

31.2 Responsibilities Regarding Runaways, Absconders and Escapees

Application: To All Department of Children's Services Employees, Youth Development Center Employees, Foster Parents, Caregivers and Contract Agencies. This policy applies to DCS Employees who carry Juvenile Justice (JJ) Non-Custody cases, JJ and Social Services (SS) Custodial cases, Extension of Foster Care (EFC) cases, all In-Home cases and Child Protective Services (CPS) cases, Family Support Services (FSS) cases, Family Crisis Intervention Program (FCIP) cases, and JJ Probation cases.

Authority: P.L. 117-348; TCA 37-1-101; 37-1-119; 37-4-101; 37-5-103; 37-5-105(3); 37-5-106; 39-6601; Preventing Sex Trafficking and Strengthening Families Act of 2014 (HR 4980).

Standards: COA: PA-CFS 12.02; PA-CFS 14.10

Commissioner:

Date:

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Glossary:

- ◆ Escapee:
 - Unauthorized departure from custody or failure to return to custody following temporary leave for a specific purpose of limited period, but does not include a violation of conditions or probation or parole.
- ◆ Missing Youth:
 - A youth who is believed to have been removed by force, persuasion, trickery, enticement, false pretenses, has voluntarily left the custody of such youth's legal custodian without permission or is absent for unexplained or unknown reasons.
- ◆ Runaway:
 - A youth who unlawfully departs or flees without authority from the supervision of DCS, to include a secure location including detention, youth development center and secure transportation.

Policy Statement:

Department of Children's Services (DCS), Youth Development Center (YDC) Employees, Foster Parents, Caregivers and Contract Agencies work collaboratively to discourage youth from running away, absconding or escaping (collectively referred to as running away) from placements. The Child and Family Team (CFT) work together to locate any youth missing from foster care, determine the primary factors that contribute to the youth's running away and determine the youth's experiences while absent from foster care.

Purpose:

To encourage preventative case management practice for youth who may be at risk of running away, provide procedures for when a youth does leave care and when a youth returns from a runaway episode.

Procedures:

A. Prevention

1. The Child and Family Team (CFT) uses practices in case planning to identify appropriate services and placement to provide a supportive environment in order to prevent youth from running away. In addition, the Family/Juvenile Service Worker/Juvenile Probation Officer (FSW/JSW/JPO) and CFT members:
 - a) Maintain effective communication by engaging the youth about their feelings, needs and problems that may influence their decision to run away from foster care.
 - b) Share information with staff and the team about events such as: family emergencies, holidays, anniversaries, mood swings, conflicts at school or work, peer pressure, significant relationships to youth (to include best friends, girlfriend/boyfriend, known associates) or an upsetting telephone call/letter, which might prompt a runaway episode.
 - c) Promote youth's participation in extracurricular activities at school and in the community to encourage a sense of grounding, involvement and normalization in order to promote placement stability.
 - d) Conduct quarterly Child and Family Team Meetings (CFTM's) to address barriers and help move the case forward during which all parties, including the youth, are encouraged to give input and express concerns. If running away becomes a concern, the CFT should meet immediately and develop a safety plan.
 - e) Identify family connections when a youth enters custody by completing **CS-0774, Genogram** per Policy [16.46, Child/Youth Referral and Placement](#), to identify strong connections and additional support for youth while in custody.

Note: For a youth who has a history of one or more runaway episodes, identify an appropriate placement that allows precautions and preventative measures to keep youth from running away.

