

CF OPERATING PROCEDURE
NO. 170-3

STATE OF FLORIDA
DEPARTMENT OF
CHILDREN AND FAMILIES
TALLAHASSEE, October 1, 2020

Child Welfare

PROCEDURES RELATED TO MISSING CHILDREN

1. Purpose. This operating procedure provides uniform policy for ensuring that prompt and comprehensive actions are taken when children involved with the Department or a designated agent are missing for any reason.

a. The operating procedure identifies the procedures to appropriately prevent, report, and locate children under court ordered supervision, in both out-of-home care and in-home care, and those children under investigation or receiving judicial or non-judicial case management services for whom a Take Into Custody or Pickup Order exists.

b. The operating procedure also includes a protocol for the handling of out-of-state inquiries and alerts regarding missing children and clarifies differences in actions to be taken for children missing from each level of care and/or supervision.

c. While local systems of care may have different methods of operationalizing these procedures, this operating procedure outlines the fundamental actions to be taken to prevent, report, and locate children missing from care.

2. Scope. This operating procedure applies to Child Protective Investigators, case managers, and any other Department, contracted, or sub-contracted staff who have duties or responsibilities related to missing children.

3. Legal Authority.

a. Social Security Act, 42 United States Code (U.S.C) 471.

b. State statutes, administrative rules and plans:

(1) Section [39.00145](#), Florida Statutes (F.S.).

(2) Section [39.0141](#), F.S.

(3) Section [39.202](#), F.S.

(4) Section [937.021](#), F.S.

(5) Chapter [65C-30.019](#), Florida Administrative Code (F.A.C).

(6) Chapter [65C-43.001](#), F.A.C.

c. Memorandum of Understanding between the Department of Children and Families (DCF), the Florida Department of Law Enforcement (FDLE), and the National Center for Missing and Exploited Children (NCMEC) regarding the missing child reporting system.

This operating procedure supersedes CFOP 175-85 dated October 17, 2002.

OPR: Office of Child Welfare

DISTRIBUTION: X: OSGC; ASGO; Region/Circuit Child Welfare Staff

4. Definitions. For purposes of this operating procedure, the following definitions apply:

a. "Abducted" means that an individual who does not have care and custody of a child under the jurisdiction of a dependency court has taken the child and left the jurisdiction of the court or in some manner is avoiding the supervision ordered by the dependency court.

b. "Absconded" means that an individual who has care and custody of a child under the jurisdiction of a dependency court has taken the child and left the jurisdiction of the court, or in some manner is avoiding the supervision ordered by the dependency court.

c. "Exigent Circumstances" means situations that require immediate actions, such as the child is under the age of 13, has a physical or mental incapacity or a developmental or behavioral challenge that renders the situation more dangerous than it would be for a child with more maturity or resources, is with others who may endanger his/her safety, is known or believed to be in a dangerous or life-threatening situation, has been identified as a victim of human trafficking, or is missing under circumstances inconsistent with established behaviors.

d. "Missing Child" means a person who is under the age of 18, whose location has not been determined, and who is in the custody of the Department or designee or for whom a Take Into Custody or Pickup Order delivering the person into the custody of the Department or designee upon their recovery exists or is being petitioned for.

e. "Runaway" means a child who has left his or her in-home or out-of-home placement without permission, or who has left with permission but has failed to return within the timeframe expected.

5. Role of DCF Statewide Missing Child Specialist. The responsibilities of the DCF Statewide Missing Child Specialist include, but are not limited to:

a. Act as a co-located liaison between the Department, region, or designee staff and the FDLE Missing and Endangered Persons Information Clearinghouse (MEPIC) to ensure that all necessary information on each missing child is obtained.

b. Review the electronic Missing Child Report (MCR) completed by the Department or designee staff to ensure completeness and accuracy prior to its transmission to FDLE. The review should focus on the information outlined in paragraphs 8d(1)(a)-(d) of this operating procedure.

c. Collect and maintain data on missing child episodes to identify patterns and needed improvements.

