

Department of Health and Human Services

**OFFICE OF  
INSPECTOR GENERAL**

**NATIONAL SNAPSHOT OF STATE AGENCY  
APPROACHES TO REPORTING AND  
LOCATING CHILDREN MISSING FROM  
FOSTER CARE**

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Inspector General

May 2022  
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## Report in Brief

Date: May 2022

Report No. A-07-20-06095

U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES  
**OFFICE OF INSPECTOR GENERAL**



### Why OIG Did This Audit

Federal law requires States to provide safe and stable out-of-home care for children in foster care until they are safely returned home, placed permanently with adoptive families, or placed in other planned, permanent living arrangements. Concerns regarding States' lack of knowledge regarding the whereabouts of children who go missing from foster care (missing children) have garnered national media attention. This report provides decisionmakers with a national snapshot of the number of missing children as well as the State-level approaches for reporting on and locating these children.

Our objectives were to:

(1) summarize nationwide data on missing children, (2) examine the policies and procedures adopted by State agencies to report and locate missing children, (3) identify any barriers and other deficiencies in the State agencies' policies and procedures related to missing children, and (4) report on the challenges that the State agencies identified with respect to reporting and locating missing children.

### How OIG Did This Audit

We based our findings on responses to a questionnaire and followup interviews we conducted with State agencies. The questionnaire and interviews focused on collecting data for all children in foster care placements who went missing at any time from July 1, 2018, through December 31, 2020 (audit period).

## National Snapshot of State Agency Approaches To Reporting and Locating Children Missing From Foster Care

### What OIG Found

There were 110,446 missing children episodes during our audit period. State agencies' data showed the following: the percentages of missing children by State ranged from 0 to 7 percent; the average number of days that the children were missing ranged from 7 to 96 days; the number of children who were still missing as of December 31, 2020, was 6,619; the average number of times children went missing ranged from 1 to 7 times; and the majority (65 percent) of missing children were 15 to 17 years old. The data also showed that among the missing children, 51 percent were females, 48 percent were males, and 1 percent were reported without gender data, or reported as transgender or undecided.

With respect to our second objective, all 50 State agencies said that they had implemented policies and procedures regarding measures to report and locate missing children. Some State agencies reported enhanced procedures when a high-risk child went missing, or created special units or had specifically designated staff to help locate missing children.

With respect to our third objective, we identified several barriers and other deficiencies in State agencies' policies and procedures. These barriers included limitations in State agencies' data systems, lack of oversight to ensure timeliness when reporting missing children, and issues involving the collaboration and exchange of information with Federal agencies and law enforcement.

With respect to our fourth objective, the most frequently identified challenges were: locating children who repeatedly go missing from foster care; obtaining cooperation from missing children's families and friends and from law enforcement; finding correct placements for children to prevent them from running away; and a lack of awareness of the support and technical assistance that the Department of Health and Human Services, Administration for Children and Families (ACF) provides.

### What OIG Recommends

This report makes no recommendations. However, we expect that ACF will use the information in this report as it works with State agencies to improve outcomes for missing children and reduce the number of missing children episodes. ACF elected not to provide formal written comments on our draft report but did provide technical comments, which we addressed as appropriate.

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## INTRODUCTION

### WHY WE DID THIS AUDIT

The Federal foster care program, authorized by Title IV-E of the Social Security Act (the Act), as amended, helps States provide safe and stable out-of-home care for children who meet certain eligibility requirements until they are safely returned home, placed permanently with adoptive families, or placed in other planned, permanent living arrangements. Concerns regarding States' lack of knowledge regarding the whereabouts of children who go missing from foster care have garnered national media attention.<sup>1</sup>

As part of our oversight activities, we are conducting a series of audits related to children missing from foster care (who this report refers to as "missing children"). This report provides Federal, State, and local decisionmakers with a national snapshot of the number of missing children as well as the State-level approaches to reporting on and locating these children.<sup>2</sup> The data summarized in this report will provide insight into the issues surrounding missing children and share approaches for addressing those issues in order to reduce the number of, and improve outcomes for, episodes in which children go missing from foster care (missing children episodes).<sup>3</sup>

### OBJECTIVES

The objectives of our audit were to: (1) summarize nationwide data on missing children, (2) examine the policies and procedures adopted by State agencies to report and locate missing children, (3) identify any barriers and other deficiencies in the State agencies' policies and procedures related to missing children, and (4) report on the challenges that the State agencies identified with respect to reporting and locating missing children.

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<sup>1</sup> The Washington Post, "The other missing children scandal: Thousands of lost American foster kids." Available online at <https://www.washingtonpost.com/news/posteverything/wp/2018/06/18/the-other-missing-children-scandal-thousands-of-lost-american-foster-kids/> (accessed on Jan. 25, 2022).

<sup>2</sup> We are also conducting audits to determine whether States are reporting missing children to law enforcement authorities for entry into the National Crime Information Center's (NCIC's) Missing Persons File and reporting missing children to the National Center for Missing and Exploited Children (NCMEC) as required.

<sup>3</sup> In the context of this report, an "episode" refers to a single instance in which a child who has been placed in foster care goes missing, and the child's State of residence updates that child's status to "missing" in its data and reporting systems.

## BACKGROUND

### Federal and State Foster Care Programs

Within the Department of Health and Human Services, the Children's Bureau, a program office within the Administration for Children and Families (ACF), is responsible for administering the Title IV-E program. The Children's Bureau issues program instructions outlining the information that States must report to receive Federal funding. In addition, the Children's Bureau monitors State child welfare services through various assessment reviews and uses the Adoption and Foster Care Analysis and Reporting System (AFCARS) and the National Child Abuse and Neglect Data System (NCANDS) to collect information from the States on all children in foster care.<sup>4</sup>

The Federal foster care program is an annually appropriated program that provides funding to States for the daily care and supervision of children who meet eligibility requirements. Funding is awarded by formula as an open-ended entitlement grant and is contingent upon an approved State plan to administer the program. Each State must therefore submit to ACF for approval a State plan that designates a State agency that will administer the program for that State (the Act § 471(a)(2)). The State agency must submit yearly estimates of program expenditures as well as quarterly reports of estimated and actual program expenditures in support of the awarded funds.

The State plan designates a State authority or authorities responsible for establishing and maintaining standards for foster family homes and child care institutions, including standards related to safety, and requires that the State apply the standards to any foster family home or child care institution receiving Title IV-E or Title IV-B funds (the Act § 471(a)(10)).<sup>5</sup> The State plan must also ensure that financial assistance is made available for eligible children and that the State has developed and implemented standards to ensure that children in foster care placements receive quality services that protect their health and safety (the Act § 471(a)(22)).

For many decades, State-level responsibility for the safety and well-being of a child in foster care ended at the age of 18 (or 19, at the State's discretion). In 2008, the Fostering Connections to Success and Increasing Adoptions Act amended Title IV-E of the Act by giving States the option to extend the age of eligibility for federally funded foster care to 21.<sup>6</sup> In doing so, the Federal Government provided States with a financial incentive to allow young people to remain in foster care until the age of 21 (extended foster care). These 18- to 21-year-olds must

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<sup>4</sup> AFCARS is a data collection system that was created to make available national information on children in foster care and their families. The Children's Bureau uses AFCARS data for multiple reasons, including assessing outcomes for children and trend analysis. NCANDS is a voluntary data collection system that gathers information from all 50 States about reports of child abuse and neglect.

<sup>5</sup> Title IV-B of the Act authorizes grants to States and Tribes for child and family services.

<sup>6</sup> The Fostering Connections to Success and Increasing Adoptions Act of 2008, P.L. No. 110-351 (Oct. 7, 2008).



also participate in education, work, or work-related activities, or have a documented medical condition that prohibits such participation (the Act § 475(8)(B)).

Most State agencies directly administer their foster care programs. As of the time of our audit work, though, nine States had structured their foster care programs such that overall administration is executed at the county level. Programs in two other States are partially administered at the county level. For this report, we refer to both variations of these structures as “State-supervised, county-operated programs.”

## Missing Children

Missing children are those who run away or otherwise are missing from foster care placements and who are not in the physical custody of the agency, individual, or institution with whom the child has been placed; a missing child’s actual whereabouts may be known or unknown.<sup>7</sup> These children who go missing from their approved placements are at higher risk of experiencing harm, substance use, and trafficking.<sup>8</sup> In recognition of the vulnerability associated with missing children, the Preventing Sex Trafficking and Strengthening Families Act (Strengthening Families Act) amended the Act and added requirements governing how State agencies respond when children are missing from foster care.<sup>9</sup>

In addition to being required to report missing and abducted children to law enforcement and to the National Center for Missing and Exploited Children (NCMEC), State agencies must develop policies to quickly locate children who run away from foster care or who otherwise go missing (the Act §§ 471(a)(35)(A) and (B)). NCMEC is a nonprofit organization funded by a grant from the Department of Justice that serves as a reporting center for issues related to the prevention of and recovery from child victimization. NCMEC operates a 24-hour, toll-free hotline so that individuals may report information regarding any missing child. NCMEC also provides technical assistance in identifying, locating, and recovering victims of child sex trafficking.<sup>10</sup>

The Missing Children Act of 1982 directed the U.S. Attorney General to keep records on all missing children in the National Crime Information Center’s (NCIC’s) Missing Persons File, which

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<sup>7</sup> This definition is drawn from the Child Welfare League of America. See its website at <https://www.cwla.org/how-should-agencies-respond/> (accessed on Jan. 25, 2022).

<sup>8</sup> See for example, “Examining the Link: Foster Care Runaway Episodes and Human Trafficking,” a research brief accessible at [https://www.acf.hhs.gov/sites/default/files/documents/opre/foster\\_care\\_runaway\\_human\\_trafficking\\_october\\_2020\\_508.pdf](https://www.acf.hhs.gov/sites/default/files/documents/opre/foster_care_runaway_human_trafficking_october_2020_508.pdf) (accessed on Jan. 25, 2022).

