



# Establishment and Maintenance of Central Registries for Child Abuse Reports: Summary of State Laws

Every State has procedures for maintaining records of child abuse and neglect. Most States maintain a central registry, which is a centralized database of child abuse and neglect investigation records. Approximately 40 States, the District of Columbia, American Samoa, Guam, and Puerto Rico require central registries in statute.<sup>1</sup> Registries in other

<sup>1</sup> The word *approximately* is used to stress the fact that States frequently amend their laws. This information is current only through October 2008. States that mandate a central registry in their statutes include Alabama, Alaska, Arizona, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, and Wyoming.

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## Purpose of Central Registries

States, however, may be maintained as a matter of administrative or agency policy rather than statutory mandate and are beyond the scope of this publication.<sup>2</sup>

In approximately six States, the statutes do not authorize statewide, centralized registries.<sup>3</sup> In these States, the individual State agencies that received the reports of suspected abuse or neglect are required to maintain these records. Four States, the Northern Mariana Islands, and the U.S. Virgin Islands do not address the issue of central registries in their statutes.<sup>4</sup>

Central registries and the systematic record keeping of child abuse and neglect reports serve to assist in the identification and protection of abused and neglected children. Central registry reports are typically used to aid social services agencies in the investigation, treatment, and prevention of child abuse cases and to maintain statistical information for staffing and funding purposes.

In many States, central registry records are used to screen persons who will be entrusted with the care of children. Approximately 30 States and the District of Columbia allow or require a check of central registry or department records for individuals applying to be child or youth care providers.<sup>5</sup> Information is made available to employers in the child care business, schools, or health care industry. Most States also

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<sup>2</sup> For information on State registries, see Chapter 4 of the April 2003 *National Study of Child Protective Services Systems and Reform Efforts: Review of State CPS Policy* by the U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, and Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau: <http://aspe.hhs.gov/hsp/CPS-status03/state-policy03/chapter4.htm>

<sup>3</sup> Colorado, Maine, Minnesota, Washington, West Virginia, and Wisconsin.

<sup>4</sup> Kansas, Kentucky, New Mexico, and Ohio.

<sup>5</sup> Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Florida, Illinois, Indiana, Iowa, Louisiana, Maine, Maryland, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New York, Oregon, Pennsylvania, South Carolina, South Dakota, Texas, Utah, Vermont, Virginia, Washington, and Wyoming. See Information Gateway's *Disclosure of Confidential Child Abuse and Neglect Records*: [www.childwelfare.gov/systemwide/laws\\_policies/statutes/confide.cfm](http://www.childwelfare.gov/systemwide/laws_policies/statutes/confide.cfm)

## Content and Maintenance

require a check of central registry records as part of the background check for foster and adoptive parent applicants.<sup>6</sup>

The type of information contained in central registries and department records varies from State to State but usually includes the child's name and address; the name of the mother, father, or guardian; the name of any siblings; the nature of the harm to the child; the name of the alleged perpetrator(s); and the findings of any investigations. Some States maintain all investigated reports of abuse and neglect in their central registries, while others maintain only substantiated reports. Access to information maintained in registries and department records also varies among States.<sup>7</sup> In addition, the length of time the information is held and the conditions for expunction vary from State to State.<sup>8</sup>

This publication is a product of the State Statutes Series prepared by Child Welfare Information Gateway. While every attempt has been made to be as complete as possible, additional information on these topics may be in other sections of a State's code as well as agency regulations, case law, and informal practices and procedures.

<sup>6</sup> Alaska, Arkansas, California, Colorado, Connecticut, Delaware, the District of Columbia, Florida, Guam, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming require central registry checks for foster parents. These States (except for California, Idaho, Missouri, Ohio, Rhode Island, and Vermont) also require the checks for adoptive parents, as do Arizona, Indiana, Louisiana, and New York. See Information Gateway's *Criminal Background Checks for Prospective Foster and Adoptive Parents*: [www.childwelfare.gov/systemwide/laws\\_policies/statutes/background.cfm](http://www.childwelfare.gov/systemwide/laws_policies/statutes/background.cfm)

<sup>7</sup> See Information Gateway's *Disclosure of Confidential Child Abuse and Neglect Records*: [www.childwelfare.gov/systemwide/laws\\_policies/statutes/confide.cfm](http://www.childwelfare.gov/systemwide/laws_policies/statutes/confide.cfm)

<sup>8</sup> See Information Gateway's *Review and Expunction of Central Registries and Reporting Records*: [www.childwelfare.gov/systemwide/laws\\_policies/statutes/registry.cfm](http://www.childwelfare.gov/systemwide/laws_policies/statutes/registry.cfm)

## **Alabama**

### **Establishment**

#### **Ala. Code § 26-14-8**

The Department of Human Resources shall establish a statewide central registry.

### **Purpose**

#### **Ala. Code § 26-14-8**

The purpose of the central registry is to:

- Contain reports of child abuse and neglect
- Prevent or to discover abuse or neglect of children through the information contained therein
- Reports or records in cases determined to be “not indicated” shall not be used or disclosed for purposes of employment or other background checks.

