

**SAN BERNARDINO COUNTY
PROBATION DEPARTMENT PROCEDURE**

Juvenile Placement Youth and Non-Minor Dependents

Authority:

Tracy Reece, Chief Probation Officer

Purpose:

To establish guidelines for the documentation and supervision of youth ordered to placement, non-minor dependents (NMDs), and provide instructions for the response to youth who go missing from the placement or foster care.

Definitions:

Placement Youth: A ward of the Court who was ordered placed.

Placement Transfer Checklist: A document checklist that must be completed by the referring Probation Officer.

Non-Minor Dependent (NMD): A person, age 18-21, who is subject to the Court's Transitional Jurisdiction, pursuant to W&I 450 for purposes of receiving Extended Foster Care (AB12) services. NMDs have all legal decision-making authority as any other adult, including their right to privacy and confidentiality.

Missing Youth: Youth who are absent (commonly referred to as AWOL- absent without leave), or absent themselves from care shall be considered missing: (a) Any youth whose whereabouts are unknown to the Probation Department, or (b) any youth who leaves the approved placement and refuses to return to placement, even though the whereabouts of the youth are known to the Probation Officer (PO).

Missing From Care NMDs: NMDs are adults who are voluntarily AB12 participants. As such, a Bench Warrant shall not be issued when they are missing from care.

Foster Care: 24-hour care and supervision to a youth/NMD who has been placed by a child-placing agency, including Probation and County child welfare services in one of the following types of foster homes: a licensed foster family home, a licensed small family home, a family home certified by a licensed foster family agency for its exclusive use, an approved foster family home, a licensed group home for children, resource family home, or a home pursuant to a court order or voluntary placement agreement.

Extended Foster Care (AB12): A program within the Child Welfare System, that provides services to enhance independence to qualified former foster youth between the ages of 18 and 21.

Short-Term Rehabilitative Therapeutic Program (STRTP): A residential program where youth can be provided specialty mental health services to address specific treatment goals.

Transitional Housing Placement Plus Foster Care (THPP+FC): A transitional housing placement created for Extended Foster Care/AB12 NMDs (ages 18-21) which provides housing and support while training the NMD to increase independence.

Significant Incident Report: A report generated by an STRTP notifying the Probation Department about an incident.

Supervised Independent Living Placement (SILP): Placements created for Extended Foster Care/AB12 NMDs (ages 18-21) who are developmentally ready to live independently. SILP placements are less restrictive environments than THPP+FC.

Inter-Agency Placement Committee (IPC): A multi-agency, multi-disciplinary team that serves to support children/youth/NMDs with significant behavioral, emotional, medical, and/or developmental needs through a screening process whereby treatment and placement needs are determined.

241 Committee: A multi-agency, multi-disciplinary team that convenes to identify strategies to best meet the needs of the youth and whether the youth would be best served in the child welfare system or the Probation Department.

Commercial Sexual Exploitation of Children (CSEC): The sexual trafficking of a youth/NMD where anything of value (food, clothing, shelter, payment, etc.) is given to a youth/NMD or received by another person for the performance of any sexual act.

Sex Trafficking Victim: An individual subject to the recruitment, harboring, transportation, provision, or obtaining of a person for the purposes of a commercial sex act, or a victim of a "severe form of trafficking in person," in which a commercial sex act is included by force, fraud or coercion, or in which the person induced to perform the act is under 18 years of age.

Responsibilities:

I. Placement Office Assistants (OA):

- A. Create an Aid to Families with Dependent Children (AFDC) packet and submit it to fiscal.
- B. Create placement referral packets and send packets to the prospective STRTPs selected by the unit Supervisor or their designee.
- C. Review incoming files for completeness of placement forms.

II. Child Welfare Services/Case Management Services (CWS/CMS) Staff:

- A. Notify the Foster Care Eligibility Worker regarding the placement change when the youth is AWOL/missing.
- B. Document location efforts in the Contact Notebook of the Child Welfare Services/Case Management Services (CWS/CMS) system.
- C. Update the CWS/CMS database with monthly information provided by POs and/or STRTPs and upload applicable documents.
- D. Document the appropriate information when a youth/NMD has been identified as a victim of or at risk for commercial sexual exploitation in the CWS/CMS system.

III. Placement Coordinator (PO I/II):

- A. For youth detained and awaiting placement:
 - 1. Contact the youth three (3) times within the first thirty (30) days and monthly thereafter.
 - 2. Submit a two-week Non-Appearance Review (NAR) to advise the Court of the youth's placement status.
 - 3. Set the Pre-Permanency Planning Hearing (PPH) at the time of the first NAR.
 - 4. Follow up with prospective STRTPs regarding pending placement referrals.
 - 5. Contact the assigned Juvenile Detention and Assessment Center (JDAC) to schedule a pre-placement interview with the referred STRTPs.

