



Protocol for Reporting Runaways, Absconders and Escapees

Supplemental to Policy 31.2, Responsibilities Regarding Runaways, Absconders and Escapees

This protocol outlines procedures to follow when a youth runs away from placement. These youth expose themselves to significant risks; therefore, preventing runaway behavior is critical to ensuring the safety of children and youth in care.

Upon notification that a youth has run away from custody, the following steps occur:

Immediate Steps for Non-Custodial (Juvenile Justice) cases:

1. Upon notification that a youth has run away, staff determines if the youth has in fact ran or if other circumstances are involved. (i.e. at a friend or relative's home, etc.). The FSW also determines if a violation has occurred and assesses if it is a major or minor violation.
2. If the youth is not a true runaway, but is at a known location and refusing to return home, the FSW schedules a CFTM to discuss issues, resolutions, and treatment plans to address the issue. If the youth returns home within seventy-two (72) hours, a minor violation is documented per Policy **13.6, Minor and Major Violations-Delinquent Youth on Probation and After Care Supervision.**
3. If the youth has run away for more than seventy-two (72) hours, a major violation has occurred. The FSW completes **CS-0156, Violation Report**, and submits the report to the Team Leader for discussion and approval.
4. Upon approval by a Team Leader, a petition may be filed. If a petition is filed a copy of the violation report must accompany the petition.
5. All steps above are entered into TFACTS by the FSW.

Immediate Steps for Custodial Cases:

1. Upon determining a youth has run away from a placement, the FSW, foster parent or contract provider agency staff **immediately** contacts local Law Enforcement (LE) and has non-delinquent youth entered as a "**Missing Person**" and delinquent youth entered as a "**Wanted Person.**" Contract provider agency staff contacts the FSW **immediately** following the LE contact. Law Enforcement is responsible for entering the youth into the **National Crime Information Center (NCIC)** and the **Missing Children of Tennessee (MCOT)** databases. The reporter obtains the **NCIC** number and provides it to the FSW within one business day. If LE cannot immediately provide the number, the FSW is diligent to obtain it as soon as possible and have them entered into **NCIC** via the L.E. The FSW then requests a copy of the **NCIC report** and **NCIC number**, which is placed into the youth's case file. The FSW next contacts the Absconder Unit to make them aware of the status of the youth.

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Note: Local LE may refuse to enter a child into the **National Crime Information Center (NCIC)**. When unable to resolve the problem with local LE, FSW notifies the Absconder Unit. Absconder Unit staff contact local LE agency to follow up and request youth be entered into NCIC. If local LE continues to refuse, Absconder Unit staff reports the refusal to the **TBI Missing Children Clearing House** at **1-800-TBI-FIND** (800-824-3463) (Statewide).

2. FSW immediately files a report to the **National Center for Missing and Exploited Children (NCMEC)** by going to the website: <http://www.cmfc.missingkids.org> or calling: **1-800-843-5678**. The Absconder Unit provides follow up with the FSW within 3 business days to ensure this step has been completed.
3. If someone other than the FSW is the first to learn of the youth's runaway, the FSW ensures that LE is contacted as outlined above and if it has not been done, contacts LE immediately and notifies the Absconder Unit.
4. The FSW notifies the parents or legal guardian(s) by telephone that the youth has run away.
5. FSW and/or Contract Provider staff complete a Incident Report in the Incident Reporting Module of TFACTS. If the internet is not accessible, the FSW and/or Contract Provider staff completes form **CS-0496, Incident Report** and sends to all appropriate staff to be notified (see DCS Policy, **1.4, Incident Reporting** for additional information). Once the internet is accessible, this information is entered into TFACTS. The Absconder Unit is included in the distribution of this document.
6. The FSW calls the Regional Absconder Representative Team Leader (TL) and/or Team Coordinator (TC) and provides a preliminary report regarding the youth. If unable to contact any of these persons, the FSW contacts the Deputy Regional Administrator/JJ Statewide Director.
7. The FSW completes Section **A** of form **CS-0705, Absconder/Runaway/Escapee-Recovery Checklist** on the day a custodial youth runs away from their placement. The FSW e-mails the form to the recipients designated on the form, including the Absconder Unit.
8. **Within twenty-four (24) hours** of the youth running away, the FSW files a petition and requests an attachment with the committing court.
9. Within **one (1) business day** of availability from the court, the FSW requests a copy of the petition to be faxed to the FSW. If this court refuses the petition, the FSW contacts the Regional General Counsel for assistance.
10. **Within three (3) business days** of the runaway incident, the FSW ensures that all supporting documentation for the **Absconder, Runaway, Escapee Recovery Checklist (CS-0705)** is obtained/completed as listed below:
 - ◆ Penalty Letter for Harboring;
 - ◆ Most current photo;
 - ◆ Escapee or AWOL Petition;

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- ◆ Copy of attachment

Note: The FSW sends all of the above to local LE, the Absconder Unit, and places it in the youth's case record and documents in TFACTS.