6. Role of Regional Criminal Justice Coordinators. The responsibilities of Regional Criminal Justice Coordinators include, but are not limited to:

a. Serve as a liaison between the DCF Statewide Missing Child Specialist, the Department staff at the local level, Community-Based Care Lead Agencies (CBCs), and local law enforcement (to include state and federal agencies who have interest in cases within their region).

b. Provide training and support to Department staff and CBCs addressing missing child prevention, reporting, response, and recovery.

7. Caregivers' Responsibilities. Caregivers must complete the following activities upon suspecting that a child in their care is missing:

a. If exigent circumstances exist, the caregiver will call local law enforcement immediately and ask the officer to:

(1) Take a report of the missing child;

(2) Assign a missing child report case number and provide the number to the caregiver or person reporting the child as missing; and,

(3) Provide a copy of the missing persons case report when it is available.

b. If exigent circumstances do not exist, the caregiver will immediately complete diligent search activities as outlined in paragraph 7c of this operating procedure to determine whether the child is missing. Completion of diligent search activities shall take no longer than four hours from the time that the child is first suspected to be missing.

(1) If, after completion of diligent search activities, the child has not been located and therefore has been determined to be missing, the caregiver will contact law enforcement immediately and ask the officer to:

(a) Take a report of the missing child;

(b) Assign a missing child report case number and provide the number to the caregiver or person reporting the child as missing; and,

(c) Provide a copy of the missing persons case report when it is available.

(2) If the responding law enforcement officer refuses to take a missing child report, the caregiver will document the name of the officer and immediately contact the child's child welfare professional or on-call staff to report this information.

c. In any circumstance, the caregiver will complete the following activities as applicable, but not limited to, in locating the missing child:

(1) Search the child's belongings for notes, potential contact information for the child or associates, possible locations or means of travel, etc.;

(2) Call/text the child's cell phone;

(3) Check the child's computer, social media accounts, or other online accounts;

(4) Contact the child's friends, relatives, or known associates;

(5) Search areas that the child is known to frequent;

(6) Contact the child's school; and,

(7) Contact the child's employer.

d. The caregiver will notify the child's child welfare professional or on-call staff immediately after contacting law enforcement and share all pertinent information including, but not limited to:

(1) Name of law enforcement agency;

(2) Case number;

(3) Copy of report, if available;

(4) Where the child left from, when the child left, a description of the child's clothing, whether the child left with other individuals, and/or any possible destinations; and,

(5) Information found while completing the search activities listed in paragraph 7c of this operating procedure.

e. Should the child's caregiver obtain new information on the missing child's location, this information must immediately be shared with law enforcement and the child's child welfare professional, and appropriate efforts must be taken to return the child to the caregiver's home or other approved placement.

f. If at any time the child returns to the caregiver's home, the caregiver must inform law enforcement, the child's child welfare professional or on-call staff, and any other agencies notified that the child was missing that the child has returned.

8. Child Welfare Professional's Initial Responsibilities.

a. The child welfare professional or designee will attempt to locate the child by checking with Florida ACCESS, Medicaid, and other available information sources. The following information will also be gathered:

(1) Name and contact information of the primary child welfare professional;

(2) The address from where the child is missing;

(3) The date and time the child was last seen at that address;

(4) The names, dates of birth, and addresses of any children or adults the missing child may be visiting or staying with;

(5) The clothing the child was last seen wearing;

(6) A list of any known medical or psychological problems;

(7) Information obtained from other Department data sources;

(8) Information obtained by the caregiver during their efforts to locate the child;

(9) The most recent court order indicating custody;

(10) A current photograph, if available, and brief description of the child;

(11) A fingerprint card for the missing child, if available;

(12) Dental records for the missing child, if available;

(13) Locations in which the child is known to frequent; and,

(14) Any additional information that may be useful for law enforcement in locating the missing child.

b. Upon notification that a child has been determined to be missing, the child welfare professional will immediately notify the following persons (if the caregiver has not already done so), and must also share the information identified in paragraph 8a of this operating procedure, as applicable, unless otherwise specified:

(1) Local law enforcement.

