

Act 154 Investigation Findings Framework Notes – October Stakeholder Meeting

October 10, 2025

Please be advised that these meeting notes do not constitute decisions formally made by the Division, although they may be implemented into the final Act 154 policies and procedures. The information included herein comprises input from multiple agencies, the Act 154 Core Team, and stakeholders.

Presentation:

Provided by Nancy Miller, Child Safety Director, and Lindsay Barron, Director of Policy and Planning.

Key Discussion Points:

- Questions were asked about there being more investigations than assessments in the last year, given the previous work on ensuring that an assessment is the "preferred path."
- Discussion occurred surrounding people who are already on the Child Protection Registry (CPR). Family Services (FSD) will inquire from other states about their expungement and record retention policies.
- There are conversations at a statewide level that may inform the question above. These conversations have focused on adoption records, intakes/reports, etc.
- A question was raised about whether individuals must initiate expungement or if there is a process for it to be automatic. There is not an automatic expungement process; this will be a question for IT surrounding records retention and will be a larger topic of conversation.

The Group's Review of the Investigation Determination Decision-Making Process: Resonates/Agreement:

- For the aggravating factor (1) on the framework, stakeholders noted that an extra layer of training and responsibility should be focused on the use of this level.

What is Missing?:

- The consideration of age as a factor in substantiation. This can become a concern if a child/youth is substantiated and has significant implications later in

life. *FSD noted that there is a different process/discussion happening surrounding children and youth and registry placement.

- The framework excludes certain events vs. patterns of behavior distinctions.

Worries/Concerns:

- How are the factors on the proposed chart weighed?
 - The framework is not a validated tool or actuarial; full specifics and decisions have not yet been decided upon.
 - Training will occur with staff surrounding the use of the ultimately decided-upon tool.
- Mitigating factors #1: How would we consider "tangible measures" or corrective steps if the needed supports for families are not available or timely?
- Domestic violence offenders may be skilled in displaying remorse (mitigating #2) in insincere ways. Support may be needed for the workforce to determine what is credible and what may not be. Alternatively, defensiveness and fear may impact the ability to show remorse in the moment.
- An individual's emotional presentation may be strong based on their previous experiences/traumas. The process must be trauma-informed.
- Cultural contexts and gender biases must be considered.
- The use of the term "lasting" related to emotional harm is complex. It may not be immediately visible but could be lasting in a long-term sense.
- Psychological harm may be difficult to address through a definition.
- "Significant neglect resulting in serious harm or substantial risk of harm" needs additional clarity.

Questions/Next Steps:

- The consideration of changing timelines/criteria for expungement. This may be a way to address the potential for disproportionate harm.
- Automatic expungement would need to be done through statutory changes.