<sup>9</sup> The Preventing Sex Trafficking and Strengthening Families Act, P.L. No. 113-183 (Sept. 29, 2014). Although tied to the receipt of Federal foster care funding, the requirements apply to all children regardless of their eligibility for Title IV-E payments.

<sup>10</sup> We have an ongoing audit of the State agencies’ reporting of missing children to NCMEC and plan to issue a separate report on the results of this work.

is maintained by the Federal Bureau of Investigation (FBI), and to disseminate those records to State and local agencies.<sup>11</sup>

Law enforcement agencies submitting information on missing children to NCIC are required to also notify NCMEC of each report that relates to a child who has been reported as missing from foster care, and to maintain close liaison with NCMEC and child welfare agencies in order to exchange information and technical assistance about missing children cases (34 U.S.C. § 41308).

Although there is no database interface between NCMEC and NCIC, NCMEC is permitted to search the NCIC's Missing Persons File to assist with locating missing children who are between the ages of 18 and 21.

A missing child episode takes on even greater urgency when the child's safety is considered to be at high risk. Although the precise definition of this term varies by State, States generally define a "high-risk child" as having one or more of the following attributes: (1) 12 years old or younger, (2) a history of runaway episodes or sexual exploitation, (3) one or more diagnosed medical conditions, and (4) high emotional or psychiatric sensitivity.

## **HOW WE CONDUCTED THIS AUDIT**

The information in this report is based on responses to a questionnaire completed by State agency program administrators in all 50 States. We distributed the questionnaire, obtained the responses, and conducted followup interviews (as necessary) between September 29, 2020, and July 27, 2021. We asked the State agencies to provide data for all children in foster care placements (i.e., children who were eligible for Title IV-E of the Act as well as those who were not covered) who went missing at any time from July 1, 2018, through December 31, 2020 (audit period). All 50 State agencies responded to our questionnaire although, as explained below, not all of the State agencies responded fully to all of the questions.

The questionnaire and followup interviews focused on three key areas:

- data on missing children,
- State agencies' policies and procedures for reporting and locating these children, and
- State agencies' perspectives on the challenges they identified with respect to missing children.

We also met with ACF staff to gain an understanding of ACF's roles and responsibilities, the guidance and training it has provided to State agencies, and ACF's perspectives on the challenges confronting State agencies.

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<sup>11</sup> The Missing Children Act of 1982, P.L. No. 97-292 (Oct. 12, 1982), codified at 28 U.S.C. § 534.

The information in this report was current when we conducted our questionnaire and interviews but may not represent all of the issues that ACF and State agencies have faced or the actions they have taken to address those issues. We did not verify the information that the State agencies provided to us or evaluate the effectiveness of the actions that the State agencies identified.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Additional details on our audit scope and methodology appear in Appendix A.

## FINDINGS

According to data that the State agencies provided, there were 110,446 missing children episodes during our audit period.<sup>12</sup> Some States had higher percentages of these episodes relative to their total populations of children in foster care than did others. The percentages of missing children by State ranged between 0 and 7 percent during our audit period. In addition, 36 State agencies reported that the average number of days that the children were missing ranged from 7 to 46 days, but 9 States reported that children were missing for more than 50 days on average.

With respect to our second objective, all 50 State agencies described various policies and procedures that they had adopted to address missing children episodes. Specifically, all State agencies said that they had implemented policies and procedures that required a State agency or foster care provider to report any missing child to law enforcement and NCMEC within 24 hours of identifying that the child was missing. Six State agencies reported that they had adopted reporting procedures involving compressed timelines when a high-risk child went missing. In addition, some State agencies had policies that detailed provisions designed to increase the likelihood of locating and safely returning a missing child. Moreover, five State agencies had created special units or had specifically designated staff to help locate missing children in their States.

With respect to our third objective, we identified several barriers and other deficiencies in the State agencies' policies and procedures related to missing children. The barriers included a

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<sup>12</sup> This number does not include episodes for all 50 States because 3 States (Pennsylvania, Rhode Island, and West Virginia) did not provide us sufficient details and 1 State (New York) gave us data (regarding both missing children and total numbers of children in foster care) only on children who were Title IV-E eligible. For details, see Appendix C. Additionally, State agencies often varied in terms of how they defined "missing child." One State agency told us that it considers children to be missing, absent, or run away as soon as they are identified or known to be missing, while another State agency said that it considers children to be missing only after they have been missing for 24 hours.

number of limitations in State agencies' data systems that resulted in inaccurate and incomplete data. Furthermore, although most State agencies had policies in place for mandatory reporting to NCIC, NCMEC, and law enforcement, some State agencies described difficulties meeting their reporting requirements because of issues involving State confidentiality laws, the use of children's photographs, and the collaboration and exchange of information with NCIC, NCMEC, and law enforcement. Additionally, some State agencies reported that they continued to remit maintenance payments to providers after a child went missing from foster care.

With respect to our fourth objective, the most frequently identified challenges were: (1) locating children who repeatedly go missing from foster care; (2) obtaining cooperation from missing children's families and friends; (3) obtaining assistance from law enforcement; (4) finding the correct foster care placement for children to prevent them from running away; and (5) a lack of awareness among some State agencies of the support and technical assistance that ACF provides.

The barriers to State agencies' efforts that we identified, as well as the challenges that the State agencies identified, could hamper efforts to report and locate missing children.

## **FEDERAL REQUIREMENTS AND GUIDANCE**

We summarize relevant Federal requirements and guidance below. For additional details on these Federal requirements and guidance, see Appendix B.

### **Federal Statutes and Regulations**

In 2014, Congress passed the Strengthening Families Act (see footnote 9), which amended Title IV-E of the Act by requiring States to develop and implement specific protocols to expeditiously locate any children missing from foster care (the Act § 471(a)(35)(A)(i)).

The Strengthening Families Act also defined specific reporting requirements. State agencies must report immediately, and in no case later than 24 hours after receiving, information on a missing child to law enforcement authorities and to NCMEC (the Act § 471(a)(35)(B)). Each State must outline in its State plan how it will fulfill these requirements insofar as children who go missing from foster care placements are concerned.

## **ACF Guidance**

ACF, Children’s Bureau published an Information Memorandum (IM) concerning the Strengthening Families Act that includes information regarding the requirements for State agency actions when children run away from foster care. This IM provides guidance on services for children under 18 years old who run away from foster care and who then come into contact with runaway and homeless youth programs. This IM also includes information related to State agency oversight of high-risk children in foster care ([ACYF-CB/FYSB-IM-14-1](#)).

Federal guidance also addresses cases in which a child is temporarily absent from a foster care placement because the child has run away or due to other circumstances (e.g., the child is on a weekend home visit or is hospitalized for medical treatment). In such cases, the State agency may provide a full month’s Title IV-E foster care maintenance payment to the licensed provider, but only in cases in which the absence does not exceed 14 days and the child returns to the same foster care provider (ACF [Child Welfare Policy Manual, section 8.3B](#), Question 7).

## **SUMMARY OF DATA ON MISSING CHILDREN**

### **State Agencies’ Data on Missing Children**

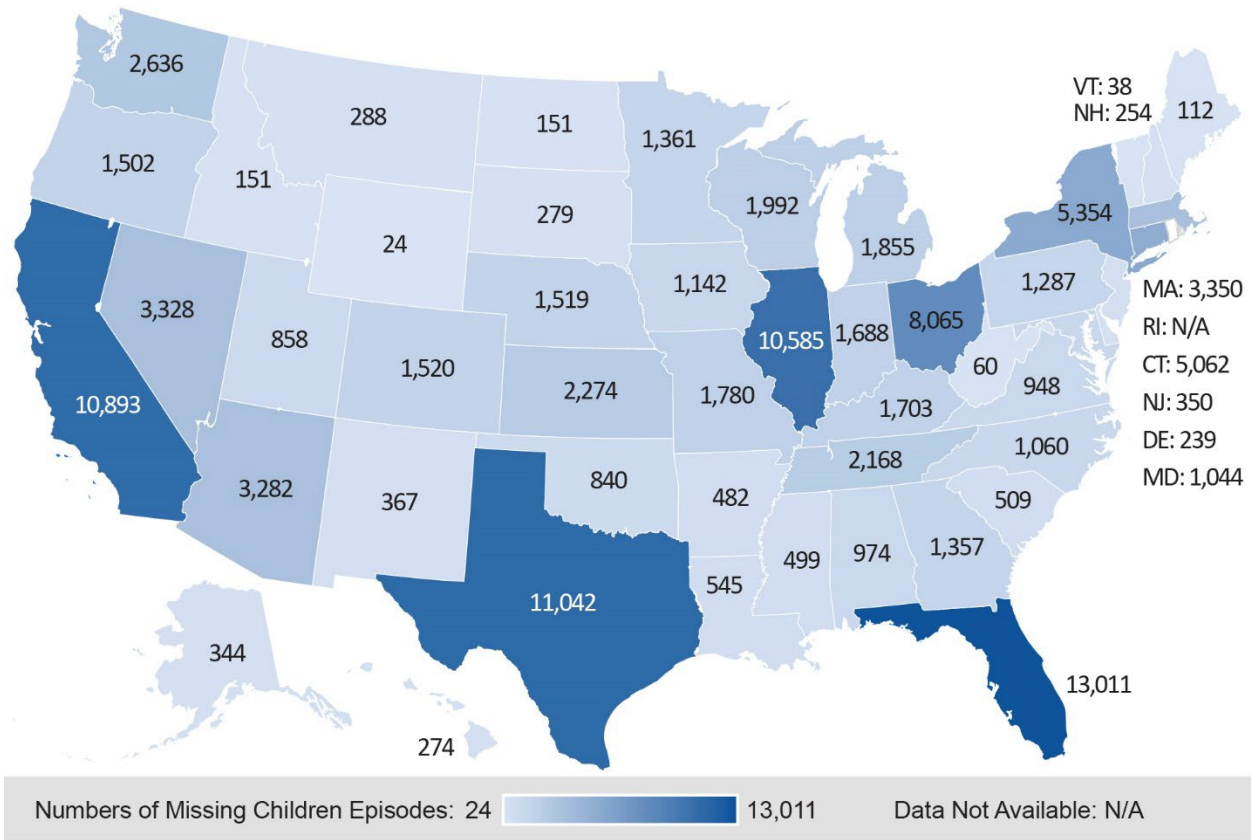
According to data on missing children that the State agencies provided, there were 110,446 missing children episodes involving 43,679 of the 1,016,895 children who were in foster care. The following summarizes the data provided by the State agencies.

