



**TEXAS**

**Department of Family  
and Protective Services**

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*Child Protective Services*

**Locating Missing Children  
in CPS Conservatorship -  
Resource Guide**

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## OVERVIEW

Children are in foster care because they, or their sibling(s), have experienced abuse and/or neglect. Having experienced trauma in their lives, these young children are particularly vulnerable to being exploited by outside persons. When a child is in CPS conservatorship and runs away, it is extremely important that the agency put every effort to quickly locate the child before they are exploited.

National data underscores the need to find runaway children quickly:

- Children are being approached for sex trafficking within 48 hours of running away
- Many of the children approached are in the age range of 12 to 16
- The National Center for Missing and Exploited Children had 18,500 runaways reported to them in 2016. One in six were deemed likely victims of sex trafficking. Of those likely victims, 86% were in the care of social services or the foster care system when they ran.

In 2014, President Obama signed into law the Preventing Sex Trafficking and Strengthening Families Act, Public Law (P.L. 113-183). This law amends the title IV-E foster care program to require child welfare agencies such as DFPS to:

- Develop and implement specific protocols for expeditiously locating any child missing from foster care;
- Determine the primary factors that contributed to the child's running away or otherwise being absent from care, and to the extent possible and appropriate, respond to those factors in current and subsequent placements;
- Determine the child's experiences while absent from care, including screening the child to determine if the child is a possible sex trafficking victim;
- Report such related information as required by Health and Human Services; and
- No later than 24 hours after receiving information on missing or abducted children or youth, provide necessary information to law enforcement authorities for entry into the National Crime Information Center (NCIC) database of the Federal Bureau of Investigation (FBI) and provide necessary information to the National Center for Missing and Exploited Children.

**It is extremely important that the Special Investigations (SI) Division has access to updated case information pertaining to children that are missing.**

(Note: The following applies to all stages of service.) As of September 29, 2016, if a caseworker learns that a child or youth, aged 0-20, is missing or has been abducted, the caseworker must provide notification to:

- The appropriate law enforcement officials in the jurisdiction where the child or youth went missing; and
- The National Center for Missing and Exploited Children (NCMEC) at their website set up to receive such referrals from social services agencies:  
<http://cmfc.missingkids.org/ReportHere><http://cmfc.missingkids.org/ReportHere>.
- If the caseworker is unable to make a report online, call NCMEC at 1-800-THE-LOST.

Policy for Reporting Missing Children is found in CPS Handbook: [6460](#) When a Child or Youth is Missing from CPS Conservatorship.

The Regional Director Assistants (RDAs) now serve as the regional coordinator or point of contact on missing children issues. When children go missing, a Special Investigator is appointed to assist in locating the child. The CPS Systems Improvement Division and Analytics and Evaluation Team now assist with a quarterly and annual Missing and Runaway Report that is currently based on data collected through surveys. The team assists with other reports as needed. The department is collectively working to determine an effective process by which this data can be collected in IMPACT. Data is being used to

improve tracking resources, improve internal practices, and meet federal and state requirements. It is crucial for caseworkers to coordinate all missing child(ren) efforts with the assigned Special Investigator.

Use the "Locating Missing Children in Conservatorship Resource Guide" as the procedures to follow when looking for children who go missing from CPS Conservatorship. The caseworker will continue to have primary responsibility for the case while working closely with the assigned Special Investigator until the child is located. In addition, this guide contains the following resources to assist staff:

- CPS Missing Child Preliminary Sheet
- Interview Guide: Missing and Abducted Child Interview
- Resources on Human Trafficking
- Flow chart for Missing and for Found.

Regions may alter the protocol (with state office approval), provided the identified results are obtained. Questions or issues should be directed to the Regional Director Assistants.

## CASEWORKER ACTIONS

### **PART 1: INITIAL CASEWORKER STEPS WHEN A CHILD RUNS OR GOES MISSING**

Immediately or within 24 hours, the caseworker makes the notifications cited in [6461.1](#) Notification Requirements. These notifications include:

#### **Notifying Law Enforcement**

**Per CPS Policy 6314.1 Minor Child Missing from Foster Care Placement:** If a child in DFPS's managing conservatorship runs away, or is discovered to be missing from a substitute care placement and the child's whereabouts are unknown, the child's caseworker must notify the appropriate law enforcement (LE) officials (within 24 hours, or as soon as possible) and obtain the LE case number. The caseworker files a missing person/runaway report with the Law Enforcement Agency (LEA) having jurisdiction at the location from where the child went missing. If a missing child meets the definition of an endangered child ([see attachment #1](#)), the case caseworker must report this information to law enforcement, so that the child can be designated as such in NCIC/TCIC.