2. Residential placement facilities use the following practices to provide a supportive environment in order to prevent a youth from running away:
 - a) Require written supervision protocols to include, but not be limited to, staff to youth ratios, transportation procedures, monitoring of security devices (doors,

- windows, fences, gates, alarms, locks, etc.) and accountability for youth movement;
- b)** Ensure proper supervision of youth by employees including awareness of abnormal behavior of youth;
 - c)** Safeguard against maltreatment, sexual harassment, and/or bullying of youth by staff or other youth in a placement facility;
 - d)** Ensure that a system of behavioral management is in place which recognizes and rewards positive behavior;
 - e)** Ensure that all residential employees receive annual training on the contingency plan; and
 - f)** Consider security needs during daily activities.
- 3.** Contract Agencies work diligently to prevent youth from running away from placement. Form, ***CS-0910, Confirmation of Review of Runaway Prevention Plan***, contains guidelines for treatment of youth, incoming youth, and return of a youth to placement after a runaway event. Contract Agencies must demonstrate proactive leadership in preventing youth from running away from placement.
 - 4.** Absconder Unit (AU) Investigators provide runaway prevention training to regional staff and contract agencies upon request.
 - 5.** Foster Parent Support staff coach foster parents, who have a history of youth running away from their homes, to understand precipitating factors, and to develop preventive plans to discourage youth from running away in the future.

B. When a Youth Runs Away from Placement

Youth who run are susceptible to exploitation and harm; therefore, reporting their absence immediately and initiating a diligent search is essential to the youth's safety.

- 1.** When youth are in imminent danger and have a serious medical issue, are in the company of a known perpetrator, or is a threat to him/herself, see [**Protocol: Amber Alert/Endangered Child Alert \(ECA\) Procedures**](#) to issue an endangered child alert.
- 2.** Upon determining if a youth has run away from placement (including while on a Trial Home Visit), the FSW/JSW, foster parent, contract agency staff, or DCS YDC staff follow the [**Protocol for Reporting Runaways, Absconders and Escapees**](#).
 - ◆ Within twenty-four (24) hours the FSW/JSW files a report with the **National Center for Missing and Exploited Children (NCMEC)** by going to the website: <https://www.missingkids.org/theissues/missingfromcare> or calling: 1800-843-5678 (as directed by **P.L. 117-348** Trafficking Victims Prevention and Protection Reauthorization Act of 2022). The AU provides

follow up with the FSW/JSW within three (3) business days to ensure this step has been completed.

- ◆ The FSW/JSW submits a report to NCMEC to include, where reasonably possible:
 - A photo of the missing or abducted child or youth;
 - A description of the child's or youth's physical features, such as height, weight, sex, ethnicity, race, hair color, and eye color; and
 - Endangerment information, such as the child's or youth's pregnancy status, prescription medications, suicidal tendencies, vulnerability to being sex trafficked, and other health or risk factors.

Note: The FSW/JSW maintains regular communication with law enforcement and NCMEC in an effort to provide safe recovery, including sharing information pertaining to the child's or youth's recovery and circumstances related to recovery.

3. If a youth returns to custody within twenty-four (24) hours the FSW/JSW/JPO completes ***CS-0705-1, Recovery Checklist for Absconder/Runaways/Escapees-Part B.***

C. Absconder Unit and Regional Absconder Representative

Responsibilities of Absconder Unit (AU) Investigators

1. Absconder Investigators are assigned to each Grand Division of Tennessee. The primary function of investigators is to actively search for youth who have absconded from DCS custody, Trial Home Visit, or Probation/Aftercare supervision.
2. When a youth runs, immediate communication with the AU is critical for work to begin to locate the youth.
3. The AU works directly with regional staff, Law Enforcement (LE) and community partners to help find the youth as soon as possible.
4. The AU can be reached at EI.DCS.AbsconderUnit@tn.gov

Regional Absconder Representatives (RAR)

Each RA and/or JJ Statewide Director appoints at least one RAR whose responsibilities include:

5. Serving as a liaison between the region and the AU
6. If the youth has been gone more than twenty-four (24) hours, ensure the FSW/JSW/JPO has completed the following information has been sent to the AU:
 - ◆ ***CS-0705, Notification Checklist for Absconders/Runaways, Escapees – Part A;***

- ◆ The custody order;
- ◆ Current photograph of youth, a color photo is preferred;
- ◆ Proof of LE notification, petition, attachment, or arrest order;
- ◆ National Center for Missing and Exploited Children (NEMEC) poster, when available.