### **Contents**

#### **Ala. Code § 26-14-8**

The central registry shall contain:

- All information in any written reports
- The record of the final disposition of the report, including services offered and services accepted
- The plan for rehabilitative treatment
- The names of persons requesting information from the registry

### **Maintenance**

#### **Ala. Code § 26-14-8**

Requests for information where no report exists may be destroyed 3 years from the date of the request.

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## **Alaska**

### **Establishment**

#### **Alaska Stat. § 47.17.040(a)**

The Department of Health and Social Services shall maintain a central registry.

### **Purpose**

#### **Alaska Stat. § 47.17.040(b)**

In accordance with department regulations, investigation reports may be used by appropriate governmental agencies with child-protection functions, inside and outside the State, in connection with investigations or judicial proceedings involving child abuse, neglect, or custody.

### **Contents**

#### **Alaska Stat. § 47.17.040(a)**

The registry shall contain all investigation reports but not the reports of harm.

### **Maintenance**

This issue is not addressed in the statutes reviewed.

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## **American Samoa**

### **Establishment**

#### **Ann. Code § 45.2020**

A central registry is established within the Child Protection Agency of the Department of Human Resources.

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### **Purpose**

#### **Ann. Code § 45.2021**

Reports in the registry are used to determine the existence of prior records in order to evaluate the circumstances of the child.

### **Contents**

#### **Ann. Code § 45.2022**

The registry shall contain:

- All information in the written reports
- The final disposition of the report, including services offered and services accepted
- The plan for rehabilitative treatment
- The names of persons requesting information from the registry

### **Maintenance**

This issue is not addressed in the statutes reviewed.

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## **Arizona**

### **Establishment**

#### **Rev. Stat. § 8-804(A)**

The Department of Economic Security shall maintain a central registry.

### **Purpose**

#### **Rev. Stat. §§ 8-804; 8-804.01**

The records in the registry may be used:

- To conduct background checks as one factor to determine qualifications for foster home licensing, adoptive parent certification, child care home certification, registration of unregulated child care homes with the child care resource and referral system, and home and community-based services certification for services to children
- To conduct background checks as one factor to determine qualifications for persons applying for employment in positions that provide direct service to children or vulnerable adults
- To identify and review reports concerning individual children and families, in order to facilitate the assessment of risk
- To determine the nature and scope of child abuse and neglect in this State and to provide statewide statistical and demographic information concerning trends in child abuse and neglect
- To allow comparisons of this State's statistical data with national data
- To comply with § 8-804.01(B), that allows use of the records:
  - » To assess the safety and risk to a child
  - » To determine placement
  - » To determine type and level of services
  - » To assist in a criminal investigation
  - » To meet Federal and State reporting requirements

### **Contents**

#### **Rev. Stat. § 8-804(A)-(B)**

The registry will maintain reports of child abuse and neglect that are substantiated and the outcome of investigations.

### **Maintenance**

#### **Rev. Stat. §§ 8-804; 8-804.01**

If the department received a report before September 1, 1999, and determined that the report was substantiated, the department shall maintain the report in the central registry until 18 years from the child victim's date of birth.

If the department received a report on or after September 1, 1999, and determined that the report was substantiated, the department shall maintain the report in the central registry for 25 years after the date of the report.

All reports of child abuse and neglect and related records shall be maintained in the department's case management information system in accordance with the time frames established in the department's records retention schedule.

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## **Arkansas**

### **Establishment**

#### **Ann. Code § 12-12-505**

There is established within the Department of Human Services a statewide central registry.

### **Purpose**

#### **Ann. Code § 12-12-505**

The registry is used for the collection of records of cases involving allegations of child maltreatment that are determined to be true.

### **Contents**

#### **Ann. Code § 12-12-505**

Records of cases where allegations are true shall be retained by the registry.

### **Maintenance**

#### **Ann. Code § 12-12-505**

If an offender is found guilty of, pleads guilty to, or pleads *nolo contendere* to an act that is the same act for which the offender is named in the central registry, regardless of any subsequent expunction of the offense from the offender's criminal record, the offender shall always remain in the central registry, unless the conviction is reversed or vacated.

Information included in the automated data system shall be retained indefinitely to assist in future risk and safety assessment.

Hard copy records of unsubstantiated reports shall be retained no longer than 18 months for purposes of audit.

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## **California**

### **Establishment**

#### **Penal Code § 11170**

*Effective January 1, 2009*

The Department of Justice shall maintain an index of all reports of child abuse and severe neglect submitted pursuant to § 11169.

**Purpose**

**Penal Code § 11170**

*Effective January 1, 2009*

Information from the Child Abuse Central Index shall be provided to specific persons or agencies for the following purposes:

- For investigating a case of known or suspected child abuse or neglect
- For conducting background checks of employment or volunteer candidates
- For placing children or assessing the possible placement of children
- For conducting a background investigation of an applicant seeking employment as a peace officer
- For conducting a background investigation of an applicant seeking employment or volunteer status in a position that will give the person direct contact with children

**Contents**

**Penal Code §§ 11167; 11169**

The report shall include the following information, if known:

- The child's name
- The child's address, present location, and, if applicable, school, grade, and class
- The names, addresses, and telephone numbers of the child's parents or guardians
- The name, address, telephone number, and other relevant personal information about the person or persons who might have abused or neglected the child

An agency shall forward to the Department of Justice a report in writing of every case it investigates of known or suspected child abuse or severe neglect that is determined not to be unfounded. An agency shall not forward a report to the Department of Justice unless it has conducted an active investigation and determined that the report is not unfounded.