#### **Notifying the National Center for Missing and Exploited Children (NCMEC)**

As noted in **CPSH 6461.1**, the child's caseworker also notifies the National Center for Missing and Exploited Children (NCMEC). The caseworker logs onto the website set up to receive such referrals from social services agencies at <http://cmfc.missingkids.org/ReportHere>. If the caseworker is unable to report online, she or he can call NCMEC at 1-800-THE-LOST.

#### **Requesting a Special Investigator (SI)**

The Special Investigations Division will assist caseworkers in their efforts to locate missing children. Special Investigators will take an active role in the case until the child is found. If a child is missing, the caseworker needs to request a Special Investigator.

#### **Notifying the Supervisor**

After notifying their supervisor that a child is missing or on run away status, the caseworker sends an e-mail to their designated regional mailbox(es) and cc: to the Regional Director Assistant (RDA) requesting Special Investigator assistance. The subject line needs to indicate "Missing Child Request for Assistance" and include the following information in the body of the e-mail:

- CPS case number,
- Missing child's name,
- Date of birth,
- IMPACT person ID and case ID number,
- Legal County,
- Location child ran from, type of placement, and address
- Region child ran from
- Did the child go missing alone? If not, with whom?
- Do you suspect the child was abducted?
- Law Enforcement Agency name and case number
- National Center for Missing and Exploited Children (NCMEC) case number
- Brief description of the circumstances surrounding the missing child.
- Any additional information requested by the SIPD or RDA regarding the referral

**Notifying Probation or Parole Office**

If the child is involved with Juvenile Probation or the Texas Juvenile Justice Department, the caseworker needs to also notify the child's probation or parole officer.

**Notifying Other Individuals**

Notify the following, as applicable (described in 6151.2 Notification Requirements and Schedule).

- the child's parent (unless rights have been terminated)
- the parent's attorney
- an attorney ad litem appointed for the child
- any guardian ad litem appointed for the child
- a volunteer advocate appointed for the child (CASA)
- the licensed administrator of the child-placing agency (CPA) responsible for placing the child or the licensed administrator's designee
- the foster parent, kinship caregiver, prospective adoptive parent, or director of the group home or general residential operation where the child is residing (child's placement)
- any other person determined by a court to have an interest in the child's welfare

**Requesting an Amber Alert If Necessary*****Per CPS Policy [6461.2 Efforts to Locate:](#)***

If the caseworker believes that a child has unwillingly left the substitute care placement or has been removed by an unauthorized person, the caseworker requests that the child be placed on the Amber Alert System when they make the report to law enforcement. Local law enforcement officials will work with the Texas Department of Public Safety to decide if Amber Alert criteria are met, and will activate the Network if appropriate ([attachment #1](#)).

The Amber Alert System requires law enforcement to confirm abduction prior to issuing an alert and only a law enforcement agency can activate the system and assume responsibility for updates and extensions.

If a child in DFPS conservatorship is abducted by his or her biological family and local law enforcement declines to file a missing person report on the child with the National Crime Information Center (NCIC), the worker must immediately notify the supervisor and the SIPD. The SIPD must request that DPS place the child and the family on the Child Safety Check Alert List (CSCAL).

For CSCAL procedures see CPS Handbook [3100](#) When a Child who is with His or Her Family Can Not be Located.

**PART 2: CASEWORKER ONGOING EFFORTS TO LOCATE CHILD**

Follow policy in [6461.3](#) Documentation.

**Staffing and Working with Assigned SI(s)**

Once notified of the assigned Special Investigator, participate in a staffing/conference call with the SI to review information. Provide the Special Investigator with a copy of the court order and as current a picture of the youth as soon as possible.

**Working with the SI to Locate the Child**

The caseworker continues to have primary responsibility for the case and works closely with the assigned Special Investigator until the child is located. The caseworker updates Living Arrangement in IMPACT to "Runaway" if the child cannot return to the placement or has been gone for more than 14 days. The case is staffed quarterly at a minimum with the Program Director to determine whether sufficient efforts have been made to locate the child and whether other actions are needed.

### **Keeping IMPACT Updated**

As developments can change quickly when a child goes missing, the caseworker has a responsibility to keep the IMPACT information on these cases current. This is important for the Special Investigators to be able to do their work. Efforts to locate the child should be documented in monthly evaluations.

## **PART 3: CASEWORKER EFFORTS WHEN THE CHILD IS LOCATED**

### **SI Finds the Child**

If the SI finds the child, the caseworker:

- Retrieves the child from the SI and arranges for placement, unless the child is being detained by LE. If the child does not want to return to placement and the department is willing to allow the child to stay in an unauthorized location, change the IMPACT Living Arrangement to "Unauthorized Placement."
- Reviews with the SI the results of SI's interview with the child and identifies the next steps to be taken.

### **Caseworker Finds the Child**

If the caseworker finds the child the caseworker:

- Follows policy in [6461.4](#) Child Located and [6461.5](#) Caseworker Actions When a Missing Child Returns to Care.
- Arranges for placement of the child unless the child is being detained by law enforcement. If the child refuses to return to placement and the department is aware the child is staying in an unauthorized location, change the IMPACT Living Arrangement to Unauthorized Placement.

