

Act 154 – December Stakeholder Meeting

December 11, 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.

The Act 154 Core Team recently met with subject matter experts to discuss the potential for substantiating cases of youth with problematic sexual behaviors (YPSB). Following this meeting on December 1, 2025, the team promptly updated the proposed YPSB framework and practice guidance. It was emphasized in the meeting that these documents are "living documents," incorporating stakeholder feedback and subject to ongoing revisions as needed before finalization.

The investigative findings frame for YPSBs was shared with the group. It is framed as guided decision-making tool that will be utilized after an investigator and their supervisor have determined that the allegation is true, by a preponderance of the evidence.

Feedback and Conversations Surrounding the Proposed Tool & Practice Guidance:

- Concerns were raised about the level of force, threat, and coercion, including actual violence, and how these factors have sometimes "tipped the scale" for stakeholders when deciding to place a youth on the Child Protection Registry (CPR).
- Cases involving sexting, dissemination of nude photographs without consent, and similar incidents would likely not be considered for placement on the CPR.
- Discussions focused on how to communicate internal findings and substantiations to youth. The goal is to set them up for success and ensure these conversations do not create additional challenges.
- The content and thoughtful creation of the documents received praise.
- Questions arose about registry appeals, especially in cases with multiple victims. Stakeholders clarified that the Commissioner's Registry Review Unit (CRRU) bases its reviews on investigative materials. The CRRU is not a court, and no

one is sworn in. Rules of evidence apply at the HSB level, and the state must adhere to them. However, it is understandable that children and youth may not want to testify.

- FSD staff provided the definition of a sexual act, which includes various forms of contact between body parts or objects and genital or anal openings.
- There was discussion about Family Services Policy #51, including track assignments for accepted reports of sexual abuse when the actor is under 18 years old.
- Clarity was provided on whether an individual poses an increased risk when multiple victims are involved. Stakeholders noted recent testimony indicating that the number of victims is not irrelevant.
- Conversations highlighted how rare it is for children and youth to fabricate allegations.
- The group discussed how attempts to perpetrate fit into interventions and substantiations, especially when signs were present, but the action was stopped before occurring.
- Discussions covered the measurement of child development, puberty status, and other child-specific considerations for decision-making.
- The practice guidance on the preponderance of the evidence standard was shared.
- Concerns were raised about clarifying appeal rights and due process requirements. Ideally, a system would ensure youths understand their rights. It can be problematic if a young person is substantiated and their parent, who may not be protective or may have a conflict of interest, oversees the next steps. A stakeholder suggested forming a separate workgroup to discuss the "rights" of substantiated individuals and whether an automated letter should be generated around appeal timeframes.
- Data on the number of youths substantiated over the past ten years was shared.
- Discussions addressed the purpose of substantiation, which is to protect children and vulnerable adults in employment contexts. There are other ways to support

accountability through the judicial process. A stakeholder noted that placement on the Registry should be based on the risk of sexual re-offenses. All children and youth should have access to the appeal process, including representation.

- Closing comments addressed the exposure of children and youth to online pornography and its potential impacts on their actions and well-being.