7. Maintain an active list of runaways.

D. Youth Apprehension

Non-Custodial Cases

1. CPS/FSS/FCIP

When the youth is located, the DCS staff:

- ◆ Notifies the youth's parent, guardian or legal custodian; the court; TBI; local law enforcement agency; NCMEC; and all other parties previously contacted to assist in the search for the youth;
- ◆ Completes a face to face contact with the youth;
- ◆ Completes and/or update FAST assessment to include CSE modules;
- ◆ Completes tasks as outlined in ***Work Aid 9- Conducting Investigations on the Commercial Sexual Exploitation of a Minor***;
- ◆ Convenes a CFTM within five (5) business days of the youth's return, to discuss and respond to youth's needs, circumstances that led to the youth's missing episode, placement concerns, safety issues, and any additional topics that may affect stability for the youth.

2. Juvenile Justice Probation/Aftercare – all case types:

Once a youth has been located and returned home or been apprehended, the FSW/JSW:

- ◆ Encourages the parent/legal custodian to notify the LE agency that entered the youth into NCIC and the AU.
 - ◆ If they do not know, notify the parents/legal custodian that the youth has been located.
- a) The FSW/JSW notifies the court where a runaway petition/attachment was filed the next business day;
 - b) Completes Form ***CS-0705-1, Recovery Checklist for Absconders/Runaways/Escapees (Part B)*** within **one (1) business day** of recovery of the youth;
 - c) Convenes a CFTM to determine how to best meet the youth's needs and determine the primary factors contributing to the youth running away in order to appropriately respond and discourage future runaway episodes.

Custodial Cases

FSW/JSWs coordinate with CFT members, foster parents, residential placement facilities and service providers to identify the needs and services of youth who have returned from a runaway episode.

1. When a youth returns to custody, the FSW/JSW:
 - a) Completes Form **CS-0705-1, Recovery Checklist for Absconders/Runaways/Escapees (Part B)** within **one (1) business day** of recovery of the youth.
 - b) Informs the following persons that the youth has been apprehended:
 - ◆ The LE agency that entered the youth into the National Crime Information Center (NCIC), the RAR and AU.
 - ◆ The parents/legal custodian.
 - ◆ Notifies the court where a runaway petition/attachment was filed the next business day.
 - c) Immediately sends a referral packet to the placement team to ensure a placement is located.
 - d) Convenes a **CFTM** prior to placement, whenever possible, to determine how to best meet the youth's needs and determine the primary factors contributing to the youth running away in order to appropriately respond to needs and discourage future runaway episodes. See the [*Child and Family Team Guide*](#) for further details.
 - ◆ If a **CFTM** cannot occur prior to placement, the FSW/JSW discusses with placement the need for an immediate safety plan and documents the reason(s) why the CFTM could not occur prior to placement in TFACTS case recordings.
 - e) Ensure any youth who reports sexual assault, physical assault, intravenous drug use, and/or is a victim or suspected victim of human trafficking, receives an immediate medical evaluation from a hospital Emergency Room (ER), Child Advocacy Center (CAC), or a community health care provider to reduce the chance of contracting HIV, sexually transmitted infections and/or pregnancy. The ER visit is completed prior to placement following a runaway episode.
 - f) The youth may choose to refuse a medical evaluation but should be taken to a health care provider regardless so the youth may discuss the decision with a medical professional. Any youth that has been on a runaway episode for more than twenty-four (24) hours, and does not have any injuries, is scheduled for an EPSDT inter-periodic medical exam as soon as possible after returning to their placement. See [*Protocol for Medical Evaluations for Runaways or Commercial Sexual Exploitation of Minor \(CSEM\)*](#), [*20.7 Protocol for Early*](#)

[Periodic Screening, Diagnosis and Treatment Standards](#) and [Protocol for Health Services for Trafficked Youth](#).