All 50 States provided data identifying children they defined as “missing” during our audit period; however, 4 State agencies did not provide data on all of their respective missing children episodes.<sup>13</sup> The data provided by the States included the number of children in foster care who went missing at least once, and showed that many of the children went missing multiple times. Figure 1 on the following page shows the numbers of these 110,446 missing children episodes by State.

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<sup>13</sup> See footnote 12.

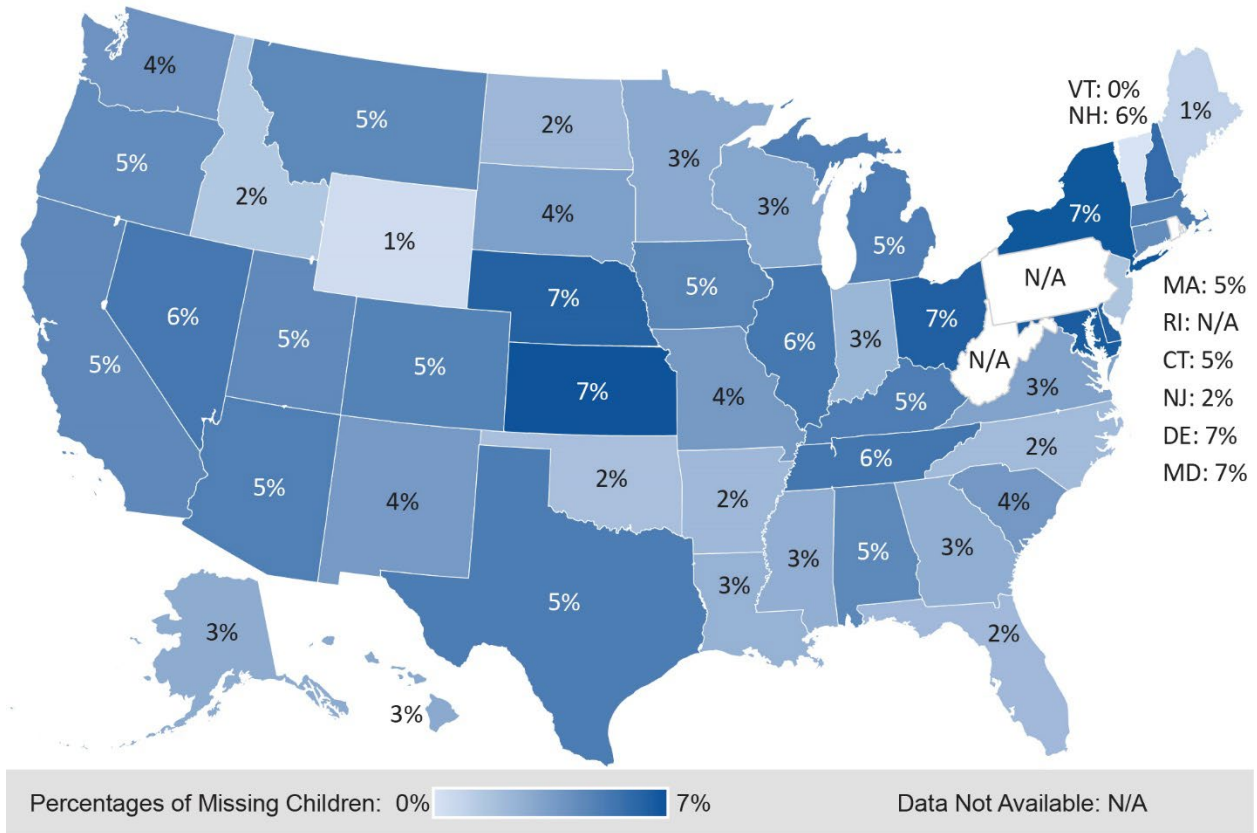
**Figure 1: Numbers of Missing Children Episodes**



The percentages of children in foster care who went missing at some point during our audit period varied by State from 0 to 7 percent.<sup>14</sup> Of 47 State agencies that provided data that allowed us to calculate their percentages of missing children, 10 State agencies reported that between 6 and 7 percent of their children in foster care placements had gone missing at some point during our audit period. Another 34 State agencies reported that between 2 and 5 percent of their children in foster care placements had gone missing, and 3 State agencies reported that 1 percent or less of their children in foster care placements had gone missing. Figure 2 on the following page shows the percentage of missing children in relation to the total number of children in foster care placements during our audit period.

<sup>14</sup> We calculated this percentage by dividing the total number of missing children in foster care (unique children, not episodes) by the total number of children in foster care for each State. Three State agencies (Pennsylvania, Rhode Island, and West Virginia) did not provide sufficient information for us to calculate percentages. For details, see Appendix C.

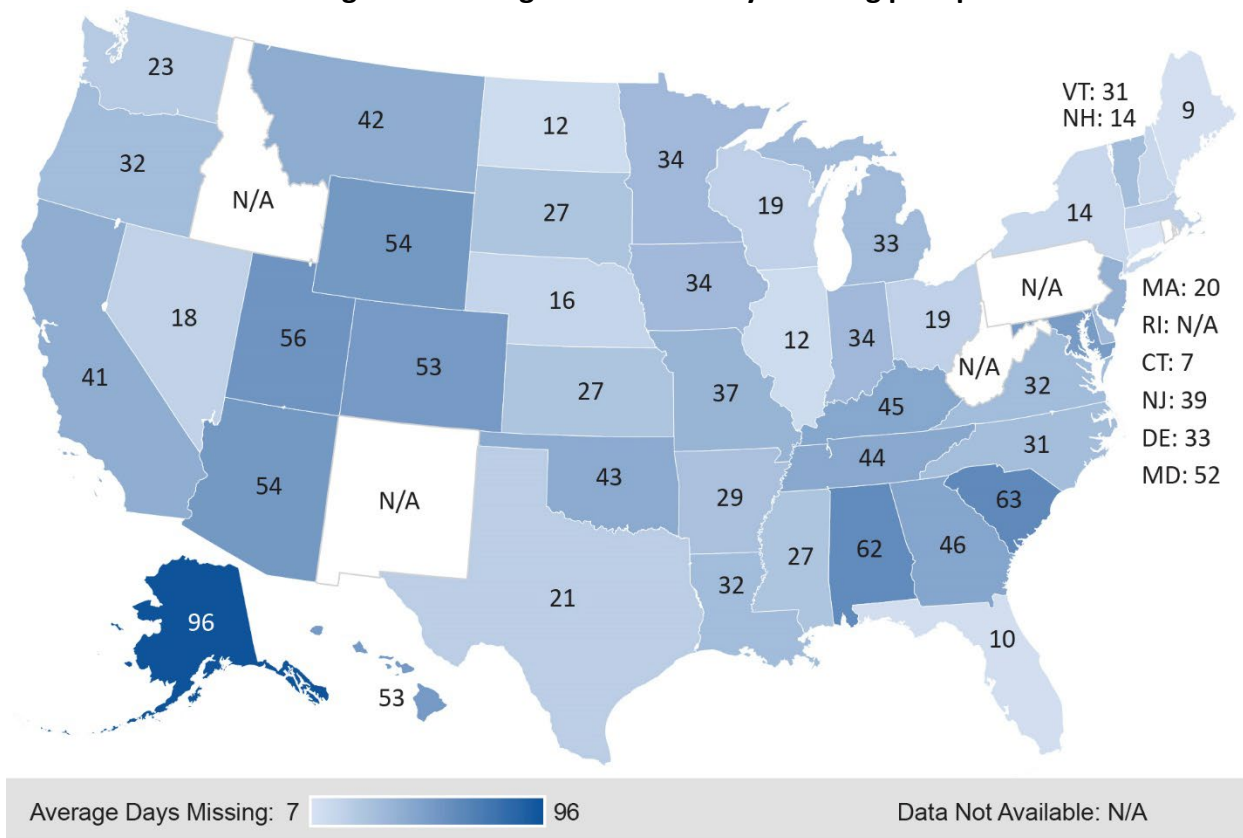
**Figure 2: Percentages of Missing Children by State**



The State agencies' data showed that some States had children who on average were missing from foster care for substantially long periods of time. The average number of days children were missing varied by State and ranged between 7 to 96 days. For the 45 State agencies that provided this information, the average number of days that children were missing was 34 days.<sup>15</sup> Thirty-six State agencies reported that the average number of days that children were missing ranged from 7 to 46 days, but 9 States reported that children were missing for more than 50 days on average. See Figure 3 on the following page.

<sup>15</sup> For five States (Idaho, New Mexico, Pennsylvania, Rhode Island, and West Virginia), we were not able to calculate the length of time that children were missing from foster care because those State agencies did not give us the dates on which the children were located.