### **Making Immediate Notifications**

Notifications must be made to the following once the child is located:

- The RDA
- The assigned SI
- LE and NCMEC (if the child was not located by these agencies).
- Other notifications as noted in [6461.5](#) Caseworker Actions When a Missing Child Returns to Care.

### **Interviewing with Child**

With law enforcement cooperation, conducts an interview with the recovered child. It is best practice to involve the SI in the interview process if possible due to their expertise. The interviews should consist of questions to determine:

- If any child abuse and/or neglect occurred while the child was missing;
- If there are any indicators of human trafficking activities;
- Other experiences of the child while absent from care; and
- The reasons why the child ran away from care.

See [attachment #3](#) for recommended questions to ask the child regarding human trafficking.

If not present at the interview, share interview results with the SI so the SI can complete the Found Survey.

### **Scheduling a Forensic Review, if Necessary**

If child abuse/neglect or human trafficking is suspected, schedule a forensic interview in coordination with law enforcement at a Child Advocacy Center as soon as practical. Consult with the assigned SI on all suspected human trafficking cases.

### **Documenting Interviews in IMPACT**

Document the results of the interview(s) in IMPACT.

**Creating a Referral to Statewide Intake if Necessary**

If the caseworker learns abuse (including sex and human trafficking) and/or neglect occurred in the child's placement or by a household or family member while the child was missing from placement, the caseworker makes a referral to statewide intake.

**Creating a Referral to Law Enforcement**

If the caseworker is made aware of allegations of sex or labor trafficking that may have occurred while the child was missing from placement, and the alleged perpetrator is not a household or family member, the caseworker works with the SI to notify law enforcement, as well as DPS' Joint Crime Information Center, at [TXJCIC@dps.texas.gov](mailto:TXJCIC@dps.texas.gov).

**Staffing the Case with the SI**

Have a final discussion with SI to ensure the SI information has been entered into IMPACT. The SI notifies the RDA who will remove the SI from secondary on the case.

**Arranging Follow-Up Services**

Arrange follow-up services to address needs.

## REGIONAL DIRECTOR ASSISTANT (RDA) ACTIONS

**The Regional Director Assistants play a big role in the prevention of human trafficking, serving as the Missing Children Regional Coordinator, and working to make sure no child falls between the cracks.**

The Regional Director Assistant (RDA):

- Oversees and coordinates missing children issues for the region and liaisons with designated staff in state office. For a list of the RDAs, see: [http://intranet.dfps.txnet.state.tx.us/CPS/Investigations/Missing\\_Children/regional\\_staff.asp](http://intranet.dfps.txnet.state.tx.us/CPS/Investigations/Missing_Children/regional_staff.asp)
- Is cc'd on requests from staff for the appointment of a Special Investigator (SI)
- Maintains an EXCEL list of CPS youth in the region that are missing. Is notified by the SIPD of the SI assignment and enters the person as Secondary on the designated stage in IMPACT if the SIPD is not able to do this. The RDAs' EXCEL list is updated for the SI Secondary assignment.
- Receives notification by the SI or assigned CVS worker that a child has been found, and ensures the other has been notified. If the caseworker finds the child, review next steps to ensure notifications are made and the SI has the information to complete the Found Survey. Refer to the Resource Guide and regional protocols as needed.
- Distributes EXCEL lists received from state office to appropriate regional staff for follow-up, compiles completed lists into one EXCEL document for the region and returns to the state office contact as requested.
- Ensures regional protocols are in place and takes steps to address any regional actions that may be needed

## SPECIAL INVESTIGATOR ACTIONS

### PART 1: INITIAL ACTIONS.

An SI is assigned from the child's legal region and the RDA is notified. If the SI needs assistance from another region, the SI e-mails a courtesy request to the designated regional mailbox. The SI in the courtesy region will provide all necessary assistance to locate the missing child.

The SI assigned will take the following initial actions.

### **Staffing with the Caseworker and Gathering Information.**

The SI (from the child's legal region) arranges a telephone staffing with the caseworker, caseworker's supervisor, child's caregiver, and others identified by the caseworker. During the staffing, the SI:

- Reviews information submitted in email request and obtains additional information from the caseworker as needed. This includes obtaining the LE and NCMEC case numbers that the caseworker obtained. Refer to the CPS Runaway/Missing Child Preliminary Sheet [attachment #2](#) for examples of information to review as needed.
- Collects recent photos of the child.
- Gathers information on all relatives, friends, and associates.
- Obtains all relevant health information for the child (including information on medications).
- Obtains a copy of all court orders granting the department conservatorship of the child.