**Maintenance**

**Penal Code § 11170**

*Effective January 1, 2009*

The index shall be continually updated by the department and shall not contain any reports that are determined to be unfounded. The department may adopt rules governing recordkeeping and reporting pursuant to this article.

The Department of Justice shall act only as a repository of reports of suspected child abuse and severe neglect to be maintained in the Child Abuse Central Index. The submitting agencies are responsible for the accuracy, completeness, and retention of the reports described in this section. The department shall be responsible for ensuring that the Child Abuse Central Index accurately reflects the report it receives from the submitting agency.

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**Colorado**

**Establishment**

**Rev. Stat. § 19-3-313.5**

*Effective January 1, 2004, Colorado repealed its law providing for a central registry.*

The State Department [of Social Services] shall maintain the records and reports of child abuse and neglect.

**Purpose**

**Rev. Stat. § 19-3-313.5**

Records or reports may be used for purposes of employment checks or other background checks unless it is determined that a report is to be unsubstantiated or false.

The State department may maintain such records and reports in case files for the purpose of assisting in determinations of future risk and safety assessments.

**Contents**

**Rev. Stat. § 19-3-313.5**

The State department shall provide reliable, accurate, and timely information concerning records and reports of child abuse or neglect.

**Maintenance**

**Rev. Stat. § 19-3-313.5**

The State department shall provide training to county departments to achieve consistency and standardization in entering data into computer systems maintaining information related to records and reports of child abuse or neglect.

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**Connecticut**

**Establishment**

**Gen Stat. § 17a-101k**

The Commissioner of Children and Families shall maintain a registry of the Commissioner's findings of abuse or neglect of children.

**Purpose**

**Gen. Stat. § 17a-101k**

Regulations shall be adopted that shall provide for the use of the registry on a 24-hour daily basis to prevent or discover abuse of children.

**Contents**

**Gen. Stat. § 17a-101k**

The Commissioner shall adopt regulations that implement the provisions of this section.

**Maintenance**

**Gen. Stat. § 17a-101k**

The Commissioner shall establish a hearing process for any appeal by a person of a determination that a person is responsible for the abuse of a child.

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**Delaware**

**Establishment**

**Ann. Code Tit. 16, § 905**

The Division of Family Services shall maintain a central registry and an internal information system.

**Purpose****Ann. Code Tit. 16, § 905**

The registry and internal information system will be used to determine whether previous reports have been made regarding actual or suspected abuse or neglect of the subject child, or any siblings, family members, or the alleged perpetrator, and to provide such information as may be contained in previous reports.

**Contents****Ann. Code Tit. 16, §§ 902(4); 905**

The registry will contain information about persons who have been substantiated for abuse or neglect. Unsubstantiated reports may be kept in the internal information system by the division at its discretion.

**Maintenance****Ann. Code Tit. 16, § 906**

The division shall update the internal information system at regular intervals during the investigation. At the conclusion of the investigation or family assessment, the internal information system shall be updated to include a case finding.

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**District of Columbia****Establishment****Ann. Code § 4-1302.01**

The Child and Family Services Agency shall maintain a Child Protection Register.

**Purpose****Ann. Code § 4-1302.01**

The purposes of the register are to:

- Maintain a confidential index of cases of abused or neglected children
- Assist in identification and treatment of abused and neglected children and their families
- Serve as a resource for the evaluation, management, and planning of programs and services for abused and neglected children

**Contents****Ann. Code § 4-1302.02**

The register shall retain the following information about each substantiated and inconclusive report:

- The recipient of the report
  - The date and time of the receipt of the report
  - The information required by § 4-1321.03
  - The ward in which the child lives and other demographic information concerning the incident
  - The agencies to which the report was referred and the date and time of the referral
  - The agency making the initial investigation, the summary of the results of the initial investigation, and the dates and the times the investigations were begun and terminated
  - The agency making the social investigation, the summary of the results of the social investigation, the dates and the times said investigation was begun and terminated, the services offered, and when they were offered
  - The agency or agencies to which the referrals were made and the services requested, with the dates of the opening and the closing of the case
  - The placements of the child and the dates of each placement
  - Court actions concerning the child and the dates thereof
  - The date the case was closed
  - Other information required for research, planning, evaluation, and management purposes
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## **Maintenance**

### **Ann. Code § 4-1302.02**

The staff that maintains the register shall review all open cases every 6 months to assure that information is current.

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## **Florida**

### **Establishment**

#### **Ann. Stat. § 39.201**

*Effective June 30, 2008*

The Department of Children and Family Services shall establish and maintain a central abuse hotline to receive all reports made pursuant to this section in writing, via fax, via web-based reporting, or through a single statewide toll-free telephone number, which any person may use to report known or suspected child abuse, abandonment, or neglect at any hour of the day or night, any day of the week.