**Figure 3: Average Number of Days Missing per Episode**

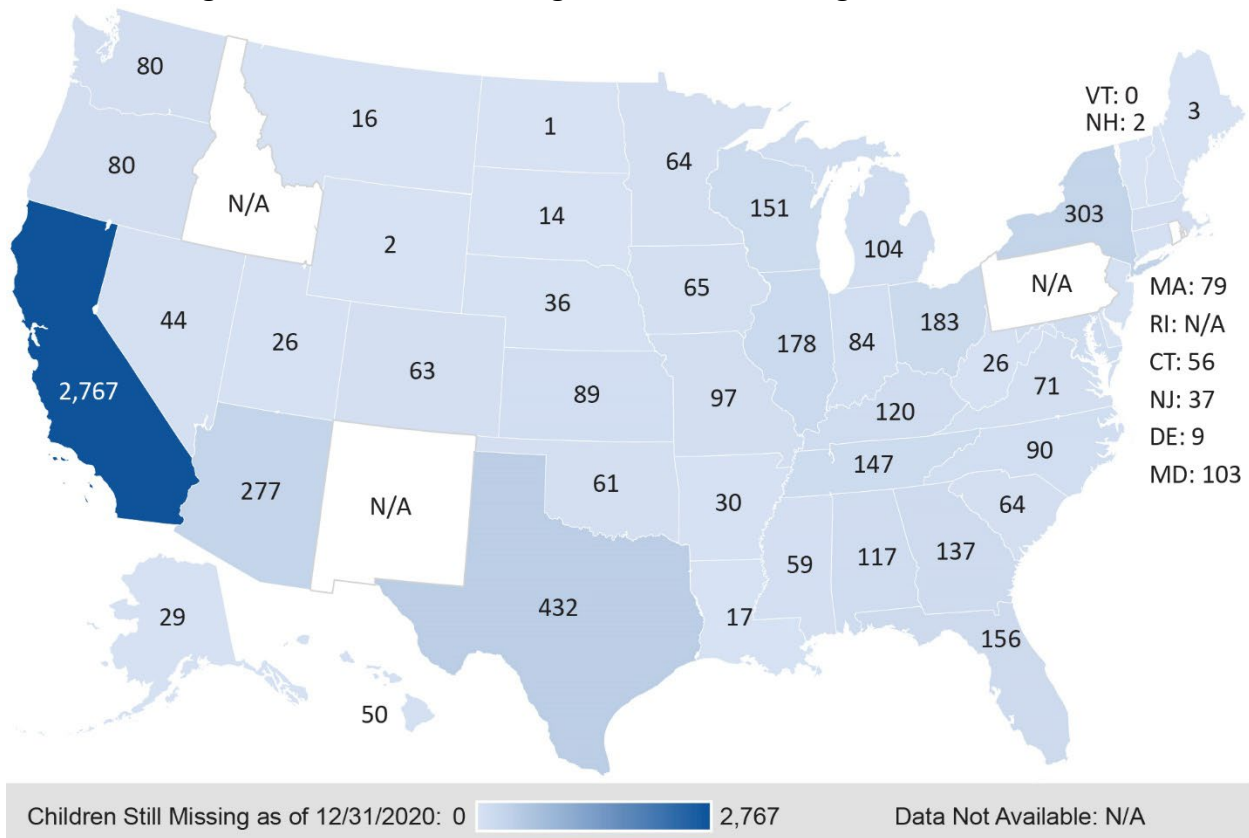


For the 46 State agencies that provided data on missing children, the number of children who went missing from foster care during our audit period and remained missing as of December 31, 2020, which was the last day of our audit period, was 6,619 (see Appendix C).<sup>16</sup> This included one State that had more than 2,500 missing children and one State that reported no missing children as of that date. Figure 4 on the following page shows the number of missing children as of December 31, 2020.

<sup>16</sup> Five State agencies did not give us the dates on which the missing children were located, but one State agency reported its number of children still missing from foster care as of December 31, 2020. For the 46 State agencies that reported the data depicted in Figure 4, we identified whether the children were still missing by using the missing children episodes’ end dates that the State agencies provided to us.

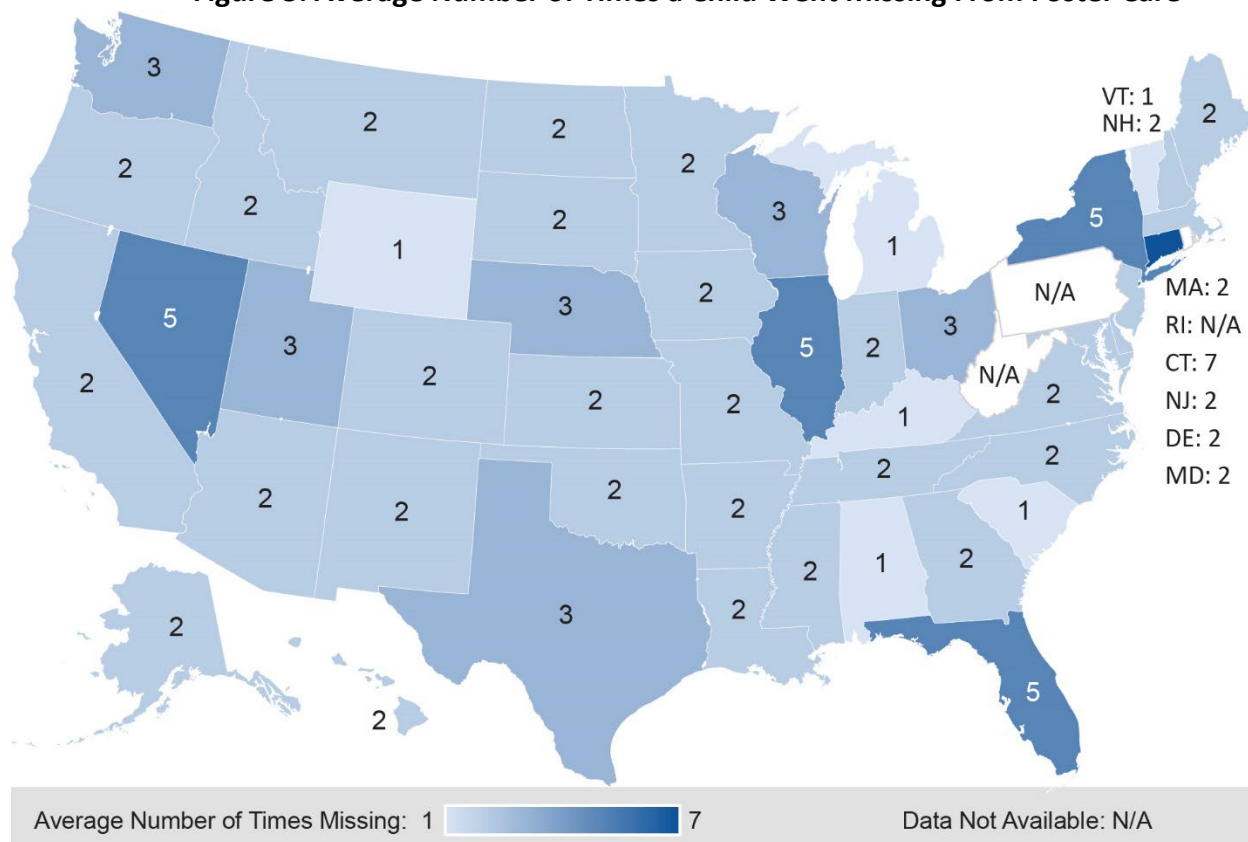


**Figure 4: Numbers of Missing Children Still Missing as of December 31, 2020**



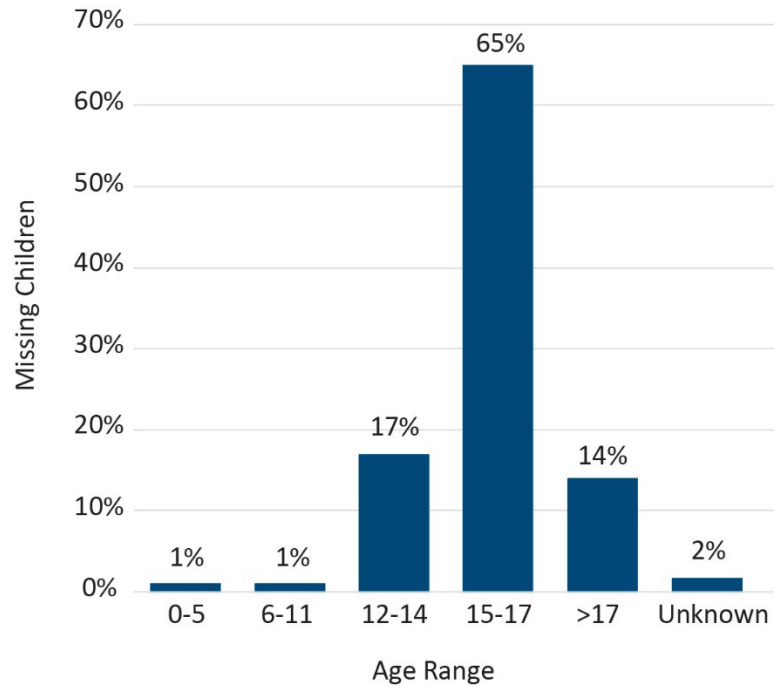
The fact that State agencies reported 110,446 missing children episodes involving 43,679 unique children during our audit period suggests that many of the episodes involved children who went missing more than once. Of the 47 State agencies that provided data identifying the number of times each child went missing, 5 State agencies reported that the children who went missing from their foster care placements did so an average of 5 to 7 times over the course of our audit period. Figure 5 on the following page shows the average number of times a child in foster care went missing.

**Figure 5: Average Number of Times a Child Went Missing From Foster Care**

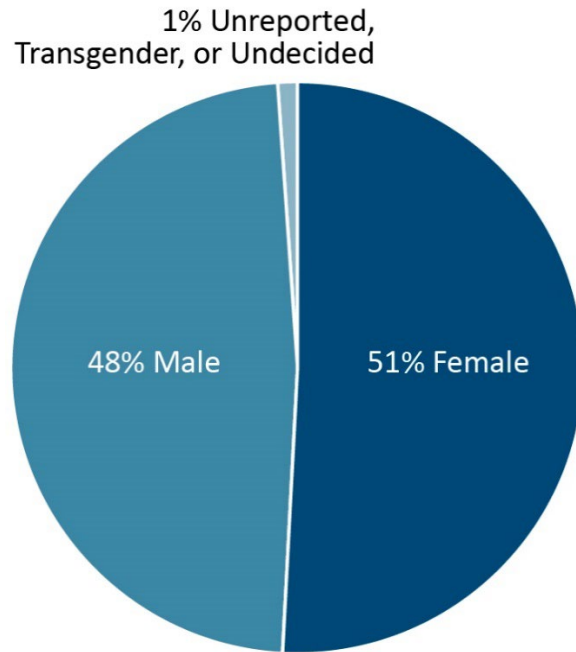


Of the 110,446 missing children episodes that were reported nationwide during our audit period, 65 percent involved children who were 15 to 17 years old when they went missing. State agencies also reported a total of 760 missing children aged 5 years old or younger, some of whom the State agencies categorized as “runaway.” According to one State agency official we interviewed, these episodes categorized as runaway were more likely to be the result of abductions because a child in this age group is not likely to run away. When missing children episodes are not categorized correctly, State agencies may not provide the necessary services or initiate the most effective responses. Furthermore, although more males than females are generally in foster care, the data showed that of the missing children, 51 percent were females, 48 percent were males, and 1 percent were reported without gender data or reported as transgender or undecided. See Figures 6 and 7 on the following page.

