLIC COMMENT

FIVE-MINUTE SPEAKING LIMIT



HOUSE COMMITTEE SPEAKER SLIP

Date: 12.20.23 Committee: HHS

Agenda item: Testimony

Name: Dr. Deb Okane

Are you a lobbyist: Yes _____ No

If yes, representing: _____

Support: Oppose: Neutral _____

Do you wish to speak? Yes No _____ If necessary _____

Comments: _____



HOUSE COMMITTEE SPEAKER SLIP

Date: 12-20-23 Committee: _____

Agenda item: DCS

Name: MALINDA SHERWYN

Are you a lobbyist: Yes _____ No X

If yes, representing: AZDCS OVERSIGHT GRP

Support: _____ Oppose: _____ Neutral _____

Do you wish to speak? Yes ✓ No _____ If necessary _____

Comments: _____

ARIZONA STATE LEGISLATURE
Fifty-sixth Legislature - Second Regular Session

COMMITTEE ATTENDANCE RECORD

HOUSE AD HOC STUDY COMMITTEE ON HEALTH & HUMAN SERVICES

CHAIRMAN: Barbara Parker

DATE	12/20/23	/23	/23	/23	/23
CONVENED	2:01 P.M.	m	m	m	m
RECESSED					
RECONVENED					
ADJOURNED	5:22 PM				
MEMBERS					
Contreras Patricia	✓				
Hernandez Alma	✓				
Jones, Rachel	✓				
Marshall, David	✓				
Parker B, Chairman	✓				

✓ Present --- Absent exc Excused

Attachment 3

Committee Secretary - April Riggins

Arizona House of Representatives

Ad Hoc Committee on:

Missing Children In Foster
Group Homes

Printout Materials

CONTENTS

Title	Page #
Arizona Auditor General Performance and Sunset Review Report for the Arizona Department of Child Safety (2023)	3
U.S. Department of Health and Human Services Office of Administration for Children and Families Child Welfare Policy Manual	7
U.S. Department of Health and Human Services Office of Inspector General	12
National Snapshot of State Agency Approaches To Reporting And Locating Children Missing From Foster Care	
House Bill 2651 - Chaptered Version	19
House Bill 2651 – House Engrossed Version	25
U.S. Department of Health and Human Services Officer of Inspector General Report State Agencies Did Not Always Ensure That Children Missing From Foster Care Were Reported To The National Center For Missing and Exploited Children in Accordance With Federal Requirements	30
Arizona Auditor General Special Report for the Arizona Department of Child Safety on Comparing Department Practices for Clarifying and Locating Children Missing from Care to Best Practices	39
U.S. Department of Health and Human Services Office of Administration for Children and Families Human Trafficking and Child Welfare Policy Guide for Caseworkers	48

Arizona Auditor General
Performance and Sunset Review
Report for the Arizona Department of
Child Safety (2023)

Arizona Department of Child Safety

Department has processes for key responsibilities, such as assessing child safety in response to abuse/neglect reports, but did not consistently provide timely and quality court reports or ensure some license applicants met licensing requirements, and has not fully implemented most recommendations from 6 prior special audits

Performance Audit and
Sunset Review

September 2023
Report 23-115

A Report to the Arizona Legislature

Lindsey A. Perry
Auditor General



Table 5 continued

Report title, Report number, Date issued, Last followup	Report recommendation number and status explanation	Approximate years outstanding as of August 1, 2023
<p>Arizona Department of Child Safety— Foster Home Recruitment, Licensure, Use, and Retention continued</p>	<p>3. The Department should review the data collection procedures for why foster parents close their licenses and identify and implement opportunities to improve data quality. This should include allowing for more than 1 reason for license closure to be selected, providing more guidance to contractors on how to gather and enter information, and considering other methods of collecting this data, such as an anonymous web survey.</p> <p>The Department has not made further progress toward implementing this recommendation since the 24-month followup. Specifically, as reported in our 24-month followup, although the Department updated the form that foster parents complete to close their license to allow foster parents to select the reason(s) for closure from a list of reasons, its licensing database does not allow for more than 1 reason to be recorded. Additionally, the Department reported that it plans to fully implement this recommendation through its case management system, Guardian, but does not have an estimated time frame for doing so.</p>	<p>4</p>
<p>Comparing Department Practices for Classifying and Locating Children Missing from Care to Best Practices (21-113) September 2021</p> <p>18-Month followup— June 2023</p> <p><i>Note: Because the Department has not made further progress on implementing the 2 recommendations and reported that it will take no further action to implement these recommendations, we do not plan to conduct additional followups.</i></p>	<p>2. To help ensure timely documentation, the Department should expand its biweekly review process to include determining whether efforts to locate children missing from care are occurring and documented in case notes.</p> <p>As reported in our initial followup, the Department revised its biweekly review procedures to include determining whether efforts to locate children missing from care are occurring and documented in case notes. However, similar to what we found during our initial followup, our review of the Department's biweekly review reports from April 2022 through February 2023 found that Department staff are not consistently implementing the biweekly review procedures. For example, the Department's biweekly review process procedures require its staff to indicate in biweekly review reports an anticipated date for making efforts to locate missing children that have not yet occurred, but Department staff did not always include these dates in the reports when applicable. This inconsistent implementation of the procedures had potentially occurred because the biweekly review report's instructions do not require staff to include an anticipated date for making efforts to locate missing children, contrary to the Department's written procedures. Despite this gap between the written procedures and the biweekly review report's instructions, the Department reported it does not plan to further revise the instructions or take other actions to ensure all its staff record anticipated dates for making efforts to locate missing children as required by its biweekly review procedures. As a result, the Department cannot ensure all its staff have made required efforts to help locate missing children.</p>	<p>2</p>

Table 5 continued

Report title, Report number, Date issued, Last followup	Report recommendation number and status explanation	Approximate years outstanding as of August 1, 2023
<p>Arizona Department of Child Safety—Comparing Department Practices for Classifying and Locating Children Missing from Care to Best Practices</p>	<p>3. The Department should work with law enforcement to formalize expectations regarding their respective roles and responsibilities for locating children missing from Department care, and work with State policymakers to address potential barriers as needed. For example, the Department could pilot establishing a formal agreement or mutually agreed-upon protocols with 1 or more of the approximately 150 law enforcement agencies in Arizona, such as an agency where improved coordination would be beneficial; assess whether the pilot was helpful for improving coordination; and if so, work with State policymakers to determine a practical approach to formalizing expectations between the Department and law enforcement agencies State-wide. The Department and law enforcement could explore other options for formalizing expectations as well.</p> <p>As reported in our initial followup, according to the Department, it verbally engaged with 2 law enforcement agencies and found that these agencies support the Department's work to locate children missing from its care. As a result, the Department concluded that developing a formal agreement with these agencies related to roles and responsibilities for locating children missing from Department care was not necessary. However, the Department declined to provide further details about the nature, length, and number of verbal engagements it had with the 2 law enforcement agencies, citing concerns about damaging the positive working relationship it had with those agencies.</p> <p>The Department also reiterated its concern expressed during our audit that it would be impractical to establish a formal agreement with each of the approximately 150 law enforcement agencies in the State. However, as indicated in our September 2021 special report, although the Department and law enforcement agencies do have joint investigative procedures, these are not specific to locating children missing from care, and recommended practices include developing and implementing formal agreements or mutually agreed-upon protocols to address various elements of coordination between law enforcement and child welfare agencies. Further, as stated in our recommendation, the Department could explore multiple options for formalizing expectations with law enforcement agencies, such as first piloting a formal agreement or other mutually agreed upon protocols with 1 or more law enforcement agencies in Arizona. The Department has not pursued other options for formalizing expectations with law enforcement agencies, including working with State policymakers as needed.</p> <p>Although the Department agreed with our September 2021 finding and agreed to implement this recommendation in a different manner by working with State policymakers as required to formalize expectations and indicated it may explore coordination with the Arizona Department of Public Safety regarding the functions or role they have with missing children, it reported that it will take no further action to implement this recommendation.</p>	<p>2</p>

Source: Auditor General staff review of Arizona Auditor General special audit reports of the Department issued from March 2016 through September 2021 and the most recent followups as of August 2023.

U.S. Department of Health and Human
Services Office of Administration for
Children and Families
Child Welfare Policy Manual

Child Welfare Policy Manual

December 19, 2023

Table of Contents

8. TITLE IV-E

8.1 Administrative Functions/Costs

- 8.1A Allowable Costs - Adoption Assistance Program
- 8.1B Allowable Costs - Foster Care Maintenance Payments Program
- 8.1C Calculating Claims
- 8.1D Candidates for title IV-E foster care
- 8.1E Contracting
- 8.1F Match Requirements
- 8.1G Title IV-E Agreements
- 8.1H Training

8.2 Adoption Assistance Program

- 8.2A Agreements
 - 8.2A.1 Interstate placements
 - 8.2A.2 Means test
- 8.2B Eligibility
 - 8.2B.1 Biological parents
 - 8.2B.2 Children in foster care
 - 8.2B.3 Child of a minor parent
 - 8.2B.4 Deceased adoptive parents/dissolved adoptions
 - 8.2B.5 Independent Adoptions
 - 8.2B.6 International Adoptions
 - 8.2B.7 Judicial determinations
 - 8.2B.8 Medicaid
 - 8.2B.9 Redeterminations

under title IV-E?

Answer: Yes. 45 CFR 1356.60(c)(2)(vii) specifically identifies recruitment and licensing of foster family homes as an example of allowable administrative costs necessary for the administration of the foster care program. If medical exams are necessary for prospective foster parents to obtain or retain a foster family home license or approval, then these costs are allowable as they are directly related to the administration of the program.

Any such costs must be allocated through an approved cost allocation plan or methodology.

- **Source/Date:** 06/09/04; (12/17/2019)
- **Legal and Related References:** Social Security Act - sections 474 and 479B; 45 CFR 1356.60(c)(2)(vii)

5. Question: May a State that receives a request for an out-of-State home study from another State pursuant to section 471(a)(26) of the Social Security Act (the Act) claim title IV-E administrative costs to comply with the request?

Answer: Yes. The requirement in section 471(a)(26) of the Act for a State to conduct an out-of-State home study if requested by another State is a requirement of the State's title IV-E State plan. As such, the costs of performing the home study are 100% allocable to title IV-E and do not have to be allocated to other benefiting programs.

- **Source/Date:** 04/24/07
- **Legal and Related References:** Social Security Act, sections 471(a)(26) and 474(a)(3)(E)

6. Question: May a title IV-E agency claim administrative costs on behalf of an otherwise eligible child for an entire month when the child is placed in a licensed or approved foster family home or child care institution for less than an entire month?

Answer: Yes. A title IV-E agency may claim administrative costs from the beginning of the month in which the child meets all eligibility criteria, if the criteria are met for the child at any point during that month. The title IV-E agency is not required to prorate administrative cost claims based on the number of days the child is placed in the foster family home or child care institution.

- **Source/Date:** 04/26/07; (12/17/2019)
- **Legal and Related References:** Social Security Act - sections 474(a)(3)(E) and 479B

7. Question: May a title IV-E agency claim title IV-E foster care administrative costs for the identification of sex trafficking and for associated case management as administration in accordance with sections 471(a)(9) and (34) of the Social Security Act (Act)?

Answer: Yes. Allowable costs for title IV-E administration under sections 471(a)(9) and (34) of the Act may be claimed on behalf of any child or youth in the placement, care or supervision of the title IV-E agency who is at-risk of becoming a sex trafficking victim or who is determined as a sex trafficking victim in accordance with section 471(a)(9) of the Act. This includes those individuals not removed from home; those who have run away from foster care and are under age 18 or such higher age elected under section 475(8) of the Act; and youth not in foster care who are receiving services under the Chafee Foster Care Program for Successful Transition to Adulthood (Chafee), and at the option of the agency, youth under age 26 who were or were never in foster care. In general, the title IV-E administrative costs that are allowable for this population of children and youth to implement these provisions are those necessary for the title IV-E agency to administer the title IV-E plan requirements

in sections 471(a)(9) and 471(a)(34) of the Act. This consists of the following activities (or those closely related) that are title IV-E allowable as administration related to victims of sex trafficking beginning in federal fiscal year (FFY) 2015:

- Developing and implementing policies and procedures to identify, document in agency records, and determine appropriate services for victims of sex trafficking;
- Conducting sex trafficking screenings and documenting victims of sex trafficking in agency files;
- Determining appropriate services for individuals identified as such victims, including referrals to services; and
- Completing reports required for law enforcement and ACF of children or youth who the agency identifies as being a sex trafficking victim.

Title IV-E agencies may also claim allowable title IV-E administrative costs on behalf of any child missing from foster care for the purpose of administering section 471(a)(35) of the Act. This would include developing and implementing protocols to locate and assess children missing from foster care, including screening the child to identify if the child is a possible sex trafficking victim.

Since the title IV-E agency is not limited to performing the activities described above on behalf of individuals meeting title IV-E eligibility requirements, there is no need to apply a title IV-E foster care participation rate in allocating allowable administrative costs to the title IV-E foster care program.

Title IV-E funding may not be claimed for the costs of conducting investigations of allegations of sex trafficking or other forms of child abuse or neglect or for providing social services, such as counseling or treatment, to victims of sex trafficking or other children or youth.

- **Source/Date:** 8/26/15; (12/17/2019)
- **Legal and Related References:** Social Security Act - Sections 471(a)(9) and (34)

8.1A TITLE IV-E, Administrative Functions/Costs, Allowable Costs - Adoption Assistance Program

1. Question: What are the allowable administrative costs in the title IV-E Adoption Assistance Program?

Answer: The Social Security Act, at section 474(a)(3), permits title IV-E agencies to be reimbursed at a 50 percent matching rate for the costs of administrative activities as found necessary by the Secretary for the proper and efficient administration of the title IV-E plan.

45 CFR 1356.60(c), entitled "Federal matching funds for other State and local administrative expenditures for foster care and adoption assistance under title IV-E" interprets section 474(a)(3) of the Act. All of the sections of that regulatory section apply to the administrative expenditures of both the Foster Care and Adoption Assistance Programs.

In paragraph (1) of 45 CFR 1356.60(c), certain identified costs are deemed allowable administrative costs of the Adoption Assistance Program under title IV-E. Federal financial participation for these costs may not be claimed under any other section of Federal regulations or Federal program. They are: the determination and redetermination of eligibility; fair hearings and appeals; rate setting; and other costs directly related only to the administration of the adoption assistance program.

In addition, the following administrative costs are also considered to be directly related only to the administration of the Adoption Assistance Program, and are therefore also allowable under 45 CFR 1356.60(c)

the Act. A statewide quality assurance system will usually include the review of cases other than those that are title IV-E eligible and address issues, such as the effectiveness of the delivery of social services, that do not qualify as title IV-E administration. Only quality assurance system costs associated with title IV-E eligible cases and functions may be claimed for title IV-E reimbursement. A State may amend its cost allocation plan as necessary to include the implementation and operation of a quality assurance system and subsequently claim the allowable title IV-E portion as an administrative expense after allocating costs among all benefiting programs.

- **Source/Date:** 8/16/02
- **Legal and Related References:** Social Security Act -- Section 401(a)(7)

16. Question: Are administrative costs allowable when a child has run away from a foster care placement?

Answer: Yes, administrative costs are allowable when a child has run away from a foster care placement. The manual states, in section 8.3c.2, Question 3, that if a title IV-E agency retains placement and care responsibility for a child who has run away from a foster care placement, the title IV-E agency must continue to perform title IV-E activities on behalf of such a child, including holding six-month periodic reviews and permanency hearings.

- **Source/Date:** 6/23/03; (12/17/2019)
- **Legal and Related References:** Social Security Act - sections 474 and 479B; 45 CFR 1356.60; Child Welfare Policy Manual Section 8.3c.2

17. Question: Can a case assessment be considered an allowable administrative cost?

Answer: Yes, a case assessment is an allowable administrative cost in the context of case planning. Section 471(a)(16) of the Social Security Act (the Act) requires the title IV-E agency to develop a case plan as defined at section 475(1) of the Act. The development of and ongoing updates to the case plan are allowable costs pursuant to 45 CFR 1356.60(c)(2)(iv). A critical component of case planning is the worker's assessment of the child and family. A case assessment might consider information regarding psychological, developmental, behavioral and educational factors; explore underlying or disguised issues such as family violence or substance abuse; examine the child and the family's needs, strengths, resources and existing support systems; and explore whether it is safe for the child to remain in or return to the home. Furthermore, it could include information on the child's past history, current adjustment, direct observations, and family history.

Specialized assessments such as psychiatric, medical or educational assessments are medical or educational services, respectively, and are not, therefore, allowable under title IV-E (45 CFR 1356.60(c) and Child Welfare Policy Manual Section 8.1B). Time spent analyzing specialized assessments to inform the case plan, however, is allowable.

- **Source/Date:** 6/23/03; (12/17/2019)
- **Legal and Related References:** Social Security Act - sections 471(a)(16), 475(1) and (5), and 479B; 45 CFR 1356.60(c); Child Welfare Policy Manual Section 8.1B

18. Question: May a State claim title IV-E administrative funds for the legal services of a child in foster care or his/her parents, such as the parent or child's legal representation in court hearings?

(Deleted 01/07/2019)

U.S. Department of Health and Human
Services Office of Inspector General
National Snapshot of State Agency
Approaches To Reporting And Locating
Children Missing From Foster Care

Department of Health and Human Services

OFFICE OF
INSPECTOR GENERAL

NATIONAL SNAPSHOT OF STATE AGENCY
APPROACHES TO REPORTING AND
LOCATING CHILDREN MISSING FROM
FOSTER CARE

*Inquiries about this report may be addressed to the Office of Public Affairs at
Public.Affairs@oig.hhs.gov.*



Christi A. Grimm
Inspector General

May 2022
A-07-20-06095

ACF Guidance

ACF, Children's Bureau published an Information Memorandum (IM) concerning the Strengthening Families Act that includes information regarding the requirements for State agency actions when children run away from foster care. This IM provides guidance on services for children under 18 years old who run away from foster care and who then come into contact with runaway and homeless youth programs. This IM also includes information related to State agency oversight of high-risk children in foster care ([ACYF-CB/FYSB-IM-14-1](#)).

