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**ORANGE COUNTY SOCIAL SERVICES AGENCY  
CFS OPERATIONS MANUAL**

**Effective Date: July 27, 2006**  
**Current Revision Date: December 18, 2018**

**Number: B-0119**

## **Child Abduction**

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<b>Purpose</b>	To provide guidelines when children, supervised by Children and Family Services (CFS), are abducted.
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<b>Approved</b>	This policy was approved by Anne Bloxom, Director of CFS. <i>Signature on file.</i>
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<b>Most Recent Revision</b>	<p>This revision of the Policy and Procedure (P&amp;P) includes:</p> <ul style="list-style-type: none"><li>• Contact information for reporting child abductions to appropriate agencies</li><li>• Terminology to reflect Resource Family Approval (RFA) restructuring</li><li>• Incorporation of updated procedural guidance, previously detailed in a designated Procedure section</li></ul> <p>The following forms have been revised to reflect updated guidelines for requesting protective custody warrants for children supervised by CFS, who are missing and/or may have been abducted:</p> <ul style="list-style-type: none"><li>• <i>Declaration to Support Protective Custody Warrant (Runaway/Missing Minor) (F063-28-39) (formerly known as Declaration to Support Warrant [Child])</i></li></ul>
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<b>Background</b>	CFS is responsible for reporting the abduction of children supervised by CFS to the Juvenile Court and appropriate law enforcement agencies.
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Serious, time-critical abduction cases may be referred to the California Highway Patrol for an Amber Alert. An Amber Alert involves a cooperative effort between law enforcement agencies, media, and the public to expedite the safe recovery of abducted children, including children supervised by CFS.

Refer to CFS P&P [Missing/Runaway/AWOL \(K-0214\)](#) for additional guidance when responding to missing children and non-minor dependents (NMDs) who are missing or abducted.

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## Definitions

**Child Abduction:** To take, entice away, keep, withhold, or conceal a child, by a family member or a stranger.

**Family abduction:** A family member or person with a right of custody:

- A. Takes a child, in violation of a custody agreement or decree, and/or
  - B. Fails to return a child at the end of a legal or agreed-upon visit and the receiving party has exhausted all attempts to contact the individual with the child.
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## POLICY

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### Immediate Actions

Pursuant to All County Letter (ACL) 16-15, staff will report the abduction of a child with an open CFS case, including a Family Maintenance (FM) case, as follows:

- A. **Direct Supervisor or Designee (within one hour):**  
Make an immediate, verbal report, in person or by telephone, according to CFS chain of command to the CFS Director (including weekends, after-hours, and holidays).

**Note:** A *Special Incident Report (SIR) (F063-03-48)* will also be completed, as detailed in the "Additional Notifications" Policy section.

- B. **Local law enforcement (within one hour):**

**Note:** If the child is abducted while placed in out-of-home care, the Senior Social Worker (SSW) may direct the caregiver to file the abduction and missing person report with law enforcement.

1. Obtain and file a *Child Abduction Report* and a *Missing Person Report* through the law enforcement agency with jurisdiction where the abduction took place, according to procedure outlined below.

Specify any known dangers, risks to, and/or suspected sexual abuse or exploitation of the child.

2. Obtain the preliminary report numbers taken by law enforcement and determine when the final written reports will be available.
3. Request law enforcement to enter the child's name and identifying information into the [National Crime Information Center \(NCIC\)](#) *Missing Person File* database and issue a "Be on the Lookout (BOLO)" jurisdictional broadcast pursuant to Penal Code (PC) § 14211.

C. **National Center for Missing & Exploited Children (NCMEC):**

Per CFS policy, immediately or no later than 24 hours from becoming aware of the child's absence, report the missing child to NCMEC.

Refer to [Attachment 2—NCMEC Reporting Guidelines](#) of CFS P&P [Missing/Runaway/AWOL \(K-0214\)](#) for further information on how to report to NCMEC.

**Note:** Orange County Juvenile Court Miscellaneous Order M-2016-3 authorizes SSA to share information about missing foster children with (NCMEC).

D. **Juvenile Court (within hours of the abduction, if possible):**

Complete an Ex Parte court report. Provide detailed information on the child's abduction. Include the following:

1. Request a protective custody warrant for the child. For more information on obtaining a warrant, refer to CFS P&P [Warrants \(G-0901\)](#).
2. Complete and attach a *Protective Custody Warrant (L-3042)* and *Declaration to Support Protective Custody Warrant (Runaway/Missing Minor)(F063-28-39)*.

