


**Department of Human Resources
Social Services Administration
311 W. Saratoga St.
Baltimore, MD 21201**

DATE: January 3, 2011

POLICY DIRECTIVE: SSA# 11-18

TO: Directors, Local Departments of Social Services
Assistant Directors for Services
Child Protective and In-Home Services Supervisors
and Workers

FROM: Carnitra D. White, Executive Director 
Social Services Administration

RE: Disclosure of Information by Child Protective Services to the
Division of Parole and Probation in the Department of Public
Safety and Correctional Services

PROGRAMS AFFECTED: Child Protective Services Investigation, In-Home Services

ORIGINATING OFFICE: Office of Child Welfare Practice and Policy

ACTION REQUIRED: In-Home Family Services Staff

ACTION DUE DATE: October 1, 2010

CONTACT PERSON: Stephen Berry, Manager, In-Home Services
410-767-7018

PURPOSE: This Policy Directive sets forth the parameters for the required sharing of a report of child abuse or neglect with the Division of Parole and Probation (DPP) in the Department of Public Safety and Correctional Services if it appears that an individual is registered under Title 11, Subtitle 7 of the Criminal Procedure Article based on the commission of a sexual offense against a child. The individual must be someone who lives in a child's home or has a regular presence in the home.

BACKGROUND: During the 2010 General Assembly Session, SB 892 passed amending Human Services Article Section 1-202. The Bill requires the disclosure of a report or record of child abuse or neglect to DPP if an individual is registered on the Sex Offender Registry based on the commission of an offense against a child. This Bill seeks to address loopholes in the system that deals with sexual offenders. This mandate allows the local departments of social services (LDSS) and DPP to work together and share information when, in the past, LDSS staff were not legally allowed to share information with parole and probation officers.

POLICY: The LDSS shall disclose information to DPP, if upon receipt of a report or investigation of suspected child abuse or neglect, the LDSS has reason to believe that an individual, who lives in or has a regular presence in a child's home, is registered on the State of Maryland Sex Offender Registry (SOR) due to committing a sexual crime against a child.

In order to comply with the Sex Offender Registration and Notification Act (SORNA), the Maryland Sex Offender Registry has three tiers of categorization: Tier I sex offender, Tier II sex offender, and Tier III sex offender. An individual who has been convicted of a sexual offense against a child may be placed in any of the three tiers based upon criteria established under SB 854/HB 936 passed in the 2010 legislative session. Law enforcement or DPP can help the LDSS determine the nature of the offense that resulted in the individual's registration on the SOR.

A. Notification to DPP:

- (1) When a screener receives a report and, based on the report or a check of the SOR, have reason to believe that a registered child sex offender lives in or has a regular presence in a child's home, the screener shall make the initial call to DPP.
- (2) If at any other point during the LDSS' involvement with a family, information comes to light that an individual on the SOR as a result of an offense against a child lives in

or has a regular presence in a child's home, the investigative worker shall contact DPP.

- (3) If DPP confirms that a registered individual is on parole or probation and is on the SOR, the worker may share additional information with DPP regarding the sexual offender at the conclusion of the investigation.

B. The following information shall be shared with DPP:

- (1) The name of the individual who is on the SOR;
- (2) The nature of the allegations and any other information regarding the report or investigation of suspected child abuse or neglect that would be helpful to DPP which may include the identity of the child with whom the sex offender has contact; and
- (3) During the course of the investigation, information regarding the validity of any allegations involving the child sex offender if the sex offender is on parole or probation, including, identification of any other victim, the behavior and statements of the registered offender, and the outcome of the investigation.

C. Documentation in CHESSIE:

- (1) During the Screening phase, the information is documented on the Children & Family Services Intake Worksheet (*DHR/SSA 396*) in CHESSIE.
- (2) During the investigative phase, the information is documented under the Contact section in MD CHESSIE, and, if warranted, in the 181 narrative section.