### **Purpose**

#### **Ann. Stat. § 39.201**

*Effective June 30, 2008*

The central abuse hotline shall be operated in such a manner as to enable the department to:

- Immediately identify and locate prior reports or cases of child abuse, abandonment, or neglect through utilization of the department's automated tracking system
- Monitor and evaluate the effectiveness of the department's program for reporting and investigating suspected abuse, abandonment, or neglect of children through the development and analysis of statistical as well as other information
- Track critical steps in the investigative process to ensure compliance with all requirements for any report of abuse, abandonment, or neglect
- Maintain and produce aggregate statistical reports monitoring patterns of child abuse, child abandonment, and child neglect
- Serve as a resource for the evaluation, management, and planning of preventive and remedial services for children who have been subject to abuse, abandonment, or neglect
- Initiate and enter into agreements with other States for the purpose of gathering and sharing information contained in reports on child maltreatment to further enhance programs for the protection of children

### **Contents**

#### **Ann. Stat. § 39.201**

*Effective June 30, 2008*

The department shall voice-record all incoming or outgoing calls that are received or placed by the central abuse hotline that relate to suspected or known child abuse, neglect, or abandonment. The department shall maintain an electronic copy of each fax and web-based report. The recording or electronic copy of each fax and web-based report shall become a part of the record of the report.

### **Maintenance**

#### **Ann. Stat. § 39.202**

The department shall make and keep reports and records of all cases relating to child abuse, abandonment, and neglect and shall preserve the records pertaining to a child and family until 7 years after the last entry was made or until the child is age 18, whichever date is first reached, and may then destroy the records.

## Georgia

### Establishment

#### Ann. Code § 49-5-181

The Division of Family and Children Services shall establish and maintain a central registry.

### Purpose

#### Ann. Code § 49-5-182

The registry shall enable abuse investigators to:

- Immediately identify and locate prior reports of child abuse
- Maintain and produce aggregate statistical data of reported cases of child abuse

### Contents

#### Ann. Code §§ 49-5-181; 49-5-183

The central registry shall receive all information regarding confirmed and unconfirmed cases of child abuse reported to the division.

The abuse investigator shall make a report that shall include:

- The name, age, sex, race, social security number if known, and the birth date of the alleged child victim and the child's parents or caregiver
- The name, age, sex, race, social security number, and birth date of the person believed to have committed the abuse
- A summary of known details of the child abuse

### Maintenance

#### Ann. Code § 49-5-184

The division shall include on the abuse registry the name of the alleged abuser, whether the report was confirmed or unconfirmed, and the investigator's report.

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## Guam

### Establishment

#### Ann. Code Tit. 19, § 13208

There shall be established in Child Protective Services:

- An active file of reports under investigation
- A central register of child abuse and neglect
- A "suspected" file (for cases where an investigation is not able to determine whether a report is indicated, substantiated, or unsubstantiated)

### Purpose

This issue is not addressed in the statutes reviewed.

## Contents

### Ann. Code Tit. 19, § 13208

The central register shall consist of substantiated and indicated reports of abuse or neglect. It shall be limited to the following information:

- The names and home addresses of the subjects of the reports
- The dates and nature and extent of the suspected abuse
- The age and sex of the children harmed or threatened with harm
- The locality in which the harm or threatened harm occurred
- Whether the report was classified as substantiated or indicated
- The progress of any legal proceedings brought on the basis of the report

## Maintenance

### Ann. Code Tit. 19, § 13208

If an investigation of a report of suspected child abuse or neglect does not determine, within 60 days from the date of the report, that the report is an indicated report, substantiated report, or an unsubstantiated report, all information identifying the subjects of such report shall be placed in the Child Protective Services' suspected file for a period of 1 year.

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## Hawaii

### Establishment

#### Rev. Stat. § 350-2(d)

The Department of Human Services shall maintain a central registry.

### Purpose

This issue is not addressed in the statutes reviewed.

## Contents

#### Rev. Stat. § 350-2(d)

It shall be a registry of reported child abuse or neglect cases.

## Maintenance

#### Rev. Stat. § 350-2(d)

The department may retain records and information of alleged abuse or neglect with respect to a child who is the subject of a report. Reports of cases that are found to be unsubstantiated or are dismissed by a court shall be promptly expunged.

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## Idaho

### Establishment

#### Idaho Code § 16-1629(3)

The Department of Health and Welfare shall be required to maintain a central registry.

### Purpose

#### Idaho Code § 16-1629(3)

The registry shall be maintained for the reporting of child neglect, abuse, and abandonment information.

**Contents****Idaho Code § 16-1629(6)**

The department shall keep written records of investigations, evaluations, prognoses, and all orders concerning disposition or treatment.

**Maintenance****Idaho Code § 16-1629(6)**

The department shall keep the records of every person over whom it has legal custody.

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**Illinois****Establishment****Comp. Stat. Ch. 325, § 5/7.7**

There shall be a central register of all cases of suspected child abuse or neglect maintained by the Department of Children and Family Services.