Federal guidance also addresses cases in which a child is temporarily absent from a foster care placement because the child has run away or due to other circumstances (e.g., the child is on a weekend home visit or is hospitalized for medical treatment). In such cases, the State agency may provide a full month's Title IV-E foster care maintenance payment to the licensed provider, but only in cases in which the absence does not exceed 14 days and the child returns to the same foster care provider (ACF [Child Welfare Policy Manual, section 8.3B](#), Question 7).

SUMMARY OF DATA ON MISSING CHILDREN

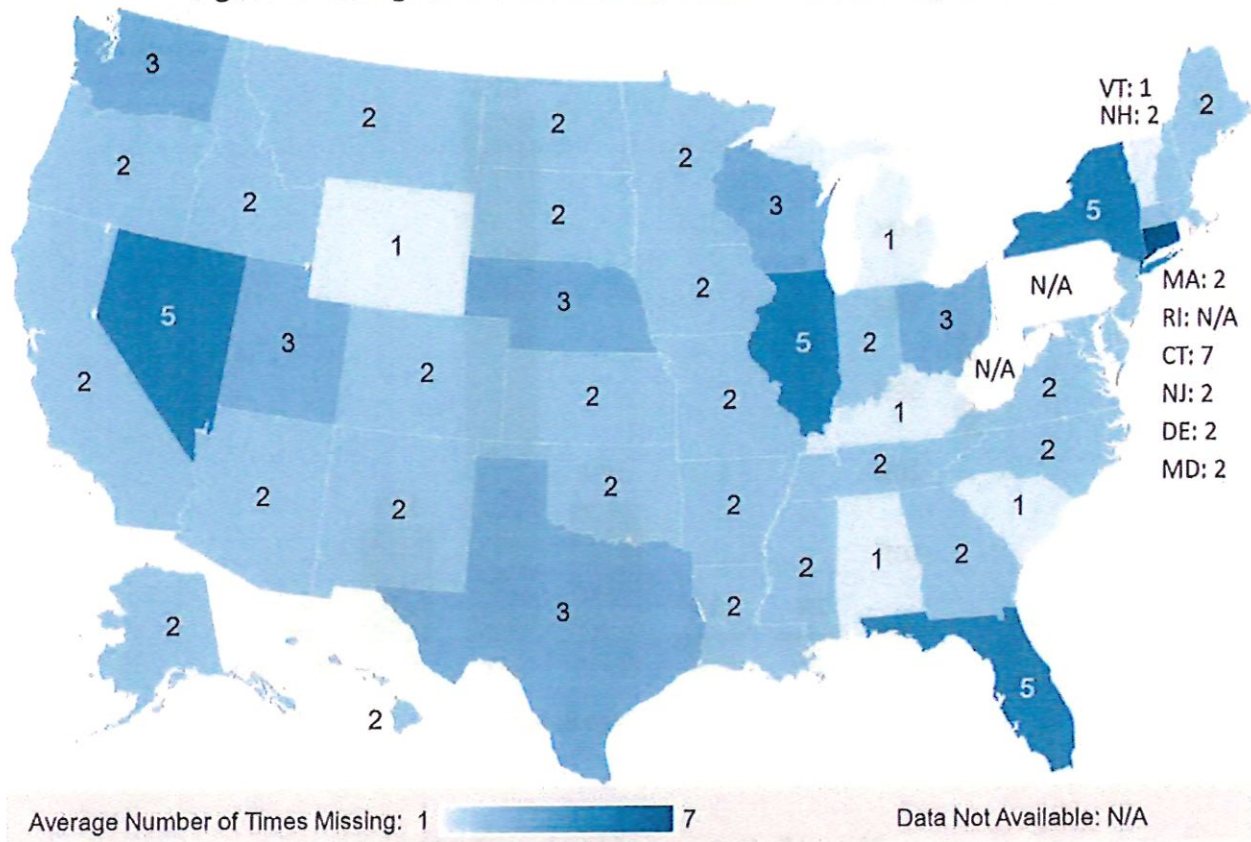
State Agencies' Data on Missing Children

According to data on missing children that the State agencies provided, there were 110,446 missing children episodes involving 43,679 of the 1,016,895 children who were in foster care. The following summarizes the data provided by the State agencies.

All 50 States provided data identifying children they defined as "missing" during our audit period; however, 4 State agencies did not provide data on all of their respective missing children episodes.¹³ The data provided by the States included the number of children in foster care who went missing at least once, and showed that many of the children went missing multiple times. Figure 1 on the following page shows the numbers of these 110,446 missing children episodes by State.

¹³ See footnote 12.

Figure 5: Average Number of Times a Child Went Missing From Foster Care



Of the 110,446 missing children episodes that were reported nationwide during our audit period, 65 percent involved children who were 15 to 17 years old when they went missing. State agencies also reported a total of 760 missing children aged 5 years old or younger, some of whom the State agencies categorized as “runaway.” According to one State agency official we interviewed, these episodes categorized as runaway were more likely to be the result of abductions because a child in this age group is not likely to run away. When missing children episodes are not categorized correctly, State agencies may not provide the necessary services or initiate the most effective responses. Furthermore, although more males than females are generally in foster care, the data showed that of the missing children, 51 percent were females, 48 percent were males, and 1 percent were reported without gender data or reported as transgender or undecided. See Figures 6 and 7 on the following page.

Figure 6: Percentages of Missing Children by Age Range

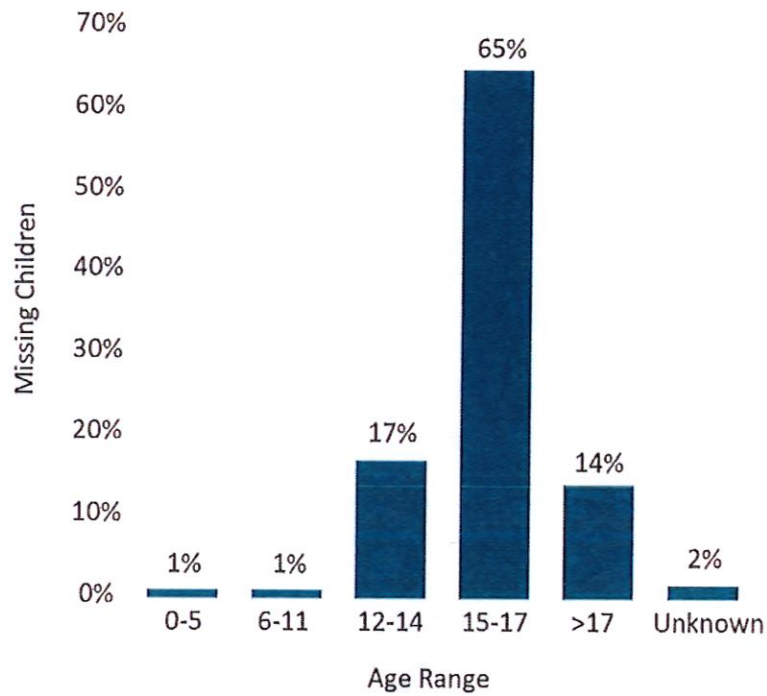
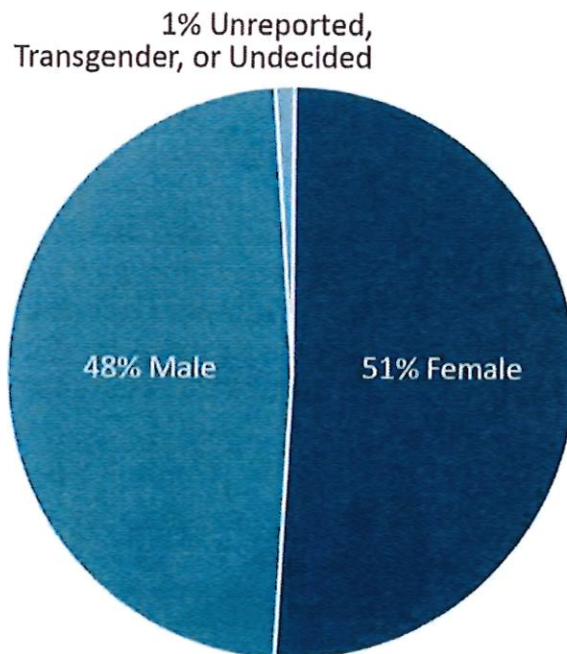


Figure 7: Genders of Missing Children



sharing confidential information. Accordingly, this State agency did not give children's photographs to NCMEC.

Another State agency stated that only certain staff had access to the NCMEC website to make a missing child report. Thus, according to the State agency, if a child in that State ran away on a Friday evening, the case worker and law enforcement would be notified immediately but the State agency might not be able to enter the episode into the NCMEC website until the following Monday.

Deficiencies in Procedures Regarding Continuation of Payments for Missing Children

Maintenance payments to foster care providers are payments to cover the costs of food, clothing, shelter, daily supervision, school supplies, personal incidentals for a child, and reasonable travel expenses in order for a child to remain in the school in which the child was enrolled at the time of placement (the Act § 475(4)).

ACF's Child Welfare Policy Manual states: "The title IV-E agency may provide a full month's title IV-E foster care maintenance payment to the licensed provider if the brief absence does not exceed 14 days and the child's placement continues with the same provider. Otherwise, the title IV-E agency must prorate its claims if the child is absent from placement for more than a reasonable brief period" (ACF [Child Welfare Policy Manual, section 8.3B](#), Question 7).

Forty State agencies reported that their procedures were to continue to make maintenance payments to providers after a child in foster care had gone missing. Most State agencies said that they generally permitted continued maintenance payments when the bed was being held for the missing child and the provider was willing to hold the placement for the child. Most of these State agencies said that they stopped maintenance payments between 3 and 30 days after the child went missing. One State agency said that under its policy, maintenance payments could continue regardless of the length of time a child was missing. The policies and procedures for the State agencies that made monthly maintenance payments beyond 14 days of a child's absence contrast with the ACF guidance in the [Child Welfare Policy Manual, section 8.3B](#), Question 7. For example, one State agency told us that maintenance payments made on behalf of a child stopped after 30 days had passed since the child had gone missing; however, based on the data we received from that State agency, almost \$650,000 in maintenance payments had been made on behalf of children who had been missing for more than 30 days.

STATE AGENCIES' MOST FREQUENTLY IDENTIFIED CHALLENGES REGARDING MISSING CHILDREN

We asked the State agencies to identify their greatest challenges associated with ensuring that missing children were reported as missing within the required timeframes and ensuring that these children were located. The most frequently identified challenges were: (1) locating children who repeatedly go missing from foster care; (2) obtaining cooperation from the missing children's families and friends; (3) obtaining assistance from law enforcement; (4) finding the

correct foster care placement for children to prevent them from running away; and (5) a lack of awareness among some State agencies of the support and technical assistance that ACF provides.

Frequently Missing Children

Several State agencies described frequently missing children as a challenge. The following are examples of what the State agencies said regarding the challenges of frequently missing children.

Several State agencies referred to the effects of these challenges on caseworkers. For example, one State agency said that caseworkers' "biggest frustrations are typically related to children who go missing frequently or who return to care and then are missing very shortly thereafter" Another State agency stated: "[C]hallenges remain with older youth who habitually absent themselves from care without permission; these youths are listed as missing, yet assigned caseworkers are often aware of their whereabouts. We feel that it's essential to document and attempt to locate and retrieve any child absent from care regardless of age or status."

One State agency said, "We do have some children who are missing frequently and [have] become adept at hiding from authorities." Another State agency pointed out that "a caseworker may know where a youth is located (i.e., home of a relative that was not approved for placement) but [the State agency] may be unable to access or make contact with the child." A third State agency described a related challenge: "[W]hen we have a child, we are aware of their location" but "they refuse to return to a certified placement."

Uncooperative Friends and Families

Several State agencies described the difficulties in obtaining cooperation from missing children's friends and families. The following are examples of what the State agencies said regarding the challenges in obtaining cooperation from missing children's friends and families.

Regarding uncooperative friends and families, one State agency stated: "Many children run to their family and friends. Due to the existing relationship, these people may not cooperate [with the State agency] or local law enforcement's efforts to locate the missing child." Similarly, another State agency said: "Oftentimes [missing children] are with friends and family who are harboring them and concealing information which may help locate them."

Assistance From Law Enforcement

Thirteen State agencies identified challenges related to obtaining assistance from law enforcement. These State agencies generally described these challenges as: reliance on law enforcement's assistance, law enforcement's limited resources, and law enforcement's actions

House Bill 2651
Chaptered Version

Senate Engrossed House Bill

missing children; alert; notification; reporting

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

CHAPTER 179

HOUSE BILL 2651

AN ACT

AMENDING SECTION 8-810, ARIZONA REVISED STATUTES; RELATING TO MISSING CHILDREN.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 8-810, Arizona Revised Statutes, is amended to read:

8-810. ~~Missing; abducted; runaway children; notification; training; report; entry into databases; audit~~

A. ~~If the department receives~~ WITHIN TWENTY-FOUR HOURS AFTER RECEIVING a report made pursuant to section 13-3620 or ~~receives~~ RECEIVING information during the course of providing services that indicates a child WHO IS A WARD OF THE COURT OR WHO IS IN THE CARE OF THE DEPARTMENT ~~is at risk of serious harm~~ IS MISSING, ABDUCTED OR A RUNAWAY and the child's location is unknown, the department shall notify the appropriate law enforcement agency ~~and provide the information required to make the record entry into the Arizona crime information center and the national crime information center missing person databases. This includes information about the child and child's parent, guardian, custodian or person of interest.~~

~~B. The appropriate law enforcement agency shall immediately enter the information provided by the department pursuant to subsection A of this section into the Arizona crime information center and the national crime information center missing person databases.~~ TO MAKE THE RECORD ENTRY AS FOLLOWS:

1. FOR AN ABDUCTED CHILD, THE ARIZONA CRIMINAL JUSTICE INFORMATION SYSTEM.

2. FOR AN ABDUCTED, MISSING OR RUNAWAY CHILD, THE NATIONAL CRIME INFORMATION CENTER MISSING PERSON DATABASE.

B. WITHIN TWENTY-FOUR HOURS AFTER RECEIVING A REPORT OF A MISSING, ABDUCTED OR RUNAWAY CHILD, THE DEPARTMENT SHALL DO THE FOLLOWING:

1. REPORT INFORMATION ON THE MISSING, ABDUCTED OR RUNAWAY CHILD TO THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.

2. UNLESS IT IS DETERMINED BY THE PRIMARY INVESTIGATIVE AGENCY THAT IT WILL HINDER INVESTIGATION OR LOCATION EFFORTS, CONTACT THE FOLLOWING PERSONS TO OBTAIN INFORMATION ABOUT THE CHILD'S DISAPPEARANCE:

(a) THE CHILD'S PARENTS.

(b) THE CHILD'S KNOWN RELATIVES.

(c) THE CHILD'S OUT-OF-HOME CAREGIVERS.

(d) THE CHILD'S ATTORNEY.

(e) THE CHILD'S GUARDIAN OR GUARDIAN AD-LITEM.

(f) THE CHILD'S COURT APPOINTED SPECIAL ADVOCATE.

(g) ANY OTHER PERSONS KNOWN TO THE DEPARTMENT WHO MAY HAVE RELEVANT INFORMATION REGARDING THE CHILD'S LOCATION.

3. UNLESS IT IS DETERMINED BY THE PRIMARY INVESTIGATIVE AGENCY THAT IT WILL HINDER INVESTIGATION OR LOCATION EFFORTS, PROVIDE A NOTICE OF DISAPPEARANCE IN WRITING OR TELEPHONICALLY TO THE FOLLOWING PERSONS:

(a) THE CHILD'S PARENTS.

(b) THE CHILD'S KNOWN RELATIVES.

(c) THE CHILD'S OUT-OF-HOME CAREGIVERS.

(d) THE CHILD'S ATTORNEY.

(e) THE CHILD'S GUARDIAN OR GUARDIAN AD-LITEM.

(f) THE CHILD'S COURT APPOINTED SPECIAL ADVOCATE.

(g) A JUDICIAL OFFICER IN ANY JUDICIAL MATTER INVOLVING THE CHILD.

(h) THE DUTY ASSISTANT ATTORNEY GENERAL TO INITIATE A MOTION FOR A PICKUP.

(1) IF THE CHILD IS A MEMBER OF AN INDIAN TRIBE IN THIS STATE, THE CHILD'S INDIAN TRIBE.

C. FOR A MISSING, ABDUCTED OR RUNAWAY CHILD, THE DEPARTMENT SHALL NOTIFY THE APPROPRIATE LAW ENFORCEMENT AGENCY. THE LAW ENFORCEMENT AGENCY SHALL DETERMINE IF THE SITUATION MEETS AMBER ALERT CRITERIA OR SILVER ALERT CRITERIA PURSUANT TO SECTION 41-1728.

D. WITHIN FORTY-EIGHT HOURS AFTER RECEIVING A REPORT OF A MISSING, ABDUCTED OR RUNAWAY CHILD, THE LOCAL LAW ENFORCEMENT AGENCY SHALL PROVIDE TO ALL LOCAL MEDIA OUTLETS AND POST TO SOCIAL MEDIA PLATFORMS ALL OF THE FOLLOWING INFORMATION REGARDING THE CHILD AND, IF KNOWN, THE CHILD'S ABDUCTOR:

1. A COMPLETE PHYSICAL DESCRIPTION OF THE CHILD AND, IF KNOWN, THE CHILD'S ABDUCTOR.

2. THE LAST KNOWN LOCATION OF THE CHILD OR, IF KNOWN, THE CHILD'S ABDUCTOR.

3. A DESCRIPTION OF THE CLOTHING THE CHILD OR, IF KNOWN, THE CHILD'S ABDUCTOR WAS LAST KNOWN TO BE WEARING.

4. A DESCRIPTION OF ANY VEHICLE THAT MAY BE INVOLVED WITH THE CHILD'S DISAPPEARANCE.

5. CURRENT PHOTOS OF THE CHILD AND, IF AVAILABLE, THE CHILD'S ABDUCTOR.

6. A LAW ENFORCEMENT TELEPHONE NUMBER.

7. INFORMATION REGARDING ANY OFFERED REWARDS.

E. THE DEPARTMENT SHALL DO ALL OF THE FOLLOWING ON AN ONGOING BASIS UNTIL A MISSING, ABDUCTED OR RUNAWAY CHILD IS LOCATED OR THE CHILD REACHES THE AGE OF MAJORITY:

1. DOCUMENT IN WRITING EVERY EFFORT THE DEPARTMENT HAS MADE TO LOCATE THE MISSING, ABDUCTED OR RUNAWAY CHILD WITHIN TEN DAYS AFTER THE EFFORT TO LOCATE THE CHILD IS TAKEN. THE WRITTEN DOCUMENT SHALL SPECIFY THE NOTIFICATIONS AND DOCUMENTATION SENT TO INDIVIDUALS AND DEPARTMENTS PURSUANT TO THE REQUIREMENTS OF THIS SECTION.

