

**A BILL FOR AN ACT**

To establish a Child Abuse and Neglect Central Registry in the Commonwealth of the Northern Mariana Islands.

**BE IT ENACTED BY THE TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:**

1           **Section 1. Short Title.** This Act may be cited as the “Child Abuse and Neglect  
2 Central Registry Act of 2025”.

3           **Section 2. Findings and Purpose.** The Legislature finds that although the CNMI  
4 has seen a decrease in child abuse and neglect cases, with 78 cases in 2023 and 36 cases in  
5 2024, there is still a necessity to implement proper methods that enhance the reporting of  
6 cases, as well as the management of cases through databases. The Legislature finds that  
7 child abuse and neglect central registries are state-level databases that are designed to  
8 prevent repeat maltreatment and facilitate background checks on roles involving children.  
9 With around 45 states maintaining child abuse central registries, it can be presumed as an  
10 effective measure that can assist in maintaining public safety, if implemented in the CNMI.

11           The Legislature finds that it is necessary to implement a child abuse and neglect  
12 central registry in the Commonwealth of the Northern Mariana Islands. The Legislature  
13 finds that this central registry would be best placed under the Department of Community  
14 and Cultural Affairs, Division of Youth Services-Child Protective Services (DYS-CPS) for  
15 the agency to implement goals such as protecting the safety and welfare of children;  
16 centralizing all records about relevant cases; supporting other government agencies, law  
17 enforcement, and child serving institutions through regulated background checks; ensuring  
18 confidentiality, transparency, and due process; as well as establishing a formal background  
19 clearance system through which individuals seeking to work or volunteer with children  
20 may request a sealed letter verifying their inclusion or non-inclusion on the registry.  
21 Therefore, the purpose of this act is to formally establish a centralized child abuse and

1 neglect central registry within the Commonwealth of the Northern Mariana Islands, under  
2 the authority of the Department of Community and Cultural Affairs, Division of Youth  
3 Services-Child Protective Services (DYS-CPS).

4 **Section 3. Enactment.** Subject to the codification of the Law Revision  
5 Commission, the following is hereby enacted to read:

6 “Section 101. **Definitions.**

7 (a) “Child abuse and neglect” shall mean any act or failure to act by a parent,  
8 caregiver, or other individual that results in actual or potential harm to a child’s physical  
9 or emotional health, including physical abuse, sexual abuse, emotional abuse,  
10 abandonment, or neglect, as defined in CNMI law.

11 (b) “Substantiated” shall mean a determination that child abuse or neglect occurred,  
12 based on one of the following:

13 (1) “Court-substantiated” means when a court has ruled that abuse or  
14 neglect occurred.

15 (2) “Agency-substantiated” meaning when DYS-CPS confirms abuse or  
16 neglect through internal investigation and multidisciplinary review, often with  
17 consultation from the Attorney General’s Office or a family court judge.

18 (c) “Under investigation” shall mean a temporary designation indicating an open  
19 CPS case pending determination. If substantiated, no record is retained.

20 (d) “Registry” shall mean the Child Abuse and Neglect Central Registry maintained  
21 by DYS-CPS.

22 (e) “Authorized entry” includes DYS-CPS Registry personnel.

23 (f) “Clearance letter” shall mean an official sealed letter issued by DYS-CPS,  
24 signed and certified only by the CPS Supervisor, that confirms whether an individual is or  
25 is not listed on the registry.

26 (g) “DYS-CPS” shall mean the Division of Youth Services – Child Protective  
27 Services under the Department of Community and Cultural Affairs.

28 Section 102. **Establishment of the Child Abuse and Neglect Central Registry.**

1 (a) The Child Abuse and Neglect Central Registry shall be created and maintained  
2 by the DYS–CPS under the Department of Community and Cultural Affairs.

3 (b) As determined by DYS–CPS, individuals are identified on the Child Abuse and  
4 Neglect Central Registry if their case is as follows:

5 (1) Court-substantiated

6 (2) Agency-substantiated

7 (3) Under investigation (temporary status)

8 (c) An individual is listed on the Child Abuse and Neglect Central Registry only  
9 after a formal decision is made. For agency-substantiated cases, it would include  
10 consultation with the Office of the Attorney General or a judge (e.g., TPR or wardship).