**Purpose****Comp. Stat. Ch. 325, § 5/7.7**

The register shall enable the department to:

- Immediately identify and locate prior reports of child abuse or neglect
- Continuously monitor the current status of all reports
- Regularly evaluate the effectiveness of laws and programs through the development and analysis of statistical and other information

**Contents****Comp. Stat. Ch. 325, §§ 5/7.7; 5/7.8; 5/7.15**

The central register shall record all initial, preliminary, and final reports. The names and other identifying data and the dates and the circumstances of any persons requesting or receiving information from the central register shall be entered in the register record.

The central register may contain such other information that the department determines to be in furtherance of the purposes of this Act.

**Maintenance****Comp. Stat. Ch. 325, § 5/7.7**

The department shall maintain in the central register:

- A listing of unfounded reports where the subject of the unfounded report requests that the record not be expunged because the subject alleges an intentional false report was made
  - A listing of unfounded reports where the report was classified as a priority one or priority two report in accordance with the department's rules or the report was made by a mandated reporter
  - A listing for 3 years of unfounded reports involving the death, sexual abuse, or serious physical injury of a child
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**Indiana****Establishment****Ann. Code § 31-33-26-2**

The Department of Child Services shall establish and maintain a centralized, computerized child protection index to organize and access data regarding substantiated reports of child abuse and neglect that the department receives from throughout Indiana.

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**Purpose****Ann. Code §§ 31-33-26-3; 31-33-26-10**

The index must include:

- Automated risk assessment for reviewing a substantiated child abuse or neglect case to determine prior case history
- The capability to allow supervisors to monitor child abuse and neglect cases and reports
- The automated production of standard reports that compiles information gathered on forms used by caseworkers to report on child abuse and neglect cases
- The automation of other data for planning and evaluation
- The capability of same day notification and transfer of statistical information to the department regarding new and closed child abuse and neglect cases
- The enabling of child welfare supervisors to review a child abuse or neglect determination at any point after the investigation is initially classified as substantiated, to confirm the status of the case, and to allow for the consolidated management of cases
- The capability for adjusting the index's programming at a later date if additional reporting requirements occur
- A word processing capability to allow case notes to be recorded with each substantiated case

The department shall administer the index in a manner that enables the department to do the following:

- Immediately identify and locate prior reports of child abuse or neglect through the use of the department's computerized tracking system and automated risk assessment system
- Track steps in the investigative process to ensure compliance with all requirements for a report of child abuse or neglect
- Maintain and produce aggregate statistical reports monitoring patterns of child abuse and neglect that the department shall make available to the public upon request
- Serve as a resource for the evaluation, management, and planning of preventive and remedial services to children who have been subject to child abuse or neglect

**Contents****Ann. Code § 31-33-26-6**

The department shall store data regarding child abuse or neglect reports in a manner that allows the data to be retrieved based on the following, if known:

- The child's name
- The child's date of birth
- The alleged perpetrator's name
- The child's mother's name
- The child's father's name
- The name of a sibling of the child
- The name of the child's guardian or custodian, if applicable

**Maintenance****Ann. Code § 31-33-26-18**

The department shall maintain and administer all reports and documents transferred to and included in the child protection index as provided in this chapter.

## Iowa

### Establishment

#### Ann. Stat. § 235A.14

There is created within the State Department of Human Services a central registry for child abuse information.

### Purpose

#### Ann. Stat. § 235A.14

The registry shall collect, maintain, and disseminate child abuse information.

### Contents

#### Ann. Stat. § 235A.14

The registry shall:

- Accept reports of suspected child abuse or neglect
- Maintain records of any previous reports of abuse or neglect of the same child or another child in the same family
- Include report data and disposition data

The registry shall not include assessment data.

### Maintenance

#### Ann. Stat. § 235A.14

The department shall organize and staff the registry and adopt rules for its operation.

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## Kansas

### Establishment

*Note: Ann. Stat. § 38-1520, establishing a child in need of care information system, was repealed by 2006 Kan. Sess. Laws 200, effective January 1, 2007.*

### Purpose

This issue is not addressed in the statutes reviewed.

### Contents

This issue is not addressed in the statutes reviewed.

### Maintenance

This issue is not addressed in the statutes reviewed.

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## Kentucky

### Establishment

This issue is not addressed in the statutes reviewed.

### Purpose

This issue is not addressed in the statutes reviewed.

### Contents

This issue is not addressed in the statutes reviewed.

### Maintenance

This issue is not addressed in the statutes reviewed.

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## Louisiana

### Establishment

#### Children's Code Art. 616

The Department of Social Services shall maintain a central registry of all reports of abuse and neglect.

### Purpose

#### Children's Code Art. 616

The purpose of the central registry, among other uses, is to provide information of past reports of abuse or neglect to assist in the proper evaluation of current reports that may include a pattern of incidents.

Upon the written request of the court during its evaluation of an individual applying to work as a court-appointed special advocate and with the consent of the applicant, the department shall search the central registry and report to the court any justified report of abuse or neglect alleging that the applicant is a perpetrator.