- g) FSW/JSWs and any CFT member make an immediate Child Abuse Hotline referral when any youth report Commercial Sexual Exploitation.

Note: HIV, STI, and pregnancy information is not always readily provided to DCS. To best ensure coordination of care, FSWs/JSWs are encouraged to promptly request youth sign a release of information, so appropriate follow-up care may occur. Medical providers may be most willing to provide this information when a release is signed by the youth, in the presence of the medical provider, using the medical provider's official Release of Information form. See Policy [20.22 Human Immuno-Deficiency Virus/Acquired Immune Deficiency Syndrome](#) for more information about HIV, AIDs, treatment, disclosure, and documentation information; and see Policy [20.19 Communicable Diseases](#) for information about other disease/infection treatments, disclosures, and documentation information.

- h) Notify the Regional Health Advocacy Representative. of the youth's return, if the youth has an unresolved TennCare appeal due to the youth being on runaway.
 - i) Update TFACTS within three (3) business days of apprehension, discharge or placement change.
2. If a Tennessee youth is located out of state or if an out of state runaway is located in Tennessee, the Interstate Compact for Juveniles (ICJ) requires the FSW/JSW/JPO notify the DCS ICJ Commissioner in Central Office immediately, but no later than the next business day via telephone or email, ICJ@tn.gov sending DCS form **CS-1094, Runaway Intake-Tennessee Interstate Compact for Juveniles**, to expedite the youth's return. For more information refer to DCS Policy [13.3, Interstate Compact for Juveniles](#).
3. Additional Apprehension Requirements (YDC Cases Only)
- a) The Superintendent or designee immediately investigates and prepares a report describing each escape or attempted escape incident and sends the report to the Executive Director and Deputy Commissioner of Juvenile Justice.
 - b) All reports are forwarded to the Division of Internal Affairs for investigation.
 - c) The Superintendent reviews the Internal Affairs investigation upon completion and considers actions necessary to prevent further escapes.

Note: The Child Abuse Hotline and on call process is available twenty-four (24) hours per day; seven (7) days per week to be the point of contact for LE and other agencies when a youth is recovered.

Forms:

[BI-0083 TBI Missing Child Report](#)

[CS-0311, Facility Incident Report](#)

[CS-0496, Incident Report](#)

[CS-0749 Penalty for Harboring](#)

[CS-0705, Notification Checklist for Absconders/Runaways/Escapees \(Part A\)](#)

[CS-0705-1, Recovery Checklist for Absconders/Runaways/Escapees \(Part B\)](#)

[CS-0890, Incident Debriefing](#)

[CS-0910, Confirmation of Review of Runaway Prevention Plan \(For Contract Agencies Only\)](#)

[Form IX Quarterly Progress, Violation, or Absconder Report](#)

[CS-1094, Runaway Intake-Tennessee Interstate Compact for Juveniles](#)

Collateral Documents:

[Child and Family Team Guide](#)

[Runaway/Absconder/Escaper Checklist](#)

[Contract Provider Manual](#)

[Incident Reporting Review Manual](#)

[Protocol: Amber Alert/Endangered Child Alert \(ECA\) Procedures](#)

[13.3, Interstate Compact for Juveniles](#)

[16.46, Child/Youth Referral and Placement](#)

[20.7Att: Protocol for Early Periodic Screening, Diagnosis and Treatment Standards](#)

[20.19 Communicable Diseases](#)

[20.22 Human Immuno-Deficiency Virus/Acquired Immune Deficiency Syndrome](#)

[Protocol for Reporting Runaways, Absconders and Escapees](#)

[*Protocol for Medical Evaluations for Runaways or Commercial Sexual
Exploitation of Minor \(CSEM\)*](#)

[*Protocol for Health Services for Trafficked Youth*](#)

[*Work Aid 9- Conducting Investigations on the Commercial Sexual Exploitation
of a Minor*](#)