3. Inform the Court if the parent, guardian, or caregiver is reasonably believed to be responsible for the child's abduction.
4. Attach copies of police reports, if available.
5. Request Court authorization to release the name(s), photograph(s), and basic information on the abduction to the Amber Alert network, the news media, law enforcement, or other agencies to assist in locating the child (see "Follow Up Reports" in the Policy section below).

**Notify a Court Officer Senior Social Services Supervisor (SSSS) of the emergency nature of the Ex Parte and immediately deliver or arrange delivery of the report to Court.**

- E. **Child Abuse Registry (within one business day):**  
File a child abuse report.

**Note:** Registry staff will cross report to Community Care Licensing (CCL) if the child's placement was in a Foster Family Agency (FFA) or Short Term Residential Therapeutic Program (STRPT).

- F. **Foster Care Eligibility (within 24 hours of notification of the abduction) (except FM cases):**  
Through telephone call to the Placement Change Hotline or email completed *Placement Coordination Stop Payment Memo (F063-29-61)* to [PCSP.ACCT@ssa.ocgov.com](mailto:PCSP.ACCT@ssa.ocgov.com). Refer to CFS P&P [Placement Change Notification \(K-0209\)](#) for further direction.

On a case-by-case basis and in consultation with supervisor and/or Eligibility Technician (ET), temporary absence regulations (i.e., bed hold) may be considered per Eligibility and Assistance Standards (EAS), Division 45-302.23.

## **CFS Notifications**

As soon as possible, and no later than within one business day of the abduction, CFS staff will complete the following notifications:

- A. **Parents:**  
Pursuant to ACL 16-15, notify parents and/or concerned relatives of the child abduction, in person or by telephone.

If a parent cannot be located, notify the parent's assigned counsel.

**B. Tribal Representative:**

If the child is designated an Indian child, notify the identified tribal representative of the child's absence on the day of becoming aware of the child's absence. The notification process may be coordinated with the CFS Indian Child Welfare Act (ICWA) Unit. See CFS P&P [Indian Child Welfare Act \(G-0309\)](#).

**C. Attorney:**

Notify the child's attorney by telephone or fax of the child abduction.

**D. CFS Chain of Command:**

Complete a *Special Incident Report (SIR)* (F063-03-48). Include the following information:

1. Child's name and date of birth.
2. Time, place, and circumstances of the abduction, if known.
3. Response to and reporting of the abduction.
4. Type of case (service component, case plan goal, brief reason for dependency).
5. Brief sentence on prior history of the case.
6. Name and relation of the abductor, if known.
7. Possible risk to the child (e.g., prior abuse by the abductor, etc.).
8. Name and whereabouts of sibling(s) and family members.
9. Name and location of caregiver.

Route the *Special Incident Report (SIR)* (F063-03-48) as outlined in SSA Administrative P&P [Special Incident Report \(F 13\)](#).

**Government**

As soon as possible, and no later than within one business day of

**Agency  
Notifications**

the abduction, CFS staff will contact the following agencies and complete a child abduction report according to the guidelines of the respective agencies.

- A. If the child is abducted by a PARENT/LEGAL GUARDIAN, report to the following agencies:
- Orange County Office of the District Attorney (DA) Family Protection Program (refer to the “District Attorney” Policy section)
  - DOJ Missing Children Hotline
  - National Center for Missing & Exploited Children
- B. If the child is abducted by a PARENT/LEGAL/GUARDIAN and it is an international, interstate, or high-risk abduction, report to the following agencies:
- Federal Bureau of Investigation (FBI) Safe Team
  - Orange County Office of the District Attorney
  - Family Protection Program (refer to the “District Attorney” Policy section)
  - DOJ Missing Children Hotline
  - National Center for Missing & Exploited Children
- C. If the child is abducted by a STRANGER, report to the following agencies:
- Federal Bureau of Investigation (FBI) Safe Team
  - DOJ Missing Children Hotline
  - National Center for Missing & Exploited Children

Refer to [Attachment 1—Child Abduction Reporting](#) for telephone contact information regarding the above named agencies.