### **Providing Information to Law Enforcement**

The SI contacts the law enforcement agency (LEA) where the report was filed and provides the LEA with all photos, court orders, diagnoses, medication information, and available information on family, friends, and associates of the child if not already done.

### **Contacting a Sheriff or Constable to Serve a Writ of Attachment**

If the child's court issues a Writ of Attachment for the child, the SI contacts the applicable County Sheriff's Department Civil Warrants Division or the local Constable's Office to serve the Writ. In some instances, this must be provided to a sheriff's department or constable's office, not a police department (See Texas [Rule of Civil Procedure 103 #2](#))

### **Contacting NCMEC**

If the caseworker has not already done so, the SI notifies the National Center for Missing and Exploited Children (NCMEC). The SI logs onto their website to receive referrals from social services agencies at: <http://cmfc.missingkids.org/ReportHere>. If the SI is unable to report online, the SI will call NCMEC at 1-800-THE-LOST.

The CPS Runaway/Missing Child Preliminary Sheet ([attachment #2](#)) contains examples of the type of information needed by NCMEC.

### **Requesting a Flier**

The SI requests that law enforcement or NCMEC produces a flier on the child, and the SI confirms that the child is entered in the NCIC database. The SI documents this contact in IMPACT and includes the NIC number the FBI number issued to the missing child case. The NIC Number is a ten character reference number consisting of an alphabetic character which identifies the NCIC File that the record is indexed in, followed by nine digits.

The SI provides the caseworker with a copy of any fliers produced by the LEA or NCMEC.

### **Maintaining Relevant Contacts**

The SI remains in contact with the caseworker, LEA, and NCMEC (if applicable) on a continuous basis, but at a minimum on a weekly basis, until the child is located. This includes monthly contacts with the child's relatives, former caregivers, and any state or local social service agency that may be providing services to the child.

### **Teaming with Law Enforcement to Search the Former Residence**

If appropriate, the SI conducts an initial search with law enforcement at the last known place the child was staying. The owner of the residence must provide permission to enter. If the SI has reliable or compelling

information that the child is there (for example, the child is seen running into the residence), the SI relays that information to law enforcement who takes the lead in speaking to the homeowner.

### **Conducting Electronic Searches**

The SI conducts a search for evidence through all accessible internet sites and cell phone records. The SI should document evidence of the child's location, online activity, and/or the online enticement into, or compelling the child into, human trafficking activity. The SI should consider the child's online activity, such as whether the child has a blog, instant messaging accounts, Facebook or other social media accounts. The SI should also investigate whether the child's cell phone activity has continued or stopped.

### **Interviewing Individuals**

The SI reviews the child's record and interviews case reporters, parents, other caregivers, witnesses, siblings, friends, school staff, neighbors, and any other persons with information about the child and family.

### **Ongoing Efforts to Locate the Child**

Until the child is located, the SI assigned to the case:

- Remains in contact with the caseworker, LEA, NCMEC (if applicable), and SIs from other regions (if applicable) on a weekly basis.
- Remains in continuous contact with law enforcement and provides them with any new information or changes that occur in the case.
- Documents in IMPACT all efforts to locate the child, including all interviews and communication with the caseworker, LEA, NCMEC, relatives, former caregivers and any state or local social service agency that may be providing services to the child.

### **Submitting Information to the SI PD /RDA as Requested**

The SI sends information to the SI PD/RDA as requested.

### **Reporting to the Court**

As requested by the caseworker and/or ordered by the court, the SI reports to the court on the status of efforts to recover the child. The SI documents their efforts in the SUB stage narrative of the child they are attempting to locate.

## **PART 2: SI ACTIONS WHEN THE CHILD IS LOCATED**

Sere [6461.4](#) Child Located.

If the SI locates the child, the SI takes the following actions:

### **Notifying Appropriate Agencies and Individuals**

The SI notifies the RDA, caseworker, LE and NCMEC (if the child was not located by these agencies) once the child is located.

### **Retrieving the Child**

If the SI locates the child without law enforcement involvement and there are no pending criminal charges or delinquent conduct charges, the SI delivers the child to a caseworker who will arrange for placement of the child.

### **Interviewing with Child**

With law enforcement cooperation, the SI should conduct an interview with the recovered child and the person(s) who had been harboring the child. This will include the caseworker when possible. The interviews should consist of questions to determine:

- If any child abuse and/or neglect occurred while the child was missing,

- Any indicators of human trafficking activities,
- Other experiences of the child while absent from care, and
- The reasons why the child ran away from care.

Share results of the interview with the caseworker, if not present for it.

See [attachment #3](#) for recommended questions regarding Human Trafficking. Conduct

### **Scheduling a Forensic Review if Necessary**

If child abuse/neglect or human trafficking is suspected, the SI schedules a forensic interview as soon as practical, in coordination with law enforcement at a Child Advocacy Center.

