



MEMORANDUM OF SUPPORT

S.5526 (Montgomery)

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 support the State Central Register (SCR) reform bill (S.5526), and hope that you will support legislation 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.

S.5526 would address these problems without sacrificing child safety. Specifically, it would:

- **Remove unnecessary and unfair employment barriers for parents by automatically sealing indicated reports of neglect after 5 years to shield them from employers, 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 respectfully urge the Legislature to pass and the Governor to sign S.5526 this year, to help thousands of families and move New York into line with other states that better balance child safety with the collateral consequences for parents.

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.
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
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