

Advocacy for Our Families *SCR Reform*

How changes to the SCR will benefit New York families

What is the New York Statewide Central Register (SCR) of Child Abuse and Maltreatment?

The SCR is a database and hotline maintained by New York's Office of Children and Family Services (OCFS). Any person can call the SCR hotline and report suspected child maltreatment. Once a report is received and accepted, the local department of social services conducts an investigation and decides if the report is "unfounded" or "indicated." If a report is **indicated**, that means that the investigative case worker found there was "some credible evidence" to support the initial report of child abuse or neglect. A person with an indicated report will have their name placed on the SCR for 10 years after the youngest child named in the report turns 18 -- a total of up to 28 years. In 2018, the SCR processed 199,047 Intake hotline calls; approximately 32% of these reports were indicated¹. To seal a SCR record, a person can pursue a separate administrative process which can take over a year to complete; litigants are not entitled to counsel in these proceedings.

How does a SCR record impact families?

Once a person's name is on the SCR, they will be excluded from various types of employment, such as working in a school, as a bus matron, a home health aide, or daycare provider. Most employers who provide services to children are required to complete a SCR database check as part of their hiring process. This means anyone whose name is on the SCR is unable to work in childcare settings for up to 28 years regardless of what their case was indicated for. This barrier mainly affects low-income women of color and immigrants who are disproportionately involved in the child welfare system, deepening economic hardship for these families².

What are the proposed changes under A.8060A/S.6427A?

The SCR Reform Bill (A.8060A/S.6427A) recently passed in both houses of the NY State Legislature. The bill seeks to improve the SCR to better support families by increasing employment opportunities and reforming the SCR amend and seal process. This bill raises the standard of evidence required for indicating a case of child maltreatment from "some credible evidence" to a "preponderance of evidence." The bill also allows for the automatic sealing of indicated reports of neglect after 8 years for most jobs and after 12 years for all jobs provided there have been no additional indicated cases. The bill ensures that SCR reports are automatically amended and sealed when a Family Court Judge dismisses the case. The bill also addresses the amend and seal process by allowing Fair Hearing judges to consider evidence of a parent's rehabilitation whenever considering whether to seal an indicated report and allowing people to request fair hearings to amend and seal indicated reports at any time of their choosing, as opposed to the current 90-day window.

¹ *Statewide Central Register (SCR) of Child Abuse and Maltreatment, Facts for 2018*, New York State Office of Children and Family Services, 2018.

² *The Collateral Consequences of State Central Registries: Child Protection and Barriers to Employment for Low-Income Women and Women of Color*, National Association of Social Workers, 2019.