**Figure 6: Percentages of Missing Children by Age Range**



**Figure 7: Genders of Missing Children**

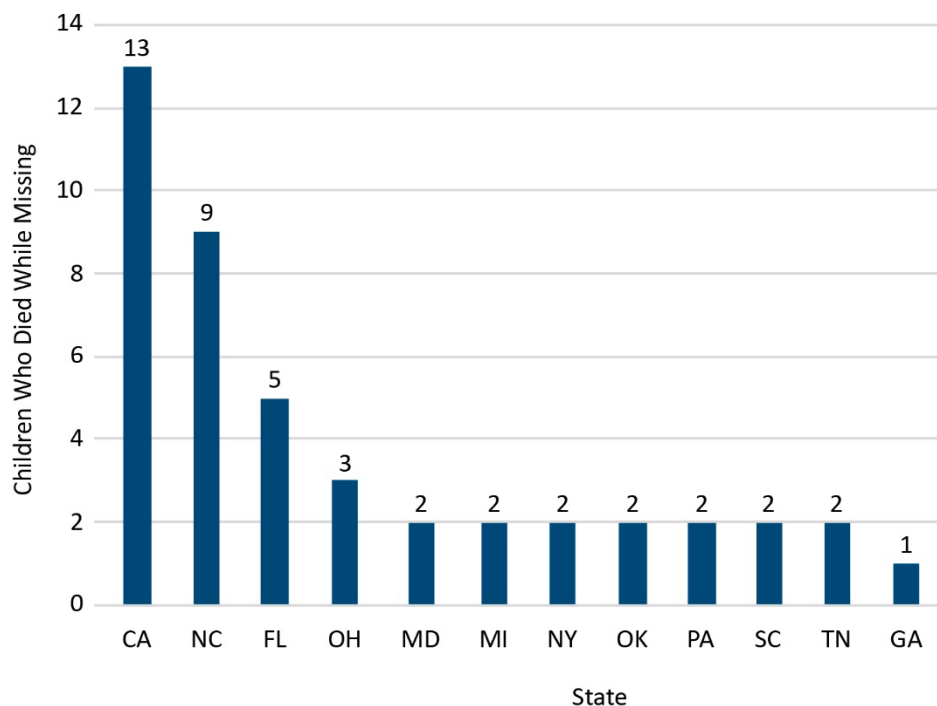


## Unfavorable Outcomes of Missing Children Episodes

Children who go missing from foster care are vulnerable to crime and exploitation, which may result in physical harm and even death. Although our audit did not examine the specific experiences that children underwent while missing, we did ask the State agencies to provide information on why cases were closed while the children were still missing. Twelve State agencies reported that some of their missing children episodes culminated in deaths of children.<sup>17</sup>

Figure 8 shows the States that identified missing children episodes for which the child’s case was closed because of the child’s death. Every such instance—as well as those that were not recorded or reported—reinforces the fact that the outcomes of some of the missing children episodes can be catastrophic. For example, one 15-year-old child was reported missing from California on January 25, 2019, and was found dead (of a suspected drug overdose) 3 days later, on January 28, 2019, in Texas. The California State agency (to which the deceased child was assigned) told us that the detective investigating this case spoke of efforts to locate “the man” who was reportedly accompanying the child in hopes of identifying the individual who sold or gave the lethal drugs to that child. Outcomes of this nature are unquestionably tragic and underscore the importance of quickly identifying and locating children who go missing from foster care.

**Figure 8: Numbers of Children Who Died While Missing**



<sup>17</sup> We emphasize that any discussion of the data in this section and depicted in Figure 8 relies on the unverified information provided by the States, and we did not obtain similar data from all States.

## **Analysis of State Agencies' Data**

The data that the State agencies gave us serve as a snapshot of the children in foster care whom the agencies defined as missing during our audit period. These data provide information regarding the number of missing children episodes; the percentage of missing children relative to the overall population of children in foster care in each State; the average length of time that children were missing from foster care; the number of times the children went missing; the number of missing children as of December 31, 2020; and some additional demographic characteristics of the missing children population. The data (see Figure 1) suggest that some States had a considerably higher number of missing children episodes than other States.

However, when comparing the actual number of missing children (as opposed to the number of episodes) to the total number of children in foster care in each State, the percentage of children who went missing at some point during our review period generally ranged from 0 to 7 percent nationwide (see Figure 2). The data also suggest that most children were located, although 6,619 remained missing as of December 31, 2020; that the risk of going missing increased with age, with late adolescence representing the point of relatively highest risk; and that slightly more female than male children went missing (see Figure 6 and Figure 7).

Data analysis such as this can help stakeholders learn more about the population of missing children, identify children who are at a high risk of going missing, and gain knowledge about which States might need more support and technical assistance from ACF to address challenges (discussed further below) related to locating and reporting missing children.

## **Limitations in Analysis of Data**

To conduct our analysis, we obtained the data directly from the State agencies. ACF does not collect detailed information on the population of missing children. However, there are limitations in the data that the State agencies collect in their systems. Specifically, some of the data we received from the State agencies were incomplete, inaccurate, or not directly comparable from one State to another. These limitations prevented us from performing comprehensive data analysis of factors such as race, ethnicity, placement settings, and the precise status of missing children (i.e., runaway, abducted, etc.). Additionally, State agencies often varied in terms of how they defined "missing child." One State agency told us that it considers children to be missing, absent, or runaway as soon as they are identified or known to be missing, while another State agency said that it considers children to be missing only after they have been missing for 24 hours.

## **STATE AGENCIES' POLICIES AND PROCEDURES FOR REPORTING AND LOCATING MISSING CHILDREN**

### **State Agencies' Policies and Procedures for Reporting Missing Children**

All 50 State agencies described various policies and procedures that they had adopted for reporting missing children. Specifically, all State agencies said that they had implemented policies and procedures that required a State agency or foster care provider to report any child missing from foster care to law enforcement and NCMEC within 24 hours of identifying that the child was missing. Some State agencies also required reporting these children to other entities, such as parents and guardians.

In addition, six State agencies reported that they had adopted reporting procedures involving compressed timelines when a high-risk child (such as a young child) went missing. For example, one State agency said, "For youth that have gone missing, if they are in a high-risk category, immediate notification to [State agency] and law enforcement is required." Another State agency told us that a missing child must be reported immediately for children under 11 years old, within 1 hour for children 11 to 13 years old or determined to be high-risk, and within 4 hours for youths 14 years old and older and not determined to be high-risk.

### **State Agencies' Policies and Procedures for Locating Missing Children**

We asked all 50 State agencies to describe their procedures and requirements for locating missing children once law enforcement had been notified. Twelve State agencies stated that their only requirement was for the foster care provider, the State agency, or both to contact law enforcement; these State agencies did not have procedures that required foster care providers to assist in locating, rather than just reporting, missing children.

The remaining 38 State agencies required State agency staff or a provider to do more than just report a missing child. One State agency, for example, required that: "Each facility shall have a written plan on file which specifies action and procedures for meeting emergency situations including serious illness, severe weather and missing children." Another State agency required its staff to send, each week, "a reminder . . . to [local] Social Work staff who have runaways on their caseloads to update the Runaway Database and document all efforts to locate the child." Yet another State agency identified in its written policy specific search procedures for both foster care providers and its own staff to follow. These efforts included searching the child's belongings, attempting to contact the child's cell phone, checking the child's social media accounts, searching areas the child is known to frequent, and contacting the child's friends, family, school, or work.

## **Additional State Agency Practices**

Among the 38 State agencies that required their staffs or foster care providers to do more than just report a missing child, some State agencies' procedures described additional practices that have the potential to enhance efforts to report and locate missing children. One State agency, for example, created a portal within its electronic child welfare data system that automatically notifies NCMEC when a child's placement status changes to "missing." This automatic notification increases the probability that missing children will be located quickly.

Five State agencies reported to us that they had created special units or had specifically designated staff to help locate missing children in their States. For example, one State agency established a Special Investigations Unit (SIU) staffed by two former members of law enforcement as well as a specialized coordinator whose experience included working with child victims of sexual exploitation through community partners. The SIU staff were available 24 hours a day and could search background-check databases, national criminal history data, and social media.

Another State agency had created a team that was charged with reducing the number of missing children by increasing collaboration with local law enforcement, tracking missing children, and attempting to locate children who remain missing from foster care. This team consisted of nine full-time employees and a supervisor.

Implementing one or more of these practices could improve outcomes for missing children and reduce the number of missing child episodes.

## **BARRIERS AND OTHER DEFICIENCIES IN STATE AGENCIES' POLICIES AND PROCEDURES RELATED TO MISSING CHILDREN**

We identified several barriers and other deficiencies in the State agencies' policies and procedures related to missing children. These barriers and deficiencies included:

- limitations in State agencies' data systems;
- lack of oversight to ensure timeliness when reporting missing children;
- difficulties involving State agency policies and procedures associated with mandatory reporting to law enforcement, NCIC, and NCMEC; and
- continuation of maintenance payments to providers after children in foster care placements went missing.

These barriers could hamper efforts to report and locate missing children.