(a) The responding officer must be asked to:

1. Take a report of the missing child; and,
2. Provide the missing child report number to the caregiver or person reporting the child missing.

(b) If the responding law enforcement officer refuses to take a missing child report for any reason, the child welfare professional will request to speak to the appropriate sergeant and document the responding officer's name and specific local law enforcement agency name. Upon speaking with the appropriate sergeant, the child welfare professional will ask him/her to take a missing child report.

1. If the sergeant refuses to take a missing child report, the child welfare professional will report this information to their Regional Criminal Justice Coordinator, who will attempt to assist in obtaining a missing child report. If the Regional Criminal Justice Coordinator is unable to obtain a missing child report, he/she will contact the DCF Statewide Missing Child Specialist who will request assistance from FDLE in obtaining a missing child report.

2. The Regional Criminal Justice Coordinator will also contact NCMEC to report the child as missing by calling their 24-hour hotline at 1-800-THE-LOST (1-800-843-5678) or by utilizing their web-based reporting system at <https://cmfc.missingkids.org/reportit/>. Information to be provided by the Regional Criminal Justice Coordinator is limited to

- a. The name and date of birth of the child;
- b. A physical description of the child including, at a minimum, the height, weight, hair color, eye color, gender, and any identifying physical characteristics of the child; and,
- c. A photograph of the child.

(2) The child's parents, legal custodian, relatives, or foster parent.

(3) His or her immediate supervisor.

(4) The Regional Criminal Justice Coordinator.

(5) Children's Legal Services or the contracted legal provider. Children's Legal Services or the contracted legal provider must file notice with the court within one business day after being notified that the child is missing. Notice to the court shall be documented within two business days.

(6) The child's Guardian ad Litem and/or Attorney ad Litem.

(7) The child's therapist.

(8) The child's Juvenile Probation Officer, if the child has an open case with the Department of Juvenile Justice (DJJ).

(9) The Region Compact Specialist, if the child is placed out-of-state in accordance with the Interstate Compact on Placement of Children (ICPC) or if a child missing from Florida is known or believed to be out of the state. If the out-of-state law enforcement agency requires that a Take Into Custody or Pickup order be domesticated in the state from which the child is missing, the child welfare professional will work with the Regional Compact Specialist and/or the out-of-state child welfare professional to satisfy the reporting requirements of the out-of-state law enforcement agency.

(10) United States Customs and Border Protection and the Department of State, if the child is known or believed to be out of the country.

(11) Any other person the child welfare professional deems essential who is not otherwise prohibited by law, Florida Administrative Code, court order, or Children and Families Operating Procedure.

c. Should the child who is missing be involved in an active child protective investigation or receiving judicial or non-judicial in-home services, the child welfare professional shall immediately staff the case with his or her direct supervisor to ascertain if present or impending danger exists. If present or impending danger is identified, the child welfare professional will staff the case with Children's Legal Services or the contracted legal provider within 24 hours of determining that the child is missing to obtain a Pickup or Take Into Custody Order if one or more of the following conditions exist:

(1) Law enforcement will not initiate efforts to locate the child without a court order.

(2) The caregiver or legal guardian of a child in an active child protective investigation or receiving judicial or non-judicial in-home services is refusing to cooperate with efforts to locate the child, including:

(a) Has not reported the child as missing to local law enforcement within the timeframes set forth in paragraphs 7a-c of this operating procedure and continues to refuse to do so after being informed of the need to do so.

(b) There is reason to believe the child's whereabouts are known by the caregiver or legal guardian and the lack of cooperation is for the purpose of denying the child welfare professional access to the child, or the family has or is about to flee to avoid further agency intervention.

d. The child welfare professional or designee shall enter the MCR in the Florida Safe Families Network (FSFN) within 24 hours of determining that the child is missing.