11 (d) Child Abuse and Neglect Central Registry entries shall include the following:

12 (1) Full legal name

13 (2) Date of birth

14 (3) Gender

15 (4) Last known CNMI address

16 (5) Case number (DYS-CPS, DPS, or court)

17 (6) Date and type of substantiation

18 (7) Classification: court-substantiated, agency-substantiated, or under  
19 investigation (pending only)

20 (e) Only the DYS Administrator may certify a name for inclusion or non-inclusion.

21 (f) The Child Abuse and Neglect Central Registry shall be maintained securely and  
22 accessible only by trained and authorized DYS-CPS personnel.

23 Section 103. **Promulgation of Rules and Regulations.**

24 The Division of Youth Services under the Department of Community and Cultural  
25 Affairs shall promulgate rules and regulations governing the procedures entailed with the  
26 Child Abuse and Neglect Central Registry.

27 Section 104. **Confidentiality and Privacy.**

28 (a) The Child Abuse and Neglect Central Registry shall remain strictly confidential  
29 and not accessible to the general public or employers.

1 (b) Clearance letters shall only be issued to the individual requesting the check.

2 (c) All information stored in the Child Abuse and Neglect Central Registry must be  
3 stored securely. Unauthorized access, sharing, or misuse of information shall result in:

4 (1) A fine of up to \$10,000 per violation

5 (2) Potential criminal penalties, including imprisonment.

6 (3) Permanent access revocation for violators.

7 Section 105. **Authorization and Consent.**

8 (a) Only individuals themselves may request a background check from the Child  
9 Abuse and Neglect Central Registry. Employers and agencies may not request on  
10 someone's behalf.

11 (b) The Child Abuse and Neglect Central Registry background check request form  
12 must be submitted with:

13 (1) A valid government-issued identification card

14 (2) Payment

15 (3) Signed consent and release

16 (c) If the requester is off-island, the form must be notarized and mailed with the  
17 payment through certified mail.

18 Section 106. **Background Check Process and Fees.**

19 (a) Individuals requesting a background check must submit a completed  
20 background check form. If the individual is residing off-island, the request must be  
21 notarized and sent through certified mail, inclusive of the payment of fees.

22 (b) All requests are subject to a fee as follows:

23 (1) A \$25.00 non-refundable fee is required per background check.

24 (2) Accepted methods of payment include:

25 (A) Cash (in person)

26 (B) Certified check or money order payable to: DYS-Child Abuse  
27 Registry Fund.

28 (c) Receipts will be issued for each payment.

1 (d) The funds collected shall be deposited into a dedicated account under the  
2 Division of Youth Services (DYS), to be used solely for operations, training, and  
3 maintenance of the Child Abuse and Neglect Central Registry.

4 (e) Results:

5 (1) If not listed: a sealed clearance letter will be issued.

6 (2) If listed: a sealed letter will indicate “record found” with instructions  
7 detailed for appeal.

8 (f) All results must be:

9 (1) Signed and stamped by the DYS Administrator

10 (2) Sealed and marked confidential

11 Section 107. **Appeal Process.**

12 (a) All individuals identified on the Child Abuse and Neglect Central Registry hold  
13 a right to appeal.

14 (b) Processes for appeal are as follows:

15 (1) Written notification: An individual is notified of substantiation and  
16 given 30 days to file an appeal.

17 (2) Internal review panel (within DYS-CPS): appeals filed by individuals  
18 identified in the Child Abuse and Neglect Central Registry will go through an  
19 internal review panel, inclusive of:

20 (A) A Caseworker II or III that are not assigned to the case

21 (B) Legal representative from the Office of the Attorney General

22 (C) CPS Supervisor or his/her designee

23 (3) Independent Administrative Hearing:

24 (A) The Request must be submitted within 15 days of the denial

25 (B) Independent hearings must be heard by a panel inclusive of:

26 (i) Independent hearing officer

27 (ii) Assistant Attorney General for the Criminal Division

28 (iii) Assistant Attorney General for the Civil Division

1 (C) A decision on the Independent Administrative Hearing must be  
2 rendered within 60 days after the request has been submitted.