Additional Steps for Custodial Cases (YDC Only):

1. Any employee who observes or suspects an escape attempt immediately informs the Central Operating Center (COC) and the Security Manager. An emergency head count is immediately conducted to identify and confirm number of escapees.

Note: Failure to return on time from a pass or approved leave is reported as an escape after two (2) hours unless the youth or youth's family contact the YDC with a legitimate and verifiable explanation for the youth's absence.
2. Upon confirmation of an escape, pursuit of the youth begins **immediately** and employees proceed in accordance with the facility contingency plan. Employees in every job classification may be utilized in searches for escapes. The Superintendent, Juvenile Justice Executive Director and Internal Affairs Division are notified **immediately** (during and after regular working hours). The Absconder Unit is contacted by the FSW.
3. The Security Manager or designee coordinates a search for the escapee(s) and ensures that:
 - a) A sufficient number of on-duty personnel are assigned to the search operation while maintaining sufficient employee coverage to supervise the center's youth population. Additional off duty personnel are assigned as needed for the search.
 - b) Information identifying the number and description of the escapee(s) is communicated to all employees involved in the search.
4. At the discretion of the Superintendent or designee the following may occur:
 - a) Information may be communicated to individuals in the surrounding community who are likely to encounter the escapee(s); and
 - b) Search procedures may be discontinued when it seems likely that the escapees are no longer in the vicinity of the YDC.
5. The Security Manager or designee notifies local Law Enforcement (LE) and provides the youth's custody order, photograph and a face sheet /description of the youth for identification purposes to assist with the apprehension of the youth.
6. The Security Manager or designee completes form **CS-0311, Facility Incident Report** and the **Incident Report** in the Incident Reporting Screen in TFACTS to document the escape and search procedures that were performed. Documentation of interaction between YDC staff and law enforcement is included in the report and placed in the youth's file. If the internet is not accessible, complete form **CS-0496, Incident Report** and send to all appropriate staff to be notified (see DCS Policy, **1.4, Incident Reporting** for additional information). Send a copy of the incident report to the Juvenile Justice Executive Director within twenty-four (24) hours.

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7. The Residential Case Manager (RCM) or designee notifies the youth's parents/guardians and applicable FSW, DCS Team Leader (TL), or After Hours On-Call within twenty-four (24) hours of the escape occurring. The law enforcement agency in the youth's home community is also notified as soon as possible.

Investigation and Case Management for Custodial Cases:

1. Upon notification that a custodial child or youth has run away, the FSW conducts a thorough investigation of the child's/youth's last known whereabouts. The FSW contacts the Absconder Unit to assist with high priority cases. This investigation must include, but is not limited to, contacting:
 - a) Contract agency staff, parents, foster parents, or other caregivers;
 - b) Youth's friends, school personnel, police, hospitals, clinics, post offices, Utilities Companies, Telephone Companies, Department of Human Services Child Support Offices; and,
 - c) Other individuals/agencies with which the youth/caregiver/family may have had contact.
2. Within the **first business day** of the runaway, the FSW visits the child/youth's parents/guardian and discusses apprehending the youth for their own safety while also tactfully discussing the laws and punishment for harboring an AWOL youth. The FSW obtains signatures on the **Penalty Letter for Harboring. (CS-0749)** and places a copy in the youth's case file within **three (3) business days**. If the youth is located at the parents' or guardians' home and does not willingly return to custody, the FSW immediately notifies Law Enforcement.
3. The FSW or Designee:
 - a) Makes (1) unannounced home visit weekly for the **first thirty (30) days**. After the first thirty **(30) days**, the FSW makes (1) unannounced home visit **monthly**.
 - b) Contacts the youth's parents at least **two (2) times per month** via telephone call monthly. If parents do not live together, each parent is contacted.
 - c) Conducts a full diligent search within **ten (10) days** of notice of family moving without notice to DCS.
4. The Absconder Unit provides assistance by prioritizing cases based on severity of offense history, medical needs/condition, mental health condition, age of child, length of time on runaway. The Absconder Unit gathers pertinent information to determine location of incident and specifics of youth's background and history to identify priority. The type of support the Absconder Unit provides is determined by the priority level:
 - a) **Low priority** – track and monitor youth through available reports and contact Regional Absconder Rep at least one time per month.

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- b) **Moderate priority** –assists FSWs by phone as needed with guidance and possible resources to assist the search. Absconder Unit tracks youth through social media as well as other media avenues to assist FSW with possible location of youth.
- c) **High priority** – partners with Regional Absconder Rep to identify high risk youth for active search. FSW and Absconder Unit staff actively seek youth by going to relative homes, schools, community centers, malls/shopping centers, and contacting local law enforcement. The Absconder Unit obtains information from known friends, associates and relatives of youth to identify any possible leads and known locations.

