Administrative Policies and Procedures: 31.2

Subject: Responsibilities Regarding Runaways, Absconders and Escapees

Authority: TCA 37-1-101; 37-1-119; 37-4-101; 37-5-103; 37-5-105(3); 37-5-106; 39-6-601; Preventing Sex Trafficking and Strengthening Families Act of 2014 (HR 4980).

Standards: DCS Standards of Professional Practice: 5-602, 5-604; 8-203B, 8-204B, 8-205B, 8-206B; 10-200, 10-201, 10-202, 10-203, 10-204, 10-205, 10-206, 10-207, 10-208, and 10-209; COA: PA-FC 12.05, PA-FC 16.07, PA-KC 13.05, PA-ASE 6.01, PA-ASE 6.04, PA-ASE 7.01-7.04, PA-JJR 14.03

Application: To All Department of Children’s Services Employees, Youth Development Center Employees, Foster Parents, Caregivers and Contract Provider Agencies.

Policy Statement:

Department of Children’s Services (DCS), Youth Development Center (YDC) Employees, Foster Parents, Caregivers and Contract Provider 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 child(ren)/youth missing from foster care, determine the primary factors that contribute to the youth’s running away and determine the child(ren)/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 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 FSW and CFT members:
   a) Maintain effective communication by engaging the child(ren)/youth about their feelings, needs and problems that may influence their decision to run away from foster care.
   b) Share information 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 letter, which might prompt a runaway episode.
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c) Promote child(ren)/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 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) For a youth who has a history of one or more runaway episodes:
   - Request the Absconder Unit participate in the CFTM and assist with prevention measures; and
   - 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 child(ren)/youth ratios, transportation procedures, monitoring of security devices (doors, windows, fences, gates, alarms, locks, etc.) and accountability for child(ren)/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 child(ren)/youth by staff or other child(ren)/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 Provider Agencies work diligently to prevent children from running away from placement. Form, CS-0910, Confirmation of Review of Runaway Prevention Plan, contains guidelines for treatment of child(ren)/youth, incoming child(ren)/youth, and return of a child(ren)/youth to placement after a runaway event. Contract Provider Agencies must demonstrate proactive leadership in preventing youth from running away from placement.

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. Upon determining if a youth has run away from placement (including while on a Trial Home Visit), the FSW, foster parent, provider/contract agency staff, or DCS YDC staff follow the Protocol for Reporting Runaways, Absconders and Escapees.

Note: Interstate Compact for Juveniles (ICJ) requires that when a youth is picked up in another state, the FSW notifies the applicable LE Agency and the DCS Deputy Compact Administrator (DCA) for Interstate Compact
Juveniles (ICJ) in Central Office immediately, but no later than the next business day, via telephone or email (ICJ@tn.gov). The DCA coordinates the return of the custodial youth in accordance with established ICJ protocol. Refer to the ICJ Rules: Interstate Commission for Juveniles for procedures and required forms needed to return runaway juveniles who have been located in Tennessee and/or who have been apprehended in another state.

C. Absconder Unit and Regional Absconder representative

1. The Absconder Unit assigned to each Grand Region:
   a) Trains regional staff on Absconder Prevention and Recovery,
   b) Monitors active listings of runaways and reports concerns to Regional Administrators (RA’s)/JJ Statewide Directors; and
   c) Consults with regional staff on absconder related issues.

2. Each RA and/or JJ Statewide Director appoints at least one Regional Absconder Representative to be a contact and/or liaison for the Absconder Unit. 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 Law Enforcement (LE) and other agencies when a child is recovered.

3. The Regional Absconder Representative verifies the following information is entered or uploaded into TFACTS: runaway incident reports, photograph, juvenile petition, missing person report and any order pertaining to the youth, special medical needs/condition. The Regional Absconder Representative is responsible for keeping an active list of runaways, receiving e-mail notifications pertaining to runaways and periodically checking with LE on the status of runaway cases.

4. FSWs coordinate with CFT members, LE, Absconder Unit, foster parents, residential placement facilities and service providers to identify the needs and services of youth who have returned from a runaway episode.

D. Youth Apprehension

1. Once a youth has been located and returned to custody, the FSW:
   a) Completes Form CS-0705-1, Recovery Checklist for Absconders/Runaways/Escapees (Part B) within one (1) business day of recovery of the youth and sends an e-mail/fax to LE that entered the youth into NCIC, to the Regional Absconder Representative and the Absconder Unit.
   b) Notifies the parents/legal guardians that the child(ren)/youth has been located.
   c) Convenes a CFTM prior to placement, whenever possible, to determine how to best meet the youth’s needs and to discourage future runaway episodes. If a CFTM cannot occur prior to placement, the FSW discusses with placement the need for an immediate safety plan and enters the reason(s) why it could not occur prior to placement in TFACTS case recordings. Invites Absconder Unit staff to participate in the CFTM.
d) Notifies all courts where a runaway petition/attachment was filed the next business day.

e) Updates TFACTS within three (3) business days of apprehension, discharge or placement change.

f) Immediately sends a referral packet to the placement team to ensure a safe placement is available as runaway youth are located.

g) Determines the primary factors contributing to the child(ren)/youth running away or being absent from care in order to appropriately respond to the child(ren)/youth’s needs in subsequent placements.

h) Ensures any youth who reports sexual assault, physical assault, intravenous drug use, and/or is a victim or suspected victim of trafficking, receives an immediate medical evaluation from a hospital ER, Child Advocacy Center (CAC), or a community health care provider to reduce the chance of contracting HIV, STDs, and/or pregnancy. 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 24 hours and does not have any injuries should be 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) and Protocol for Health Services for Trafficked Youth.

- FSWs and any CFT member make an immediate Child Abuse Hotline referral when any child(ren)/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 are encouraged to promptly request child(ren)/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 child(ren)/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.

i) Notifies the regional Health Advocacy Rep. of the youth's return, if the youth has an unresolved TennCare appeal due to the youth being on runaway.

**Note:** In addition to any medical evaluations conducted, all youth on runaway for 24 hours or more will have an inter-periodic EPSDT screening at the Health Department or by the Primary Care Provider upon return to custody per Policy Attachment 20.7 Protocol for Early Periodic
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| Screening, Diagnosis and Treatment Standards (ESPDT). | Offers the child/youth an opportunity for follow-up medical evaluation, medical care planning, and ongoing well-being education. |

2. 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 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.

| Forms: |
| Bi-0083 TBI Missing Child Report |
| CS-0311, Facility Incident Report |
| CS-0496, Incident Report |
| CS-0749 Penalty for Harboring |
| 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 Providers Only) |
| Form IX Quarterly Progress, Violation, or Absconder Report |

| Collateral documents: |
| Family Service Worker Absconder Checklist (To be posted in a conspicuous location at office or facility) |
| Contract Provider Manual |
| Incident Reporting Review Manual |
| Policy 20.22 Human Immuno-Deficiency Virus/Acquired Immune Deficiency Syndrome |
| Policy 20.19 Communicable Diseases |
| Policy Attachment 20.7 Protocol for Initial and Early Periodic Screening, Diagnosis and Treatment Standards (ESPDT) |
| 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 |

| Glossary: |
| Term: |
| Definition: |
| 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 the Dept. of Children's Services to include a secure location; (i.e., youth development center, secured transportation, etc.). |
| **Trauma Informed Care:** | An approach to engaging people with histories of trauma that recognizes the presence of trauma symptoms and acknowledges the role that trauma has played in their lives. |