



SUBGRANTEE PROCEDURE
MONTANA BOARD OF CRIME CONTROL
DETERMINATION OF SUITABILITY TO INTERACT WITH MINORS

Subject: Determination of Suitability to Interact with Minors	Page 1 of 2
Effective Date: 07/11/2023	Revised: 10/30/2023

I. Purpose

The purpose of this procedure is to outline what subgrantees must include in their Determination of Suitability to Interact with Minors policy.

II. Definitions

None

III. Procedures

A. Subgrantee's Determination of Suitability to Interact with Minors Policy must include:

1. Advance determination is required of any individual who is expected or reasonably likely to interact with a minor in the course of the grant awards.
2. Determination must be made in writing.
3. Determinations are renewed at least every five years.
4. Determinations are reexamined if information becomes available reasonably suggesting unsuitability.
5. Searches will be conducted by current and previous names/aliases as follows:
 - Public sex offender and child abuse websites/registries, including:
 - The Dru Sjodin National Sex Offender Public Website (www.nsopw.gov);
 - The website/public registry for each state (and/or tribe, if applicable) in which the individual lives, works, or goes to school, or has lived, worked, or gone to school at any time during the past five years; and
 - The website/public registry for each state (and/or tribe, if applicable) in which the individual is expected to, or reasonably likely to, interact with a participating minor in the course of activities under the award.
 - Criminal history registries and similar repositories of criminal history records:
 - For each state in which the individual lives, works, or goes to school, or has lived, worked, or gone to school at any time during the past five years; and
 - For each state in which he or she is expected to, or reasonably likely to, interact with a participating minor in the course of activities under the award.
 - For each individual at least 18 years of age who is a covered individual under the current award, a fingerprint search must be conducted. If the recipient or subrecipient documents

Subject: Determination of Suitability to Interact with Minors	Page 2 of 2
Effective Date: 07/11/2023	Revised: 10/30/2023

that a fingerprint search is not legally available, a name-based search, using current and, if applicable, previous names and aliases, may be completed instead.

- Searches will be completed no earlier than six months before the determination regarding suitability.
- An individual may not be determined as suitable if the individual:
 - Withholds consent to a criminal history search required by this condition;
 - Knowingly makes (or made) a false statement that affects, or is intended to affect, any search required by this condition;
 - Is listed as a registered sex offender on the Dru Sjodin National Sex Offender Public Website;
 - To the knowledge of the agency, has been convicted—whether as a felony or misdemeanor—under federal, state, tribal, or local law of any of the following crimes (or any substantially equivalent criminal offense, regardless of the specific words by which it may be identified in law):
 - Sexual or physical abuse, neglect, or endangerment of an individual under the age of 18 at the time of the offense;
 - Rape/sexual assault, including conspiracy to commit rape/sexual assault;
 - Sexual exploitation, such as through child pornography or sex trafficking;
 - Kidnapping;
 - Voyeurism; or
 - Is determined by a federal, state, tribal, or local government agency not to be suitable.

B. Example Policy

Please review the [Example Policy – Determination of Suitability to Interact with Minors](#).

IV. Closing

Questions concerning this procedure should be directed to your MBCC program staff point of contact.

V. Attachments

[Example Policy – Determination of Suitability to Interact with Minors](#)
[Individuals Determined Suitable to Interact with Participating Minors](#)