**District  
Attorney**

CFS staff will contact the District Attorney, as noted above, if it is suspected the child was abducted by a parent, legal guardian, or stranger. The DA and/or County Counsel may initiate the actions below at their discretion:

- A. 3130/3131 Order: File a petition to determine custody, use resources to locate the missing child, and enforce custody orders through both criminal and civil proceeding (only for abductions within the United States).
- B. Hague Petition: Petition by means of the Hague Convention for foreign custody orders (for children taken outside the

United States when the child's location is known).

**Documentation** In accordance with ACL 16-15, CFS staff will:

- A. Document the facts of the child abduction within Child Welfare Services/Case Management System (CWS/CMS) in the Case Management Section (ID Page, Case Alerts) and the abduction status in the Client Notebook (Address Page).

For data entry instruction of abduction status, refer to [CWS/CMS Data Entry Standards—Entering Client Address Information](#).

- B. Retain pertinent records applicable to the child's abduction (e.g., police reports and warrants).
- C. If not already done, with the exception of FM cases, call the Placement Change Hotline or submit a completed *Placement Coordination Stop Payment Memo (F063-29-61)* to [PCSP.ACCT@ssa.ocgov.com](mailto:PCSP.ACCT@ssa.ocgov.com) as soon as possible, but within 24 hours.

With the exception of FM cases, complete a *Placement Information Change (PIC) Notice (F063-28-301)*, as outlined in the "PIC Requirements" section of CFS P&P [Placement Change Notification \(K-0209\)](#), selecting "Child Abducted" for the placement change reason.

- D. Document the date and circumstances of the child abduction in a CWS/CMS contact at the completion of the immediate and follow up reports (as applicable) listed above. Complete CWS/CMS monthly contacts according to policy guidelines in CFS P&P [Case Compliance Contacts and Documentation \(E-0105\)](#).

For data entry instruction, refer to [CWS/CMS Data Entry Standards—AWOL/Abductions Contacts](#).

**Confidentiality** Child welfare case information, including matters involving child abduction, remain confidential. Refer to CFS P&P [Confidentiality—CFS Client Records \(F-0105\)](#) for further information regarding release of information and/or records regarding (CFS) clients.

**Exception:** State, county, and local agencies (including CFS) will cooperate with the District Attorney and law enforcement agencies concerning the location, seizure, and recovery of abducted,

concealed, or detained children.

To release information to organizations assisting CFS in locating missing children, CFS must obtain Juvenile Court approval to release the name(s), photograph(s), and basic information on the abduction to:

- Amber Alert network
- News media
- Other agencies

**Note:** Orange County Juvenile Court Miscellaneous Order M-2016-3 authorizes SSA to share information about missing foster children with the National Center for Missing and Exploited Children (NCMEC).

### **Amber Alert**

CFS will gather and report critical child abduction information to law enforcement to facilitate a regional and/or statewide alert, as appropriate. The Amber Alert System may be activated on a regional or statewide basis depending upon the circumstances of the abduction and when the following conditions are met and accurately reported:

- A. Confirmed abduction has occurred.
- B. Victim is 17 years of age or younger, or of proven mental or physical disability.
- C. Victim is reasonably believed by local law enforcement to be in imminent danger of serious bodily injury or death.
- D. There is sufficient descriptive information for the child, abductor, or abductor's vehicle, and the information could assist in the child's safe recovery if provided to the public.

**Note:** Do not request an Amber Alert in cases involving runaways unless there is a reasonable belief the child's life is in danger.

### **Child Recovery**

In accordance with ACL 16-15, if an abducted child is found or returned the assigned SSW will complete the following:

- A. Notify the Juvenile Court by means of Ex Parte. Include a request to recall the protective custody warrant.
- B. Refer the child for immediate crisis counseling to address trauma and possible family reunification issues:



1. If the child received therapeutic services prior to the abduction, contact the child's assigned therapist.
  2. If the child was not in therapy prior to the abduction or the child's therapist is not immediately available, contact the Continuing Care Placement Unit (CCPU) for referral assistance.
- C. Update the child's status in CWS/CMS Case Management Section (ID Page, Case Alerts) and the abduction status in the Client Notebook (Address Page).
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## REFERENCES

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### **Attachments and CWS/CMS Data Entry Standards**

Hyperlinks are provided below to access attachments to this P&P and any CWS/CMS Data Entry Standards that are referenced.

