

NEW YORK STATE  
CHILD WELFARE  
COALITION



June 17, 2019

Hon. Velmanette Montgomery  
Senate Chair of the Committee on  
Children and Families  
Legislative Office Building, Room 915  
Albany, New York 12248

Hon. Ellen Jaffee  
Assembly Chair of the Committee on  
Children and Families  
Legislative Office Building, Room 626  
Albany, New York 12248

RE: A8060-A / S6427-A

Dear Senator Montgomery and Assemblywoman Jaffee:

The New York State Child Welfare Coalition is a group of community-based providers, attorneys representing children and parents, and policy advocates working to improve our State's system for children and families. We write in support of A.8060-A/S.6427-A and urge you to pass these bills this session. **We believe the current law is in urgent need of amendment to better balance child safety with the needs and rights of parents.**

All states maintain records of child abuse and neglect, often in statewide databases that are known as central registries. Unlike many states, in New York, a parent can be excluded from certain categories of employment for decades based on allegations of abuse or neglect that may never make it to court or be substantiated by a judge. Parents who have faced these allegations are listed on the SCR for up to ten years after their youngest child turns 18—which could be as many as 28 years. The process for getting off the SCR is very difficult, and few parents even pursue it.

Nearly 27,000 reports are added each year, which result in thousands of parents becoming ineligible for employment opportunities that require SCR clearance, such as child care, positions within hospitals and schools, and home health aide jobs. These collateral consequences of being listed on the SCR directly impact families, diminishing employment opportunities and resources for children in their homes. This is especially counterproductive as most cases (over 70%) stem from poverty and involve allegations of neglect – not child abuse.

This is not solely an economic issue; it is also a racial justice concern. African American and Latinx families are disproportionately affected by this law, which serves as a barrier for low-income people of color and immigrants. African American parents are 2.6 times more likely than white parents to have an allegation “indicated” and be added to the SCR.

A.8060-A / S.6427-A would address these problems without sacrificing child safety. Specifically, it would:

- **Remove unnecessary and unfair employment barriers for parents by automatically, conditionally sealing indicated reports of neglect after 8 years from most employment and after 12 years for all employment, while ensuring that all reports continue to be available to child welfare and foster care agencies who must ensure child safety.** Reports of abuse would continue to be accessible to these agencies for up to 28 years.
- **Make the process for parents to challenge their inclusion in the SCR more fair and efficient by improving court procedures and allowing them to present evidence of rehabilitation, where applicable.** By eliminating duplicative proceedings and permitting parents to show how they have addressed matters contributing to their being placed in the SCR, parents have a better opportunity to have their records sealed, and to avoid the collateral consequences that create barriers to obtaining and keeping their jobs.

We urge you to support this reform, which will help thousands of families and move New York into line with other states that better balance child safety with the collateral consequences for parents.

Sincerely,

Abbott House  
Adoptive and Family Foster Coalition of New York  
Arab-American Family Support Center  
Bronx Defenders  
Brooklyn Defender Services  
Center for Family Representation  
Children's Aid  
Children's Defense Fund-New York  
Children's Law Center  
Children's Village  
Citizens' Committee for Children of New York, Inc.  
Coalition for Homeless Youth  
Council of Family and Child Caring Agencies  
Court Appointed Special Advocates of NYC  
Families Together in New York State  
Good Shepherd Services  
Graham Windham  
Harlem Dowling  
JCCA  
MercyFirst  
NYS Citizen Review Panels for Child Protective Services  
NYS Kinship Navigator  
Northern Rivers Family of Services  
RISE  
Rising Ground  
Schuyler Center for Analysis and Advocacy  
The Children's Agenda  
The Jewish Board of Family & Children's Services  
The Legal Aid Society  
Westchester Children's Association