Information from investigations of reports that are inconclusive may be disclosed, with the applicant's written consent, for the limited purposes of evaluating the applicant to be a Court Appointed Special Advocate (CASA) volunteer, a foster parent, an adoptive parent, or a caregiver.

### Contents

#### Children's Code Art. 616

The registry shall contain all reports of child abuse and neglect.

### Maintenance

#### Children's Code Art. 616

When, after an investigation, the determination is made by the department that the report does appear to be justified, any subsequent adjudication by a court that dismisses the child in need of care petition involving a report shall be added to the registry. Records shall be maintained during the pendency of any litigation involving those records.

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## Maine

### Establishment

#### Rev. Stat. Tit. 22, § 4004(2)(A)

The Department of Human Services shall receive reports of abuse and neglect and suspicious child deaths.

### Purpose

This issue is not addressed in the statutes reviewed.

### Contents

This issue is not addressed in the statutes reviewed.

### Maintenance

#### Rev. Stat. Tit. 22, § 4008(5)

The department shall retain unsubstantiated child protective services cases records for no more than 18 months following a finding of unsubstantiation unless a new referral has been received within the 18-month retention period.

Unsubstantiated child protective services records of persons eligible for Medicaid may be retained for 5 years for Federal audit purposes.

## Maryland

### Establishment

#### Family Law § 5-714

The Social Services Administration and each local department may maintain a central registry of cases reported under the reporting laws.

### Purpose

#### Family Law § 5-714

The information in a central registry shall be at the disposal of:

- The protective services staff of the administration
- The protective services staffs of local departments who are investigating a report of suspected abuse or neglect
- Law enforcement personnel who are investigating a report of suspected abuse or neglect

Except for information entered [after an individual has been found guilty or responsible in an indicated report], information in a central registry may not be used as a sole basis for responding to any request for background information for employment or voluntary service.

### Contents

#### Family Law § 5-714

Each local department shall provide the information for a central registry. A central registry may not include information from a local department case file until any individual found responsible for indicated or unsubstantiated child abuse or neglect has:

- Been found guilty of any criminal charge arising from the alleged abuse or neglect
- Unsuccessfully appealed the finding in accordance with the procedures established under § 5-706.1 of this subtitle
- Failed to exercise the appeal rights within the time frames specified in § 5-706.1

A central registry may contain identifying information related to an investigation of abuse or neglect unless:

- Abuse or neglect has been ruled out
- The abuse or neglect finding has been expunged in accordance with § 5-707

### Maintenance

#### Family Law § 5-714

The department or a local department may identify an individual as responsible for abuse or neglect in a central registry only if the individual:

- Has been found guilty of any criminal charge arising out of the alleged abuse or neglect
- Has been found responsible for indicated abuse or neglect and has unsuccessfully appealed the finding in accordance with the procedures established under § 5-706.1 of this subtitle, or failed to exercise the individual's appeal rights within the time frames specified in § 5-706.1

The department without the necessity of a request shall remove from the name of an individual described above the identification of that individual as responsible for abuse or neglect if no entry has been made for that individual for 7 years after the entry of the individual's name in a registry.

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## Massachusetts

### Establishment

#### Ann. Laws Ch. 119, § 51F

The Department of Social Services shall maintain a central registry.

**Purpose****Ann. Laws. Ch. 119, § 51F**

The department, upon request, may release this data and information from the registry to a child welfare agency of another State for the purpose of assisting that agency in determining whether to approve a prospective foster or adoptive parent.

**Contents****Ann. Laws Ch. 119, §§ 51B(h); 51F**

The department shall file in the central registry a written report containing information sufficient to identify each child whose name is reported under the reporting laws.

Nothing in this section shall prevent the department from keeping information on unsubstantiated reports to assist in future risk and safety assessments of children and families.

**Maintenance****Ann. Laws Ch. 119, § 51B(h)**

A notation shall be sent to the central registry whenever further reports on a child are filed with the department.

If a report is declared "allegation invalid," the name of the child, identifying characteristics relating to the child, or the names of his or her parents or guardian or any other person relevant to the report, shall not be placed in the central registry or in any other computerized program utilized in the department.

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**Michigan****Establishment****Comp. Laws § 722.627**

The Family Independence Agency (department) shall maintain a statewide, electronic central registry.

**Purpose****Comp. Laws §§ 722.627; 722.622**

The central registry shall be used to:

- Carry out the intent of the reporting laws
- Keep a record of all reports filed with the department

**Contents****Comp. Laws § 722.622**

The central registry shall maintain all reports filed with the department in which relevant and accurate evidence of child abuse or neglect is found to exist. If the department classifies a report of suspected child abuse or neglect as a central registry case, the department shall maintain a record in the central registry.

A central registry case is a child protective services case that the department has classified as category I or category II. For a child protective services case that was investigated before July 1, 1999, central registry case means an allegation of child abuse or neglect that the department substantiated.

**Maintenance****Comp. Laws § 722.628(11)**

The department shall enter each report that is the subject of a field investigation into the Child Protective Service Information (CPSI) system. The department shall maintain a report entered on the CPSI system as required by this subsection until the child about whom the investigation is made is age 18 or until 10 years after the investigation was commenced, whichever is later, or, if the case is classified as a central registry case, until the department receives reliable information that the perpetrator of the abuse or neglect is dead.