(1) The MCR shall include, but is not limited to:

(a) Demographic information and characteristics related to the child that has been reported missing.

(b) Name and contact information of the primary child welfare professional.

(c) The narrative shall contain the following information, at minimum:

1. Information on where the child was last seen;
2. The child's direction of travel;
3. What the child was last seen wearing;

4. The child's possible destination, if known;
 5. Prior recovery locations from earlier missing child episodes, if applicable, or areas in which the child is known to frequent;
 6. Personal belongings that the child took with them, if applicable;
 7. Any other information that might be helpful in the recovery of the child.
- (d) Information regarding any suspected companions.

(2) The DCF Statewide Missing Child Specialist shall review the missing child report to ensure that it meets reporting criteria for opening a case with FDLE's MEPIC and NCMEC.

e. A current photo of the child, if available, must be uploaded into FSFN within 24 hours of determining that the child is missing, to include nights and weekends, if not already present. The photo should be clear and of the child's full face from the front, if possible. A photocopy of the child's picture is not acceptable, nor are photos with social media filters present.

f. If exigent circumstances exist, the DCF Statewide Missing Child Specialist can be contacted directly to assist in initiating emergency procedures with law enforcement and/or FDLE.

g. Efforts should be made to contact the DCF Statewide Missing Child Specialist when there is a need to determine if a missing child report is open/closed with FDLE and NCMEC or when there are questions concerning the status of an open/closed missing child report.

9. Ongoing Efforts to Locate a Missing Child by the Department or Designee.

a. Child welfare professional or their designees shall be responsible for conducting both field based and desk activities to locate the child which include, but are not limited to:

(1) Onsite visits to locations where the child may be found. Only child welfare professionals and their certified designees can conduct onsite visits.

(2) Onsite collateral source contact interviews (e.g., interviews of teachers, employers, relatives, etc.).

(3) Checking mobile apps and social media accounts popular among youth.

(4) All tips, leads, or any other information obtained that may assist in the missing child's recovery must be immediately reported to the local law enforcement agency who has jurisdiction of the case.

(5) Any information unrelated to tips, leads, or reasonable efforts to locate the missing child, or information that is or may be protected (such as abuse history, mental health diagnoses, treatment or counseling records, medications, or health information) must be referred to the Department's Office of General Counsel for review prior to release to any entity other than law enforcement or other government agency.

b. All efforts to locate the child must be documented as a Missing Child – Attempt to Locate note type in FSFN within two business days of the effort to locate.

c. For children reported missing while the family is involved in ongoing judicial or non-judicial case management services, the case manager or designee shall make efforts to locate the child at a minimum of once every seven calendar days for the first 90 days from the time that the child is reported

missing to law enforcement and at least once every 30 days thereafter, unless information supports a more frequent check (e.g., severe maltreatment is alleged, or there are credible reports that a child has been frequenting a certain location, etc.).

d. For children reported missing while the family is involved in a child protective investigation in which present or impending danger exists and a Pickup or Take Into Custody Order exists or is being petitioned for, the following efforts to locate the missing child will be completed, and the child protective investigation will remain open (unless the case is transferred to case management), until the conditions in paragraph 9g(1)-(4) of this operating procedure are met:

(1) Child Protective Investigator (CPI) or her/his designee shall make efforts to locate the child at a minimum of once every seven days for 60 days from the time the child is reported missing to law enforcement unless information supports a more frequent check (e.g., severe maltreatment is alleged, or there are credible reports that a child has been frequenting a certain location, etc.).

(2) After 60 days from the child being reported as missing, the efforts to locate the child by the CPI may be reduced to a minimum of once every 30 days, unless information supports a more frequent check (e.g., severe maltreatment is alleged, or there are credible reports that a child has been frequenting a certain location, etc.).