## **Limitations in Data Can Affect Efforts To Identify and Locate Missing Children**

Not all State agencies had accurate and complete data for tracking missing children. Some States were not able to provide all of the data that we had requested, which prevented us from accurately determining the total number of missing children episodes nationwide.<sup>18</sup> Without accurate and complete data, the State agencies may not be able to adequately track missing children. Furthermore, these data limitations prevented comprehensive data analysis of various factors, including race and ethnicity. The nature of the data limitations that we identified are discussed below.

### *Uniform Categorization of Missing Children*

Most State agencies' systems either did not list "missing" as an available status for children in foster care or categorized all missing children episodes as "runaway" or "AWOL" (i.e., children who left their foster care placements without permission). Their systems did not distinguish, for instance, between an episode involving an abducted child and an episode involving a child who was not currently in foster care placement for other reasons (such as a lack of information about the child's current location or an illness requiring hospitalization). Greater precision in State agency systems to describe the nature of and reason for a missing child episode could facilitate reporting and enhance efforts to locate a child.

### *Inconsistent and Contradictory Data Fields*

Some State agencies' data had errors involving inconsistency or contradictions between one data record or field and another. Two State agencies had errors in their data systems in which an entry for the same child showed different races in different data fields. For example, the first episode involving a missing child may have categorized the child's race as "Black" but the second episode recorded the same child's race as "White." Other errors found in the "missing date" and/or "located date" data field caused some records to reflect the date the child went missing as a date after the date the child was located. These input errors could have been prevented if these State agencies had improved the edits in their data systems.

We also observed that State agencies did not classify race and ethnicity consistently. Most State agencies' systems had a data field to record different ethnicities, but others recorded ethnicity only when the child was Hispanic. Many of the State agencies' data contained records in which the marked data field for ethnicity said "Other" or "Unable To Determine" or were blank. One State agency's data system did not have a data field for race or ethnicity.

Having accurate data that describe the characteristics of a missing child and an accurate date for when a child in foster care went missing are essential when trying to locate a missing child.

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<sup>18</sup> See footnote 12. Several State agencies commented on their data systems' inability to capture all of the information we requested in our questionnaire; these State agencies added that they were developing new or enhanced systems to address some of these issues.



### *Incomplete Data*

Many States had incomplete data, which could affect tracking and locating missing children. It is commonplace to release the details of missing children to different entities in hopes that the public can help locate those children. In their responses to our questionnaire, many State agencies could not give us the dates that missing children episodes were reported to NCMEC or law enforcement, or could not give us NCMEC or NCIC case numbers, because that information was either not tracked in or not easily extracted from their data systems. If State agencies were required to maintain complete and accurate data on missing children in their systems, they would be able to share these data more readily with entities that can help locate those children.

Limitations involving incomplete data on missing children affect both tracking and locating those children. Five State agencies, for instance, did not have information available in their data systems that would identify missing children as located or still missing.

One State agency provided us with data that we could not use because they did not contain all of the missing children episodes, nor did they identify the genders, dates children were missing, or located dates of missing children.

Another State agency provided us with partial data on its missing children. The State agency said that beginning in the middle of 2019, it implemented an internal spreadsheet to track names, dates children were missing, and placements of children, but added that it did not track missing children episodes. The State agency also said that it was in the process of building a new data system.

Another State agency gave us data that did not include the dates that children went missing or the dates that they were located. This State agency said that its program was county-operated and that the counties maintained their information for children in foster care in a total of six different databases. According to the State agency, "This framework allows each of the counties to create and administer supports and services that meet the needs of the county as well as the individuals being served by the county." We note that such decentralization of data makes it more difficult for a State agency to have a complete picture of the total number of missing children episodes and identify the causes of these episodes.

If all State agencies maintained complete information on missing children, program administrators and stakeholders at all levels would be equipped with more accurate data to make decisions and allocate resources to ensure that these children are properly reported and located.

### *Duplicate Records*

The data provided by some State agencies contained duplicate records for the same missing children episodes. Similarly, the data system in at least one State agency did not assign unique

identification numbers to missing children, while a separate State agency permitted a single missing child to have two or more identification numbers. The latter State agency explained that “if a foster child who had previously gone missing went missing again, the individual performing the data entry could create a new record with a new identification number because he or she could not find the original record.”

Lack of a unique identification number for a missing child could lead to the submission of multiple reports for that child to law enforcement and NCMEC, which in turn could lead to inefficient use of the resources assigned to locate that child. Data systems with these shortcomings would therefore benefit from having a system edit in place to prevent the assignment of multiple identification numbers for the same child.

### **State Agencies Often Lack Oversight To Ensure Timeliness When Reporting Missing Children**

Many State agencies said that they did not routinely identify or track instances in which foster care providers did not report missing children episodes in a timely manner. However, three State agencies stated that in response to this audit they would evaluate how they could better identify and address issues involving timely reporting. For example, one State agency told us that it could not determine whether a missing child was reported in a timely manner without manually reviewing more than 1,900 cases. This State agency also said that effective January 1, 2021, it would manually track this data element until the State agency could transition to a more comprehensive system for tracking the timely reporting of missing children episodes. In another example, one State agency stated: “We do not maintain an electronic tracking system dedicated to monitoring the entry and timing of the report [of a missing child] . . . . The agency is planning on taking steps to improve practice around the capture of this specific data set.”

Without ensuring that missing children are accurately and expeditiously reported, State agencies lack assurance that all appropriate agencies are promptly initiating searches for missing children. Absent such assurance, information is not as precise or timely as it could be to facilitate efforts to locate missing children and return them to a safe setting.

### **State Agencies’ Policies for Mandatory Reporting of Missing Children**

#### *Policies and Timelines for Mandatory Reporting*

Among the 50 State agencies, 42 State agencies specified that their staffs were responsible for reporting missing children to law enforcement and the other 8 State agencies said that either the foster care provider or State agency staff did so. The reporting timeframes varied from “immediately” to within 24 hours after a child went missing.

Furthermore, 44 State agencies responded that law enforcement reported missing children to NCIC while 2 other State agencies said that they directly report these episodes to NCIC. The other four State agencies either were not sure or did not respond to this question. Some of the

State agencies added that their staffs had verified that law enforcement had reported missing children to NCIC.

Among the 50 State agencies, 46 said that their staffs reported missing children to NCMEC, 1 State agency said that the foster care providers did so, 2 State agencies said that law enforcement did so, and 1 State agency said that either the provider or State agency staff reported to NCMEC. All of the State agencies that said they report to NCMEC told us that missing children were reported within 24 hours, with the exception of one State agency that said it reported to NCMEC 3 days after notifying law enforcement that a child had gone missing. The policy for this State appeared to conflict with the Strengthening Families Act (Appendix B), which states that immediately—and in no case later than 24 hours after receiving notification of a missing child—a report must be made to NCMEC.

### *Difficulties Associated With Mandatory Reporting*

Although most State agencies had policies in place for mandatory reporting to NCIC, NCMEC, and law enforcement, two State agencies described difficulties they had encountered when trying to implement these policies. Some of these difficulties involved State confidentiality laws that prevented submission of children's photographs to NCMEC.

The other State agency pointed to a related issue involving children's photographs. According to this State agency, law enforcement in that State could not enter information about a missing child into the NCIC database without a recent photograph of the child. At times, the State agency had difficulty obtaining a photograph of the child such as, for instance, when a judge had ordered a child who was on runaway status into State agency care and the State agency had not recently had the opportunity to take a photograph of the child.

Furthermore, three State agencies described difficulties they encountered in collaborating and exchanging information with NCIC, NCMEC, and law enforcement. One of these three State agencies said that although NCMEC communicated directly with law enforcement, the State agency was not always informed of these exchanges of information. The second State agency told us that NCMEC policy was to provide tips received on a missing child's location only to law enforcement, adding that it had repeatedly asked for these tips directly from NCMEC but that NCMEC had continued its current policy.

The third State agency said that if law enforcement could give the State agency a verification number after reporting to NCIC that a child had been designated as missing, the State agency could coordinate with NCMEC to upload a photograph or poster of the missing child to the NCMEC website. According to the State agency, NCMEC would not upload the photo or poster, assign a case manager, or send leads until the missing child's information had been entered into the NCIC database.

Additionally, one State agency said it could not share information with NCMEC because NCMEC is not considered a juvenile justice or care agency, as defined by State law, for purposes of

sharing confidential information. Accordingly, this State agency did not give children's photographs to NCMEC.

Another State agency stated that only certain staff had access to the NCMEC website to make a missing child report. Thus, according to the State agency, if a child in that State ran away on a Friday evening, the case worker and law enforcement would be notified immediately but the State agency might not be able to enter the episode into the NCMEC website until the following Monday.

### **Deficiencies in Procedures Regarding Continuation of Payments for Missing Children**

Maintenance payments to foster care providers are payments to cover the costs of food, clothing, shelter, daily supervision, school supplies, personal incidentals for a child, and reasonable travel expenses in order for a child to remain in the school in which the child was enrolled at the time of placement (the Act § 475(4)).

ACF's Child Welfare Policy Manual states: "The title IV-E agency may provide a full month's title IV-E foster care maintenance payment to the licensed provider if the brief absence does not exceed 14 days and the child's placement continues with the same provider. Otherwise, the title IV-E agency must prorate its claims if the child is absent from placement for more than a reasonable brief period" (ACF [Child Welfare Policy Manual, section 8.3B](#), Question 7).

Forty State agencies reported that their procedures were to continue to make maintenance payments to providers after a child in foster care had gone missing. Most State agencies said that they generally permitted continued maintenance payments when the bed was being held for the missing child and the provider was willing to hold the placement for the child. Most of these State agencies said that they stopped maintenance payments between 3 and 30 days after the child went missing. One State agency said that under its policy, maintenance payments could continue regardless of the length of time a child was missing. The policies and procedures for the State agencies that made monthly maintenance payments beyond 14 days of a child's absence contrast with the ACF guidance in the [Child Welfare Policy Manual, section 8.3B](#), Question 7. For example, one State agency told us that maintenance payments made on behalf of a child stopped after 30 days had passed since the child had gone missing; however, based on the data we received from that State agency, almost \$650,000 in maintenance payments had been made on behalf of children who had been missing for more than 30 days.