2. CONTACT LAW ENFORCEMENT FREQUENTLY AND DOCUMENT THE INFORMATION PROVIDED AND RECEIVED.

3. FOR A CHILD WHO HAS BEEN MISSING OR ABDUCTED OR WHO HAS BEEN A RUNAWAY FOR TWO OR MORE YEARS, WORK WITH THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN TO CREATE AN AGE-PROGRESSION IMAGE OF THE CHILD.

F. THE DEPARTMENT SHALL DEVELOP AND CONDUCT ANNUAL TRAINING FOR DEPARTMENT EMPLOYEES WHO HAVE DIRECT OVERSIGHT OF CHILDREN AND THE DIRECT SUPERVISORS OF THOSE EMPLOYEES. THE TRAINING SHALL INCLUDE DEPARTMENT POLICIES FOR LOCATING MISSING, ABDUCTED OR RUNAWAY CHILDREN AND THE REQUIREMENTS FOR ONGOING EFFORTS TO LOCATE A MISSING, ABDUCTED OR RUNAWAY CHILD, UNLESS IT IS DETERMINED BY THE PRIMARY INVESTIGATIVE AGENCY THAT IT WILL HINDER INVESTIGATION OR LOCATION EFFORTS. ONGOING DEPARTMENT EFFORTS SHALL INCLUDE ALL OF THE FOLLOWING:

1. CONTINUED CONTACT WITH LAW ENFORCEMENT AGENCIES.

2. CONTINUED CONTACT WITH THE CHILD'S PARENTS, GUARDIAN OR CUSTODIAN.

3. CONTINUED CONTACT WITH THE CHILD'S KNOWN RELATIVES.

4. CONTINUED CONTACT WITH CURRENT AND FORMER FOSTER FAMILIES OF THE CHILD.

5. CONTINUED CONTACT WITH THE CHILD'S SCHOOL.

6. CONTINUED CONTACT WITH KNOWN ACQUAINTANCES OF THE CHILD.

7. CONTINUED IN-PERSON SEARCHING OF LOCATIONS AND PLACES WHERE THE CHILD MAY BE FOUND.

8. CONTINUED REVIEW OF ANY SOCIAL MEDIA ACCOUNTS THAT MAY BE ASSOCIATED WITH THE CHILD OR THE CHILD'S KNOWN ACQUAINTANCES.

9. CONTINUED EFFORTS WITH LAW ENFORCEMENT AGENCIES IN SEARCHING FOR THE CHILD.

10. CONTINUED SEARCH EFFORTS WITH DEPARTMENT FIELD STAFF.

11. REFERRAL TO THE DEPARTMENT'S OFFICE OF CHILD WELFARE INVESTIGATIONS FOR ASSISTANCE IF EXIGENT CIRCUMSTANCES EXIST.

G. THE DEPARTMENT SHALL DO ALL OF THE FOLLOWING WHEN A CHILD IS LOCATED:

1. INFORM ALL OF THE FOLLOWING:

(a) ALL LAW ENFORCEMENT AGENCIES INVOLVED IN THE CHILD'S CASE.

(b) THE ATTORNEY GENERAL'S OFFICE.

(c) THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.

2. HAVE IN-PERSON CONTACT WITH THE CHILD WITHIN TWENTY-FOUR HOURS AFTER THE CHILD IS LOCATED.

3. OBTAIN A MEDICAL EXAM FOR THE CHILD.

4. ASSESS THE CHILD'S EXPERIENCES WHILE ABSENT FROM CARE, INCLUDING SCREENING TO DETERMINE IF THE CHILD IS A SEX TRAFFICKING VICTIM.

5. ASSESS THE APPROPRIATENESS OF THE CHILD RETURNING TO THE CHILD'S CURRENT PLACEMENT.

6. ASSESS FACTORS THAT CONTRIBUTED TO THE CHILD'S ABSENCE.

H. THE LEGISLATURE MAY CONVENE THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON THE DEPARTMENT OF CHILD SAFETY ESTABLISHED BY SECTION 41-1292 TO ADDRESS CONCERNS AND DEVIATIONS FROM POLICY AND PROCEDURE AND PROVIDE RECOMMENDATIONS. THE LEGISLATURE MAY REQUEST AN ANNUAL INDEPENDENT AUDIT OF THE DEPARTMENT'S COMPLIANCE WITH THIS SECTION. IF THE INDEPENDENT AUDIT DETERMINES THAT THE DEPARTMENT IS NOT IN COMPLIANCE, THE INDEPENDENT AUDIT SHALL PROVIDE RECOMMENDATIONS FOR IMPROVING THE DEPARTMENT'S EFFORTS TO LOCATE MISSING, ABDUCTED OR RUNAWAY CHILDREN.

APPROVED BY THE GOVERNOR JUNE 19, 2023.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 19, 2023.

House Bill 2651
House Engrossed Version

House Engrossed

missing children; alert; notification; reporting

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HOUSE BILL 2651

AN ACT

AMENDING SECTION 8-810, ARIZONA REVISED STATUTES; RELATING TO MISSING CHILDREN.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 8-810, Arizona Revised Statutes, is amended to read:

8-810. ~~Missing; abducted; runaway children; notification; training; report; entry into databases; audit~~

A. ~~If the department receives~~ WITHIN TWENTY-FOUR HOURS AFTER RECEIVING a report made pursuant to section 13-3620 or ~~receives~~ RECEIVING information during the course of providing services that indicates a child WHO IS A WARD OF THE COURT OR WHO IS IN THE CARE OF THE DEPARTMENT ~~is at risk of serious harm~~ IS MISSING, ABDUCTED OR A RUNAWAY and the child's location is unknown, the department shall notify the appropriate law enforcement agency ~~and provide the information required to make the record entry into the Arizona crime information center and the national crime information center missing person databases. This includes information about the child and child's parent, guardian, custodian or person of interest.~~

~~B. The appropriate law enforcement agency shall immediately enter the information provided by the department pursuant to subsection A of this section into the Arizona crime information center and the national crime information center missing person databases. AS FOLLOWS:~~

1. FOR AN ABDUCTED CHILD, THE ARIZONA CRIMINAL JUSTICE INFORMATION SYSTEM.

2. FOR AN ABDUCTED, MISSING OR RUNAWAY CHILD:

(a) THE NATIONAL CRIME INFORMATION CENTER MISSING PERSON DATABASE.

(b) THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.

(c) THE ATTORNEY GENERAL TO INITIATE A PICKUP OR RETURN ORDER, IF APPLICABLE.

B. WITHIN TWENTY-FOUR HOURS AFTER RECEIVING A REPORT OF A MISSING, ABDUCTED OR RUNAWAY CHILD, THE DEPARTMENT SHALL DO THE FOLLOWING:

1. CONTACT THE FOLLOWING PERSONS TO OBTAIN INFORMATION ABOUT THE CHILD'S DISAPPEARANCE:

(a) THE CHILD'S PARENTS.

(b) THE CHILD'S KNOWN RELATIVES.

(c) THE CHILD'S OUT-OF-HOME CAREGIVERS.

(d) THE CHILD'S ATTORNEY.

(e) THE CHILD'S GUARDIAN OR GUARDIAN AD-LITEM.

(f) THE CHILD'S COURT APPOINTED SPECIAL ADVOCATE.

(g) ANY OTHER PERSONS KNOWN TO THE DEPARTMENT WHO MAY HAVE RELEVANT INFORMATION REGARDING THE CHILD'S LOCATION.

2. PROVIDE A NOTICE OF DISAPPEARANCE IN WRITING AND TELEPHONICALLY TO THE FOLLOWING PERSONS:

(a) THE CHILD'S PARENTS.

(b) THE CHILD'S KNOWN RELATIVES.

(c) THE CHILD'S OUT-OF-HOME CAREGIVERS.

(d) THE CHILD'S ATTORNEY.

(e) THE CHILD'S GUARDIAN OR GUARDIAN AD-LITEM.

(f) THE CHILD'S COURT APPOINTED SPECIAL ADVOCATE.

(g) A JUDICIAL OFFICER IN ANY JUDICIAL MATTER INVOLVING THE CHILD.

(h) THE ASSISTANT ATTORNEY GENERAL REPRESENTING THE DEPARTMENT.

(i) IF THE CHILD IS A MEMBER OF AN INDIAN TRIBE IN THIS STATE, THE CHILD'S INDIAN TRIBE.

C. FOR AN ABDUCTED CHILD, THE DEPARTMENT SHALL NOTIFY THE APPROPRIATE AGENCY TO ISSUE AN AMBER ALERT.

D. WITHIN FORTY-EIGHT HOURS AFTER RECEIVING A REPORT OF A MISSING, ABDUCTED OR RUNAWAY CHILD, THE DEPARTMENT SHALL PROVIDE ALL OF THE FOLLOWING INFORMATION REGARDING THE CHILD AND, IF KNOWN, THE CHILD'S ABDUCTOR TO ALL LOCAL MEDIA OUTLETS:

1. A COMPLETE PHYSICAL DESCRIPTION OF THE CHILD AND, IF KNOWN, THE CHILD'S ABDUCTOR.

2. THE LAST KNOWN LOCATION OF THE CHILD OR, IF KNOWN, THE CHILD'S ABDUCTOR.

3. A DESCRIPTION OF THE CLOTHING THE CHILD OR, IF KNOWN, THE CHILD'S ABDUCTOR WAS LAST KNOWN TO BE WEARING.

4. A DESCRIPTION OF ANY VEHICLE THAT MAY BE INVOLVED WITH THE CHILD'S DISAPPEARANCE.

5. CURRENT PHOTOS OF THE CHILD AND, IF AVAILABLE, THE CHILD'S ABDUCTOR.

6. A LAW ENFORCEMENT TELEPHONE NUMBER.

7. INFORMATION REGARDING ANY OFFERED REWARDS.

E. THE DEPARTMENT SHALL DO ALL OF THE FOLLOWING ON AN ONGOING BASIS UNTIL A MISSING, ABDUCTED OR RUNAWAY CHILD IS LOCATED OR THE CHILD REACHES THE AGE OF MAJORITY:

1. DOCUMENT IN WRITING EVERY EFFORT TO LOCATE THE MISSING, ABDUCTED OR RUNAWAY CHILD WITHIN TEN DAYS AFTER THE EFFORT TO LOCATE THE CHILD IS TAKEN.

2. CONTACT LAW ENFORCEMENT EVERY SEVEN DAYS AND DOCUMENT THE INFORMATION PROVIDED AND RECEIVED.

3. UPDATE SOCIAL MEDIA PLATFORMS EVERY FOURTEEN DAYS WITH INFORMATION REGARDING THE MISSING, ABDUCTED OR RUNAWAY CHILD.

4. FOR A CHILD WHO HAS BEEN MISSING OR ABDUCTED OR WHO HAS BEEN A RUNAWAY FOR TWO OR MORE YEARS, WORK WITH A SPECIALIZED ARTIST TO CREATE AN AGE-PROGRESSION IMAGE OF THE CHILD.

F. THE DEPARTMENT SHALL DEVELOP TRAINING FOR DEPARTMENT EMPLOYEES WHO HAVE DIRECT OVERSIGHT OF CHILDREN AND THE DIRECT SUPERVISORS OF THOSE EMPLOYEES. THE TRAINING SHALL INCLUDE DEPARTMENT POLICIES FOR LOCATING MISSING, ABDUCTED OR RUNAWAY CHILDREN AND THE REQUIREMENTS FOR ONGOING EFFORTS TO LOCATE A MISSING, ABDUCTED OR RUNAWAY CHILD. ONGOING DEPARTMENT EFFORTS SHALL INCLUDE ALL OF THE FOLLOWING:

1. CONTINUED CONTACT WITH LAW ENFORCEMENT AGENCIES.

2. CONTINUED CONTACT WITH CURRENT AND FORMER FOSTER FAMILIES OF THE CHILD.

3. CONTINUED CONTACT WITH THE CHILD'S SCHOOL.

4. CONTINUED CONTACT WITH KNOWN ACQUAINTANCES OF THE CHILD.

5. CONTINUED IN-PERSON SEARCHING OF LOCATIONS AND PLACES WHERE THE CHILD MAY BE FOUND.

6. CONTINUED REVIEW OF ANY SOCIAL MEDIA ACCOUNTS THAT MAY BE ASSOCIATED WITH THE CHILD OR THE CHILD'S KNOWN ACQUAINTANCES.

7. CONTINUED EFFORTS WITH LAW ENFORCEMENT AGENCIES IN SEARCHING FOR THE CHILD.

8. CONTINUED SEARCH EFFORTS WITH DEPARTMENT FIELD STAFF.

9. REFERRAL TO THE DEPARTMENT'S OFFICE OF CHILD WELFARE INVESTIGATIONS FOR ASSISTANCE IF EXIGENT CIRCUMSTANCES EXIST.

G. THE DEPARTMENT SHALL DO ALL OF THE FOLLOWING WHEN A CHILD IS LOCATED:

1. INFORM ALL OF THE FOLLOWING:

(a) ALL LAW ENFORCEMENT AGENCIES INVOLVED IN THE CHILD'S CASE.

(b) THE ATTORNEY GENERAL'S OFFICE.

(c) ALL MISSING AND EXPLOITED CHILDREN'S ORGANIZATIONS.

2. HAVE IN-PERSON CONTACT WITH THE CHILD WITHIN TWENTY-FOUR HOURS AFTER THE CHILD IS LOCATED.

3. OBTAIN A MEDICAL EXAM FOR THE CHILD.

4. ASSESS THE CHILD'S EXPERIENCES WHILE ABSENT.

5. ASSESS THE APPROPRIATENESS OF THE CHILD RETURNING TO THE CHILD'S CURRENT PLACEMENT.

6. ASSESS FACTORS THAT CONTRIBUTED TO THE CHILD'S ABSENCE.

H. THE DEPARTMENT SHALL PROVIDE A MONTHLY REPORT TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. THE REPORT SHALL INCLUDE ALL OF THE FOLLOWING:

1. THE NAMES OF ALL CURRENT MISSING, ABDUCTED OR RUNAWAY CHILDREN.

2. INFORMATION REGARDING THE AGENCIES THE DEPARTMENT IS REQUIRED TO CONTACT PURSUANT TO THIS SECTION AND WHEN CONTACT WAS MADE.

3. INFORMATION REGARDING THE DEPARTMENT'S COMPLIANCE WITH EFFORTS REQUIRED PURSUANT TO THIS SECTION.

I. THE LEGISLATURE MAY REQUIRE AN ANNUAL INDEPENDENT AUDIT OF THE DEPARTMENT'S COMPLIANCE WITH THIS SECTION. IF THE INDEPENDENT AUDIT DETERMINES THAT THE DEPARTMENT IS NOT IN COMPLIANCE, THE DEPARTMENT SHALL CONTRACT WITH A THIRD PARTY TO OVERSEE EFFORTS TO LOCATE MISSING, ABDUCTED OR RUNAWAY CHILDREN.

U.S. Department of Health and Human
Services Officer of Inspector General
Report

State Agencies Did Not Always Ensure That
Children Missing From Foster Care Were
Reported To The National Center For
Missing and Exploited Children in
Accordance With Federal Requirements

Department of Health and Human Services

OFFICE OF
INSPECTOR GENERAL

STATE AGENCIES DID NOT ALWAYS
ENSURE THAT CHILDREN MISSING
FROM FOSTER CARE WERE REPORTED
TO THE NATIONAL CENTER FOR
MISSING AND EXPLOITED CHILDREN
IN ACCORDANCE WITH
FEDERAL REQUIREMENTS

*Inquiries about this report may be addressed to the Office of Public Affairs at
Public.Affairs@oig.hhs.gov.*



Amy J. Frontz
Deputy Inspector General
for Audit Services

March 2023
A-07-21-06102

INTRODUCTION

WHY WE DID THIS AUDIT

The Federal foster care program, authorized by Title IV-E of the Social Security Act (the Act), as amended, helps States provide safe and stable out-of-home care for children who meet certain eligibility requirements until they are safely returned home, placed permanently with adoptive families, or placed in other planned, permanent living arrangements. Concerns regarding States' lack of knowledge regarding the whereabouts of children who go missing from foster care have garnered national media attention.¹

As part of our oversight activities, we are conducting a series of audits related to children missing from foster care (who this report refers to as "missing children"). In a previous audit, we obtained and analyzed nationwide data on missing children and examined the policies and procedures adopted by State agencies to report and locate missing children. In our previous audit, the State agencies reported that they had policies and procedures that required reporting children missing from foster care to the National Center for Missing and Exploited Children (NCMEC), and to law enforcement for entry into the National Crime Information Center (NCIC) database within 24 hours of identifying that the child was missing.² This report evaluates the implementation of these policies and procedures by verifying whether the missing children were properly reported to NCMEC.

Accordingly, this report provides the Department of Health and Human Services (HHS), Administration for Children and Families (ACF), and State and local decisionmakers with information on States' efforts to ensure that missing children are reported to NCMEC and the reasons why some missing children are not properly reported to NCMEC as required by Federal statute.³

OBJECTIVE

Our objective was to examine State agencies' efforts to ensure that missing children are reported to NCMEC as required by Federal statute.

¹ The Washington Post, "The other missing children scandal: Thousands of lost American foster kids." Available online at <https://www.washingtonpost.com/news/posteverything/wp/2018/06/18/the-other-missing-children-scandal-thousands-of-lost-american-foster-kids/> (accessed on Nov. 7, 2022).

² *National Snapshot of State Agency Approaches To Reporting and Locating Children Missing From Foster Care (A-07-20-06095)*, May 19, 2022.

³ We also have an ongoing audit of States' efforts to ensure that missing children are properly reported to law enforcement authorities for entry into NCIC's Missing Persons File; we plan to issue a separate report on the results of that work.