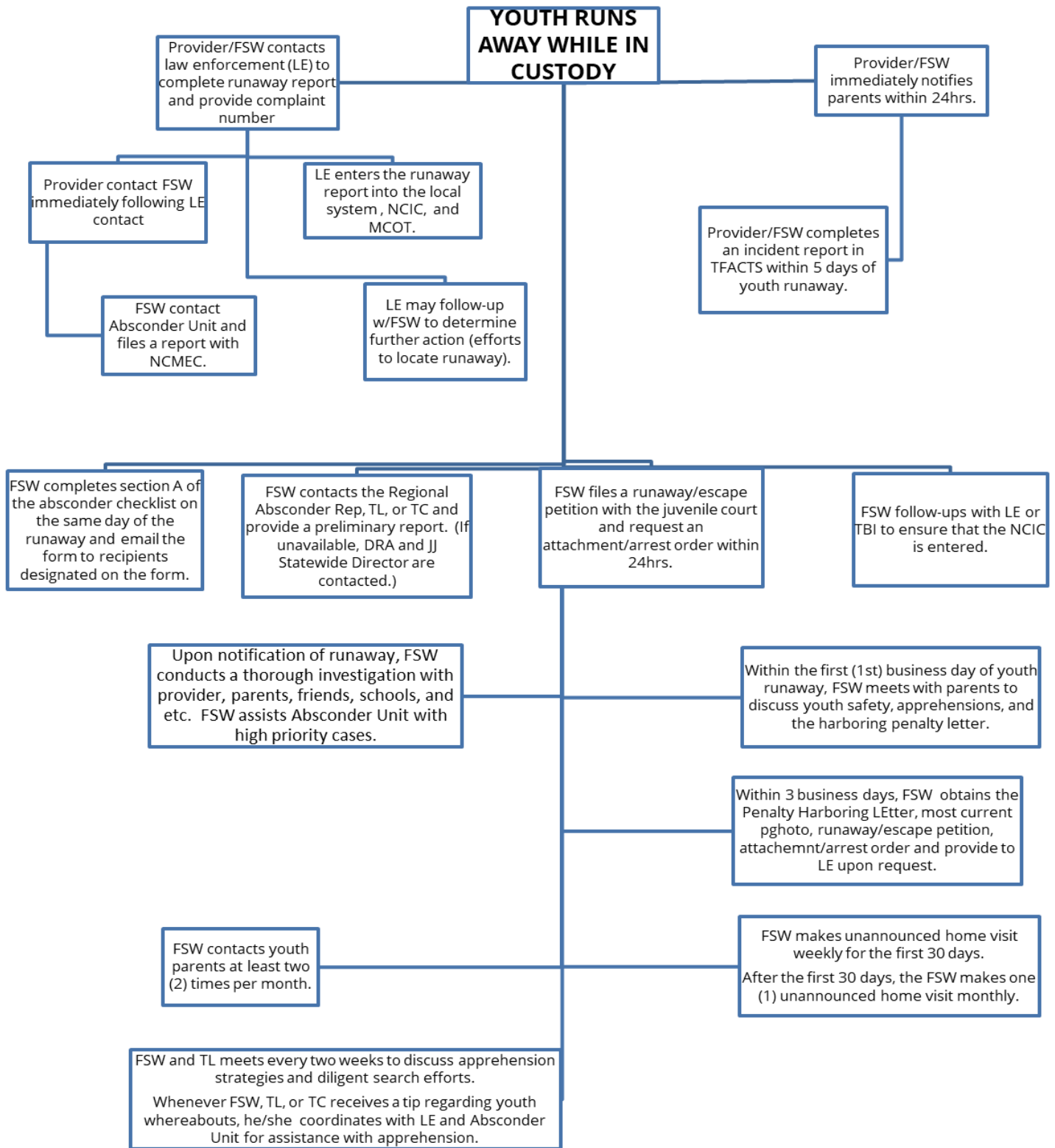
Note: Absconder Unit staff are in each Region based on priority and needs of that Region, as some may require a longer period of time. The Absconder Unit reports information to LE when there is evidence of known harboring, human trafficking and/or other known offenses.

- 5. The FSW follows up with staff/foster parents where the youth was placed to ensure the youth has been reported to LE. The FSW has the ultimate responsibility for ensuring all notification and documentation is completed as described above.
- 6. Foster Parent Support staff works closely with foster parents who have a history of runaways from their homes to understand precipitating factors and to develop preventive plans to discourage youth from running away.
- 7. Whenever the FSW, TL, or TC receives a tip on the whereabouts of a youth that is on run-away status, she or he coordinates with LE and the Absconder Unit for assistance in locating and returning the youth to custody. DCS staff who attempt to locate and return runaway youth should never place themselves at risk of harm and take safety precautions at all times.
- 8. The **TL or TC** meets with the FSW **every two (2) weeks** to discuss strategies likely to result in apprehension of the runaway youth. These conferences are noted in TFACTS by the TL or TC within **five (5) business days**. The Absconder Unit is available to assist in identifying strategies.

Note: For runaway youth who reside in Tennessee and apprehended in other states see Section V of the *Interstate Compact for Juveniles Guide for Family Service Workers and Court Staff*.

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ABSCONDER FLOWCHART



***Additional procedures apply for runaway youth from a Youth Development Center**

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