### **STATE AGENCIES' MOST FREQUENTLY IDENTIFIED CHALLENGES REGARDING MISSING CHILDREN**

We asked the State agencies to identify their greatest challenges associated with ensuring that missing children were reported as missing within the required timeframes and ensuring that these children were located. The most frequently identified challenges were: (1) locating children who repeatedly go missing from foster care; (2) obtaining cooperation from the missing children's families and friends; (3) obtaining assistance from law enforcement; (4) finding the

correct foster care placement for children to prevent them from running away; and (5) a lack of awareness among some State agencies of the support and technical assistance that ACF provides.

### **Frequently Missing Children**

Several State agencies described frequently missing children as a challenge. The following are examples of what the State agencies said regarding the challenges of frequently missing children.

Several State agencies referred to the effects of these challenges on caseworkers. For example, one State agency said that caseworkers' "biggest frustrations are typically related to children who go missing frequently or who return to care and then are missing very shortly thereafter . . . ." Another State agency stated: "[C]hallenges remain with older youth who habitually absent themselves from care without permission; these youths are listed as missing, yet assigned caseworkers are often aware of their whereabouts. We feel that it's essential to document and attempt to locate and retrieve any child absent from care regardless of age or status."

One State agency said, "We do have some children who are missing frequently and [have] become adept at hiding from authorities." Another State agency pointed out that "a caseworker may know where a youth is located (i.e., home of a relative that was not approved for placement) but [the State agency] may be unable to access or make contact with the child." A third State agency described a related challenge: "[W]hen we have a child, we are aware of their location" but "they refuse to return to a certified placement."

### **Uncooperative Friends and Families**

Several State agencies described the difficulties in obtaining cooperation from missing children's friends and families. The following are examples of what the State agencies said regarding the challenges in obtaining cooperation from missing children's friends and families.

Regarding uncooperative friends and families, one State agency stated: "Many children run to their family and friends. Due to the existing relationship, these people may not cooperate [with the State agency] or local law enforcement's efforts to locate the missing child." Similarly, another State agency said: "Oftentimes [missing children] are with friends and family who are harboring them and concealing information which may help locate them."

### **Assistance From Law Enforcement**

Thirteen State agencies identified challenges related to obtaining assistance from law enforcement. These State agencies generally described these challenges as: reliance on law enforcement's assistance, law enforcement's limited resources, and law enforcement's actions

and responses to a missing child of legal age (i.e., a child who has reached the legal age of 18 but remains in extended foster care).

Regarding the need to rely on law enforcement's assistance, one State agency stated: "The greatest challenge is . . . relying on law enforcement to assist in picking the youth up or . . . to see if the youth is at the location [the State agency] provides to [law enforcement]. There are numerous occasions where [the State agency] appears to be dismissed when requesting assistance. A specific challenge is when law enforcement states they cannot put the youth into NCIC unless they have an updated photo of the child."

With respect to law enforcement's limited resources, one State agency commented: "Law enforcement may not have the needed manpower to search for missing children . . . ."

With respect to law enforcement's actions and responses to missing children of legal age, one State agency stated: "Local law enforcement sometimes presents a barrier to locating a teen because they refuse to report youth who are eighteen or older even though they are in state custody." Another State agency drew a connection between law enforcement responses and children who resist returning to foster care: "Collaboration with Law Enforcement has been a barrier at times. Specifically, when reporting our young adults over 18 as well as when we have a child, we are aware of their location however they refuse to return to a certified placement."

### **Finding Correct Placement To Prevent Children in Foster Care From Running Away**

Many State agencies identified as a challenge the need to find the correct placement to prevent children in foster care from running away again. State agencies also expressed related concerns regarding children and adolescents who frequently run away, children who are unable or unwilling to contribute positively to placement decisions, and children who suffer because of a lack of individuals willing to be caregivers.

Challenges in finding the correct foster care placement for children were interwoven with concerns about a lack of caregivers. One State agency commented that "children are happier in home-like settings [than they are in] group homes, but there is a significant challenge in findings [sic] individuals willing to be caregivers. A great deal of effort statewide has gone into foster parent recruitment and the [State agency] has pledged to move away from group homes as a practice, but it takes time to recruit alternatives."

With respect to older youth and children who frequently run away, one State agency commented: "Case planning and team planning are critical in these cases to find a safe place for the youth to reside where they are willing to remain and plan for the child's future. Finding the right placement option for the child can be challenging."

One State agency expressed concerns regarding the need to encourage children (as well as program staff and caseworkers) to be involved in and contribute to placement decisions:

One of the greatest challenges is changing the narrative from youth being considered ‘just a runaway’ or ‘on run’ to ensuring that all involved in supporting foster youth have empathy and a non-judgmental approach when a youth goes missing from care. Being able to have an open dialogue to understand why a youth believes that going missing is a better choice than staying in a foster placement. This is an important piece in keeping youth safe. This not only ensures the youth’s voice is heard but will help with their permanency and well-being.

### **Awareness of ACF Guidance and Technical Assistance Regarding Missing Children**

We asked the State agencies about the support and technical assistance they had received from ACF for preventing children from running away and locating missing children. The responses pointed to a lack of awareness or misunderstandings of available support and assistance from ACF by most State agencies. Of the 48 State agencies that responded to this question, only 13 State agencies said that they were aware that ACF provides support and technical assistance if needed, including assisting in implementing various child welfare policies and practices and support through the Child Welfare Capacity Building Collaborative. One of these State agencies stated that, on request, its ACF Regional Office is always willing to provide training, clarification, or interpretation of relevant Federal requirements.

In contrast, 19 State agencies said that they were not aware of any support or technical assistance that ACF provides. For example, 1 of these 19 State agencies said that ACF did not provide specific guidance to assist States in: (1) determining evidence-based techniques to prevent missing children episodes or (2) identifying services that can be provided to children who have run away from foster care. This State agency suggested that ACF give additional support to States on these techniques and available services.

In addition, 11 other State agencies said that they believed that ACF’s support was limited to providing the State agencies with policy issuances, such as IMs.

Five other State agencies did not directly state whether they were aware of support or technical assistance from ACF. These State agencies did say that they were interested in receiving support and technical assistance from ACF that they believed would help prevent missing children episodes. These agencies desired support and assistance needed for foster care family training and education, recruitment measures for potential providers (especially in the children’s own communities), ongoing and regular support for each child and family, peer mentoring programs, strategies to maintain contact with children’s biological families

(especially with placement with kinship caregivers),<sup>19</sup> youth advisory boards, the hiring of additional State agency staff (which would allow for more flexible schedules to meet children’s needs), and job training and education.

Before developing and distributing our questionnaire to all the State agencies, we met with ACF officials and asked for information about, among other things, the guidance and training that ACF has provided to State agencies regarding missing children in compliance with the Strengthening Families Act (Appendix B). ACF officials told us that ACF disseminates program information through its listservs, regional offices, and website.<sup>20</sup> These officials also stated that ACF staff gave several presentations about the Strengthening Families Act through national webinars and grantee meetings in 2014 and 2015. ACF officials added that ACF has coordinated with NCMEC to disseminate information about how State agencies should report missing children to NCMEC. ACF officials also referred to the Child Welfare Capacity Building Collaborative, which provides technical assistance to States to help them improve their compliance with Federal requirements, and said that States have the option of receiving technical assistance tailored to their specific needs.<sup>21</sup> To date, according to the ACF officials with whom we communicated, no State agency has requested technical assistance related to best practices or implementing the requirements of the Strengthening Families Act.

The responses from the State agencies to our questionnaire, combined with the information we obtained from ACF, demonstrate that although ACF is able and willing to offer support and technical assistance to State agencies—and has used its listservs, regional offices, and website to publicize that fact—many of these agencies or all of State agency staff involved in the process of reporting and locating missing children may not be aware of these opportunities.

## **CONCLUSIONS**

The data provided by the State agencies, although not complete, identified 110,446 missing children episodes during our audit period (see footnote 12). These and related data showed the following: (1) the percentages of missing children, by State, ranged from 0 to 7 percent; (2) the average length of time that a missing child was gone ranged from 7 to 96 days; (3) the number of children who were still missing as of December 31, 2020, was 6,619; (4) the average number of times a child went missing ranged from 1 to 7 times; (5) and the majority (65 percent) of missing children were between 15 and 17 years old. The data also showed that

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<sup>19</sup> “Kinship caregivers” broadly refers to foster care situations in which children are living with relatives other than their parents.

<sup>20</sup> The Children’s Bureau, Division of State Systems, maintains the Child Welfare IT (information technology) Managers Listserv that is exclusive to State and Tribal staff to alert them to important updates, child welfare IT webinars, and scheduled child welfare IT manager conference calls.

<sup>21</sup> ACF describes the training and technical assistance it provides to State agencies at [Capacity Building Services | The Administration for Children and Families \(hhs.gov\)](https://www.hhs.gov/child-welfare/capacity-building-services/).



among the missing children, 51 percent were females, 48 percent were males, and 1 percent were reported without gender data or reported as transgender or undecided.

Federal law (the Strengthening Families Act, see footnote 9) requires State agencies to develop and implement protocols to expeditiously locate any missing children and within 24 hours after receiving information report children described under the law as missing or abducted to law enforcement for entry into the NCIC database and to NCMEC. Although all State agencies told us that they had enacted policies and procedures to report and locate missing children as required, some State agencies had expanded their policies and procedures through what they described as additional practices that had the potential to enhance efforts to report and locate missing children. However, we identified some barriers to State agencies' efforts to report and locate missing children, and State agencies identified challenges that hampered efforts to report and locate missing children.

We obtained the information in this report to provide ACF and other decisionmakers (e.g., State and local officials) with information from all 50 States related to the number of missing children, as well as the State-level approaches to ensuring that missing children are reported and located. This information was current when we conducted our questionnaire and interviews (as of December 31, 2020) but may not represent all of the issues that ACF and State agencies have faced or the actions they have taken to address those issues.