Mandatory Reporting of Missing Children to the National Center for Missing and Exploited Children

Missing children are those who run away or otherwise are missing from foster care placements and who are not in the physical custody of the agency, individual, or institution with whom the child has been placed; a missing child's actual whereabouts may be known or unknown.⁶ These children who go missing from their approved placements are at higher risk of experiencing harm, substance use, and trafficking.⁷ In recognition of the vulnerabilities of missing children, the Preventing Sex Trafficking and Strengthening Families Act (Strengthening Families Act) amended the Act and added requirements governing how State agencies respond when children are missing from foster care.⁸

State agencies are required to report missing children to NCMEC, which is a nonprofit organization designated by Congress to serve as the national clearinghouse on issues relating to missing and exploited children. NCMEC is funded partially by a mandatory grant from the Department of Justice and serves as a reporting and case management center for issues related to the prevention of and recovery from child victimization.⁹ NCMEC's mission is to help find missing children, reduce child sexual exploitation, and prevent child victimization. It focuses its efforts on missing children who are 17 years old and younger and on 18-to-20-year-old missing children who are considered to be at an elevated risk of danger. However, NCMEC may also assist with unemancipated youths missing from care who are 18 to 20 years old and still under legal guardianship of a State agency. NCMEC works with families, victims, private industry, law enforcement, and the public to assist in preventing child abductions, recovering missing children, and providing services to deter and combat child sexual exploitation. NCMEC operates a 24-hour, toll-free hotline so that individuals may report information regarding any missing child.¹⁰

When a State agency or other entity or individual reports a missing child to NCMEC, certain information is required for NCMEC to take an effective report. Essential information includes

⁶ This definition is drawn from the Child Welfare League of America. See its website at <https://www.cwla.org/how-should-agencies-respond/> (accessed on Nov. 7, 2022).

⁷ See for example, "Examining the Link: Foster Care Runaway Episodes and Human Trafficking," a research brief accessible at https://www.acf.hhs.gov/sites/default/files/documents/opre/foster_care_runaway_human_trafficking_october_2020_508.pdf (accessed on Nov. 7, 2022).

⁸ The Preventing Sex Trafficking and Strengthening Families Act, P.L. No. 113-183 (Sep. 29, 2014). Although this report discusses only children missing from foster care and the language of the Strengthening Families Act emphasizes children in foster care, the requirements of the Act §§ 471, 475, and 477 apply to all children in the care, placement, or supervision of a State agency.

⁹ 34 U.S.C. § 11293(b).

¹⁰ See also the information paper on the NCMEC website, which is accessible at <https://www.missingkids.org/content/dam/missingkids/pdfs/CMFC%20Final%20%20One-Pager%20April%202021.pdf> (accessed on Nov. 7, 2022).

the child's full name, date of birth, gender, height, weight, date the child went missing, city and State from which the child went missing, caseworker or provider information, and information on notification of law enforcement. NCMEC requests additional information when possible, including information on the extent of concern about exploitation or trafficking, the known direction of travel, and places the child may frequent. After a State agency reports a missing child episode, it receives from NCMEC a case number that can serve as a reference for the case.

After it receives a report of a missing child episode, NCMEC's services include the creation and dissemination of a poster with a picture of the missing child to include on social media platforms to help generate leads. In addition, NCMEC's Child Sex Trafficking Recovery Services Team provides specialized resources to child welfare professionals who have reported a youth missing from care to NCMEC when a concern for child sex trafficking has been identified.

HOW WE CONDUCTED THIS AUDIT

Our audit included children who went missing from foster care (missing children episodes) at any time during the period July 1, 2018, to December 31, 2020 (audit period), in which the child was missing for more than 24 hours. We identified, from data provided by 46 State agencies, 74,353 missing children episodes in which the child was missing 2 calendar days or longer during our audit period.¹¹ We selected a stratified random sample of 100 missing children episodes (associated with a total of 38 State agencies). For the missing children episodes in our sample, we asked the State agencies to respond to a survey regarding those episodes, and we obtained and reviewed documentation from State agencies and NCMEC to determine whether missing children were reported to NCMEC as required by Federal statute.

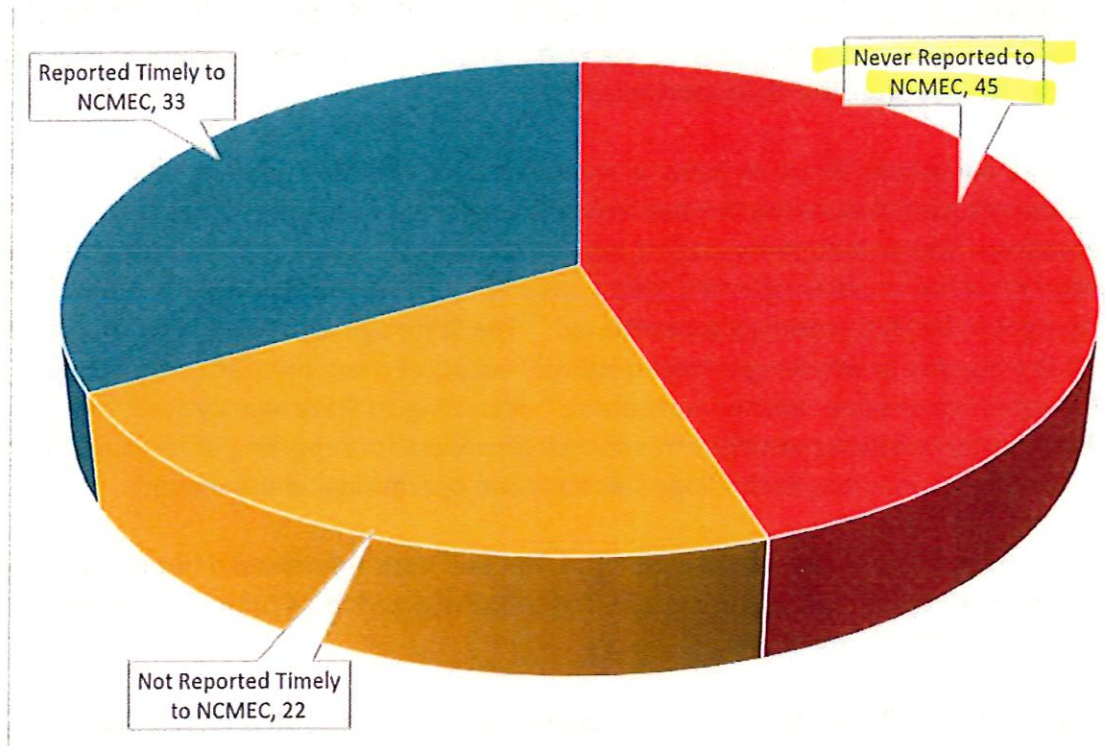
Federal requirements state that a missing child must be reported to NCMEC within 24 hours to be considered a timely report. Because a State agency generally does not record the exact time of day when it reports a missing child to NCMEC, for this report we designated a reporting delay of 2 calendar days or longer to constitute a missing child episode that had not been reported in a timely manner.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

¹¹ We obtained the data on missing children during our previous audit, as part of a questionnaire completed by State agency program administrators in all 50 States (see footnote 2). Four States did not provide us with sufficient information at that time that would enable us to include their missing foster children episodes in the current audit. Because there is not a single data system that has missing children data available for all States, we used the data previously obtained to conduct the current audit rather than again attempting to collect and compile missing children episodes from all of the State agencies.

Specifically, an estimated 34,869 (47 percent) missing children episodes during our audit period were never reported to NCMEC and an additional estimated 16,246 (22 percent) missing children episodes during our audit period were not reported within 24 hours after the State agencies were notified that the child was missing. The figure graphically depicts these data.

Figure: Sample Results Showing Types and Numbers of Reporting Issues for the 100 Missing Children Episodes in our Stratified Random Sample



Appendix C breaks out these findings, by State, for the 38 States represented in the 100 missing children episodes in our stratified random sample.

State Agencies Did Not Always Report Missing Children Episodes to the National Center for Missing and Exploited Children

Of the 100 missing children episodes in our stratified random sample, State agencies never reported 45 of the episodes to NCMEC as they were required to do by Federal statute (see footnote 12). For these 45 missing children episodes:

- the children were missing for 10 or fewer days in 27 episodes,
- the children were missing between 11 and 40 days in 9 episodes,
- the children were missing between 41 and 609 days in 8 episodes, and
- a child was still missing as of December 31, 2020, for 1 episode (this child had gone missing on November 16, 2020).

missing children reports to law enforcement, which then transferred the information to NCMEC so that cases could be opened. The State agency added that it sent missing child reports to law enforcement for case opening only on weekdays, using electronic transmittal. An effect of this review process and weekday-only reporting protocol was that this State agency did not routinely notify NCMEC in a timely manner. For example, for one missing child episode, the State agency told us that the internal missing child report was created after close of business on March 6, 2020. The report was processed and sent to law enforcement on the next business day (March 9, 2020); law enforcement forwarded the report to NCMEC that same day. The child went missing on a Friday (March 6, 2020) but because this State agency sends reports electronically to law enforcement only during weekdays, the report was not sent to NCMEC until Monday (3 days after the child went missing).

In response to our inquiry about its internal review process, this State agency said that it “provides many benefits including but not limited to uniform reporting procedures, documentation of key components via [its] missing child report module, standardization for information provided to other agencies, data consistency across multiple agency data sources, and ensuring that NCMEC reporting is completed.” The State agency added that “this process can result in instances in which reporting to NCMEC occurs at more than 24 hours from the time information on missing children is received.” According to State agency staff, this State agency is currently reviewing solutions to improve timeliness for reporting of missing children episodes to NCMEC, including technology solutions and operational improvements.

On the basis of our sample results, we estimated that the State agencies did not report 16,246 missing children episodes during our audit period to NCMEC within 24 hours after being notified that the child was missing.

State Agencies Generally Did Not Have Adequate Systems To Track Missing Children Reports Made to the National Center for Missing and Exploited Children

State agencies generally lacked adequate systems to readily identify whether missing children episodes were reported to NCMEC accurately and in a timely manner. Thirty-six of the 38 State agencies associated with our sample lacked mechanisms to track missing children reports made to NCMEC (including dates of notification and NCMEC case numbers).¹⁴ Such mechanisms would allow State agencies to have this information readily available to promptly determine whether they had reported missing children episodes accurately and in a timely manner.

Furthermore, the documentation that we obtained and reviewed from the State agencies’ case files demonstrated that the data systems in place routinely contained inaccurate information and often did not agree with the data in the NCMEC database. For 31 of the 55 missing children episodes that were reported to NCMEC, we identified data quality issues that showed that the missing children data that the State agencies had in their data systems did not agree with the

¹⁴ One of the two State agencies that had mechanisms to track missing children reports made to NCMEC explained that it added this functionality to its data system in early 2019.

data in the NCMEC database.¹⁵ An example of one missing child episode, as reported by one State agency, is illustrative of the inaccuracies between information in State agencies' systems and NCMEC's database. For this episode:

- April 25, 2020: date that the child went missing, according to the State agency's database.
- April 30, 2020: date that the State agency reported this episode to NCMEC. However, according to the State agency's reported data in NCMEC's database, the child went missing on April 27, 2020, when in fact the child had gone missing 2 days earlier.

Documentation that we obtained from this State agency indicated that the April 25, 2020, date in the State agency's system was correct, but we could not determine whether the incorrect missing start date in the NCMEC database was the result of a system error or a manual (data input) error.

The lack of an accurate mechanism for State agencies to track their missing children reports to NCMEC makes it difficult for the State agencies to identify missing children who were not reported, to identify any weaknesses in their response times, and to take action to improve their processes for reporting episodes in accordance with Federal requirements. This is evident by the significant number of missing children episodes that we identified as never having been reported to NCMEC.

The information described in this report is intended to provide ACF and other decisionmakers (e.g., State and local officials) with information that State agencies provided related to the reporting of missing children to NCMEC. In addition, the opportunity exists for ACF to use the information in this report as it works with State agencies to improve outcomes for missing children by identifying causes and corrective actions for those cases in which missing children are not reported to NCMEC in accordance with Federal requirements.

RECOMMENDATION

We recommend that the Administration for Children and Families work with State agencies to ensure compliance with Federal requirements to report missing children episodes to NCMEC in a timely manner.

ACF COMMENTS

In written comments on our draft report, ACF concurred with our recommendation and described actions that it had taken and planned to take. ACF stated that it "has planned various

¹⁵ Of the 100 sampled episodes, the State agencies reported 55 episodes to NCMEC, which included 33 episodes that were reported timely in accordance with Federal requirements and 22 episodes that were not reported in a timely manner.

APPENDIX C: MISSING CHILDREN EPISODES SAMPLED BY STATE

State	Never Reported to NCMEC	Not Reported Timely to NCMEC	Properly Reported to NCMEC	Total
Alabama	2		1	3
Alaska	2			2
Arizona	1	2		3
Arkansas		1	4	5
California	3		2	5
Colorado		1	1	2
Connecticut	2			2
Florida		4	1	5
Hawaii	1			1
Illinois	2			2
Indiana	2		1	3
Iowa			1	1
Kentucky	2			2
Louisiana		1	2	3
Maryland	1			1
Massachusetts			2	2
Minnesota	1	2		3
Mississippi	3	1		4
Missouri	3		2	5
Nebraska	3			3
Nevada	4			4
New Hampshire	1			1
New Mexico		3	3	6
New York	2		1	3
North Carolina		2	1	3
North Dakota	1	1	1	3
Ohio		1	1	2
Oklahoma	1		1	2
Oregon			1	1
South Carolina		1	2	3
South Dakota	1			1
Tennessee	1			1
Texas	1		2	3
Utah			1	1
Vermont	1			1
Virginia	2	1		3
Washington	1		2	3
Wisconsin	1	1		2
Grand Total	45	22	33	100

Arizona Auditor General
Special Report for the Arizona
Department of Child Safety on
Comparing Department Practices for
Clarifying and Locating Children
Missing from Care to Best Practices

Arizona Department of Child Safety

Comparing Department Practices for Classifying and Locating Children Missing from Care to Best Practices

Department's practices for classifying and locating children missing from care are generally consistent with recommended practices, but caseworkers did not always comply with documentation requirements, the Department and law enforcement have not formalized expectations for collaboration, and the Department lacks some detailed guidance for caseworkers' ongoing efforts to locate children missing from care

Special Report

September 2021
Report 21-113

A Report to the Arizona Legislature

Lindsey A. Perry
Auditor General



Arizona Department of Child Safety Comparing Department Practices for Classifying and Locating Children Missing from Care to Best Practices

Department's practices for classifying and locating children missing from care are generally consistent with recommended practices, but caseworkers did not always comply with documentation requirements, the Department and law enforcement have not formalized expectations for collaboration, and the Department lacks some detailed guidance for caseworkers' ongoing efforts to locate children missing from care

Audit purpose

To compare the Department's practices for classifying and locating runaway or missing children with best practices.

Key findings

- The Department is responsible for helping to locate children missing from care (runaway or missing/abducted children).
- The Department's practices for classifying and locating children missing from care are generally consistent with many practices recommended by the Child Welfare League of America. For example, the Department maintains a 24/7 hotline that can be contacted to report children missing from care and requires caseworkers to notify law enforcement and other key stakeholders within 24 hours about children missing from care.
- Caseworkers did not always comply with Department documentation requirements in cases we reviewed, including documenting that all required notifications were made and documenting efforts to locate children within 10 days of making those efforts. The Department implemented a biweekly review process in 2020 to help ensure that information about children missing from care is accurate and up to date in its case management system.
- Although a recommended practice, the Department and law enforcement have not formalized expectations for their respective roles and responsibilities for locating children missing from care. The Department reported that formalizing expectations with law enforcement would be of value, but establishing a formal agreement with each of the approximately 150 law enforcement agencies in Arizona would be impractical.
- The Department lacks some detailed guidance on its expectations for the types and frequency of caseworkers' ongoing efforts to locate children missing from care.

Key recommendations

The Department should:

- Revise its policies to provide guidance on when specific stakeholder notifications and documentation of those notifications by caseworkers are not applicable.
- To help ensure timely documentation, expand its biweekly review process to include determining whether efforts to locate children missing from care are occurring and documented in case notes.
- Work with law enforcement to formalize expectations regarding their respective roles and responsibilities for locating children missing from Department care. For example, the Department could pilot establishing a formal agreement or mutually agreed-upon protocols with 1 or more law enforcement agencies in Arizona.
- Update its policies and/or develop supplemental guidance on its expectations for the types and frequency of caseworkers' ongoing efforts to locate children missing from care, and ensure caseworkers who manage cases involving children missing from care are informed of and trained on this additional guidance.

the specific actions outlined in these 2 policies differ in some ways, the Department's process for classifying and locating runaway and missing/abducted children generally involves the following actions:⁴

- **Department policies require updating its case management system to reflect the child's status**—Department policies require DCS specialists (caseworkers) to update its case management system to reflect the child's status as runaway or missing (which includes abducted children).⁵
- **Department policies require key stakeholders to be notified**—Department policies require caseworkers to notify various stakeholders, including law enforcement, the child's out-of-home caregiver, parent(s), guardian ad litem and/or attorney, and the courts, within 24 hours of the Department learning a child is missing from care.^{6,7} Department policies also require caseworkers to notify the National Center for Missing and Exploited Children (NCMEC), although effective September 29, 2021, Laws 2021, Ch. 364, §1, requires law enforcement to notify NCMEC. NCMEC, a private nonprofit organization, is the national clearinghouse and resource center for information about missing and exploited children. According to NCMEC, its staff can create and disseminate missing child posters to help generate leads and raise public awareness about missing children.
- **Caseworker conducts efforts to locate the child until the child is found or is no longer a ward of the court**—Although not always specified in Department policies (see Finding 2, pages 9 through 10, for additional information), caseworkers conduct efforts to locate children missing from care. Department policies require caseworkers to complete some actions to locate the child, including contacting parties that may have information about the child or the child's whereabouts, such as persons significant to the child and caregivers from prior placements.⁸ Department policies also require all efforts to locate the child to be documented as case notes in the Department's case management system. Caseworkers can also request assistance from other Department staff, including specialized field staff and OCWI staff. These staff have access to various databases that can help in the search for information leads on the child's whereabouts, such as a school registration database. According to the Department, its efforts to locate the child should remain ongoing until the child is found or is no longer a ward of the court, such as when the child turns 18 years old.

