Predatory Offender Training

for caregivers of children and vulnerable adults

Click above for full training or click on individual chapters at right
Welcome

This training is intended for programs and officials who care for and educate children and vulnerable adults. It contains information about community notification requirements, registration requirements, and the dangers posed by predatory offenders.

For access to the entire presentation, click on the solid green box on the following slide. You will also find that the six chapters may be accessed individually.

Throughout the presentation, you will find links to other websites and supporting documents. These may be accessed by clicking on any green underlined text (indicating a hyperlink).
Predatory Offender Training for caregivers of children and vulnerable adults

Click above for full training or click on individual chapters at right

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Overview
The Minnesota Legislature has required the commissioner of corrections, in conjunction with the commissioner of public safety, to develop training materials for programs and officials who care for and educate children and vulnerable adults, about the dangers of predatory offenders.

M.S. 244.0521
Predatory Offenders

Offenders who are convicted, charged, or adjudicated delinquent for specific crimes are required to register as a predatory offender. Crimes include:

- Murder involving a sexual component
- Kidnapping and false imprisonment
- Criminal sexual conduct
- Indecent exposure
- Soliciting a minor to engage in sexual conduct, prostitution, or sexual performance
- Other offenses defined by law
Overview of Training

**Accurate information about predatory offenders and re-offense rates can contribute to effective safety measures.** Understanding the dynamics of predatory offenses is important in order to take the appropriate steps to promote safety. This training will include:

- Facts about predatory offenders
- Ways to identify sexual abuse, steps that can be taken to prevent it, and how to respond when it is suspected
- Information about the management of convicted predatory offenders

This training presents a general overview of these topics and is not intended as legal advice. Always contact your attorney on legal issues.
Those Victimized

National data and reports by the Minnesota Department of Corrections (DOC) consistently show:

- The majority of victims are under the age of 18.
- Victims are predominately female.
- Victims often know and trust those who offend against them.
Age of Those Victimized

Two-thirds of those victimized are under the age of 18.

DOC Publication: Sex Offender Recidivism in Minnesota (April, 2007)
Gender of Those Victimized

- 89% Female
- 11% Male

DOC Publication: Sex Offender Recidivism in Minnesota (April, 2007)
Offenders

Predatory offenders are found in all cultures. They come from all social, economic, and racial groups. They live in rural, suburban, and urban areas. They are juveniles as well as adults.

Offenders are married or single, gay or straight, employed or unemployed. They cannot be identified by appearance, persona, or profession.
Sexual Abuse is Under-Reported

It is estimated that as much as 90 percent of sexual abuse is not reported. Most victims do not report to authorities because they:

• Are afraid that their abuser will harm them again
• Do not want to make a very private matter public
• Are afraid of disrupting family relationships
• Are worried they will be blamed for what happened or they will not be believed
• Feel ashamed, guilty and/or embarrassed
Most Sex Offenders Are NOT Strangers

Over 90 percent of sexually-abused children are abused by someone they know and trust – often someone within their own family. Single mothers are often targeted so that offenders can access their children.

Vulnerable adults are most frequently abused by caregivers or fellow residents at care facilities.

DOC Publication: Sex Offender Recidivism in Minnesota (April, 2007)
Registered Offenders Do Not Commit Most Sex Offenses

Most sexual abuse is committed by someone with no prior convictions.

DOC Publication: Sex Offender Recidivism in Minnesota (April, 2007)
Most Offenders Do Not Re-Offend Sexually

A 2007 study found a drastic decrease in sexual recidivism of those offenders released from incarceration from 1990-2002. Three years following release, those released in 1990 were rearrested for a sex offense at a rate of about 19 percent, whereas those released in 2002 were rearrested at a rate of about 4 percent.

DOC Publication: Sex Offender Recidivism in Minnesota (April, 2007)
The Minnesota DOC conducted an extensive study on the impact of imposing restrictions on where an offender may live in proximity to certain locations where children congregate.

A total of **3,166 offenders** released from 1990-2002 were reviewed. Of those, **7 percent (224)** committed new sexual offenses and were returned to prison.

The department analyzed the circumstances of those 224 new sexual offenses. **Residency restrictions from schools, parks, or daycares would have impacted none of the offenses.**

* DOC Publication: [Residential Proximity and Sex Offense Recidivism in Minnesota (April, 2007)](https://www.doc.state.mn.us/Research/ResidentialProximity.pdf)
Information for
Child Educators
Children – Definition of Population

Children are defined as individuals younger than 18 years of age.