### **Completing the Found Survey**

The SI completes the Found Survey in Survey Monkey after the youth is interviewed.

### **Documenting Interviews in IMPACT**

The SI documents the results of the interview(s) in IMPACT.

### **Creating a Referral to Statewide Intake, if Necessary**

If the SI is made aware of allegations of abuse (including sex and labor trafficking) and/or neglect of the child that may have occurred in the child's placement or while the child was missing from placement, the SI notifies the caseworker and makes a referral to statewide intake.

### **Creating a Referral to DPS Joint Crime Information Center, if Necessary**

If the SI is made aware of allegations of sex or labor trafficking that may have occurred in the child's placement or while the child was missing from placement, the SI will also notify the Department of Public Safety's Joint Crime Information Center.

### **Forwarding All Documents to Caseworkers for the Case File**

Once the Special Investigator completes all required documentation, the SI forwards all hard copy documents to the caseworker to be placed in the case file.

### **Removing the SI from the Case**

The Special Investigator arranges to be removed as a secondary worker on the case.

If the caseworker locates the child, the SI takes the following steps:

- Receives notification from the RDA or the caseworker.
- Contacts the caseworker to get information, helps with the interview if requested, completes the Found Survey, and offers assistance if needed.
- Ensures that the SI efforts have been documented in IMPACT.
- Arranges to be removed as secondary worker.

## **SPECIAL SITUATIONS**

### **YOUTH PARENT WITH CHILD**

Youth in conservatorship might have their child placed with them in foster care. The baby would either have a:

- Regular *SUB* stage (*SUB REG* in IMPACT) if there had been a removal and then the baby was returned to the youth but the court is continuing to supervise, or a
- Case Related Special Request (*CRSR*) *SUB* stage (*SUB C-PB* in IMPACT) if the only issue is to facilitate the daily reimbursement rate to the provider.

If the youth runs and takes the baby with a *SUB REG* stage with them:

- The caseworker for the baby, if different from the youth's caseworker, needs to be notified and involved in the location efforts.
- The placement actions in IMPACT for the baby should mirror what is done for the youth parent.

If the youth runs and takes the baby with a *SUB C-PB* stage with them:

- The placement actions in IMPACT for the baby should mirror what is done for the youth parent.
- If appropriate, make an abuse/neglect referral on the baby to Statewide Intake
- If the youth and baby are located and go to a non DFPS paid placement, the *SUB C-PB* stage is closed.

### **SERVICES FOR TRAFFICKING VICTIMS**

Once CPS identifies a child has been a victim of human trafficking, the department will seek individualized placements, as well as, trauma-informed medical and psychological care for the child. There are very few placements options available in Texas that are specialized in long-term residential care for victims of human trafficking and there are currently no emergency placements for this population. However, current residential contract providers for CPS utilize trauma-informed intervention services for victims of trafficking. DFPS hired a Placement Capacity Specialist and has been working with non-profit agencies and others to create more residential capacity for minors who are victims of human trafficking. Residential Child Care Licensing works closely with the Placement Capacity Specialist and other members of the provider community to explain and help guide the licensure process for any operations looking to serve this population

### **COORDINATION OF SERVICES REGARDING HUMAN TRAFFICKING**

Ensure coordination with local and state law enforcement, juvenile justice, and social service agencies such a runaway and homeless youth shelters to serve this population.

### **TRAINING RESOURCES ON TRAFFICKING:**

See DFPS Trafficking Web site:

[http://www.dfps.state.tx.us/Child\\_Protection/Investigations/Human\\_Trafficking/default.asp](http://www.dfps.state.tx.us/Child_Protection/Investigations/Human_Trafficking/default.asp)

## **ATTACHMENT 1: TEXAS DEPARTMENT OF PUBLIC SAFETY "ENDANGERED CHILD" CRITERIA**

An "endangered child" is one who is in foster care or in the conservatorship of the Department of Family and Protective Services and has been reported missing on two or more occasions in the 24-month period preceding.

The following is required so that law enforcement can properly enter the child into the TCIC/NCIC system:

- copies of prior missing person reports from law enforcement, and/or
- a written statement from a parent, legal guardian, family member, or other authoritative source confirming prior incidents, and
- a written statement from a parent, legal guardian, family member, the Department of Family and Protective Services or other authoritative source confirming the missing individual is in foster care or in conservatorship.

## **TEXAS DEPARTMENT OF PUBLIC SAFETY AMBER ALERT CRITERIA**

A requesting law enforcement agency must meet all the below criteria in order to activate the State AMBER Alert Network:

1.
  - A. Is this child 17 years of age or younger, whose whereabouts are unknown, and whose disappearance law enforcement has determined to be unwilling which poses a credible threat to the child's safety and health; and
    - i. if abducted by a parent or legal guardian, was the abduction in the course of an attempted murder or murder?