Statute requires Department to report information about children missing from care

A.R.S. §8-526 requires the Department to report the number of children in Department care by placement type, and the Department includes this information in 2 reports that are available on its website: the *Semi-Annual Child Welfare Report* and the *Monthly Operational and Outcome Report (MOOR)*.^{9,10} The Department uses 2

⁴ Examples of differences in the policies include the policy for missing children requiring the Department's Office of Child Welfare Investigations (OCWI) to be notified when a child goes missing and the policy for runaway children including criteria for referring high-risk runaway cases to OCWI staff for specialized assistance. The OCWI is a criminal justice agency within the Department that has investigative authority when criminal conduct is alleged.

⁵ In February 2021, the Department transitioned to a new case management system, Guardian, from its prior case management system, CHILDS.

⁶ The Department reported that if a child's out-of-home caregiver notifies the Department that the child is missing, the Department does not need to notify the caregiver. However, this is not stated in the Department's policy.

⁷ A.R.S. §8-531 defines guardian ad litem as a person whom a court appoints to protect the interest of a minor in a particular case before the court.

⁸ Department policies do not include required time frames for making these initial contacts.

⁹ The Department has not reported the number of children in Department care by placement type in the MOOR since its transition to Guardian in February 2021. According to Department staff, as of August 2021, the Department was still working to develop the reports in Guardian needed to report this information.

¹⁰ The Department has a data validation process for its *Semi-Annual Child Welfare Report*. As part of this process, Department staff review the accuracy of the status of children aged 12 years or younger classified as runaway in the Department's case management system. The Department reported that children under the age of 12 are less likely to have run away, and if a child's status is determined to be incorrectly entered as runaway, the status will be updated to missing.

- **Has classifications for children missing from care**—According to the CWLA, child welfare agencies should define terms used for children missing from care, which should depend on the statutes in the child welfare agency's state and are intended to facilitate a common language for effective communication. As stated in the Introduction (see pages 1 through 2), the Department uses 2 classifications for children missing from care: runaway and missing, which includes abducted children. In addition, the Department's definition for abducted children is consistent with statute.¹⁶
- **Maintains dedicated staff for receiving missing child reports through its 24/7 hotline**—According to CWLA staff, maintaining a dedicated point of contact who is available at all times to receive missing child reports is necessary because caseworkers are often busy. Consistent with this recommended practice, the Department maintains a 24/7 hotline that can be contacted to report a child missing from care.
- **Requires notification of key stakeholders about children missing from care**—According to the CWLA, child welfare agencies should provide timely and relevant information to various stakeholders regarding the child's status. As stated in the Introduction (see page 2), Department policies require caseworkers to notify various stakeholders that a child is missing from care within 24 hours of receiving this information, including law enforcement, the child's out-of-home caregiver, parent(s), guardian ad litem and/or attorney, the courts, and NCMEC, a private nonprofit organization that can create and disseminate missing child posters to help generate leads and raise public awareness about missing children. Laws 2021, Ch. 364, §1, requires law enforcement to notify NCMEC effective September 29, 2021.
- **Obtains photo identification or has access to photos of children in its care that can assist in locating children missing from care**—According to the CWLA, child welfare agencies should maintain photos of children in their care because they can help to locate and properly identify a child missing from care. The Department contractually requires group homes to take photographs of children in their care, store the photographs in the children's case files, and help obtain State identification cards for children as appropriate to their age. According to the Department, children are more likely to run away from group homes than other placements, and the photographs would be available to caseworkers if needed to provide to law enforcement or NCMEC. In addition, the Department reported that foster and kinship placements often have photographs of children that could be available to caseworkers if needed. Further, the Department reported that it began a collaboration with the Arizona Department of Transportation (ADOT) in fall 2018 to help specific youth in its care ages 14 to 17 obtain State identification cards (which contain a photo). As part of this process, the Department has paid ADOT for the cost of obtaining the State identification. The Department reported that as of July 31, 2021, it had paid for 852 youth to obtain State identification cards.¹⁷
- **Requires timely documentation of efforts to locate children missing from care**—According to the CWLA, maintaining accurate and up-to-date case information helps ensure that the child welfare agency is aware of a child's location, history, and current status. Department policies require caseworkers to document their efforts to locate children missing from care as case notes in the Department's case management system within 10 days of the efforts occurring.

Caseworkers did not always comply with Department documentation requirements in cases we reviewed

Our review of 20 cases involving children missing from care in calendar year 2020 found that caseworkers did not always comply with the Department's documentation requirements, which include documenting notifications and efforts to locate children (within 10 days of the efforts) in case notes.¹⁸ For example:

¹⁶ A.R.S. §13-1310.

¹⁷ Laws 2021, Ch. 329, §2, which is effective September 29, 2021, waives the fee for obtaining a nonoperating identification license for children in Department custody.

¹⁸ We reviewed the case files for a stratified random sample of 20 cases involving children missing from care in calendar year 2020, including 10 cases involving runaway children and 10 cases involving missing/abducted children.

Department has 2 processes for reviewing cases of children missing from care

The Department has 2 processes for reviewing cases of children missing from care at least monthly that can help ensure notifications and efforts to locate the children are made. Specifically:

- **Supervisory review process**—The Department has a monthly supervisory review requirement where caseworkers meet with their supervisors to discuss their cases, including cases involving children missing from care. In this review, supervisors complete a checklist that includes reviewing if the caseworker documented efforts to locate children missing from care in the case management system. Supervisors should also discuss with caseworkers whether the caseworkers have followed Department policy for locating children on runaway status. The Department tracks whether these monthly supervisory meetings occur and reported that this supervisory review constitutes on-the-job caseworker training.
- **Biweekly review of children missing from care**—In calendar year 2020, the Department implemented a biweekly review process to help ensure that information about children missing from care is accurate and up to date in its case management system. Based on the Department's guidance and template tool for this review, specialized field staff validate that the child's missing-from-care status is correct, including that the child is still missing from care and that the accurate classification was entered, which should identify misclassifications. In addition, staff review that required notifications to law enforcement and other stakeholders were made and that efforts to locate children were documented. All 3 specialized field staff we interviewed reported that they also provide training to caseworkers as needed when noncompliance with the policies is identified during their review. The Department reported it suspended the biweekly reviews from February through July 2021 while it developed the new reporting needed to perform the reviews after transitioning to its new case management system, Guardian. The Department resumed this review in August 2021.

The Department reported it does not provide formal training on its policies for locating children missing from care because these children comprise a small percentage of the overall population of children in its care. Additionally, the Department reported that caseworkers can review the policies for locating runaway and missing/abducted children and consult with their supervisors as needed, and caseworkers we interviewed generally reported being aware of the policies' requirements and seeking guidance from their supervisors as needed.

Recommendations

The Department should:

1. Revise its policies to provide guidance on when specific stakeholder notifications and documentation of those notifications by caseworkers are not applicable, such as when a stakeholder is already aware of a child's status or the notification is accomplished another way.
2. To help ensure timely documentation, expand its biweekly review process to include determining whether efforts to locate children missing from care are occurring and documented in case notes.

Department response: As outlined in its [response](#), the Department agrees with the finding and will implement the recommendations.

locating missing/abducted children does not address making continuous efforts or how frequently efforts should occur.

Although we noted ongoing efforts to locate children in many cases we reviewed—such as continued contact with family, significant persons, and law enforcement—we also noted instances when efforts to locate missing children were not documented in case notes for a period of several months. Specifically, in 5 cases, no ongoing efforts to locate the children were documented in case notes for periods of approximately 2 to 7 months. Further, caseworkers we interviewed reported varying practices regarding the frequency of their ongoing efforts to locate children missing from care. For example, some caseworkers reported conducting ongoing efforts weekly, biweekly, or monthly; however, 1 caseworker reported conducting efforts as time permitted. Caseworkers similarly reported varying practices regarding how frequently they communicated with law enforcement. For example, 2 caseworkers reported conducting a monthly check-in with law enforcement, while 1 caseworker reported having no interaction with law enforcement.

We reviewed policies and guidance documents for locating children missing from care for 8 jurisdictions and noted that, although the level of detail varied, these jurisdictions provided more guidance in at least some areas.²⁵ For example, 5 jurisdictions provide guidance for continued collaboration with law enforcement, all 8 jurisdictions provide guidance on using social media to locate children missing from care, and 7 jurisdictions provide clearer expectations for the frequency of ongoing efforts to locate children missing from care. The textbox provides examples of this guidance for some jurisdictions.

Examples of jurisdictions' guidance for locating children missing from care

Los Angeles County—Los Angeles County requires at least monthly efforts to locate children missing from care. These efforts are required to include, but are not limited to, making inquiries to parties (e.g., law enforcement, parents, friends, schools, and former social workers); physically checking all places where the child is likely to be; searching social media accounts of the child, known acquaintances, friend lists, and comment sections; and searching relevant databases.

Minnesota—Minnesota requires monthly efforts to locate children missing from care. These efforts are required to include checking social media sites and contacting and requesting information from knowledgeable parties (e.g., law enforcement, relatives, friends, and teachers). Caseworkers are required to meet weekly with supervisors regarding efforts to locate children missing from care.

Vermont—Vermont requires weekly efforts to locate children missing from care. These efforts are required to include weekly contact with law enforcement and may include, but are not limited to, contacting the child's friends, family, school, and other knowledgeable individuals, and using social media to determine a possible location based on posted updates. Caseworkers and supervisors are required to review efforts to locate children missing from care within the first week and every 2 weeks thereafter.

Source: Auditor General staff review of other jurisdictions' applicable policies and guidance documents.

Recommendations

The Department should:

3. Work with law enforcement to formalize expectations regarding their respective roles and responsibilities for locating children missing from Department care, and work with State policymakers to address potential barriers as needed. For example, the Department could pilot establishing a formal agreement or mutually agreed-upon protocols with 1 or more of the approximately 150 law enforcement agencies in Arizona, such as an agency where improved coordination would be beneficial; assess whether the pilot was helpful for improving coordination; and if so, work with State policymakers to determine a practical approach

²⁵ The 8 jurisdictions included Connecticut, Florida, Los Angeles County, Minnesota, Tennessee, Texas, Vermont, and Washington. We judgmentally selected these jurisdictions based on availability of information or suggestion from a best practice organization.

to formalizing expectations between the Department and law enforcement agencies State-wide. The Department and law enforcement could explore other options for formalizing expectations as well.

4. Update its policies and/or develop supplemental guidance documents to provide additional guidance on its expectations for the types and frequency of caseworkers' ongoing efforts to locate children missing from care and their collaboration with law enforcement, and ensure caseworkers who manage cases involving children missing from care are informed of and trained on this additional guidance.

Department response: As outlined in its [response](#), the Department agrees with the finding and will implement or implement in a different manner the recommendations.

SUMMARY OF RECOMMENDATIONS

Auditor General makes 4 recommendations to the Department

The Department should:

1. Revise its policies to provide guidance on when specific stakeholder notifications and documentation of those notifications by caseworkers are not applicable, such as when a stakeholder is already aware of a child's status or the notification is accomplished another way (see Finding 1, pages 4 through 7, for more information).
2. To help ensure timely documentation, expand its biweekly review process to include determining whether efforts to locate children missing from care are occurring and documented in case notes (see Finding 1, pages 4 through 7, for more information).
3. Work with law enforcement to formalize expectations regarding their respective roles and responsibilities for locating children missing from Department care, and work with State policymakers to address potential barriers as needed. For example, the Department could pilot establishing a formal agreement or mutually agreed-upon protocols with 1 or more of the approximately 150 law enforcement agencies in Arizona, such as an agency where improved coordination would be beneficial; assess whether the pilot was helpful for improving coordination; and if so, work with State policymakers to determine a practical approach to formalizing expectations between the Department and law enforcement agencies State-wide. The Department and law enforcement could explore other options for formalizing expectations as well (see Finding 2, pages 8 through 11, for more information).
4. Update its policies and/or develop supplemental guidance documents to provide additional guidance on its expectations for the types and frequency of caseworkers' ongoing efforts to locate children missing from care and their collaboration with law enforcement, and ensure caseworkers who manage cases involving children missing from care are informed of and trained on this additional guidance (see Finding 2, pages 8 through 11, for more information).

U.S. Department of Health and Human
Services Office of Administration for
Children and Families
Human Trafficking and Child Welfare Policy
Guide for Caseworkers

Human Trafficking and Child Welfare: A Guide for Caseworkers

Child welfare caseworkers can be an invaluable resource in helping communities prevent and respond to the human trafficking of children and youth. Young people involved with child welfare are vulnerable to trafficking because of their potentially unstable living situations, disconnection from friends and family, traumatic experiences, and emotional vulnerability. Therefore, child welfare caseworkers must be at the forefront of efforts to identify, respond to, and prevent human trafficking.

This bulletin explores how caseworkers can identify and support children and youth who have been victimized as well as those with risk factors for future victimization. It provides background information about trafficking, strategies caseworkers can use to identify and support victims and potential victims, and links to tools and resources that can assist caseworkers.

WHAT'S INSIDE

Background

Working with children and youth who have experienced trafficking

Working with other systems

Conclusion

References

Child Welfare Information Gateway developed [Human Trafficking and Child Welfare: A Guide for Child Welfare Agencies](#) as a companion guide to this publication to assist child welfare agencies in addressing human trafficking.

BACKGROUND

Although human trafficking is by no means a new issue, in recent years, public agencies have greatly strengthened their focus on its prevention, identification, and response, as well as treatment for those who have experienced trafficking. The following section provides information on the scope of the problem and its connections with child welfare.

Definitions and Terminology

The Trafficking Victims Protection Act of 2000 (P.L. 106–386), as amended, defines “severe forms of trafficking in persons” as the following:

- Labor trafficking is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
- Sex trafficking is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act when a commercial sex act is induced by force, fraud, or coercion. Of note, while adults must be compelled to perform commercial sex by force, fraud, or coercion for it to be considered a severe form of trafficking in persons, this is not the case for children. By law, children under the age of 18 who are induced to engage in a commercial sex act or to exchange sex for anything of value, including food or a place to stay, are considered victims of sex trafficking.

For more information about how States classify human trafficking, see Information Gateway’s [Definitions of Human Trafficking](#).

Professionals in child welfare and related areas have used “victims” or “survivors” to refer to individuals who have experienced human trafficking. Although the terms are sometimes used interchangeably, this bulletin uses the term “victim” while still acknowledging the strength and resiliency of those who have experienced trafficking. We also use “child [and/or youth] who has experienced trafficking.” Caseworkers should also consider how a person who has experienced trafficking wishes to identify and use their preferred terms or pronouns or offer them a choice.

Myth vs. Reality

Myth: Trafficking always involves transporting people across State, county, or other borders.

Reality: Human trafficking is sometimes confused with human smuggling, which involves illegal border crossings. Human trafficking does not require any movement, and victims can be recruited and trafficked in rural areas, cities, and even in their homes (Polaris Project, n.d.). Smugglers may bring people across a border of sex or labor trafficking, but smuggling alone is not trafficking.

SCOPE OF HUMAN TRAFFICKING

The exact number of children and youth who have experienced human trafficking in the United States is unknown, and determining the number is difficult. The number varies widely from source to source, often due to differences in definitions and methodologies (Finklea et al., 2015). Challenges to data collection include the following:

- Lack of screening mechanisms to identify victims, which leads to underreporting if trafficking is identified but reported as child abuse or sexual abuse
- Lack of services available after disclosure, which may lead to underreporting
- Victims potentially not being identified if they talk to a professional who lacks a trauma-informed approach or if they fear talking to authorities, distrust service providers, or have been coached by their traffickers on what to say

While existing national data are not reliable indicators of the prevalence of human trafficking, and most service providers believe that available statistics underestimate the scope of the problem, there are various studies and organizations that provide a glimpse at how many children may be experiencing human trafficking:

- The [National Human Trafficking Hotline](#) (2023) received reports for 10,360 potential cases of human trafficking in 2021, with minors being identified as the victims in 13 percent of labor trafficking cases and 28 percent of sex trafficking cases.
- In 2021, an estimated one in six of the more than 25,000 children reported to the [National Center for Missing and Exploited Children](#) (NCMEC) as missing had experienced sex trafficking (NCMEC, 2021a).
- In fiscal year 2021, the U.S. Department of Health and Human Services (HHS) certified that 1,200 foreign national minors had experienced trafficking and were eligible for victims services. Of those, 25 percent had experienced sex trafficking, and 68 percent had experienced labor trafficking (U.S. Department of State, 2022).

Children and youth who experience human trafficking are diverse and include all races and ethnicities, socioeconomic statuses, sexual orientations, and gender identities (Gibbs, Feinberg, et al., 2018). While females are often identified as more likely to experience trafficking, this could reflect limited recognition of males and other gender identities as victims (National Human Trafficking Training and Technical Assistance Center, 2021). One research review concluded that demographic characteristics are not independent risk factors for trafficking (Choi, 2015). Foreign nationals of all genders more often experience labor trafficking than sex trafficking (U.S. Department of State, 2022).

Myth vs. Reality

Myth: Only girls can experience child sex trafficking.

Reality: Anyone can experience sex trafficking. However, youth who identify as LGBTQIA2S+ (lesbian, gay, bisexual, transgender, questioning, intersex, asexual, Two-Spirit, or other gender or sexual identity) may be particularly vulnerable (Polaris Project, n.d.).

INTERSECTION OF HUMAN TRAFFICKING AND CHILD WELFARE

Children in out-of-home care are particularly vulnerable to trafficking. Estimating the number of trafficking victims who are or were involved with child welfare is equally as challenging as determining the overall number of victims. Still, several studies have shown a strong connection. For example, in 2021, of the children reported to NCMEC as missing from care, an estimated 19 percent experienced sex trafficking (NCMEC, 2021a).

A background of abuse and trauma—coupled with the impermanence of foster care or congregate care—makes children in out-of-home care especially vulnerable to trafficking. Research has found links between experiencing out-of-home placements and/or sexual abuse and an increased vulnerability to human trafficking (Gibbs, Henninger et al., 2018; Reid et al., 2017).