- Two-thirds of those victimized are younger than 18.

- Some sexual behavior exhibited by children is normal.

- A description of some age-appropriate sexual behavior may be found in the flyer to the right.
Special Considerations

• Since the sexually-abused child may lack the outward symptoms of physical abuse, sexual abuse may be difficult to identify.

• Children often do not know how to express or explain what has happened to them and may be afraid, confused, or ashamed.

• A child may not be developmentally capable of understanding or resisting the contact.
## Child Sexual Abuse

Examples of criminal sexual abuse include:

<table>
<thead>
<tr>
<th>Abusive physical contact or touching</th>
<th>Non-contact sexual abuse</th>
</tr>
</thead>
<tbody>
<tr>
<td>Touching the child’s genitals or private parts for sexual purposes</td>
<td>Deliberately exposing an adult’s genitals to a child</td>
</tr>
<tr>
<td>Making a child touch someone else’s genitals or play sexual games</td>
<td>Creating or possessing child pornography</td>
</tr>
<tr>
<td>Putting objects or body parts (like fingers, tongue, or penis) in the vagina, mouth, or anus of a child</td>
<td>Adult solicitation of sexual contact with children by any means, including the internet</td>
</tr>
</tbody>
</table>
## Possible Signs of Child Sexual Abuse

<table>
<thead>
<tr>
<th>Physical symptoms</th>
<th>Behavioral symptoms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bruising or sores around breasts or genital area</td>
<td>Avoidance of specific settings or individuals</td>
</tr>
<tr>
<td>Unexplained vaginal or anal bleeding</td>
<td>Changes in personality or behavior, including sudden and extreme mood swings</td>
</tr>
<tr>
<td>Unexplained venereal disease or genital infections</td>
<td>Excessive crying spells</td>
</tr>
<tr>
<td>Unexplained pregnancy</td>
<td>Social withdrawal</td>
</tr>
<tr>
<td>Torn, stained, bloody, or missing underclothing</td>
<td>Nightmares, difficulty sleeping</td>
</tr>
<tr>
<td>Somatic complaints (e.g., chronic stomach ache)</td>
<td>Eating disorders or appetite loss</td>
</tr>
</tbody>
</table>
### Other signs

- Regression – older child exhibiting behavior typical of younger child
- Sexual behavior with toys or other children
- New words for private body parts
- Talk of a new older friend
- Suddenly having money or items they could not have obtained on own
- Learning difficulties/problems at school
Talking to Children

When choosing language to discuss sexual abuse, take into account:

• Developmental age of the child/group of children (emotional, biological components)
• Depth of information being provided
• Possibility of currently occurring or prior history of abuse

Use caution in discussing abuse. If abuse is suspected, refer the matter to law enforcement.
Risk-Reduction Strategies

• Reduce opportunities for potential abusers to be alone with children
• Provide adequate supervision of adults during interactions with children
• Educate children about protective strategies
• Educate parents and guardians about behavior that could be dangerous or indicative of abusive conduct
Educate Children

• Help children learn to trust their feelings.

• Help them understand that they have the right to set physical boundaries.

Let them know:

✓ It’s okay to be rude to someone who is using sexual pressure, even if feelings are hurt.

✓ It’s okay to get angry when someone does something that is unwanted.

✓ It’s okay to yell, leave, push, or use other means to get away.

✓ It’s okay to question behavior that doesn’t seem right, such as staring, sitting or standing too close, blocking the way, grabbing or pushing, or disregarding “NO.”
The following behaviors may be exhibited by adults or older adolescents who potentially abuse children:

• Those who refuse to let children set their own physical limits, such as hugging, touching, or tickling when the children do not want the affection

• Those who are overly interested in the sexual development of children

• Those who prefer the companionship of children over that of their peers
Recommended Workplace Safety Measures

- Ensure adequate supervision of employees
- Conduct background checks (click on graphic for more information)
- Maintain emergency contact lists
- Have a system or policy for mandated reporting
- Periodically refresh staff in reporting requirements
- Train staff on how to identify possible sexual abuse
- Incorporate learning activities about safety into academic curriculum and share information regarding these activities with parents
Information for Those Who Care for Vulnerable Adults
Definition of Vulnerable Adult

- Resident or inpatient of a facility (such as hospital, nursing home, adult services, home care provider, hospice, etc.)