3 (4) A final appeal may be made to the CNMI Superior Court within 60 days.

4 (c) If the appeal is successful, the individual identified on the Child Abuse and  
5 Neglect Central Registry shall be removed from the registry.

6 Section 108. **Documentation and Record Keeping.**

7 (a) The DYS-CPS shall retain the following:

8 (1) Full personnel details of listed individuals.

9 (2) Substantiation summaries and investigation outcomes.

10 (3) Legal case files and appeal decisions.

11 (b) Registry data shall be reviewed annually for accuracy and compliance.

12 Section 109. **Record Maintenance and Removal.**

13 (a) Timeline of Inclusion on the Child Abuse and Neglect Central Registry:

14 (1) A listing shall remain permanent if it is court-substantiated.

15 (2) A lifetime listing shall be issued for severe cases (e.g. child death and or  
16 torture).

17 (3) Cases that are agency-substantiated shall be reviewed every month, and a  
18 request for removal from the Child Abuse and Neglect Central Registry may be  
19 submitted if there are no new incidents.

20 (b) Minors shall be eligible for early removal at the age of 21, which shall be subject  
21 to review and if there are no new offenses.

22 (c) Cases that are under investigation shall be removed immediately if a case is  
23 unsubstantiated.

24 (d) The CPS Supervisor shall be the sole authority for certifying removal from the  
25 Child Abuse and Neglect Central Registry.

26 Section 110. **Penalties for Unauthorized Use.**

27 (a) Violations of unauthorized use are as follows:

28 (1) Accessing records without approval.

29 (2) Unlawful distribution of results.

1 (3) Committing forgery of clearance letters.

2 (b) Violators of subsection (a) of this section shall be subjected to penalties  
3 including a \$10,000 fine per violation, and/or criminal prosecution.

4 **Section 111. Oversight and Implementation.**

5 (a) DYS-CPS shall hold to sole responsibility of the following:

6 (1) Developing clear regulations for Child Abuse and Neglect Central  
7 Registry operations.

8 (2) Assigning trained personnel to handle submissions, approvals, and  
9 maintenance.

10 (3) Providing training to Caseworkers II/III on Child Abuse and Neglect  
11 Central Registry procedures.

12 (4) Conducting annual audits for quality control and data integrity.

13 **Section 112. Public Awareness and Training.**

14 (a) DYS-CPS shall lead public education campaigns through the following:

15 (1) Government meetings.

16 (2) Flyers, social media, and agency outreach.

17 (3) Trainings for agencies that work with youths.

18 (b) All CNMI Government employers and child/youth service agencies must:

19 (1) Require background clearance through DYS-CPS.

20 (2) Ensure existing employees complete checks within 6 months upon  
21 signage into law.

22 (3) Maintain records for auditing.

23 (4) Implement clearance checks within 6 months upon signing into law.”

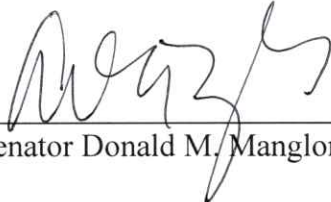
24 **Section 4. Severability.** If any provision of this Act or the application of any such  
25 provision to any person or circumstance should be held invalid by a court of competent  
26 jurisdiction, the remainder of this Act or the application of its provisions to persons or  
27 circumstances other than those to which it is held invalid shall not be affected thereby.

28 **Section 5. Savings Clause.** This Act and any repealer contained herein shall not  
29 be construed as affecting any existing right acquired under contract or acquired under

1 statutes repealed or under any rule, regulation, or order adopted under the statutes.  
2 Repealers contained in this Act shall not affect any proceeding instituted under or pursuant  
3 to prior law. The enactment of the Act shall not have the effect of terminating, or in any  
4 way modifying, any liability, civil or criminal, which shall already be in existence on the  
5 date this Act becomes effective.

6 **Section 6. Effective Date.** This Act shall take effect upon its approval by the  
7 Governor or becoming law without such approval.

Date: 7/14/25

Introduced By:   
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Senator Donald M. Manglona

Reviewed for Legal Sufficiency by:

  
\_\_\_\_\_  
Senate Legal Counsel