



Local Agency Response to Reports of Registered Predatory Offenders
Requirements under the Maltreatment of Minors Reporting Act and Minnesota Statutes Chapter 260C
Ann Ahlstrom, July 2014

Part 1. STEPS IN HANDLING REPORTS OF REGISTERED PREDATORY OFFENDERS: Accepting the report and tracking to investigation	Statute
<p>1. The local agency accepts a child maltreatment report of a parent or household member of a child who has committed a violation which requires registration as an offender under section 243.166, subdivision 1b, paragraph (a) or (b), or required registration under section 243.166, subdivision 1b, paragraph (a) or (b).</p> <p>2. Since sexual abuse is substantial child endangerment which is required to be tracked to investigation and require a 24 hour response, the local agency:</p> <ul style="list-style-type: none"> • must have face-to-face contact with the child and the child’s caregiver immediately (within 24 hours); • has authority to interview, without parental consent, the alleged victim and any other minors who currently reside or have resided with the alleged offender. The interview may take place at school; • whenever possible, the interview of the victim must be audio-video recorded. <p>3. The agency may change from an investigation to an assessment if the agency determines that a complete investigation is not required. If the agency changes tracks, it must document the reason for terminating the investigation and notify local law enforcement if local law enforcement is conducting a joint investigation.</p> <p>4. The agency determines child maltreatment or no child maltreatment, if the matter remains on an investigative track; if the matter is on a family assessment track, the agency does not address maltreatment; in either track, the agency determines the need for child protective services.</p>	<p><i>Minn. Stat. 626.556, subd. 3 (requiring reporting of child maltreatment), subd. 2(d) (defining child maltreatment to include sexual abuse which, in turn, includes “threatened sexual abuse.” “Threatened sexual abuse” includes the status of the parent or household member which requires registration as an offender under Minn. Stat. § 243.166, subd. 1b, (a) or (b) or required registration under Minn. Stat. § 243.166, subd. 1b (a) or (b).</i></p> <p><i>Minn. Stat. § 626.556, subd. 2 (c)</i></p> <p><i>Minn. Stat. § 626.556, subd. 10 (a) (2) (i)</i></p> <p><i>Minn. Stat. § 626.556, subd. 10(i)</i></p> <p><i>Minn. Stat. § 626.556, subd. 10 (c)</i></p> <p><i>Minn. Stat. § 626.556, subd. 10 (j)</i></p> <p><i>Minn. Stat. § 626.556, subd 10 (a) (4)</i></p>
PART 2. HANDLING REPORTS OF REGISTERED PREDATORY OFFENDERS: Consultation with the County Attorney’s Office	Statute
<p>The agency must ask the county attorney to immediately file a termination of parental rights petition when the agency receives a report that the parent has committed an offense that requires registration as a predatory offender.</p> <p>The county attorney must file a termination of parental rights petition unless, the county attorney and the agency:</p> <ul style="list-style-type: none"> • agree transfer of permanent legal and physical custody is in the child’s best interests; or • agree to file a petition alleging the child to be in need of protection or services together with a case plan documenting compelling reasons why filing a termination of parental rights petition would not be in the best interests of the child. <p>A petition is not required if the county attorney determines there is no legal basis to file a petition.</p>	<p><i>Minn. Stat. § 260C.503, subd. 2(6)</i></p> <p><i>Minn. Stat. 260C.503, subd. 2(d)</i></p>