Traffickers may specifically focus on children in (or have run away from) foster care because of their increased vulnerability and work to exploit the fact that these children may not have their familial, emotional, or basic needs met (Amaya et al., 2021). Traffickers may promise to meet those needs—at times employing psychological manipulation and financial incentives—and then use persuasion, violence, drugs, or physical control to retain and exploit them. It is important to acknowledge the grooming that occurs as predators work to create emotional bonds with the child or youth under their control. Past or current sexual abuse can make children and youth particularly vulnerable to abuse by traffickers and predators, as abuse may normalize certain sexual behaviors. Children who have experienced multiple out-of-home placements may also have increased vulnerability if they develop an understanding that they play a role in making money for others (e.g., through foster care payments).

Myth vs. Reality

Myth: Child welfare caseworkers cannot serve victims of human trafficking because their needs are too complex due to the trauma they have endured.

Reality: While some of their needs require an individualized approach, children and youth who are victims of trafficking need many of the same supports that caseworkers are trained to provide all young people who have experienced trauma.

Caseworkers who use trauma-informed practice with their clients will find that this approach will support children and youth who have experienced trafficking. Such practice typically includes the following (Substance Abuse and Mental Health Services Administration, 2014):

- Realizing the impact of trauma
- Recognizing the signs and symptoms of trauma in clients
- Responding by fully integrating knowledge about trauma into policies, procedures, and practice
- Resisting the retraumatization of children and the adults who care for them

Behavioral health practices being used to address other kinds of trauma may be considered for those who have experienced trafficking. This includes trauma-focused cognitive behavioral therapy, an evidence-based treatment approach shown to help children and youth overcome trauma-related difficulties. Other promising new treatments being explored for use with patients who have experienced trauma include expressive arts therapy, trauma-informed mindfulness, animal-assisted therapy, equine therapy, eye movement desensitization and reprocessing, and dialectical behavior therapy. For more information, see Information Gateway's [The Importance of a Trauma-Informed Child Welfare System](#) and [Trauma-Focused Cognitive Behavioral Therapy: A Primer for Child Welfare Professionals](#).

Myth vs. Reality

Myth: Human trafficking is always a violent crime.

Reality: One of the most pervasive myths about human trafficking is that it involves kidnapping or physically forcing someone into the situation. In reality, traffickers often build relationships with those they are trying to exploit, using money and gifts or psychological avenues—such as manipulation, threats, trickery, or fraud—to lure their victims into trafficking situations (Polaris Project, 2020; Polaris Project, n.d.).

RISK FACTORS

Although there is not a comprehensive set of characteristics that define who will be a victim of human trafficking, there are factors that increase a child's or youth's risk (Amaya et al., 2021; Child Welfare Capacity Building Collaborative, 2016; Family and Youth Services Bureau [FYSB], 2016; Greenbaum et al., 2015):

- History of maltreatment at home
- History of sexual abuse
- Involvement with the child welfare or juvenile justice systems
- History of running away
- Housing insecurity
- Financial insecurity
- Disconnection from family, peers, or community supports
- Personal or family history of substance use or mental health disorders
- Identification as LGBTQIA2S+
- Unmet intangible or emotional needs (e.g., love, belonging, affection, protection)
- Low self-esteem
- Lack of personal identity

These risk factors are not exhaustive, and experiencing one or more does not mean a child or youth will experience trafficking. A person may be victimized without association with any of these risk factors. If your agency does not require screening for trafficking in all cases, you can use these risk factors as an informal way of assessing risk and determining if additional screening or assessment is necessary.

Myth vs. Reality

Myth: Children and youth are trafficked by people they do not know.

Reality: People are often trafficked by someone they know, including romantic partners or family members (Polaris Project, n.d.).

How Children and Youth Are Recruited and Controlled by Perpetrators

There is no single pathway for a child or youth to become ensnared by a human trafficker. Children may be coerced by peers, recruited by traffickers in person or online, abducted, sold, or exploited by family members (Ijadi-Maghsoodi et al., 2016). Some perpetrators seek to build trust with children and youth, manipulating them through methods including giving gifts and compliments, normalizing the exploitation, providing drugs or alcohol, or establishing intimate “relationships” with them. Young people may report that they willingly engaged in commercial sex despite the exploitative nature of the relationship. Caseworkers should remember, however, that the law considers this a crime against the child or youth.

Myth vs. Reality

Myth: Human trafficking only happens in illegal or underground industries.

Reality: Human trafficking cases have been reported and prosecuted in industries such as restaurants, cleaning services, construction, and factories (Polaris Project, n.d.). Children and youth may even be attending school while experiencing trafficking.

Children and youth may be kept in exploitative situations through physical force or violence (e.g., beatings, rape, imprisonment); psychological manipulation; coercion and intimidation (e.g., fear of violence toward themselves or loved ones); or dependence on the trafficker for housing, money, food, and other basic needs as well as substances to which the child or youth may be addicted (potentially due to the trafficker forcing the person to take them).

Additionally, some young people have or may develop an emotional connection with their traffickers, often called trauma bonding or Stockholm syndrome (Hardy et al., 2013). This trauma bond may cause the victim to support or protect the trafficker, which may make it difficult for child welfare personnel, law enforcement, or other service providers to assist the victim in escaping, receiving services, or prosecuting the perpetrator. In some cases, victims who have been removed from their exploitative situations make attempts to re-establish emotional or physical contact with the perpetrator, going so far as running away from their care setting to be with them (West & Loeffler, 2015).

When child welfare caseworkers are aware of these types of bonds and work with foster families and other care and service providers to address them, they will be better able to ensure that children and youth remain safe in their placements. Caseworkers may also benefit from awareness of the stages a person may go through in the process of making change. Understanding these stages (precontemplation, contemplation, preparation, action, and maintenance) and assessing a child with the stages in mind helps caseworkers provide support strategies that match the child's needs.

Myth vs. Reality

Myth: Children and youth in trafficking situations want help to escape them.

Reality: Self-identification as a trafficking victim happens along a continuum. Fear, isolation, guilt, shame, and misplaced loyalty are among the many factors that may keep a child or youth from identifying as a victim or seeking help (Polaris Project, n.d.).

CHILDREN AND YOUTH MISSING FROM FOSTER CARE

Children who go missing from foster care or experience a runaway episode face an increased risk of experiencing trafficking (Countryman-Roswurm & Bolin, 2014; Reid, 2015). One study found that running from foster care was the most common pathway to experiencing sex trafficking (Reid, 2015), while another found that, of youth who were confirmed or strongly likely to have experienced sex trafficking, 83 percent had at least one runaway episode (Pullmann et al., 2020). Based on the limited analyses available, it is estimated that as many as one in six youth experience sex trafficking victimization during a foster care runaway episode (Latzman & Gibbs, 2020).

Caseworkers should be aware of their agency's protocols regarding steps to take when a child or youth in care runs away or is suspected of running away. Title IV-E requires State child welfare agencies to determine a child's or youth's experiences while missing from care, including screening them to determine if they may have experienced sex trafficking (see section 471(a)(35)(A)(iii) of the Social Security Act). Federal law also requires agencies to have procedures to locate children missing from foster care and determine what the child experienced while away from care. Additionally, agencies are required to have regular communication and provide details when reporting children missing or abducted to law enforcement and NCMEC. This may include, for example, sharing information pertaining to the child's or youth's recovery and circumstances related to the recovery and providing a photo, description of physical features, and endangerment information, such as pregnancy status, prescription medications, or suicidal tendencies.

Risk factors for running away from foster care include escaping from unsafe, overcrowded, and highly restrictive placements (e.g., those with restrictions on phone calls or how youth can spend their free time); meeting with family, friends, and romantic partners; maintaining a connection to their communities of origin; and gaining a sense of independence or normalcy (Latzman & Gibbs, 2020). To help prevent and address youth running away from care, caseworkers should take the time to talk with them and understand their points of view and support the foster parents and residential staff who care for those who have experienced trafficking. They can ensure care providers are aware of children's and youth's unique experiences and needs and know how to react if they suspect a child or youth has run away from care. To learn more, refer to [ACF-IM-22-01](#) ("Responding to Human Trafficking Among Children and Youth in Foster Care and Missing From Foster Care") from the HHS Administration for Children and Families or visit NCMEC's [Children Missing From Care webpage](#).

UNDERSTANDING THE NEEDS OF THOSE WHO EXPERIENCE TRAFFICKING

Children and youth who have experienced commercial sexual or labor exploitation may have needs similar to those who enter the child welfare system because of neglect or abuse. For instance, children and youth who have experienced trafficking need trauma-informed and healing-based health care, mental health services, a safe place to live, help with education, and facilitated reconnections with family members or trusted adults. These are discussed in this section, along with ways that victims of trafficking have needs distinct from other victims of trauma.

Physical health. Children and youth who have experienced trafficking often have suffered physical abuse, neglect (including medical and dental neglect), emotional abuse, and sexual abuse (Greenbaum et al., 2023). They may suffer from broken bones and other untreated internal and external injuries; sexually transmitted diseases, including HIV; and malnutrition. Their overall health may show the consequences of long periods of poor or no medical or dental care. Child welfare caseworkers can help by ensuring that victims have access to medical screenings and treatment to address both immediate and long-term concerns. Connecting with a trauma-informed, healing-based health-care provider—and potentially a forensic interviewer from a child advocacy center—who has experience working with victims of trafficking may also provide reassurance to victims who may be reluctant to seek care.

Behavioral health. Children and youth who have experienced trafficking often have an array of complex behavioral health needs (Greenbaum et al., 2023). They may have experienced beatings, sexual assault, and other acts of violence. Many people who experience trafficking need long-term, intensive behavioral health services to help them move forward with new, healthier life skills. Studies have identified several behavioral health symptoms associated with trafficking, including posttraumatic stress disorder, anxiety disorders, depression, substance use disorder, and other mental health diagnoses (Greenbaum et al., 2023). Screening by qualified behavioral health providers who have experience working within the realm of antisexual violence support can be the first step to getting help. Screening can help determine the type of therapy that might be most useful, and child welfare workers can facilitate access to treatment providers.

Out-of-home care setting. Children and youth who have experienced trafficking and who come into contact with child welfare may need to enter out-of-home care if they cannot return safely to their families. Common challenges to finding stable and safe out-of-home care settings for these children and youth include protecting them against continued contact with traffickers, reducing the risk of runaway behavior, addressing caregiver concerns about inappropriate sexual acting out, and ensuring culturally competent care for children and youth who identify as LGBTQIA2S+ (Gibbs, Feinberg, et al., 2018). Caseworkers should determine the most appropriate and least restrictive out-of-home care setting depending on the unique needs of the child or youth and consider settings in which the caregivers are trained in how to work with children and youth who have experienced trafficking, such as specialized therapeutic foster care, specialized group homes, and traditional therapeutic foster homes (Child Welfare Information Gateway, 2019a). Some children and youth may need short-term, safe houses to meet their immediate crisis needs during initial intake. The ultimate goal should be for the child or youth to transition into a family-like setting and continue to establish healthy relationships.

Education. Children and youth who have experienced trafficking may require educational screening and remedial services (Office of Safe and Supportive Schools, 2021). While some children and youth may feel comfortable in a traditional school, others may prefer more nontraditional education options. Child welfare caseworkers can help by collecting records, exploring education options, and facilitating enrollment.

Employment. Youth may also need assistance obtaining safe employment, especially if they lack legal work experience or have not acquired a high school diploma or GED. They also may have been arrested for crimes committed while under a trafficker's control or influence, which could prevent them from passing background checks required for employment. Additionally, those who have experienced sex trafficking may have had the experience of making a large amount of money in a short time and may not view the pay in an entry-level position as a viable option. (Lutnick, 2016). Caseworkers can seek out programs in their communities that connect youth with job training, job skills and application support, internships or externships, or other supports. They can also educate employers on how best to work with youth who have lived through this type of trauma.

Legal services. Children and youth who have experienced trafficking need lawyers if they are charged with crimes that result from their victimization. They may also need legal counsel to protect themselves from their "pimps" or traffickers or to establish their legal identity. Some children involved with the justice system may require an attorney for victim advocacy, while those who are not U.S. citizens may require an immigration attorney. It is important for caseworkers to inform themselves about the process for prosecuting trafficking cases in their jurisdiction, as this can be a long and strenuous process for a young person who wants to move forward with healing.

Other needs. Children and youth will often need help with basic life skills (e.g., opening a bank account, keeping medical records, getting their mail). For many, having a mentor, sexual violence advocate, or outreach worker who is willing and available to provide guidance over the long term is essential to ensuring that the young person is able to pursue a life away from abuse. In addition, caseworkers should strive to provide culturally sensitive care and consider culturally specific needs a child or youth may have.

Helping Clients Empower Themselves

The Office for Victims of Crime (OVC) of the U.S. Department of Justice has developed three graphic novels to help young trafficking victims understand what human trafficking is and what their involvement in the child welfare and criminal justice systems might look like. The booklets include information such as how the justice system works, what their rights are, whom they might meet in these systems (for instance, what a caseworker is), and how to cope with the feelings they might have. These resources can be accessed for free on [OVC's website](#).

WORKING WITH CHILDREN AND YOUTH WHO HAVE EXPERIENCED TRAFFICKING

Survivors of human trafficking have experienced a wide range of trauma. They may be hesitant to speak with authorities, provide detailed information about their situations, or even self-identify as victims. (In fact, caseworkers must be mindful of the language they use, as the term "victim" may feel demeaning to those who have experienced sexual or labor exploitation.) To best support children or youth who may have experienced human trafficking, caseworkers should build rapport with them, properly administer and interpret screening instruments, and connect them with services as appropriate.

BUILDING RAPPORT

Caseworkers should utilize the strategies they already employ: using active listening, practicing empathy, being culturally responsive, using interpreters when necessary, being nonjudgmental, maintaining open body language, and mirroring the terms used by the child. There are some approaches, however, that should be emphasized when working with children who have experienced trafficking (Brantley, 2015; FYSB, 2016; Vera Institute of Justice, 2014):

- Ensure the person feels safe and has their basic needs met.
- Avoid using judgmental statements and try to see their perspective to gain understanding and reduce judgmental attitudes.
- Be prepared to build a relationship with the person over multiple meetings before they are ready to divulge details of the exploitation.
- Recognize that many children and youth do not view themselves as victims and understand that they may or may not agree with that label in the future.
- Let the person know if you have experience with similar cases, as appropriate.
- Be sensitive to any fears the person may have about retribution by the trafficker toward them or their family.
- Emphasize that the person is not responsible for the exploitation—recognize that it may take time and space for the person to come to this understanding.
- Be aware that victims often are given a false story to tell authorities and are conditioned not to trust them.
- Do not speak negatively about the trafficker, as the child may still have a complex relationship with them.

Caseworkers can apply these techniques throughout their time with children and youth who have experienced trafficking—or who are vulnerable to victimization—including during intake, screening, investigation, and service provision. Additionally, caseworkers should partner with other organizations and individuals who may already have a trusted relationship with the child or youth, such as drop-in centers, sexual violence advocates, and survivor-led organizations. This may help victims who distrust authority figures to develop a rapport with caseworkers.

Some young people actively avoid contact with the child welfare system, which is a barrier to care. Some have had previous negative experiences with child welfare and do not want to be involved again (Gibbs et al., 2014). Even those with no previous child welfare involvement may view it as a system that will not improve their situations (Lutnick, 2016).

Some victims may have been instructed by their traffickers to avoid the child welfare system or coached on what to say if they encounter system representatives. They may withhold information from child welfare caseworkers or other service providers. Similarly, youth may avoid contact with shelters or other social services so they do not have to provide information that may attract the attention of child welfare systems or law enforcement (Gibbs et al., 2015). This potential avoidance highlights the importance of caseworkers building trust with victims and assuring them they can provide help and support.

Understanding a child's or youth's culture can help caseworkers provide care that best meets their needs. The National Human Trafficking Training and Technical Assistance Center offers [a variety of online training resources](#), including on the following topics:

- [Providing culturally and linguistically appropriate services](#)
- [Understanding the issues surrounding trafficking and its implications for American Indian and other Indigenous communities in the United States and its Territories](#)

Myth vs. Reality

Myth: Children and youth who experience commercial sexual or labor exploitation are physically unable to leave their situations and are locked in or held against their will.

Reality: While this is sometimes the case, more often, children and youth in trafficking situations stay for more complicated reasons. For example, some lack basic needs for escape, such as transportation and housing, while others may not understand they are being manipulated (Polaris Project, n.d.).

Resources for Identifying Victims and Building Relationships

The following resources offer screening tools and tips for building rapport and interviewing victims:

- [Comprehensive Human Trafficking Assessment](#) (National Human Trafficking Resource Center)
- ["Screening Tools for Child Trafficking"](#) (chapter 2 of Building a Child Welfare Response to Child Trafficking Handbook) (Center for the Human Rights for Children and the International Organization for Adolescents)
- [Screening for Human Trafficking: Guidelines for Administering the Trafficking Victim Identification Tool \(TVIT\)](#) (Vera Institute of Justice)

A more comprehensive list of screening tools is available in the Capacity Building Center for States publication [Identifying Minors and Young People Exploited Through Sex Trafficking: A Resource for Child Welfare Agencies](#).

SCREENING

Child welfare agencies use a variety of tools and assessment approaches to screen for human trafficking and exploitation. According to the ACF Office of Planning, Research, & Evaluation (OPRE), approaches generally fall into five categories: indicator lists, indicator tools, interview tools, tiered protocols, and tailored tools (OPRE, 2022).

Indicator lists. An indicator is a behavioral, physical, or situational characteristic that may be associated with those who have experienced trafficking. These possible risk factors can be informally considered when caseworkers are using their professional judgment on next steps. The following are examples of indicators of possible sex and/or labor trafficking (Office on Trafficking in Persons, 2022; NCMEC, 2022; U.S. Department of Homeland Security, 2022):

- Is not allowed to speak while alone or seeks another's approval before answering
- Appears to have been coached or scripted about how to speak
- Does not possess identification or is dishonest about identity
- Has tattoos or branding—such as those indicating money—that the child is reluctant to explain or that match those of other youth on your caseload
- Describes inconsistent life events (traumatic experiences can jumble one's timeline of events or the person may feel the need to be dishonest)
- Is not enrolled in school or sleeps during class
- Uses terms related to sex work (e.g., "daddy," "trick," "the life")
- Possesses hotel keys, large amounts of money, secret cell phones or apps, or multiple cell phone numbers
- Has secret online profiles or references online escort ads or dating websites and apps

- Describes multiple unexplained "parties" or trips to other cities or States
- Lives where they work or is transported between home and the workplace by guards, vans, or contractors
- Is paid little or nothing for work or services provided
- Is not in control of their money or has no financial records or bank account
- Works long hours
- Mentions that pay goes toward a debt to their employer, fees for travel, or housing provided by their employer
- Is a foreign national minor who reports prior concerns of forced labor or commercial sex in their home country or who reports coming to the United States to work and pay off debts

Note that just one of these on its own does not constitute a human trafficking indicator. For a more complete set of indicators, see [Child Sex Trafficking Overview](#) by NCMEC.