- Receives services from a specified adult services facility, home care provider, or personal care assistant

- Regardless of receiving services:
  - Possesses a physical, mental, or emotional infirmity or dysfunction that impairs the person’s ability to provide adequately for his/her own care without assistance
  - AND has an impaired ability to protect him/herself from maltreatment

*M.S. 626.5572, Subd. 21*
Special Considerations

- Dependence on caregivers, such as family members or facility staff, may lead to a reluctance to report.

- Some individuals may be less likely to report sexual abuse due to diminished capacity, cognitive disease or communication issues, or caregiver or family threats.

- Generational differences may impact reporting; older victims may be reluctant to discuss sex and may be ashamed of being exploited.
### Sexual Abuse of a Vulnerable Adult

Examples of sexual abuse include:

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<thead>
<tr>
<th>Abusive physical contact or touching</th>
<th>Non-contact sexual abuse</th>
</tr>
</thead>
<tbody>
<tr>
<td>Touching an individual’s genitals or private parts for sexual purposes</td>
<td>Forcing an individual to view pornography</td>
</tr>
<tr>
<td>Forcing an individual to touch someone else’s genitals or play sexual games</td>
<td>Deliberately exposing an adult’s genitals to the individual</td>
</tr>
<tr>
<td>Putting objects or body parts (like fingers, tongue, or penis) in the vagina, mouth, or anus of an individual</td>
<td>Photographing an individual in sexual poses</td>
</tr>
<tr>
<td></td>
<td>Encouraging an individual to observe others engaging in sexual acts</td>
</tr>
</tbody>
</table>
# Possible Signs of Sexual Abuse of Vulnerable Adults

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<tr>
<td>Torn, stained, bloody, or missing underclothing</td>
<td>Eating disorders or appetite loss</td>
</tr>
</tbody>
</table>
Other Possible Signs of Sexual Abuse

<table>
<thead>
<tr>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sleep disturbances</td>
</tr>
<tr>
<td>Response to “triggers”</td>
</tr>
<tr>
<td>Substance abuse</td>
</tr>
<tr>
<td>Secret relationships</td>
</tr>
<tr>
<td>Sexually-inappropriate behavior</td>
</tr>
</tbody>
</table>
Talking to Vulnerable Adults

• Treat adults as adults, regardless of any disability they may have.

• Speak directly to the person.

• Do not assume a person with a disability has a cognitive limitation or is not telling the truth.

• Work with specialists to gain information about communication barriers and successful techniques.

Use caution in discussing abuse. If abuse is suspected, refer the matter to law enforcement.
Risk-Reduction Strategies

Reduce opportunities for potential abuse by:

• Providing adequate supervision of vulnerable adults and those who care for them

• Educating vulnerable adults about protective strategies

• Educating family members and guardians about behavior that could be dangerous or indicative of abusive conduct
Recommended Workplace Safety Measures

- Ensure adequate supervision of employees
- Conduct background checks (click on graphic for more information)
- Maintain emergency contact lists
- Train staff on how to identify possible sexual abuse
- Have a system or policy for mandated reporting
- Periodically refresh staff in reporting requirements
Reporting Abuse
Mandatory Reporting

Minnesota law mandates reporting of maltreatment of minors and vulnerable adults

M.S. §626.556
M.S. §626.557
Important

• Call **911** to report sexual and physical assaults. Assault is criminal activity and merits law enforcement response. The response may include involvement of other agencies.

• Minnesota statutes require reporting by certain individuals in cases of maltreatment of children and vulnerable adults. The law specifies which individuals are mandatory reporters, what activity requires reporting, as well as when reports and to whom reports must be made.
Mandatory Reporters

Examples include but are not limited to individuals in these professions:

• Social services
• Care providers
• Health and human services
• Education
• Law enforcement
• Mental health
• May also include clergy, medical examiners, and coroners

The law also allows for voluntary reporting by persons who are not required to report.
When to Report Child Abuse

A mandatory reporter must report abuse when the reporter knows or has reason to believe that a child has been abused:

- Orally by phone or other means within 24 hours
- Followed by a written report within 72 hours
- Law requires mandated reporters to make a report if they know of or have reason to believe that a child has been abused within the preceding 3 years

For special considerations pertaining to child sexual abuse, you may wish to consult with social services.
Where to Report Child Abuse

• If suspected abuse is by a parent, guardian, or individual functioning within the family unit, contact the local child welfare agency and/or law enforcement. These two agencies cross-report.

