



NEW YORK STATE SENATOR

Velmanette Montgomery

Senator Montgomery and Assemblywoman Jaffee urge the Governor's immediate consideration of their legislation to reform the State Central Register (S6427A/A8060)

VELMANETTE MONTGOMERY September 2, 2019

| ISSUE: **CRIMINAL JUSTICE REFORM, NEW YORK'S STATEWIDE CENTRAL REGISTER OF CHILD ABUSE AND MALTREATMENT, NYS SENATE CHILDREN AND FAMILIES COMMITTEE, BEING POOR IS NOT A CRIME, THE NEW JANE CROW**

| COMMITTEE: **CHILDREN AND FAMILIES**

State Senator Velmanette Montgomery, Chair of the Senate Children and Families Committee and Assemblywoman Ellen Jaffee, Chair of the Assembly Standing Committee on Children and Families wrote to Governor Andrew Cuomo request his immediate consideration of their State Central Register (SCR) bill to increase the standard of proof for unfounded and indicated reports of neglect and the admissibility of reports of cases on neglect.

In their joint letter, the Senator and Assemblywoman note:

q

This legislation makes a differentiation between child neglect and child abuse. It also increases the standard regarding evidence for child neglect, which will ultimately relieve individuals from the prospect of being persecuted for the "crime" of being poor.

q

Our bill would ultimately reduce the harsh and disproportionate consequences of having an indicated case on the New York's Statewide Central Register of Child Abuse and Maltreatment. A shocking number of parents — over 47,000 thousand — are added to the SCR every year for child neglect. Most of these parents remain on this list for up to 28 years, are barred from numerous jobs as well as participating in activities at their children's schools. The vast majority of the jobs that affect parents on the SCR are jobs most often performed by women, often-single heads of households, and people of color.

q

According to The New York Times in their story headlined, The Child Abuse Charge Was Dismissed. But It Can Still Cost You a Job, “In New York, it is especially easy to get on the database and arduous to be removed, amounting to a blacklist for many jobs, lawyers and parents said.” Additionally, WNYC reported on June 12, 2019, “There is widespread agreement that a system meant to help children is actually hurting some families by blocking job opportunities.”

q

This bill has support from the Legislature, passing in both houses overwhelmingly.

q

Additionally, thousands of constituents included those effected by the current State Central Register statute have contacted our offices in support of this legislation across the state. This bill also has a groundswell of support from advocacy groups and attorneys across the state

including:

- New York State Defenders Association, Inc.
- New York City Bar
- 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
- Neighborhood Defender Service
- NYS Citizen Review Panels for Child Protective Services
- NYS Kinship Navigator
- Northern Rivers Family of Services
- NYU Family Defense Clinic Washington Square Legal Services, Inc.
- 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

To read the full letter, download the PDF.

To learn more about SCR and its impact on the lives of New York parents, visit:

<https://www.nydailynews.com/opinion/ny-edit-protect-kids-respect-parents-20190825-pdwh3amvvjddnddk4be3npneyi-story.html>

<https://www.nydailynews.com/opinion/ny-oped-loosen-this-vise-on-parents-20190823-jcmuvrz7hjcbtbaq7pxq2e2jmu-story.html>

<https://youthtoday.org/2019/06/new-york-child-welfare-advocates-want-parents-to-have-representation-when-their-children-removed/>

<https://chronicleofsocialchange.org/news-2/child-welfare-historic-policy-new-york/35857>

<https://www.nytimes.com/2019/02/25/nyregion/ny-child-abuse-database.html>

ignment":"center"},"type":"media","field_deltas":{"1":{"format":"default","alignment":"center"},"link_text

ignment":"center"},"type":"media","field_deltas":{"1":{"format":"default","alignment":"center"},"link_text

ignment":"center"},"type":"media","field_deltas":{"2":{"format":"default","alignment":"center"},"link_text

ignment":"center"},"type":"media","field_deltas":{"3":{"format":"default","alignment":"center"},"link_text

ignment":"center"},"type":"media","field_deltas":{"4":{"format":"default","alignment":"center"},"link_text

ignment":"center"},"type":"media","field_deltas":{"5":{"format":"default","alignment":"center"},"link_text

ignment":"center"},"type":"media","field_deltas":{"6":{"format":"default","alignment":"center"},"link_text

ignment":"center"},"type":"media","field_deltas":{"7":{"format":"default","alignment":"center"},"link_text

ignment":"center"},"type":"media","field_deltas":{"8":{"format":"default","alignment":"center"},"link_text

ignment":"center"},"type":"media","field_deltas":{"9":{"format":"default","alignment":"center"},"link_text

gnment":"center"},"type":"media","field_deltas":{"10":{"format":"default","alignment":"center"},"link_te

gnment":"center"},"type":"media","field_deltas":{"11":{"format":"default","alignment":"center"},"link_te

RELATED LEGISLATION

2019-S6427A

- Introduced

- - In Committee Assembly
 - In Committee Senate

- - On Floor Calendar Assembly
 - On Floor Calendar Senate

- - Passed Assembly
 - Passed Senate

- Vetoed By Governor
- Signed By Governor
-

Relates to the standards of proof for unfounded and indicated reports of abuse or maltreatment and the admissibility of reports of child abuse and maltreatment

June 10, 2019

Vetoed

Sponsored by **Velmanette Montgomery**

Do you support this bill?