(3) After 90 days from the child being reported as missing, the efforts to locate may be transferred to the Regional Criminal Justice Coordinator or their designee for continuation of remote electronic database and information system searches. Those Regional Criminal Justice Coordinators or their designees who are certified child welfare professionals may perform additional in-person search related activities.

e. All efforts to locate the child must be documented as a Missing Child – Attempt to Locate note type in FSFN within two business days of the effort to locate.

f. A missing child staffing must be held every 30 days to provide updates to the stakeholders noted in paragraph 9f(2) of this operating procedure regarding efforts to locate the child.

(1) The staffing shall be initiated by the primary child welfare professional or the Regional Criminal Justice Coordinator or designee; whichever individual is responsible for making the reasonable efforts to locate for the month in which the staffing occurs.

(2) The following individuals and entities must be notified of the staffing by the individual completing reasonable efforts to locate the child (if applicable):

- (a) Child welfare professional;
- (b) Child welfare professional's supervisor;
- (c) Law enforcement;
- (d) Children's Legal Services or the contracted legal provider;
- (e) Regional Criminal Justice Coordinator;
- (f) Guardian ad Litem;
- (g) Attorney ad Litem;
- (h) Juvenile Probation Officer; and,

(i) Victim Advocate.

(3) Any additional attendees at the staffing not specifically allowed per s. [39.00145](#), F.S., must be approved by General Counsel and/or the Court.

g. The child welfare professional shall make efforts to locate the child until:

(1) The child is located.

(2) The child turns 18 years of age.

(a) If a child reaches 18 years of age while reported as missing, all agencies notified that the child was missing must be contacted and informed that the child has reached the age of 18.

(b) A copy of the case file will be offered to local law enforcement for their continuing efforts to locate the missing person.

(c) A FSFN MCR recovery form will be submitted with the recovery type of "Aged Out."

(3) The CPI has obtained sufficient information to close the investigation and said information does not rise to the level to transfer the case to case management. Sufficient information includes:

(a) The conditions or circumstances which were the basis for the Pickup or Take Into Custody Order no longer exist.

(b) Another state child welfare agency with comparable jurisdiction to the Department has interviewed all available subjects of the investigation and reports no concerns with the child's current living situation.

(c) All active Pickup or Take Into Custody Orders related to the conditions mentioned in paragraphs 8c(1)-(2) of this operating procedure must be terminated by the court having jurisdiction over the child prior to the closure of the MCR.

(4) The dependency or ongoing services case is closed by the court or the Pickup or Take Into Custody Order is denied by the court having jurisdiction over the child.

(a) Prior to closure, all agencies notified that the child was missing must be contacted and notified that the case will be closed. A copy of the case file will be offered to local law enforcement for their continuing efforts to locate the child, should a missing persons case remain active with that agency. A FSFN MCR recovery form will be submitted with the recovery type as "Judicial."

(b) The child welfare professional may use the request to locate alert in FSFN when there is a concern that there may be present or impending danger and the dependency case was closed and/or the Take Into Custody Order is denied by the court having jurisdiction over the child.

10. Procedures Required When a Child Is Located.

a. Upon learning that a child who was originally missing from an active child protective investigation or a judicial or non-judicial in-home services case or a child missing from an out-of-home care case in which there may be present or impending danger has been located, the child welfare professional, on-call child welfare professional, or designee shall respond immediately, to include

weekends and holidays, to the child's location to assess the child's safety. If the child is located outside of the child welfare professional's service area, the child welfare professional, on-call child welfare professional, or designee shall immediately make an Out-of-Town Inquiry (OTI) or courtesy request to assess the child's safety.

b. The child welfare professional shall notify all parties noted in paragraph 8b(1)-(11) of this operating procedure that the child has returned.

(1) If the child welfare professional has reason to believe the child's caregiver or legal guardian was uncooperative with efforts to locate the child for the purpose of denying the child welfare professional access to the child and immediate notification would further impede the investigation or dependency case, the caregiver or legal guardian may be notified of the child's whereabouts after the child's safety has been assessed.