**Minnesota****Establishment****Ann. Stat. § 626.556, Subd. 11(a)**

The local social services agency or agency responsible for assessing or investigating the report shall maintain records concerning determinations of child maltreatment.

**Purpose****Ann. Stat. § 626.556, Subd. 11c(a)**

Records of assessments or investigations that resulted in no determination of maltreatment or the need for child protective services may not be used for employment, background checks, or purposes other than to assist in future risk and safety assessments.

**Contents****Ann. Stat. § 626.556, Subd. 11(a)**

The records may contain information relating to specific incidents of neglect or abuse that are under investigation, petition, or prosecution, and information relating to any prior incidents of neglect or abuse involving any of the same persons.

**Maintenance****Ann. Stat. § 626.556, Subd. 11(a) & 11c**

The records shall be collected and maintained in accordance with the provisions of chapter 13.

For family assessment cases and cases where an investigation results in no determination of maltreatment or the need for child protective services, the assessment or investigation records must be maintained for a period of 4 years.

All records relating to reports which, upon investigation, indicate either maltreatment or a need for child protective services shall be maintained for at least 10 years after the date of the final entry in the case record.

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**Mississippi****Establishment****Ann. Code § 43-21-257**

The Office of Youth Services shall maintain a State central registry of all cases obtained from the records of the youth court. The Department of Human Services shall maintain a State central registry on neglect and abuse cases.

**Purpose**

This issue is not addressed in the statutes reviewed.

**Contents****Ann. Code § 43-21-257**

The State central registry on neglect and abuse cases shall contain:

- The name, address, and age of each child
- The nature of the harm reported
- The name and address of the person responsible for the care of the child
- The name and address of the substantiated perpetrator of the harm reported

**Maintenance****Ann. Code § 43-21-257**

The department shall adopt rules and administrative procedures, especially those procedures to afford due process to individuals, as may be necessary.

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## Missouri

### Establishment

#### Ann. Stat. § 210.145

The Division of Family Services shall establish and maintain an information system operating at all times, capable of receiving and maintaining reports.

### Purpose

#### Ann. Stat. § 210.145

The information system shall have the ability to receive reports over a single, statewide toll-free number.

### Contents

#### Ann. Stat. § 210.145

The information system shall contain:

- The results of all investigations, family assessments, and services
- Identifying information on the subjects of the report and those responsible for the care of the child
- Other relevant dispositional information

### Maintenance

#### Ann. Stat. §§ 210.145; 210.152

The information system shall be updated within 30 days of the oral report, at regular intervals during the investigation, and at the completion of an investigation. For investigation reports in the central registry, identifying information shall be retained by the division.

For investigation reports made by a mandated reporter where insufficient evidence of abuse or neglect is found, identifying information shall be retained for 5 years from the conclusion of the investigation. For all other investigation reports where there is insufficient evidence, identifying information shall be retained for 2 years.

For reports where a family assessment and services approach was used, identifying information shall be retained by the division. For reports in which the division was unable to locate the child, identifying information shall be retained for 10 years from the date of the report.

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## Montana

### Establishment

#### Ann. Code § 41-3-202(6)

The Department of Public Health and Human Services shall maintain a record system.

### Purpose

This issue is not addressed in the statutes reviewed.

### Contents

#### Ann. Code § 41-3-202(6)

The system shall contain records documenting investigations and determinations of child abuse and neglect cases.

### Maintenance

#### Ann. Code § 41-3-202(5)(c)

If the report is unsubstantiated, all of the records, except for medical records, concerning the unsubstantiated report and the investigation shall be destroyed within 30 days after the end of the 3-year period starting from the date the report was determined to be unsubstantiated, unless:

- There had been a previous or there is a subsequent substantiated report concerning the same person.
- An order has been issued under this chapter based on the circumstances surrounding the initial allegations.

## Nebraska

### Establishment

#### Rev. Stat. § 28-718

There shall be a central register of child protection cases maintained in the Department of Social Services.

### Purpose

#### Rev. Stat. § 28-718

The central register shall contain records of all reports of child abuse or neglect opened for investigation and classified as either court substantiated or inconclusive.

### Contents

#### Rev. Stat. § 28-720

All cases entered into the central register shall be classified as one of the following:

- Court substantiated, if a court has entered a judgment of guilty against the subject of the report or there has been an adjudication of jurisdiction of a juvenile court over the child that relates to the report of child abuse or neglect
- Court pending, if a criminal complaint, indictment, or information or juvenile petition that relates to the subject of the report of abuse or neglect has been filed and is pending in a court of competent jurisdiction
- Inconclusive, if the department's determination of child abuse or neglect against the subject of the report was made, by a preponderance of the evidence, based upon an investigation pursuant to § 28-713

### Maintenance

#### Rev. Stat. § 28-720

All reports that are not court substantiated, court pending, or inconclusive, shall be considered unfounded and shall be maintained only in the tracking system of child protection cases pursuant to § 28-715, and not in the central register.