OR

- B. Is this child 13 years of age or younger, who was taken (willingly or unwillingly) without permission from the care and custody of a parent or legal guardian by:
  - ii. someone unrelated and more than three years older,

or

- iii. another parent or legal guardian who attempted or committed murder at the time of the abduction?
2. Is this child in immediate danger of sexual assault, death or serious bodily injury?
3. Has a preliminary investigation verified the abduction and eliminated alternative explanations for the child's disappearance?
4. Is sufficient information available to disseminate to the public to help locate the child, a suspect, or the vehicle used in the abduction?



**Physical descriptors:**

Notable features:      Eye color: \_\_\_\_\_      Skin color \_\_\_\_\_      Hair color: \_\_\_\_\_

Other features (i.e. walks with limp, large lips, facial hair, etc.):

Scars, Marks or Tattoos:

Criminal history:

Gang affiliation:

Drug or alcohol issues:

Psychiatric diagnosis:

Medications (including any possible side effects if the child is without medication for a period of time):

Any possible vehicle information:

Any social media sites frequented (site and log on names, if known):

Known associates (PP/friends/other):

Previous participation in human trafficking?

**Brief summary of circumstances surrounding disappearance:**

Other Notes: (i.e. Youth is easily led)

**Family Information:**

**Mother:**

Address:

Phone:

Last known contact with child:

**Father**

Address:

Phone:

Last known contact with child:

**Relatives:**

Name: How related:

Address:

Phone:

Name: How related:

Address:

Phone:

Name: How related:

Address:

Phone:

**CASA Volunteer**

Name:

Address:

Phone:

**Ad Litem**

Name:

Address:

Phone:

Texas Code of Criminal Procedure

Art. 63.001. DEFINITIONS. In this chapter:

1. "Child" means a person under 18 years of age.
2. "Missing person" means a person 18 years old or older whose disappearance is possibly not voluntary.
3. "Missing child" means a child whose whereabouts are unknown to the child's legal custodian, the circumstances of whose absence indicate that:

- a. the child did not voluntarily leave the care and control of the custodian, and the taking of the child was not authorized by law;
  - b. the child voluntarily left the care and control of his legal custodian without the custodian's consent and without intent to return; or
  - c. the child was taken or retained in violation of the terms of a court order for possession of or access to the child.
4. "Missing child" or "missing person" also includes a person of any age who is missing and:
- a. is under proven physical or mental disability or is senile, and because of one or more of these conditions is subject to immediate danger or is a danger to others;
  - b. is in the company of another person or is in a situation the circumstances of which indicate that the missing child's or missing person's safety is in doubt; or
  - c. is un-emancipated as defined by the law of this state.

### ATTACHMENT 3: MISSING AND ABDUCTED CHILD INTERVIEW GUIDE

Interviewing children following an absence from foster care (missing or abducted) can help to identify victims of child abuse and/or neglect as well as human trafficking, gain insight into their victimization experiences, and understand their individual service needs. This is especially challenging as many victims of child sex trafficking do not view themselves as a victim.

**Texas Family Code Sec. 264.123 already requires certain protocols to help locate missing youth, including immediate reporting to law enforcement. Upon locating the child, this same section also requires that DFPS attempt to determine whether the child was a victim of any crime while missing and, if so, to report such crime to Law Enforcement within 24 hours.**