Indicator tools. An indicator tool is a more structured approach for reviewing the behavioral, physical, and situational characteristics that may be associated with trafficking victimization. (For a list of sample tools, see [appendix C](#) of *National Advisory Committee on the Sex Trafficking of Children and Youth in the United States Best Practices and Recommendations for States*.) Rather than simply considering the indicators, indicator tools allow caseworkers to document the presence or absence of each indicator and then provide guidance for next steps based on the results. That being said, caseworkers should remember that all youth should be supported and that an indicator tool should not be the key to getting a youth to "disclose" their experiences with trafficking and exploitation.

Interview tools. An interview tool is a set of questions that assess the presence or absence of experiences consistent with trafficking victimization. This approach allows children and youth to disclose information directly and, in some cases, provide details. Many screening tools exist to help caseworkers and other professionals determine whether a child has experienced human trafficking. Screening tools may be standalone and specific to human trafficking (sex, labor, or both), or they may be universal or broader tools that have questions related to trafficking.

Tiered protocols. Tiered protocols combine a brief indicator tool with a more in-depth screener, which can be used when circumstances warrant it.

Tailored tools. Tailored screening tools are used in specific situations, such as at the time of a child protective services investigation, when a child or youth enters foster care, or when a child or youth returns or is recovered from a runaway episode.

The OPRE report [Screening for Human Trafficking in Child Welfare Settings: Tools in Use](#) offers additional details about each of these screening approaches as well as sample tools related to each of the approaches.



CENTER FOR THE RIGHTS
OF ABUSED CHILDREN

Prevention and Intervention Practices for Children Missing from Care

The Center for the Rights of Abused Children (Center) supports improving efforts at prevention and intervention practices for children missing from care, including enhanced collaboration and cooperation between DCS and law enforcement.

Written Comment by Kendall Seal, VP of Policy

Arizona House of Representatives

Ad Hoc Committee on Missing Children in Foster Group Homes

Wednesday, December 20, 2023

Problem

Between January 1, 2022, through December 31, 2022, Arizona had 707 reports of missing children, including children missing from care. Of those 707 reports, 144 active cases remained at the end of the year.¹

Notably, 19% of children who go missing from care and were reported to the National Center for Missing & Exploited Children (NCMEC) in 2020 were likely victims of child sex trafficking.² If that percentage is applied to Arizona's 2022 numbers, approximately, 134 children who went missing from the Arizona foster care system fell prey to child sex trafficking. In addition to trafficking, children who go missing from their approved placements are at a higher risk of experiencing harm and substance use.³ In some instances, children who go missing from care end up dead.

Nationally, increased efforts are pointing in the direction of prevention and intervention practices for children who go missing from care. There is also an added emphasis on greater collaboration with law enforcement to formalize expectations

¹ National Center for Missing and Exploited Children, "[Children Intake at NCMEC between 1/1/2022 and 12/31/2022: Arizona](#)" Accessed June 26, 2023. Note this does not include active cases from previous years where a child was still missing in 2022. The number includes recoveries in 2022 of children who were reported missing in previous years. A child reported missing on December 31, 2022, would still be listed as active.

² National Center for Missing and Exploited Children, "[Child Sex Trafficking Overview](#)" Accessed June 26, 2023.

³ Latzman, Natasha E. & Deborah A. Gibbs, "[OPRE No. 202-143: Examining the Link - Foster Care Runaway Episodes and Human Trafficking](#)," October 2020. Accessed on June 26, 2023.



regarding their respective roles and responsibilities for locating children missing from care.⁴

Arizona Audit and State Laws

In September 2021, the Arizona Auditor General issued Special Report 21-113, which compared the Arizona Department of Child Safety's (DCS) practices for classifying and locating runaway or missing children with best practices.⁵

The key findings included:

- DCS is responsible for helping to location children missing from care (runaway or missing/abducted children);
- DCS practices for classifying and locating children missing from care are generally consistent with many recommended practices;
- DCS caseworkers do not always comply with DCS documentation requirements, including all required notifications were made and efforts to locate children were documented;
- DCS and law enforcement had not at the time formalized expectations for their respective roles and responsibilities for locating children missing from care. However, the audit noted establishing a formal agreement with each of the approximately 150 law enforcement agencies in Arizona would be "impractical"; and
- DCS lacks detailed guidance on its expectations for the types and frequency of caseworkers' ongoing efforts to location children missing from care.⁶

The key recommendations included:

- Revising policies to provide guidance on stakeholder notifications and documentation of non-applicable notifications;
- Expand biweekly review process to include determining whether efforts to locate children missing from care are occurring and documented in case notes;
- Work with law enforcement to formalize expectations regarding their respective roles and responsibilities for locating children missing from care; and

⁴ National Center for Missing and Exploited Children, "[Law Enforcement Policy and Procedures for Reports of Missing and Abducted Children](#)," May 2021.

⁵ Ariz. Auditor General, [Auditor General Special Report 21-113: Comparing Department Practices for Classifying and Locating Children Missing from Care to Best Practices](#), p. 4 (September 2021).

⁶ Id.



CENTER FOR THE RIGHTS
OF ABUSED CHILDREN

- Update DCS policies and develop supplemental guidance on its expectations for the types and frequency of caseworkers' ongoing efforts to locate children missing from care and ensure caseworkers who manage cases involving children missing from care are informed of and trained on this additional guidance.⁷

The 18-month follow-up report on the audit recommendations occurred in June 2023, and it found the following recommendations were not implemented:

- Expand biweekly review process to include determining whether efforts to locate children missing from care are occurring and documented in case notes; and
- Work with law enforcement to formalize expectations regarding their respective roles and responsibilities for locating children missing from care.⁸

Significantly, the number of children missing from care decreased since 2020.⁹

After the initial state audit, additional efforts at state policymaking occurred. Currently, there are four areas in state statute dealing with missing children from foster care:

- Mandatory Reporting of Missing, Kidnapped, and Runaway Children;¹⁰
- Notification and Entry into Databases;¹¹
- Definitions and Reporting Requirements;¹² and
- Flagging Birth Certificates.¹³

A law that went into effect on October 30, 2023, will further animate notification and reporting of missing children, including a new statutory requirement related to prevention and intervention specifically targeting child sex trafficking victimization.¹⁴ Additional procedures can be found in the Arizona Department of Child Safety Procedure Manual on locating missing children from foster care.¹⁵

⁷ Id.

⁸ Ariz. Auditor General, [Auditor General Special Report 21-113: 18-Month Follow-Up Report](#), p. 2-3 (June 2023).

⁹ Id. at 1.

¹⁰ [Ariz. Rev. Stat. Ann. § 8-901](#)

¹¹ [Ariz. Rev. Stat. Ann. § 8-810](#)

¹² [Ariz. Rev. Stat. Ann. § 8-526.01](#)

¹³ [Ariz. Rev. Stat. Ann. § 36-339](#)

¹⁴ [2023 Arizona House Bill No. 2651, Arizona Fifty-Sixth Legislature – First Regular Session](#).

¹⁵ Arizona Department of Child Safety, [Procedure Manual, Chapter 4, Section 8](#). Effective May 9, 2023. Accessed June 26, 2023.



Federal Activity and Recent Research

Federal Audits

Significantly, the federal government conducted three major audits of state agencies related to children missing from foster care.

First, in May 2022 the federal government provided a national snapshot of state agency approaches to reporting and locating children missing from foster care between July 1, 2018, through December 31, 2020.¹⁶ Arizona had 3,282 incidents of missing children accounting for 5% of children in care.¹⁷ And the average number of days missing per episode was 54 days in Arizona.¹⁸ The national average at the time was 34 days.¹⁹ At the time, Arizona's children were missing for longer periods of time, and their overall number of missing children still missing at the end of the audit period was in the top four states in the country.

Second, in March 2023 federal auditors reported on whether state agencies ensured children missing from foster care were reported to NCMEC in accordance with federal law during the period of July 1, 2018, to December 31, 2020.²⁰ Federal law requires state agencies to immediately, and in no case later than 24 hours after receiving information to report to NCMEC and law enforcement agencies.²¹ Findings generally centered on states not always ensuring the children missing from foster care were reported to NCMEC; reports that were made to NCMEC were not timely; and some state agencies lacked adequate systems to readily identify whether or not they had reported missing children episodes to NCMEC.²² Of those episodes sampled by state, Arizona failed to report one child to NCMEC and failed to report two children to NCMEC in a timely manner.²³

Finally, in May 2023 federal auditors reported on whether state agencies could improve their reporting of children missing from foster care to law enforcement for entry into the National Crime Information Center (NCIC) database as required by

¹⁶ U.S. Department of Health & Human Services, Office of Inspector General, "[Report No. A-07-20-06095: National Snapshot of State Agency Approaches to Reporting and Locating Children Missing from Foster Care](#)" May 19, 2022.

¹⁷ *Id.* at 32.

¹⁸ *Id.*

¹⁹ *Id.* at 9.

²⁰ U. S. Department of Health & Human Services, Office of Inspector General, "[Report No. A-07-21-06102: State Agencies Did Not Always Ensure That Children Missing from Foster Care Were Reported to the National Center for Missing and Exploited Children in Accordance with Federal Requirements](#)," March 2, 2023.

²¹ The Preventing Sex Trafficking and Strengthening Families Act, [P.L. No. 113-183](#) (Sep. 29, 2014).

²² *Id.* at 5.

²³ *Id.* At 15.



CENTER FOR THE RIGHTS
OF ABUSED CHILDREN

federal law between July 1, 2018, to December 31, 2020.²⁴ Federal law requires state agencies to immediately, and in no case later than 24 hours after receiving information to report to NCMEC and law enforcement agencies.²⁵ Similar to the previous audit, findings included some state agencies never reporting missing children episodes for entry into the national crime information center database, some state agencies not reporting missing children episodes in a timely manner, and other state agencies lacking adequate systems for tracking reports.²⁶ Of the missing children episodes sampled for Arizona, all were properly reported to law enforcement for entry into the NCIC database.²⁷

Notably, prior to these three audits, the federal government conducted a case study of another state that provided valuable information and insights into missed opportunities to identify and mitigate children's risk for going missing from foster care.²⁸

These audits reveal numerous elements for model state legislation tackling missing or runaway children, including aspects that were recently incorporated into Arizona law.²⁹

Pending Federal Legislation

There are two pieces of federal legislation --- nearly identical -- aimed at the prevention and intervention practices for children missing from care. In the Senate, the "Find and Protect Foster Youth Act" as S. 1146 is sponsored by U.S. Sen. John Cornyn (R-TX).³⁰ And in the House, there is H.R. 2426 sponsored by Rep. Tony Gonzales (R-TX).³¹ Both of these bills have several key components, which include:

- Evaluation of state and tribe protocols relating to children missing from foster care and other vulnerable youth;
- Analysis of extent to which states and tribes comply and enforce protocols;
- Analysis of effectiveness of protocols;

²⁴ U. S. Department of Health & Human Services, Office of Inspector General, "[Report No. A-07-21-06104: State Agencies Can Improve Their Reporting of Children Missing from Foster Care to Law Enforcement for Entry Into the National Crime Information Center Database as Required by Federal Statute](#)," May 12, 2023.

²⁵ The Preventing Sex Trafficking and Strengthening Families Act, [P.L. No. 113-183](#) (Sep. 29, 2014).

²⁶ *Id.* at 7-9.

²⁷ *Id.* at 16.

²⁸ U. S. Department of Health and Human Services, Office of Inspector General, "[OEI No. 07-19-00372: Case Study: Missouri's Efforts to Protect Children Missing from Foster Care](#)," September 28, 2021.

²⁹ [2023 Arizona House Bill No. 2651, Arizona Fifty-Sixth Legislature – First Regular Session.](#)

³⁰ <https://www.congress.gov/bill/118th-congress/senate-bill/1146/related-bills?s=1&r=67>

³¹ <https://www.congress.gov/bill/118th-congress/house-bill/2426>



CENTER FOR THE RIGHTS
OF ABUSED CHILDREN

- Identification of obstacles for states and tribes to respond to children missing from foster care;
- Identification of best practices;
- Provision of technical assistance to state and tribes;
- Report to Congress within 5 years after enactment;
- Improve identification of and services for children who return to foster care after running away or otherwise being absent from foster care, particularly those at risk for sex trafficking, namely
 - Screening after return to foster care
 - Information, advice, educational materials, technical assistance to improve or modify policies and procedures developed by states and tribes, including
 - Identifying through screening whether the state or tribe has reasonable cause to believe the youth is a victim of sex trafficking
 - Documenting results of such screening in agency records
 - Determining appropriate services for a child or youth
 - Documenting appropriate services for a child or youth.
 - Provision of technical assistance.

There is separate legislation to reauthorize the “Missing Children’s Assistance Reauthorization Act of 2023” found in [S. 2051](#) sponsored by Sen. Dick Durbin, which passed the Senate on July 26, 2023.³²

Recent Research

Further, recent findings exploring how to predict and prevent youth from running away from foster care³³ point to additional areas for further public policy development, advocacy, and implementation. One recent study³⁴ included interviews with 20 youths ages 12-17 in foster care who both had and had not fled their foster placements.

Researchers made five key findings:

- Historical family bonds or attachments can serve as an important protective function related to youth placement stability;

³² <https://www.congress.gov/bill/118th-congress/senate-bill/2051/actions?s=4&r=1&q=%7B%22search%22%3A%5B%22S2051%22%5D%7D>

³³ Byers, K., Barton, J., Grube, W. et al. “I Ran to Make a Point”: Predicting and Preventing Youth Runaway from Foster Care. *Child Adolesc Soc Work J* (2023). <https://doi.org/10.1007/s10560-023-00930-3>

³⁴ *Id.*



CENTER FOR THE RIGHTS
OF ABUSED CHILDREN

- Fear and lack of control of their own circumstances perpetuated by the system and placement constraints increased risk of a runaway decision;
- Supportive placements, extending beyond basic needs, and promoting belonging and a sense of normalcy mitigated risk factors related to runaway decisions;
- Family bonds and their role in meeting youth needs influenced decisions to run away or return; and
- System shortcomings (such as worker turnover, bias, resource scarcity) fail to protect against the risk of decisions to run away.

Additionally, researchers learned the youth who were more likely to have access to family, siblings, and kin and felt they had a voice in the decisions made about their care were less likely to run away.³⁵ Some of the recommendations resulting from this study were provided in three key areas:

- improving family visitation and maintaining youth connections with self-identified family and non-relative kin;
- supporting service approaches for youth that honor and amplify their voices, choices, and family connections; and
- improving placement quality and individualization of services.³⁶

Yet to be published missing or runaway youth interview and intervention tools point in a similar fashion toward solutions that include youth in the barrier identification and decision-making process about their care.³⁷

*Elements of Model Missing Children Bill Language or Administrative Advocacy to Prevent, Report, and Intervene*³⁸

- Prevention
 1. Behavior Analysis Services Program (BASP) - Intervention designed to reduce running from placements by assessing youth's motivation for running, involving youth in the assessment process, and enhancing the value of placements for adolescents. BASP group has fewer runaway episodes and placement changes than comparison group.
 2. Children and Residential Experiences (CARE) -Aims to help group and residential care agencies use research -informed principles to guide programming and enrich the relational dynamics through targeted staff

³⁵ Id.

³⁶ Id.

³⁷ These resources will be circulated to policymakers and DCS for reference with permission from the researcher once publicly released.

³⁸ Elements informed by unpublished academic materials, audits, and reports.



CENTER FOR THE RIGHTS
OF ABUSED CHILDREN

development. Eleven agencies received 3 years of training and technical assistance - Runaway incidence rates decreased 4% per month. Significant decreases were also seen in incidents of aggression toward staff and property destruction.