- [Attachment 1—Child Abduction Reporting](#)
  - [CWS/CMS Data Entry Standards—AWOL/Abductions Contacts](#)
  - [CWS/CMS Data Entry Standards—AWOL/Abductions Case Plan Entry](#)
  - [CWS/CMS Data Entry Standards—Entering Client Address Information](#)
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### **Hyperlinks**

Users accessing this document by computer may create a direct connection to the following references by clicking on the link provided.

- [US Department of Justice Amber Alert site](#)
- [California Highway Patrol Amber Alert site](#)
- [US Department of State International Parental Child Abductions](#)
- [National Center for Missing and Exploited Children](#)
- [Office of the Attorney General—California Department of Justice](#)
- CFS P&P [Case Compliance Contacts and Documentation \(E-0105\)](#)
- CFS P&P [Warrants \(G-0901\)](#)
- CFS P&P [Placement Change Notification \(K-0209\)](#)
- SSA Administrative P&P [Special Incident Report \(F 13\)](#)
- CFS P&P [Confidentiality—CFS Client Records \(F-0105\)](#)

- CFS P&P [Indian Child Welfare Act \(G-0309\)](#)
- CFS P&P [Missing/Runaway/AWOL \(K-0214\)](#)

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**Other Sources** Other printed references include the following:

None.

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## FORMS

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**Online Forms** Forms listed below may be printed out and completed, or completed online, and may be accessed by clicking on the link provided.

Form Name	Form Number
<a href="#">Special Incident Report</a>	F063-03-48
<a href="#">Protective Custody Warrant</a>	L-3042
<a href="#">Placement Coordination Stop Payment Memo</a>	F063-29-61
<a href="#">Declaration to Support Protective Custody Warrant (Runaway/Missing Minor)</a>	F063-28-39

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**Hard Copy Forms** Forms that may be completed in hard copy (including multi-copy NCR forms) are listed below. ***For reference purposes only***, links are provided to view these hard copy forms, where available.

Form Name	Form Number
None.	

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**CWS/CMS Forms** Forms that may **only** be obtained in CWS/CMS are listed below. ***For reference purposes only***, links are provided to view these CWS/CMS forms, where available.

Form Name	Form Number
<a href="#">Placement Information Change Notice</a>	F063-28-301

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**Brochures** Brochures to distribute in conjunction with this policy may include:

Brochure Name	Brochure Number
None.	

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## LEGAL MANDATES

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[California Government Code Section \(§\) 8594](#) authorizes the activation of the Emergency Alert System by law enforcement agencies.

[Welfare and Institutions Code §§ 338–340](#) provides the legal basis for issuing warrants.

[Welfare and Institutions Code § 827](#) mandates client confidentiality and outlines means for releasing records relating to minors in protective custody.

[Welfare and Institutions Code § 11478.1](#) authorizes the District Attorney to release child support information when a child abduction places a child in imminent danger.

[Family Code §§ 3130–3134.5](#) authorizes the District Attorney to enforce custody orders, file warrants and conduct criminal proceedings in cases of child abduction.

[Family Code § 17505](#) mandates child welfare agencies to cooperate with the District Attorney in child abduction cases.

[Penal Code §§ 277\(d\), \(e\), \(k\); 278, 278.5; 278.6](#) defines child abduction and potential penalties.

[Penal Code § 207](#) defines kidnapping.

[Penal Code § 14211](#) mandates law enforcement agencies accept missing person's reports without delay.

[United States Code](#), Title 18, § 1204 provides the Federal definition of international parental kidnapping.

[ACL 16-15](#) provides guidelines for locating and responding to dependent children who are missing from foster care.

[Miscellaneous Order M-2016-3](#) authorizes SSA to share information about missing foster children with the National Center for Missing and Exploited Children (NCMEC).

[Eligibility and Assistance Standards \(EAS\), Division 45-302.23](#) states when an Aid to Families with Dependent Children–Foster Care (AFDC-FC) eligible child is temporarily absent from an eligible facility the county may make payment to the eligible facility from which the child is absent in order to meet the child's needs.

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## REVISION HISTORY

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Since the Effective Date of this P&P, and prior to the Current Revision Date, the

following revisions of this P&P were published:

March 18, 2010