This report includes no recommendations. However, we expect that ACF will consider the information in this report and use this information as it works with State agencies to improve outcomes for missing children, reduce the number of missing children episodes, and address any other deficient policies and procedures related to missing children. ACF elected not to provide formal written comments on our draft report but did provide technical comments, which we addressed as appropriate.

## APPENDIX A: AUDIT SCOPE AND METHODOLOGY

### SCOPE

This audit focused on a State-level analysis of data related to missing children and a review of State agencies' policies, procedures, and oversight activities, as well as challenges that the State agencies have identified with respect to missing children. We based our findings on responses to a questionnaire completed by State program administrators in all 50 States (i.e., the State agencies). We distributed the questionnaire, obtained the responses, analyzed the data on missing children, and held followup interviews (as necessary) between September 29, 2020, and July 27, 2021, for our audit period (July 1, 2018, through December 31, 2020). All 50 State agencies responded to our questionnaire although, as explained in footnote 12, not all of the State agencies responded fully to all of the questions.

We did not assess ACF's internal controls as part of this audit.

### METHODOLOGY

To accomplish our objectives, we:

- reviewed applicable Federal laws, regulations, and guidance;
- met with ACF staff to: (1) gain an understanding of ACF's role and responsibilities regarding missing children, (2) obtain information about the guidance and training that ACF has provided to State agencies regarding missing children, (3) identify the challenges that ACF believes confront State agencies regarding missing children, and (4) obtain a list of State agency contacts;
- developed a questionnaire to gather data about all children in foster care (i.e., children who are Title IV-E-eligible as well as those who were not eligible under Title IV-E) who went missing at any time during our audit period, including those who were categorized as runaway, abducted, lost, or wandered off;
- focused the questionnaire on three key areas:
  - data on missing children,<sup>22</sup>
  - State agencies' policies and procedures for reporting and locating these children, and

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<sup>22</sup> Specifically, we asked the State agencies to provide data for all of the missing children who went missing at any time during our audit period. We also asked the State agencies to list each missing child episode separately so that we could identify missing children who went missing multiple times during our audit period.

- State agencies' perspectives on the challenges they identified with respect to missing children;
- initially surveyed three State agencies—those of Iowa, Utah, and Wisconsin—and then refined our questionnaire;
- surveyed between January 13, 2021, and July 27, 2021, the remaining State agencies based on the refined questionnaire, and conducted followup interviews with all 50 State agencies to clarify their responses as necessary and obtain additional information applicable to our audit period; and
- discussed the results of our audit with ACF officials on October 29, 2021, and gave them detailed information pertaining to the issues we identified.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

## APPENDIX B: FEDERAL REQUIREMENTS AND GUIDANCE

### FEDERAL STATUTE AND REGULATIONS

Title IV-E of the Act, as amended by the Strengthening Families Act (see footnote 9) (the Act § 471(a)(35); 42 U.S.C. § 671(35)), requires States to develop and implement specific protocols for locating and ensuring the safety of youth who are missing from care, including all of the following:

- (62) (A) not later than 1 year after September 29, 2014, the State shall develop and implement specific protocols for—
- (i) expeditiously locating any child missing from foster care;
  - (ii) determining the primary factors that contributed to the child's running away or otherwise being absent from care, and to the extent possible and appropriate, responding to those factors in current and subsequent placements;
  - (iii) determining the child's experiences while absent from care, including screening the child to determine if the child is a possible sex trafficking victim (as defined in section 475(9)(A)); and
  - (iv) reporting such related information as required by the Secretary [of Health and Human Services]; and

(B) not later than 2 years after such date of enactment, for each child and youth described in paragraph (9)(C)(i)(I) of this subsection, the State agency shall report immediately, and in no case later than 24 hours after receiving, information on missing or abducted children or youth to the law enforcement authorities for entry into the National Crime Information Center (NCIC) database of the Federal Bureau of Investigation, established pursuant to section 534 of title 28, United States Code, and to the National Center for Missing and Exploited Children.

The Missing Children Act of 1982 (see footnote 11) directed the U.S. Attorney General to keep records on missing children in the NCIC's Missing Persons File maintained by the FBI. This legislation also required the dissemination of records on missing children to State and local agencies.

ACF has issued implementing regulations for the Federal foster care program at 45 CFR parts 1355, 1356, and 1357. Provisions for receiving Federal reimbursement for the costs of the foster care program are codified in 45 CFR part 1356.

## ACF GUIDANCE

ACF's [Child Welfare Policy Manual, section 8.3B](#), Question 7, and ACF IM [ACYF-CB/FYSB-IM-14-1](#) provide payment instructions directing that when a child who is Title IV-E-eligible is temporarily absent from a foster home, whether because the youth has run away or because of another circumstance (e.g., the youth is on a weekend home visit or is hospitalized for medical treatment), the State agency may provide a full month's Title IV-E foster care maintenance payment to the licensed foster care provider if the absence does not exceed 14 days and the child returns to the same provider.

ACF IM [ACYF-CB-IM-14-03](#) provides basic information on the Strengthening Families Act, including Title IV-E plan changes, new case plan requirements and definitions, additions to the AFCARS, modifications to the Family Connection grants and John H. Chafee Foster Care Independence Program, and reauthorization of the Adoption and Guardianship Incentive Program.

ACF Program Instruction [ACYF-CB-PI-15-07](#) provides instruction on the changes to the Title IV-E plan requirements as a result of the Strengthening Families Act that were effective as of September 29, 2015.

**APPENDIX C: NUMBERS OF MISSING CHILDREN BY STATE<sup>23</sup>**

<b>State</b>	<b>Number of Children in Foster Care</b>	<b>Number of Missing Episodes</b>	<b>Percentage of Missing Children</b>	<b>Average Days Missing</b>	<b>Average Number of Times Missing</b>	<b>Missing Children as of 12/31/2020</b>
Alabama	14,769	974	5%	62	1	117
Alaska	6,170	344	3%	96	2	29
Arizona	36,075	3,282	5%	54	2	277
Arkansas	11,962	482	2%	29	2	30
California	123,821	10,893	5%	41	2	2,767
Colorado	16,261	1,520	5%	53	2	63
Connecticut	16,316	5,062	5%	7	7	56
Delaware	1,503	239	7%	33	2	9
Florida	117,250	13,011	2%	10	5	156
Georgia	27,760	1,357	3%	46	2	137
Hawaii	4,447	274	3%	53	2	50
Idaho*	4,822	151	2%	N/A	2	N/A
Illinois	35,244	10,585	6%	12	5	178
Indiana	42,492	1,688	3%	34	2	84
Iowa	14,028	1,142	5%	34	2	65
Kansas	15,810	2,274	7%	27	2	89
Kentucky	23,580	1,703	5%	45	1	120
Louisiana	10,744	545	3%	32	2	17
Maine	4,486	112	1%	9	2	3
Maryland	9,480	1,044	7%	52	2	103
Massachusetts	26,676	3,350	5%	20	2	79
Michigan	24,177	1,855	5%	33	1	104
Minnesota	22,879	1,361	3%	34	2	64
Mississippi	10,576	499	3%	27	2	59
Missouri	29,569	1,780	4%	37	2	97
Montana <sup>†</sup>	3,315	288	5%	42	2	16
Nebraska	8,412	1,519	7%	16	3	36
Nevada	11,601	3,328	6%	18	5	44
New Hampshire	2,262	254	6%	14	2	2
New Jersey	12,151	350	2%	39	2	37
New Mexico*	4,595	367	4%	N/A	2	N/A

<sup>23</sup> We use “N/A” in some of the data fields in this appendix (and in some of the figures earlier in this report) to signify instances in which the data were either incomplete or not readily available from the State agencies. Further details appear in the reference marks beneath this table.

State	Number of Children in Foster Care	Number of Missing Episodes	Percentage of Missing Children	Average Days Missing	Average Number of Times Missing	Missing Children as of 12/31/2020
New York <sup>‡</sup>	15,431	5,354	7%	14	5	303
North Carolina	24,126	1,060	2%	31	2	90
North Dakota	3,837	151	2%	12	2	1
Ohio	41,639	8,065	7%	19	3	183
Oklahoma	18,901	840	2%	43	2	61
Oregon	14,912	1,502	5%	32	2	80
Pennsylvania <sup>**</sup>	N/A	1,287	N/A	N/A	N/A	N/A
Rhode Island <sup>††</sup>	N/A	N/A	N/A	N/A	N/A	N/A
South Carolina	12,455	509	4%	63	1	64
South Dakota	4,240	279	4%	27	2	14
Tennessee	24,331	2,168	6%	44	2	147
Texas <sup>††</sup>	76,405	11,042	5%	21	3	432
Utah	6,852	858	5%	56	3	26
Vermont	11,500	38	0%	31	1	0
Virginia	14,722	948	3%	32	2	71
Washington	22,958	2,636	4%	23	3	80
West Virginia <sup>**</sup>	7,050	60	N/A	N/A	N/A	26
Wisconsin	20,313	1,992	3%	19	3	151
Wyoming	3,990	24	1%	54	1	2
<b>Total</b>	<b>1,016,895</b>	<b>110,446</b>				<b>6,619</b>

\* Idaho and New Mexico did not provide all of the dates on which their missing children were located.

† Montana did not provide the names of its missing children because of State confidentiality laws. Additionally, each entry in the “Percentage of Missing Children” column is based on that State’s estimate of the total number of children in foster care between July 1, 2018, and December 31, 2020.

‡ New York gave us data only on missing children who were Title IV-E eligible; the other State agencies provided data for all missing children (that is, missing children who both were and were not covered by Title IV-E of the Act) in their custody.

\*\* Pennsylvania and West Virginia did not provide data on all missing children episodes. Additionally, neither State provided all of the dates on which its missing children were located.

†† Rhode Island provided us with data that we could not use because they did not contain the information needed to do our analysis, including the dates on which missing children were located.

†† Texas did not provide dates of birth for 614 (6 percent) of its 11,042 missing children episodes.