3. Maintaining Educational Stability
 4. Foster Parent Decision-making in Youth Activities
 5. CHANCE - Florida-based program that provides a continuum of comprehensive services including those specific to those sexually exploited.
 6. Prior Running
 1. Forensic Interview to assess possible trafficking
 2. Provide youth information about risks of being absent from care, steps they can take to stay safe during their absence, and a safety Care that includes information for resources such as child welfare services hotline, 24/7 suicide crisis hotline, 24/7 National Runaway Safeline, and Public Health Resources
 3. Identify rehabilitative services, reasons for leaving and addressing what supports and actions are needed to help prevent future running
- Reporting and Locating
 1. Compressed timelines when a high-risk child goes missing (National Snapshot)
 2. Detailed provisions designed to increase the likelihood of locating and safely returning (National Snapshot)
 3. Establish a special unit or designated staff to help locate missing children. (National Snapshot)
 1. Special Investigations Unit (SIU) with two former law enforcement plus specialized coordinator includes working with child sex exploitation victims - available 24 hours a day and could search background-check databases, national criminal history data, and social media (National Snapshot)
 4. Tackle limitations of state agencies' data systems (National Snapshot, NCMEC)
 1. Portal within its electronic child welfare data system to automatically notify NCMEC when a child's placement status changes to "missing" (National Snapshot)
 5. Data limitations - quality issues (NCMEC - Notification date and NCMEC number, National Snapshot)
 1. Uniform Categorization of Missing Children
 1. Abduction
 2. Running Away



CENTER FOR THE RIGHTS
OF ABUSED CHILDREN

3. Other reasons (e.g., illness requiring hospitalization)
 2. Inconsistent and Contradictory Data Fields
 3. Incomplete Data
 1. Dates
 2. NCMEC/NCIC numbers
 4. Duplicate Records
 6. Lack of oversight to ensure timeliness of reporting (National Snapshot)
 1. Collaboration with NCMEC
 7. Mandatory reporting challenges (National Snapshot)
 8. Address state confidentiality laws and child photos (National Snapshot)
 9. Child photographs (National Snapshot)
 10. Collaboration and Exchange of Information with NCIC, NCMEC and law enforcement (National Snapshot)
 11. Payment to providers after a child goes missing from foster care (National Snapshot)
 12. Mandate search of child's belongings, attempt to contact child's cell phone, child's social media accounts, search areas child is known to frequent, and contact friends, family, school, and work (National Snapshot)
 13. Document and attempt to locate and retrieve any child absent from care regardless of age and status (National Snapshot)
 14. Family or friends harboring children missing from care (National Snapshot)
 15. Clarify duty of law enforcement to search if child is in extended foster care or past 18 (National Snapshot)
 16. Require law enforcement to assist (National Snapshot)
 17. Support and technical assistance (National Snapshot)
- Assessment, Document, Intervention
 - Uniform Categorization of Missing Children
 - DCS shall
 - Create a uniform categorization for children missing from foster care in the state, including but not limited to:
 - Removed by a biological parent;
 - Removed by a relative;
 - Removed by a stranger;
 - Removed due to health issues;
 - Run away;
 - Other
 - DCS shall



CENTER FOR THE RIGHTS
OF ABUSED CHILDREN

- Create an opt-out model for enrolling children in extended foster care upon going missing.
- Make a face-to-face contact and interview the child to assess them within 24 hours;
- Document the interview assessment, at minimum address the following:
 - Whether the child in care was removed by a stranger, removed by a biological parent, removed by a relative, removed due to health issues, ran away, or other (documented);
 - Whether this is a reoccurrence for the child;
 - Whether the missing child is running to biological family, a boyfriend or girlfriend, friends, school supports, community supports, preferred activities, intrinsic excitement, or not running to anything or anyone;
 - Whether the missing child is running from placement to escape rules, the physical environment, or for independence;
 - Whether the missing child is running from caregivers for space or to avoid negative interactions;
 - Whether the missing child is running from school because of a lack of peer relationships or friends, poor grades, or unsupportive teachers;
 - Whether the missing child is not running from anything; or
 - Whether there are other reasons the missing child is running to or from care, and if so, what are those other reasons.
- Based on the documentation in the interview assessment, DCS shall:
 - Obtain a medical exam or psychological assessment for any child where there is indication of high-risk behaviors such as substance use, sexual activity, suicidal ideation, or human trafficking;
 - Secure a mental health professional and medication for the youth;
 - Secure a peer or adult mentor for the youth;
 - Provide the youth with information and support on building healthy relationships, domestic violence, and sexual assault;
 - Help the youth arrange transportation;
 - Help the youth acquire a paid job;
 - Assess the appropriateness of the child returning to the same out-of-home placement, consider placement with the child's preferred caregiver if they are available, and terminate the placement service authorization if a decision is made that the child will not return to the same out-of-home care provider.
 - Assess the appropriateness of the child returning to the same school district or classroom within the school district, and if a decision is made that the child will not return to the same school district, coordinate transportation to the new district.
 - Interface with the child's school district to address school issues;



CENTER FOR THE RIGHTS
OF ABUSED CHILDREN

- All other reasonable efforts and interventions to prevent or address the basis for the missing child's disappearance.
 - Document the type of placement, length of time in placement, number of runaway incidences, duration of absence from placement, including date missing and date returned, voluntary or involuntary return, NCIC and NCMEC numbers, and interventions provided to prevent and address the basis for the missing child's disappearance.
 - Notify the appropriate law enforcement agency and OCWI that the child was returned;
 - Notify the National Center for Missing and Exploited Children's assigned Case Manager or by calling 1-800-THE-LOST to obtain the name and contact information for the assigned case manager; and
 - Contact the duty Assistant Attorney General and initiate a motion to vacate the pick-up order once the child has returned to out-of-home care.
- Payment
 - DCS shall:
 - After the minor child has gone missing for 14 days, DCS shall discontinue maintenance payments to foster care providers to cover the costs of food, clothing, shelter, daily supervision, school supplies, personal incidentals for a child, and reasonable travel expenses in order for a child to remain in the school in which the child was enrolled at the time of place.
 - Under no circumstance shall DCS discontinue maintenance payments to foster care providers to maintain the cost of mobile phone service to the child until said time placement services have been terminated.
- Reporting and Technical Assistance
 - DCS shall provide an annual report to the legislature for each calendar year on the following:
 - Aggregate data on the categorization of the missing child episode;
 - Aggregate data on the missing child's type of placement;
 - Aggregate data on the duration of absence from placement;
 - Aggregate data on the voluntary or involuntary return rates;
 - Aggregate data on the categorical basis for missing children's disappearances;
 - Aggregate data on the categorical intervention provided for missing children; and
 - Aggregate data on the incidence of reoccurrence.
 - DCS shall certify that annually it seeks guidance and technical assistance from ACF based on the data annually reported to the legislature.

Finally, not enough attention is being given to some of the requirements and possibly some enhanced policy proposals for greater collaboration between law enforcement and DCS, namely:



CENTER FOR THE RIGHTS
OF ABUSED CHILDREN

- Creating a specialized statewide investigation unit and mandating local law enforcement agencies adopt the NCMEC model policy for investigation of missing children to receive state funds;³⁹
- Prohibiting local law enforcement from establishing or maintaining any policy that requires the observance of any waiting period before accepting a missing child or unidentified person report in compliance with federal law;⁴⁰
- Requiring local law enforcement to establish or maintain a policy to retrieve missing children from care and return them to their lawful caregiver - even if the child's location is "known" or they are above 18 years of age (extended foster care); and
- Explore removing qualified immunity for law enforcement for failing to return children missing from care to their lawful caregivers.

Anticipated Impact

Addressing the underlying environmental and relational factors driving children to go missing from care and minimizing the frequency and duration of those episodes should result in better outcomes.

³⁹ National Center for Missing and Exploited Children, "[Law Enforcement Policy and Procedures for Reports of Missing and Abducted Children](#)," May 2021.

⁴⁰ [34 U.S.C. § 41308](#)

FBI Los Angeles
Public Affairs Specialist Laura Eimiller
(310) 996-3343

January 22, 2021

Multi-Day Joint Agency Operation 'Lost Angels' Leads to the Recovery of 33 Missing Children During Trafficking Awareness Month

On behalf of more than two dozen partner agencies, Assistant Director in Charge Kristi K. Johnson, of the FBI's Los Angeles Field Office, announced the results of "Operation Lost Angels," an initiative which began on January 11th and recently culminated in the recovery of 33 children.

During January—Human Trafficking Awareness Month—the FBI worked with the Los Angeles Police Department, the Los Angeles County Sheriff's Department, and more than two dozen law enforcement and non-governmental partners to identify, locate, and recover missing children, particularly those who have been or were suspected of being sexually exploited and/or trafficked.

Of the 33 children recovered, eight were being sexually exploited at the time of recovery. Two were recovered multiple times during the operation while on the "track," a common term used to describe a known location for commercial sex trafficking. It is not uncommon for victims who are rescued to return to commercial sex trafficking either voluntarily or by force, fraud, or coercion. This harmful cycle highlights the challenges victims face and those faced by law enforcement when attempting to keep victims from returning to an abusive situation. Victims may not self-identify as being trafficked or may not even realize they're being trafficked.

Several other victims located had been sexually exploited in the past and were considered vulnerable missing children prior to their recovery. Additionally, the operation resulted in the arrest on state charges of one suspected human trafficker and the opening of multiple investigations. Some of the minor victims were arrested for probation violations, robbery, or other misdemeanors. One child was a victim of a noncustodial parental kidnapping.

The FBI caseload for both sex and labor trafficking-related crimes has increased significantly in the past several years. As of November 2020, there were more than 1,800 pending trafficking investigations, including those involving minors exploited through commercial sex trafficking. Today, the FBI leads 86 Child Exploitation and Human Trafficking Task Forces around the nation and participates in Anti-Trafficking Coordination (ATC) Teams in 12 offices, including in Los Angeles. The ATC Teams are intended to streamline coordination on the front lines of federal human trafficking investigations and prosecutions.

In fiscal year 2020, the FBI initiated 664 human trafficking investigations nationwide, resulting in the arrests of 473 traffickers. The FBI also collects and posts human trafficking statistics through its annual crime report. The most recent report can be found at <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/additional-data-collections/human-trafficking>

"The FBI considers human trafficking modern day slavery and the minors engaged in commercial sex trafficking are considered victims," said Assistant Director Johnson. "While this operation surged resources over a limited period of time with great success, the FBI and our partners investigate child sex trafficking every day of the year and around the clock."

Multiple teams were assembled for this operation which were comprised of local, state, and federal law enforcement agencies, as well as the National Center for Missing and Exploited Children, the California Department of Child & Family Services, and nongovernmental victim advocacy organizations.

"Human trafficking is a pervasive and insidious crime that threatens the safety of our young people, who are the future of our communities," said Michel Moore, chief of the Los Angeles Police Department. "We can only begin to take back the future of our youth with the strong partnerships forged between outstanding service providers and law enforcement."

In addition to recovering child victims who are missing or engaged in commercial sex trafficking or who are otherwise being exploited, the FBI and our partners provide much needed resources to victims to ensure that their short- and long-term needs are met. Resources may include immediate medical requirements; legal services; housing; employment; education; job training; and childcare, among others.

Los Angeles County Sheriff Alex Villanueva said, "Collaboration with our law enforcement partners is key to ending the vicious cycle of modern day slavery. I'm committed to doing everything we can to stop human trafficking."

Intelligence gathered during the operation will be shared with the appropriate partners and new cases have been initiated. The agencies whose personnel participated in Operation Lost Angels are listed here:

- Los Angeles County Sheriff's Office
- Los Angeles Police Department
- California Highway Patrol
- Los Angeles District Attorney's Office
- United States Attorney's Office
- United States Marshall's Service
- Internal Revenue Service
- Drug Enforcement Agency
- Health and Human Services
- Inglewood Police Department
- El Segundo Police Department
- Pomona Police Department
- Glendale Police Department
- Long Beach Police Department
- San Diego Police Department
- Wichita Police Department
- Langston University Police (Oklahoma)
- San Luis Obispo Sheriff's Office
- Ventura County Sheriff's Office
- San Luis Obispo District Attorney Bureau of Investigation
- Contra Costa District Attorney's Office
- California Los Angeles County Department of Children and Family Services
- Los Angeles County Probation Office
- National Center for Missing and Exploited Children
- Wayfinder Family Services
- Arizona Department of Child Safety

Anyone who believes they may be victims of human trafficking may call the National Human Trafficking Resource Center Hotline (NHTRC) at 888-373-7888 or visit <https://humantraffickinghotline.org/>. The NHTRC is a national, confidential, toll-free hotline, with specialists available to answer calls at all times.

Those who wish to report incidents of suspected human trafficking may call their local FBI office or local police department. For more information about the FBI's Human Trafficking investigations, please visit: <https://www.fbi.gov/investigate/violent-crime/human-trafficking>

CAUTION: This email originated from outside of DCS. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Submitted on Thursday, February 4, 2021 - 2:40pm

Request For Information:

==Contact Information==

Requestor's Name: Lori Ford

Phone Number: 575-574-2298

Email Address: azdcsoc@gmail.com

Address (Street, City, State, ZIP):

Area of Request: Public Information Request

Options: Data

Enter a description of the specific information you are requesting.:

Consider this a FOIA on the number of children from DCS custody that were recovered in the recent human trafficking raid in CA in which AZ Department of Child Safety was involved in. No names of children requested. Number of AZ children is what is being requested.

Also, how did DCS get involved with this? Are there more investigations happening due to this discovery?

Again, not asking for names of children, just the number of AZ DCS children recovered.

Thank you for your time.

Best Regards,

Lori Ford

RE: Form submission from: Request For Information

Correspondence Control <CorrespondenceControl@azdcs.gov>

Fri, Feb 5, 2021 at
9:00 AM

To: Lori Ford <azdcsoc@gmail.com>

Hello Ms. Ford,

The Arizona Department of Child Safety was not engaged in this operation.



Office of Correspondence

Department of Child Safety

S/C C010-23

P.O. Box 6030

Phoenix, AZ 85005-6030

p. 602-255-2500

To report child abuse or neglect: 1-888-SOS-CHILD

-----Original Message-----

From: <>

Sent: Thursday, February 4, 2021 2:41 PM

To: Correspondence Control <>

Subject: Form submission from: Request For Information

REFERENCE TITLE: child in distress alert; requirements

State of Arizona
Senate
Fifty-fourth Legislature
Second Regular Session
2020

SB 1080

Introduced by
Senator Farnsworth D

AN ACT

AMENDING TITLE 41, CHAPTER 12, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTION 41-1734; RELATING TO THE DEPARTMENT OF PUBLIC SAFETY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 41, chapter 12, article 2, Arizona Revised
3 Statutes, is amended by adding section 41-1734, to read:

4 41-1734. Child in distress alert notification system:
5 requirements; duties of law enforcement agency and
6 department of child safety

7 A. THE DEPARTMENT OF PUBLIC SAFETY SHALL ESTABLISH THE CHILD IN
8 DISTRESS ALERT NOTIFICATION SYSTEM AS A QUICK RESPONSE SYSTEM THAT IS
9 DESIGNED TO ISSUE AND COORDINATE ALERTS FOLLOWING THE REPORT OF A MISSING
10 CHILD WHO IS UNDER NINETEEN YEARS OF AGE AND WHO IS IN THE CUSTODY OF THE
11 DEPARTMENT OF CHILD SAFETY OR THIS STATE'S FOSTER CARE SYSTEM.

12 B. ON THE REQUEST OF AN AUTHORIZED PERSON AT A LAW ENFORCEMENT
13 AGENCY THAT IS INVESTIGATING A REPORT OF A MISSING CHILD WHO IS UNDER
14 NINETEEN YEARS OF AGE AND WHO IS IN THE CUSTODY OF THE DEPARTMENT OF CHILD
15 SAFETY OR THIS STATE'S FOSTER CARE SYSTEM, THE DEPARTMENT OF PUBLIC SAFETY
16 SHALL REQUEST AN ACTIVATION OF THE EMERGENCY ALERT SYSTEM AND, WITHIN
17 TWENTY-FOUR HOURS, ISSUE A CHILD IN DISTRESS ALERT IF ALL OF THE FOLLOWING
18 CONDITIONS ARE MET:

19 1. THE MISSING CHILD IS UNDER NINETEEN YEARS OF AGE AND IS IN THE
20 CUSTODY OF THE DEPARTMENT OF CHILD SAFETY OR THIS STATE'S FOSTER CARE
21 SYSTEM.

22 2. THE LAW ENFORCEMENT AGENCY INVESTIGATING THE MISSING CHILD
23 REPORT:

24 (a) HAS USED ALL AVAILABLE LOCAL RESOURCES.

25 (b) HAS DETERMINED THAT THE CHILD HAS GONE MISSING UNDER
26 UNEXPLAINED OR SUSPICIOUS CIRCUMSTANCES.

27 3. INFORMATION IS AVAILABLE THAT, IF DISSEMINATED TO THE PUBLIC,
28 COULD ASSIST IN THE SAFE RECOVERY OF THE MISSING CHILD.

29 4. THE DEPARTMENT OF PUBLIC SAFETY HAS BEEN DESIGNATED TO USE THE
30 FEDERALLY AUTHORIZED EMERGENCY ALERT SYSTEM FOR ISSUING CHILD IN DISTRESS
31 ALERTS.

32 C. IF THE DEPARTMENT OF PUBLIC SAFETY ISSUES A CHILD IN DISTRESS
33 ALERT PURSUANT TO THIS SECTION:

34 1. THE LAW ENFORCEMENT AGENCY THAT IS INVESTIGATING THE MISSING
35 CHILD SHALL DO ALL OF THE FOLLOWING:

36 (a) COLLECT THE FOLLOWING INFORMATION:

37 (i) A RECENT PHOTO OF THE MISSING CHILD.

38 (ii) THE MISSING CHILD'S HEIGHT, AGE AND WEIGHT.

39 (iii) WHETHER THERE ARE ANY IDENTIFYING MARKS ON THE MISSING CHILD.

40 (iv) THE LOCATION WHERE THE MISSING CHILD WAS LAST SEEN.

41 (v) A DESCRIPTION OF THE CLOTHING THAT THE CHILD WAS WEARING.

42 (b) DISSEMINATE THE INFORMATION COLLECTED UNDER SUBDIVISION (a) OF

43 THIS PARAGRAPH TO:

44 (i) ALL OTHER LAW ENFORCEMENT AGENCIES IN THIS STATE.

1 (ii) ALL SOCIAL MEDIA PLATFORMS UNDER THE LAW ENFORCEMENT AGENCY'S
2 CONTROL.

3 2. THE DEPARTMENT OF CHILD SAFETY SHALL DO ALL OF THE FOLLOWING:

4 (a) PROVIDE THE CHILD IN DISTRESS ALERT INFORMATION TO ANY OTHER
5 ENTITY IN THIS STATE THAT PROVIDES SIMILAR NOTIFICATIONS.

6 (b) DISSEMINATE ALL INFORMATION ABOUT THE MISSING CHILD TO ALL
7 MAJOR MEDIA OUTLETS IN THE STATE.

8 (c) DISSEMINATE ALL INFORMATION ABOUT THE MISSING CHILD ON THE
9 DEPARTMENT OF CHILD SAFETY'S SOCIAL MEDIA PLATFORMS.

10 (d) CONTACT ALL STATE AND FEDERAL AGENCIES THAT PROVIDE MONIES TO
11 THE DEPARTMENT OF CHILD SAFETY FOR THE CHILD AND REQUEST THAT THE AGENCY
12 STOP PROVIDING MONIES TO THE DEPARTMENT FOR THAT CHILD. THE DEPARTMENT OF
13 CHILD SAFETY SHALL PROVIDE A NOTICE OF CONFIRMATION TO THE PRESIDENT OF
14 THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES THAT THE
15 PROVISION OF MONIES HAS CEASED WITHIN THIRTY DAYS AFTER A REQUEST IS MADE
16 PURSUANT TO THIS SUBDIVISION.

17 (e) WHETHER OR NOT PARENTAL RIGHTS HAVE BEEN TERMINATED, CONTACT
18 THE MISSING CHILD'S BIOLOGICAL FAMILY.