

Definitional Issues

The attainment of definitional clarity is a necessity if we are to gain insight into the phenomenon of children missing from care. Disparate definitions produce significant differences in the scope of the problem and our subsequent responses to it. Current definitional schemas vary by type of absence, type of out-of-home care, duration of absence from care, and avenues of exiting care.

Missing Children

NISMART defined a missing child in two ways: those who are missing from their caregivers (caregiver missing), and those who are missing from their caregivers and reported to an agency for help in locating them (reported missing; Sedlak et al., 2002). For an episode to qualify in NISMART, the child had to be younger than 18 and the situation had to meet specific criteria for one of the episode types shown in Figure 1: nonfamily abductions, including stereotypical kidnappings; family abductions; runaway or thrown-away children; missing involuntarily, lost, or injured children; and missing with a benign explanation. Children's absences from foster care cut across these types of episodes.

Missing from Care

Current child welfare administrative data on foster care do not have the requisite qualitative richness to answer many questions about children missing from care. This can pose serious challenges and problems for the well-being of the children involved, the support of foster families and placements used as resources to the agency, and the management and liability of child welfare system.

When state child welfare agencies were surveyed in November 2003 by CWLA (2004) to better understand the definitional and policy

Figure 1***NISMART–2 Definitions of Types of Missing Episodes***

Nonfamily Abduction. Occurs when a nonfamily perpetrator takes a child by the use of physical force or threat of bodily harm or detains a child for at least 1 hour in an isolated place by the use of physical force or threat of bodily harm without lawful authority or parental permission; or when a child who is younger than 15 years old or is mentally incompetent, without lawful authority or parental permission, is taken or detained by or voluntarily accompanies a nonfamily perpetrator who conceals the child's whereabouts, demands ransom, or expresses the intention to keep the child permanently.

Stereotypical Kidnapping. Occurs when a stranger or slight acquaintance perpetrates a nonfamily abduction in which a child is detained overnight, transported at least 50 miles, held for ransom, abducted with intent to keep the child permanently, or killed.

Family Abduction. Occurs when, in violation of a custody order, a decree, or other legitimate custodial rights, a member of the child's family, or someone acting on behalf of a family member, takes or fails to return a child, and the child is concealed or transported out of State with the intent to prevent contact or deprive the caretaker of custodial rights indefinitely or permanently. (For a child 15 or older, unless mentally incompetent, there must be evidence that perpetrator used physical force or threat of bodily harm to take or detain child.)

context for missing or runaway children, the results were mixed in some areas and consistent in others. A large portion of the 24 states that responded to the survey said that they do not have formal definitions of the terms *missing* and *runaway*, but most have policies or procedures in place for recording and tracking the status of missing or runaway children. In the states that do have definitions, only four have definitions of *runaway*, just five have definitions of *missing*, and another four have definitions for both terms. This taxonomy or lack

Runaway/Throwaway. A runaway incident occurs when a child leaves home without permission and stays away overnight; or a child 14 years old or younger (or older and mentally incompetent) who is away from home chooses not to return when supposed to and stays away overnight; or a child 15 years old or older who is away from home chooses not to return and stays away two nights. A throwaway incident occurs when a child is asked or told to leave home by a parent or other household adult, no adequate alternative care is arranged for the child by a household adult, and the child is out of the household overnight; or a child who is away from home is prevented from returning home by a parent or other household adult, no adequate alternative care is arranged for the child by a household adult, and the child is out of the household overnight.

Missing Involuntary, Lost, or Injured Episode. Occurs when a child's whereabouts are unknown to the child's caretaker and this causes the caretaker to be alarmed for at least 1 hour and try to locate the child, under one of two conditions: (1) the child was trying to get home or make contact with the caretaker but was unable to do so because the child was lost, stranded, or injured; or (2) the child was too young to know how to return home or make contact with the caretaker.

Missing Benign Explanation Episode. Occurs when a child's whereabouts are unknown to the child's caretaker and this causes the caretaker to (1) be alarmed, (2) try to locate the child, and (3) contact the police about the episode for any reason, as long as the child was not lost, injured, abducted, victimized, or classified as runaway/throwaway.

Source: Sedlak et al., 2002, p. 4)

thereof poses problems for practitioners and policymakers who are attempting to develop cross-state comparisons and national solutions.

Running from Care

Children who run from care comprise a specialized population of runaways, and thus, are identified in distinct ways. In their examination of runaway behavior in SFC, Fasulo et al. (2002) provided a temporal context to delineate the types of absences, defining a *temporary run*

as one from which the child returned to placement within two weeks and a *permanent run* as one where the child was away at least two weeks. Biehal and Wade (2002) identified two distinct patterns of absence from care, the *friends profile* and the *runaway profile*. Each profile is associated with different patterns of running and thus, has distinct definitions. Courtney and Wong (1996) reviewed three avenues of exit from foster care for children in California—family reunification, adoption, and running away—beginning with a child’s first foster care episode. Of the children exiting foster care during FY 2001, family reunification accounted for 57% of outcomes, adoption for 18%, and running away for 2%. Their work demonstrates that understanding the complexity of the exit process from care can be enhanced by an examination of the multiple avenues of exit.

Abduction

Within the larger category of missing children, NISMART-2 defines *family abduction* as:

the taking or keeping of a child by a family member in violation of a custody order, a decree, or other legitimate custodial rights, where the taking or keeping involved some element of concealment, flight, or intent to deprive a lawful custodian indefinitely of custodial privileges. (Hammer, Finkelhor, & Sedlak, 2002, p. 2)

Although this definition is both precise and easily understood, it is by no means singular in its interpretation. For example, in conceptualizing these abductions, it is possible for a child to have been unlawfully removed from those who have legal custody by a family member and for the child’s whereabouts to be fully known.

Finkelhor, Hammer, and Sedlak (2002) provided information about nonfamily abductions using two definitions. The narrower concept of stereotypical kidnapping pertains to the more serious type of abduction perpetrated by a stranger or slight acquaintance, in which a child is taken or detained overnight, transported a distance of 50 or more miles, held for ransom or with the intent to keep the child perma-

nently, or killed. The broader concept of nonfamily abduction includes stereotypical kidnappings but also includes less serious nonfamily abductions involving the movement of a child using physical force or threat, the detention of a child for a substantial period of time (at least one hour) in a place of isolation using threat or physical force, or the luring of a child younger than 15 years old for purposes of ransom, concealment, or intent to keep permanently.

Although NISMART-2 and other studies have examined and highlighted the issues of familial and nonfamilial abductions of children and youth from their families, no comparable body of work pertains to such abductions from care. The population of children who are abducted from care represents a fairly small proportion of the overall number of those who go missing from care. In the absence of further study and understanding, specialized knowledge regarding these children, those who abscond with them, effective intervention methods, and incident resolution remains unknown.

Some state-specific definitions, such as Florida's, define parental abduction as "a juvenile who is missing and unemancipated (nonadult) as defined by the laws of his/her state of residence and who is in the company of a noncustodial parent" (Florida Department of Law Enforcement, n.d.). These may be useful, as it is state-specific definitions that are used in the identification and search of children missing from care.

The definitional controversies regarding missing children make it difficult, if not impossible, to clarify the problem's boundaries and domain. Researchers have yet to identify a satisfactory way to distinguish between children who leave care whose whereabouts are known to the child welfare agency (e.g., returned to parents or relatives), and those who go missing and whose whereabouts are unknown. To the extent that clarity and standardization are the goals, alternate means such as legislative mandates and changes in public policy may prove the most suitable vehicles.