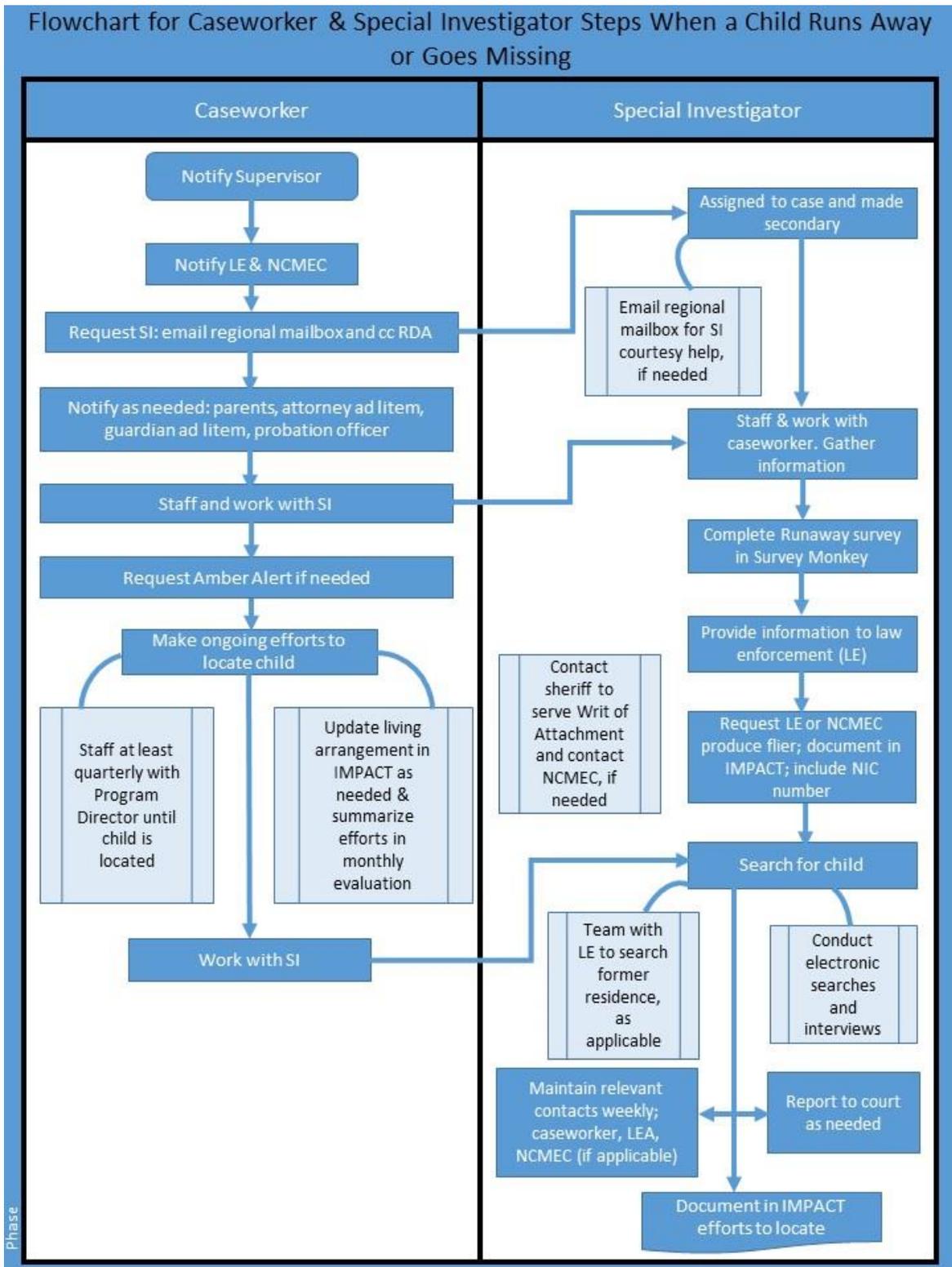
**H.R. 4980, "Preventing Sex Trafficking and Strengthening Families Act," signed into law on September 29, 2014, requires states to:**

- **Determine the factors surrounding why the child ran away or was absent from care, and, to the extent possible, address those factors in current and future placements;**
- **Determine the child's experiences while absent, including screening to determine if the child was a sex trafficking victim.**

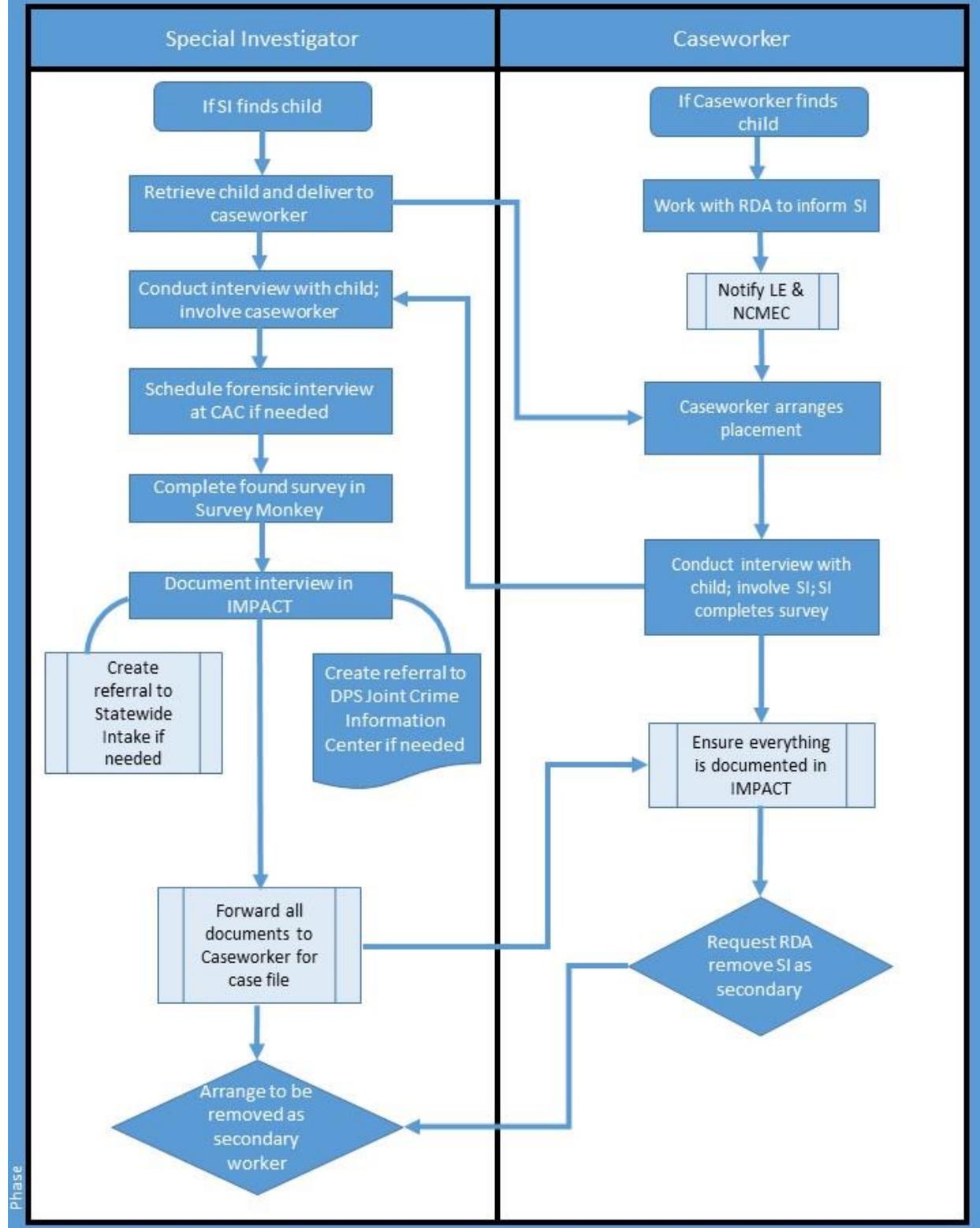
Below is a list of questions to be asked of all children who were on missing status or abducted and have been recovered. The type and order of the questions should be tailored to individual situations and amended to enhance their effectiveness and support of the child.