6. Submit reports for all scheduled Court Reviews: Appearance Reviews, Attorney Only, PPH, Disposition, and NARs.
 7. Prepare a referral packet and present the youth's case to the Inter-Agency Placement Committee (IPC) for placement approval.
 8. Coordinate with the Department of Behavioral Health (DBH) designee for the qualified individual assessment referral process.
 9. Review referrals for qualified individual assessment and submit the document to the DBH designee.
- B. For youth accepted by an STRTP:
1. Complete a placement packet for the STRTP which shall include:
 - a. Court documents.
 - b. School records.
 - c. ID documents.
 - d. Health information forms.
 - e. Signed consent forms.
 - f. Notices regarding youth's rights.
- C. Contact the youth (via telephone or in-person) and read their placement terms to them.
- D. Submit and obtain the "Medical Release to Placement" clearance from the JDAC.
- E. When the "Medical Release to Placement" clearance is returned and the youth is cleared for release to placement:
1. Schedule the youth's release to placement.
 2. Coordinate the mode of travel and placement travel arrangements.
 3. Notify the youth's parent or guardian of program acceptance. Provide the telephone number of the STRTP as well as the assigned probation officer's name and telephone number.
 4. Prepare and submit the "Placing" NAR, advising the Court the youth was screened and accepted by the named STRTP and the date the youth will be transported. Ensure the NAR indicates the youth was read their placement terms.
 5. If a youth is placed out of County, send a W&I 740 notification to the receiving County's Probation Department.
- F. If a youth is accepted by an out-of-state STRTP, prepare a referral packet and present the youth's case to the Interstate Compact on the Placement of Children (ICPC) committee, for an out-of-state placement approval.
- IV. Placement Probation Officer (PO I/II):
- A. Review the case file and case plan.
 - B. Contact the youth in person during the first thirty (30) days of placement, and monthly thereafter, to ensure treatment goals are being met.
 - C. Participate in Child and Family Team Meetings (CFTM) as required and additional CFTMs as needed.
 - D. Contact the youth when they are involved in a significant incident or sustain an injury.
 - E. Submit reports for all scheduled Court Reviews: Appearance Reviews, PPH, Disposition, and NARs.
 - F. Submit monthly statistical reports in regards to ILP progress, Mental Health, monthly face-to-face contacts, and monthly parental contacts to the CWS/CMS Staff.
 - G. Coordinate with the Transition Specialist at least ninety (90) days before the youth's anticipated graduation to ensure the youth is on track to meet placement graduation requirements.
 - H. Program Completion:
 1. Complete the out slip and graduation court packet.

2. Provide aftercare supervision based on current legal requirements until the youth is appropriate for probation termination.
3. For youth who are unable to return home:
 - a. Attempt to locate a fit and willing relative caregiver.
 - b. Refer youth under the age of 18 to Children and Family Services and the 241 committee.
 - c. Refer youth who meet AB12 eligibility requirements to the AB12 Probation Officer.
 - d. Complete the required paperwork before the youth's scheduled exit date from placement to transfer the eligible youth to the AB12 Probation Officer.
4. Complete the graduation packet detailing the youth's progress in Placement.

Missing From Care—Placement Youth:

- A. Complete the following actions as soon as possible and document in CE:
 1. Follow-up with STRTP to verify the youth has not returned to the facility.
 2. Obtain a Significant Incident Report from the STRTP.
 3. Conduct efforts to locate the missing youth.
 4. Review prior information on the youth and contact individuals who may know the youth's whereabouts.
 5. Notify the prior parent/guardian of the missing youth and request any information they may have.
 6. Generate a Bench Warrant.
 7. Complete an out slip and submit it to the Eligibility Worker and Placement OA.

Returning to Care—Placement Youth:

- A. When the youth is returned to care and/or detained:
 1. Interview and assess the immediate needs of the youth:
 - a. Assess the need for medical care and/or public health nurse consultation to rule out injuries, illness, or other medical conditions and seek medical care as needed.
 - b. Evaluate the need for mental health services and contact the appropriate agency when needed.
 - c. Evaluate the need for law enforcement assistance due to known or suspected victimization, exploitation, exposure to or participation in criminal activity, etc., and contact the appropriate agency as needed.
 2. Assess the factors that contributed to the youth running away and respond to these factors appropriately. Identified factors may be useful for subsequent placements.
 3. Determine the youth's experiences while absent from care, including whether the youth is a possible victim of commercial sexual exploitation, and where and with whom they may have stayed.
 4. Assess placement needs:
 - a. Determine if replacement or alternate future arrangements are more appropriate.
 - b. To provide continuity in placement, contact the previous caregiver, and determine if there is a willingness to have the youth returned to their home and if it is suitable and safe for the youth.

V. NMD Probation Officer (PO I/II):

- A. Review new AB12 case files and create an AB12-specific case plan.
- B. Contact the NMD (in person) during the first (30) thirty days of placement for AB12 orientation, and once a month thereafter to provide support and review monthly progress.
- C. Submit reports for all scheduled Court Reviews: Appearance Reviews, Attorney Only, AB12 Review Hearing.
- D. Review eligible youth on Placement caseloads.