• If suspected abuse occurs outside of the family unit in licensed facilities (schools, hospitals, foster care settings, daycare settings, etc.), a report should be made to the governmental agency that licenses the facility. For example, maltreatment in a school would be reported to the Department of Education. Other reports occurring outside the family unit are reported to law enforcement.
When to Report Abuse of Vulnerable Adults

- A mandated reporter who has reason to believe that a vulnerable adult is being or has been maltreated, or who has knowledge that a vulnerable adult has sustained a physical injury which is not reasonably explained, must immediately make a report.
Where to Report Abuse of Vulnerable Adults

- Reports are made to designated local Common Entry Point (CEP), which is responsible for receiving reports. The CEP usually includes law enforcement, which is available 24 hours a day, and/or county social services, which is generally available during business hours Monday-Friday.

- Upon receiving a report, the CEP makes an assessment and involves appropriate agencies such as law enforcement, adult protection, the Minnesota Department of Health, and the Department of Human Services.
Reporting Assistance

• When questions arise, contact county social services for advice.

• The Minnesota Department of Human Services also provides general and case-specific assistance to citizens, providers, and local and state agencies about these requirements and issues arising from them.

• Specific requirements are detailed at the website of the Minnesota Department of Human Services. Relevant material may be found under child and adult protection. www.dhs.state.mn.us

• Guidelines may be found in Reporting Child Abuse and Neglect: A Resource Guide for Mandated Reporters at http://edocs.dhs.state.mn.us/lfserver/Legacy/DHS-2917-Eng.
Registration and Community Notification
# Registration and Community Notification

<table>
<thead>
<tr>
<th>Statute</th>
<th>Requirement</th>
<th>Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>M.S. §243.166</td>
<td>Registration of certain offenders</td>
<td>Minnesota Bureau of Criminal Apprehension</td>
</tr>
<tr>
<td>M.S. §244.052</td>
<td>Assignment of risk to certain offenders</td>
<td>Minnesota Department of Corrections</td>
</tr>
<tr>
<td>M.S. §244.052</td>
<td>Community notification</td>
<td>Local law enforcement</td>
</tr>
</tbody>
</table>
Offenses Requiring Registration

Offenders who are convicted, charged, or adjudicated delinquent for specific crimes are required to register as a predatory offender. Those crimes include:

- Murder involving a sexual component
- Kidnapping and false imprisonment
- Criminal sexual conduct
- Indecent exposure
- Soliciting a minor to engage in sexual conduct, prostitution, or sexual performance
- Other offenses defined by law

A complete list of offenses requiring registration and detailed information about predatory offender registration is available at www.por.state.mn.us.
Predatory Offender Registration

- The Bureau of Criminal Apprehension (BCA) governs predatory offender registration. The registry is a tool for law enforcement used for investigative purposes and is linked to federal databases.

- The registry is a collection of data about offenders that includes information regarding residence, employment, school enrollment, and vehicles driven by offenders. It also includes photographs of the offenders and a DNA sample.

- Registration information is not public.
Predatory Offender Registration

- Predatory offenders are required to register for a specified period of time, either 10 years or the duration of supervision, whichever is longer. Lifetime registration may be required in some circumstances.

- Calculation of the registration period is made by the BCA. The end-date of this period is subject to change. A new registration period may be triggered by a new conviction that results in incarceration of over 24 hours (misdemeanor, gross misdemeanor, felony) even when the offense is not considered predatory.
Predatory Offender Registration

• Law enforcement with jurisdiction over the community where an offender resides may do compliance checks on the registration information.

• It is the responsibility of each offender or the assigned supervision agent (while the offender is under supervision) to provide the registration information to law enforcement and/or the BCA.

• Failure of the offender to do so, if substantiated, may result in a new felony conviction and/or additional incarceration time.
The BCA maintains a public non-compliance list of predatory offenders over the age of 16 who fail to provide the required informational components of the registry.

After 30 days have lapsed, information on non-compliant offenders is posted on the BCA website.

Once the missing or incorrect information is provided to the BCA and they or law enforcement verify it, the offender’s listing is removed from the public website.

The list is published for the purpose of obtaining tips from the public.
Community Notification

Applies to:

• Predatory offenders released from state or federal prison
• Civilly-committed predatory offenders under Minnesota Department of Human Services jurisdiction

Does not apply to:

• Juveniles (unless certified as an adult)
• Offenders on probation

Watch a short video on community notification
• 90 days prior to the offender’s release from prison, the DOC assigns a risk level to the offender.