- What made you leave your current placement?
- What made you decide to return to care? (if applicable)
- While you were gone, how did you survive?
- How did you eat, sleep, and have money to take care of yourself?
- While you were gone, where were the places you went and where did you stay?
- Did you get to see your old friends or did you make new friends?
- Were you able to talk to your family while you were gone?
- Were there experiences you weren't prepared for or didn't know how to handle?
- Who helped you while you were gone?
- What type of help was offered?
- Did you have to do anything in return for this help?
- Were you allowed to leave the place you were staying? Did someone try to stop you from leaving?
- Were you being made to do things that you do not want to do?
- Were you ever threatened with anything if you tried to leave?
- Did anyone ever force you to do something physically or sexually that you didn't feel comfortable doing?
- Were you ever physically abused (shoved, slapped, hit, kicked, scratched, punched, burned, etc.) by anyone?
- Were you ever sexually abused (sexual assault/unwanted touching, rape, sexual exploitation, etc.) by anyone?
- Did anyone take pictures of you?
- Were there any objects or weapons used against you or others?
- Did anyone ever give you alcohol, drugs or medications?

**ATTACHMENT 4: CASEWORKER AND SPECIAL INVESTIGATOR ACTIONS**



### Flowchart for Caseworker & Special Investigator Steps When the Child is Located



## RESOURCES ON HUMAN TRAFFICKING:

**Conducting Good Return Interviews with Young People Who Runaway** is an interview guide for a return interview that is an example of in-depth conversation with a young person who has run away.

[http://www.childrensociety.org.uk/sites/default/files/tcs/runaway\\_return\\_interviews.pdf](http://www.childrensociety.org.uk/sites/default/files/tcs/runaway_return_interviews.pdf)

**Introduction to Human Trafficking for Child Welfare (0003474)** is located on the CLOE Learning Station. You may access the CLOE Learning Station by double clicking the icon on your desktop. After you have signed into the CLOE Learning Station, click on the Child Protective Services link. After the Child Protective Services link opens, then click on the “additional CPS computer-based training courses” link.

**Screening for Human Trafficking** This manual is intended primarily for victim service agency staff and other social service providers. The screening questions can help agency staff to identify victims of human trafficking and help trafficking victims obtain the protection and services they need.

<http://www.vera.org/sites/default/files/resources/downloads/human-trafficking-identification-tool-and-user-guidelines.pdf>

**Interviewing victims of human trafficking: Survivors offer advice**

<http://www.commdiginews.com/life/interviewing-victims-of-human-trafficking-survivors-offer-advice-11238/>

Ohio Human Trafficking Task Force: Human Trafficking Screening Tool

The purpose of the tool is to identify potential victims of human trafficking for referral to appropriate victim services. The screening questions, suggestions and indicators are not exhaustive or cumulative in nature.

<http://mha.ohio.gov/Portals/0/assets/Initiatives/HumanTrafficking/2013-human-trafficking-screening-tool.pdf>