- E. Conduct transitional conferences with prospective youth.
- F. Provide THPP+FC applications when applicable and guide youth through the process.
- G. Submit completed applications and risk propensity documents to providers.
- H. Complete In/Out Slips and submit to the Eligibility Worker and Placement OA when a change of setting (THP+FC, in-custody, whereabouts unknown) for the purpose of funding.

Missing From Care NMDs:

- A. Complete the out slip as soon as possible and submit it to the Eligibility Worker and Placement OA.
- B. Contact the appropriate authorities if competency issues exist or there is reasonable suspicion the NMD is a victim of harm or foul play.
- C. Immediately notify the THPP-FC provider of the NMD's missing status if the NMD is placed in a THPP-FC setting.
- D. Attempt to locate the NMD whose whereabouts are unknown and document the efforts to locate the NMD in CE and reports given to the Court.
- E. Immediately report suspected commercial sexual exploitation to the appropriate authorities for entry into the National Crime Information Center (NCIC) and the National Center for Missing and Exploited Children (NCMEC).

NMD Returning to Care:

- A. When the NMD is returned to care and/or detained:
 - 1. Interview and assess the immediate needs of the NMD:
 - a. Assess the need for medical care and/or public health nurse consultation to rule out injuries, illness, or other medical conditions and assist the NMD to seek medical care as needed.
 - b. Evaluate the need for mental health services and contact the appropriate agency when needed.
 - c. Evaluate the need for law enforcement assistance due to known or suspected victimization/exploitation, exposure to or participation in criminal activity, etc., and contact the appropriate agency as needed.
 - 2. Assess the factors that contributed to the NMD running away and respond to these factors appropriately.
 - 3. Determine the NMD's experiences while absent from care, including whether the NMD is a possible victim of commercial sexual exploitation; where and with whom they may have stayed.
 - 4. Assess placement needs and explore alternative options, safety plans, support resources, and/or prevention plans, (e.g. contact the previous caregiver and determine if there is a willingness to have the NMD returned to their home and if it is suitable and safe for the NMD).
- B. Termination of Transition Jurisdiction for NMD:
 - 1. If the NMD's whereabouts continue to remain unknown, submit a Non-Appearance Review (NAR) packet advising the Court of reasonable efforts made to locate the NMD.

VI. Placement Monitor (POII):

- A. Address complaints regarding programs.
 - 1. Conduct internal fact-finding investigations regarding all allegations of abuse or mistreatment while youth are in Placement and complete initial complaint and review form.
 - 2. Provide information and status updates to the SPO, DD, and DCPO.

- B. Review California Department of Social Services records to ensure programs remain in good standing and are appropriate for youth.
- C. Serve as a liaison between Probation and STRTPs.
- D. Obtain program information on prospective STRTPs and determine if they are appropriate for use with San Bernardino County Probation youth.
 - 1. Coordinate in-person visits to determine if they will meet state licensing mandates and remain in compliance.
- E. Complete the Incident Report Tracking Log when a youth is listed in a significant incident.
- F. Participate in a regular discussion of any significant deficiencies identified regarding placements.
 - 1. Address any deficiencies with STRTP providers.
 - 2. Recommend corrective direction to STRTPs as appropriate.

VII. Transition Specialist (POII):

- A. Assist youth with reintegration from an STRTP setting to their permanent living arrangement.
- B. Assist with Child and Family Team meetings ninety (90), sixty (60), and thirty (30) days before the youth graduates from STRTP.
- C. Assist with pre-placement CFT meetings to comply with legal requirements.
- D. Assist the Independent Living Program as needed.

VIII. Intake PO:

- A. If a youth is located and placed in detention, with or without new charges:
 - 1. Schedule a Detention Hearing within 48 hours of being detained.
 - 2. Notify the parent/ guardian and defense attorney of the detention hearing.
 - 3. Contact the assigned PO for their recommendation for the Detention Report.

IX. Supervising Probation Officer (SPO):

- A. Review the case file and ensure the requisite paperwork is in the file or has been requested.
- B. Select three (3) programs that best meet the youth's needs.
- C. Notify support staff to send referrals to the selected STRTPs.
- D. Review significant incident documents generated by the Placement Monitor for appropriate action.

Guidelines:

- A. Refer to All County Letters that provide current guidelines regarding the supervision of Foster Care youth.

Inspections:

Refer to the Policy and Procedure Inspection Matrix.

Foundation:

AB12

All County Letter 15-49

All County Letter 16-08

All County Letter 16-15

All County Letter 21-113

Alameda County: In re: AM (filed 8/18/2020)

California Department of Social Services (CDSS) Manual of Policy and Procedures (MPP), Division 31

Preventing Sex Trafficking and Strengthening Families (PL-113-183)

Public Law 113-183

Juvenile Placement Youth and Non-Minor Dependents

Senate Bill 794 & 895
WIC 450; 740; 1650.1.1, 16501.35 & 16501.45

Replaces:
Community Corrections Bureau Procedures #97-05-118-J on Juvenile Placements

Issued by:


Tracy Reece, Chief Probation Officer

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