(2) The DJJ Interstate Compact for Juveniles (ICJ) Compact Specialist will also be contacted, if necessary, to collaboratively facilitate the safe return of a child who is missing from Florida and has been located out of state, or is missing from another state's jurisdiction and has been located in Florida.

c. The child welfare professional shall interview the child within 24 hours of recovery, to include weekends and holidays, to determine the child's need for a change in placement and/or additional services needed for the child or caregiver to prevent future missing child episodes.

(1) The interview shall:

(a) Determine the primary factors that contributed to the child running away (if the child ran away); and,

(b) Inquire into the child's experience while absent from care, including identifying if the child has a history of running away, sexual abuse, or if the child discloses being trafficked or reports sexual exploitation. If any one of these indicators are present, the child welfare professional shall screen the child to determine if the child is a possible victim of trafficking pursuant to Rule [65C-43.001](#), F.A.C.

(2) Documentation of the interview shall be recorded within FSFN as a Missing Child Debriefing note type within one business day of the attempted interview.

(3) Should the interview demonstrate that additional services for the child and/or caregiver are necessary to prevent future missing child episodes, the child welfare professional will involve all relevant stakeholders, including the child and caregiver, in the discussions regarding and the planning of any change in services.

d. The child's recovery shall be documented in FSFN by completing the electronic MCR recovery form within 24 hours, to include weekends and holidays, upon learning that a missing child has been located.

(1) A rapid recovery form must be used when the MCR has not been approved by the DCF Statewide Missing Child Specialist and FDLE/MEPIC.

(2) A standard recovery form must be used when the MCR has been approved by the DCF Statewide Missing Child Specialist and FDLE/MEPIC.

(3) The DCF Statewide Missing Child Specialist shall review the missing child recovery report to ensure that the case meets case closure criteria with FDLE/MEPIC/NCMEC.

11. Procedure for Completing and Issuing Out-of-State Inquiries and Alerts. When an out-of-state inquiry is received, the DCF Statewide Missing Child Specialist shall query all parties using the information provided in FSFN.

a. Regardless of information match results, a request to locate alert will be placed in FSFN for any parties who are believed to be in or traveling to Florida, or who were last seen in the states of Alabama or Georgia (due to their close proximity to the state of Florida).

b. If the criterion in paragraph 11a of this operating procedure is not met and there is an information match and contact with the party has occurred in the past 12 months but is not currently active:

(1) The DCF Statewide Missing Child Specialist shall issue a request to locate alert in FSFN.

(2) This alert shall remain active until the DCF Statewide Missing Child Specialist is notified that the child has been located by the out-of-state agency (and he/she will then deactivate the alert) or until six months have passed, whichever occurs first.

c. If the criterion in paragraph 11a of this operating procedure is not met and there is no information match or contact with the party has not occurred in the past 12 months, no action shall be taken and the request will be destroyed.

d. In any case, if there is an open abuse intake, special conditions referral, child protective investigation, dependency case, or other services, the DCF Statewide Missing Child Specialist shall do the following:

(1) Issue a request to locate alert in FSFN for the party/parties. This alert will remain active until the DCF Statewide Missing Child Specialist is notified that the child has been located by the out-of-state agency (and he/she will then deactivate the alert) or until six months have passed, whichever occurs first.

(2) Contact the out-of-state agency, inform them of the open case, and provide the contact information for the current primary child welfare professional.

(3) Contact the current primary child welfare professional, inform them of the request to locate alert, and provide the contact information for the out-of-state agency contact.

BY DIRECTION OF THE SECRETARY

(Signed original copy on file)

PATRICIA MEDLOCK
Assistant Secretary for
Child Welfare

SUMMARY OF REVISED, DELETED OR ADDED MATERIAL

This operating procedure supersedes CFOP 175-85 and incorporates changes in Rule 65C-30.019, Florida Administrative Code. The operating procedure incorporates the most current procedures for reporting and responding to situations in which children are missing for any reason from out-of-home care or in-home care, or those children under investigation or receiving judicial or non-judicial case management services for whom a Take Into Custody or Pickup Order exists.