• The risk level is assigned by an **End-of-Confinement Review Committee** that includes a DOC chairperson, case manager, psychologist, law enforcement representative, and victim services representative.

• Considerations include the offender’s entire criminal history, treatment records, supervision history, institutional behavior, education, employment, availability of community support, and release plans.

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**Click to see Community Notification Flyer**
Community Notification

- Law enforcement is notified about the release of every predatory offender.

- Every registered predatory offender being released from confinement is subject to community notification.

- Health care facilities receive information from law enforcement or supervision agents regarding patients who are registered offenders.

- Law enforcement provides community notification information that directly corresponds to risk level assignment. Community members receive information about high-risk offenders.
## Community Notification

<table>
<thead>
<tr>
<th>Risk Level</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Level One – LOWER RISK</strong></td>
<td>Law enforcement may notify other law enforcement agencies and any victims or witnesses to the offense.</td>
</tr>
<tr>
<td><strong>Level Two – MODERATE RISK</strong></td>
<td>In addition to level one notification, law enforcement may notify establishments and organizations that primarily serve individuals likely to be victimized by the offender.</td>
</tr>
<tr>
<td><strong>Level Three – HIGHER RISK</strong></td>
<td>In addition to level two notifications, law enforcement may notify other members of the community whom the offender is likely to encounter and may use the media and/or hold public meetings to deliver information and answer questions.</td>
</tr>
</tbody>
</table>
Minnesota law allows these offenders to live in the community after serving their court-imposed sentences. It also allows them:

• To work or continue training, education, and treatment

• To get groceries, do laundry, go to church, seek medical and dental care, etc.

• To live and work free of harassment
Summary
Summary

• Perpetrators of sexual abuse can be anyone, especially those known and trusted by victims.

• Those who care for children and vulnerable adults can help when they are aware of the signs of abuse and the appropriate response.

• In Minnesota, sex offenders released from confinement are individually assessed for risk so that supervision and treatment may be allocated most effectively.

• Signs of abuse may be physical, behavioral, and/or emotional.

(continued)
Summary

• Communication with children and vulnerable adults must take into account developmental and cognitive considerations.

• Educators and caregivers must be vigilant about their employees by conducting background checks, providing appropriate training, and ensuring supervision.

• Contact law enforcement or county social services for concerns pertaining to possible sexual abuse.
# Resources

<table>
<thead>
<tr>
<th>Organization</th>
<th>Website/Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bureau of Criminal Apprehension (BCA)</td>
<td><a href="http://www.bca.state.mn.us/bca.asp">www.bca.state.mn.us/bca.asp</a> click on POR, then POR Public Website</td>
</tr>
<tr>
<td>Minnesota Coalition Against Sexual Assault</td>
<td><a href="http://www.mncasa.org">www.mncasa.org</a></td>
</tr>
<tr>
<td>Minnesota Department of Corrections (DOC)</td>
<td><a href="http://www.doc.state.mn.us">www.doc.state.mn.us</a> click on Search Offender Locator then Level 3 Sex Offender Search</td>
</tr>
<tr>
<td>Minnesota Department of Health Sexual Violence Prevention</td>
<td><a href="http://www.health.state.mn.us/svprevent">www.health.state.mn.us/svprevent</a></td>
</tr>
<tr>
<td>Minnesota Department of Human Services</td>
<td><a href="http://www.dhs.state.mn.us">www.dhs.state.mn.us</a></td>
</tr>
<tr>
<td>Minnesota Internet Crimes Against Children</td>
<td>MICAC Task Force, 651-265-3882</td>
</tr>
<tr>
<td>National Center for Missing and Exploited Children (NCMEC)</td>
<td>1-800-843-5678, <a href="http://www.missingkids.com">www.missingkids.com</a></td>
</tr>
<tr>
<td>Minnesota Office of Justice Programs, Crime Victim Services</td>
<td>1-888-622-8799, <a href="http://www.ojp.state.mn.us">www.ojp.state.mn.us</a> click on Victim Service Provider Directory for a list of local providers</td>
</tr>
<tr>
<td>DOC Restorative Justice</td>
<td><a href="http://www.doc.state.mn.us/rj/Default.htm">http://www.doc.state.mn.us/rj/Default.htm</a></td>
</tr>
<tr>
<td>United States Department of Justice National Sex Offender Registry</td>
<td><a href="http://www.nsopr.gov">www.nsopr.gov</a></td>
</tr>
</tbody>
</table>