



Legislation Text

File #: Res 1459-2008, **Version:** *

Res. No. 1459

Resolution calling upon the New York State legislature to pass and Governor to sign Assembly bill A. 4425 and Senate bill S. 2978, which would provide child protective services units with access to certain criminal history reports of adults residing with children who are alleged to be abused, maltreated, or neglected.

By Council Member de Blasio, Vallone Jr., Brewer, Comrie, Dickens, Fidler, Gonzalez, James, Koppell, Liu, Mealy, Nelson, Palma, Reyna, Sanders Jr., Seabrook, Vacca, Gerson and White.

Whereas, When there is a report to the State Central Registry, child protective workers are responsible for evaluating whether a child will be safe if he or she remains at home; and

Whereas, When responding to reports of suspected child abuse, child protective workers must rely on observations they make during visits to homes and on interviews with the people dwelling with the children to make their assessments; and

Whereas, In these situations child protective workers do not have access to critical information regarding persons with whom the children reside, which limits their ability to make informed decisions with regard to children's safety; and

Whereas, Granting child protective workers access to the criminal history reports of adults residing with allegedly abused or neglected children will provide an effective tool for workers to use to assess whether there is an imminent threat to a child's safety in the home; and

Whereas, The United States Department of Justice (DOJ) states that criminal history records describe arrests and all subsequent actions concerning each criminal event that are positively attributable to an individual; and

Whereas, The DOJ also states that criminal history records are critical to assist law enforcement in criminal investigations and decision-making; and

Whereas, While investigations of child abuse and neglect are not criminal, they are investigations that require child protective workers to make decisions about the character of people with whom children live in order to ultimately determine the safety of any children in their care; and

Whereas, The New York State legislature has, in response to this concern, introduced legislation, A. 4425 and S. 2978, which would provide child protective services units with access to criminal history reports of adults residing with allegedly abused, maltreated, or neglected children; and

Whereas, A. 4425 and S. 2978 would amend the executive and social services laws to authorize certain child protective services personnel to have access to criminal history records of certain persons residing with children alleged or suspected to be abused, neglected, or maltreated children; and

Whereas, Enactment of the proposed legislation would help ensure that children are protected and that child protective personnel have the information they need to make the best decisions for children who come under their jurisdiction by providing access to criminal records of people with whom these children reside; now, therefore be it

Resolved, That the Council of the City of New York calls upon the New York State legislature to pass and Governor to sign Assembly bill A. 4425 and Senate bill S. 2978, which would provide child protective services units with access to certain criminal history reports of adults residing with children who are alleged to be abused, maltreated, or neglected.

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