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## Nevada

### Establishment

#### Rev. Stat. § 432.100

A statewide central registry for the collection of information concerning the abuse or neglect of a child shall be maintained by the Division of Child and Family Services.

### Purpose

#### Rev. Stat. § 432.100

The division may release information contained in the central registry to an employer:

- If the person who is the subject of a background investigation by the employer provides written authorization for the release of information, and either:
  - » The employer is required by law to conduct the background investigation of the person for employment purposes.
  - » The person who is the subject of the background investigation could, in the course of his or her employment, have regular and substantial contact with children or elderly persons who require assistance or care from other persons.
- The release of information may be only to the extent necessary to inform the employer whether the person who is the subject of the background investigation has been found to have abused or neglected a child.

## **Contents**

### **Rev. Stat. § 432.100**

The central registry must contain:

- Information in any substantiated report of child abuse or neglect made pursuant to § 432B.220
- Statistical information on the protective services provided in this State
- Any other information the division determines to be in furtherance of the law

## **Maintenance**

### **Rev. Stat. § 432.110**

The division shall maintain a record of:

- The names and identifying data, dates, and circumstances of any persons requesting or receiving information from the central registry
- Any other information that might be helpful in furthering the purposes of the reporting laws

The division is not required to maintain a record of information concerning requests for information from or the receipt of information by employees of an agency that provides child welfare services.

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## **New Hampshire**

### **Establishment**

#### **Rev. Stat. § 169-C:35**

A State central registry shall be established by the Department of Health and Human Services.

### **Purpose**

#### **Rev. Stat. § 169-C:35**

The purpose of the registry is maintaining a record of founded reports of child abuse and neglect.

### **Contents**

#### **Rev. Stat. § 169-C:35**

Founded reports shall be maintained in the central registry.

### **Maintenance**

#### **Rev. Stat. §§ 169-C:35(III); 169-C:35-a**

Founded reports of abuse and neglect shall be retained for a period of 7 years subject to an individual's right to petition for the earlier removal of his or her name from the central registry.

The department shall retain a screened-out report for 1 year from the date that the report was screened-out. The department shall retain an unfounded report for 3 years from the date that the department determined the case to be unfounded.

The department may retain generic, nonidentifying information for State and Federal reporting purposes.

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## **New Jersey**

### **Establishment**

#### **Ann. Stat. § 9:6-8.11**

The Division of Youth and Family Services in Trenton shall maintain the central registry.

**Purpose**

**Ann. Stat. § 9:6-8.11**

The child abuse registry shall be the repository of all information regarding child abuse or neglect that is accessible to the public pursuant to State and Federal law.

**Contents**

**Ann. Stat. § 9:6-8.10**

Reports shall contain, where possible:

- The names and addresses of the child and the parents or guardian
- The child's age
- The nature and extent of any injuries, including any evidence of previous injury
- Any other information that might be helpful

**Maintenance**

This issue is not addressed in the statutes reviewed.

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**New Mexico**

**Establishment**

This issue is not addressed in the statutes reviewed.

**Purpose**

This issue is not addressed in the statutes reviewed.

**Contents**

This issue is not addressed in the statutes reviewed.

**Maintenance**

This issue is not addressed in the statutes reviewed.

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**New York**

**Establishment**

**Soc. Serv. Law § 422**

There shall be established within the Office of Child and Family Services a statewide central register.

**Purpose**

**Soc. Serv. Law § 422**

The central register shall be capable of:

- Receiving telephone calls alleging child abuse or maltreatment
- Immediately identifying prior reports of child abuse or maltreatment
- Monitoring the provision of child protective service 24 hours a day, 7 days a week
- Determining the existence of prior reports in order to evaluate the condition or circumstances of a child

## **Contents**

### **Soc. Serv. Law § 422**

The central register shall include, but not be limited to, the following:

- All information in the written report
- A record of the final disposition of the report, including services offered and accepted
- The plan for rehabilitative treatment
- The names of persons requesting information from the registry
- Any other information believed to be helpful

### **Maintenance**

This issue is not addressed in the statutes reviewed.

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## **North Carolina**

### **Establishment**

#### **Gen. Stat. § 7B-311**

The Department of Health and Human Services shall maintain a central registry.

### **Purpose**

#### **Gen. Stat. § 7B-311**

The registry shall be used:

- To compile data for the appropriate study of the extent of abuse and neglect in the State
- To identify repeated abuses of the same juvenile or other juveniles in the same family

### **Contents**

#### **Gen. Stat. § 7B-311**

The registry shall contain cases of child abuse, neglect, dependency, and child fatalities that are the result of alleged maltreatment.

### **Maintenance**

#### **Gen. Stat. § 7B-311**

Data shall be confidential and subject to policies adopted by the Social Services Commission for its use and appropriate disclosure.

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## **North Dakota**

### **Establishment**

#### **Cent. Code § 50-25.1-05.5**

The Division of Health and Human Services shall maintain a child abuse information index.

### **Purpose**

This issue is not addressed in the statutes reviewed.

### **Contents**

#### **Cent. Code § 50-25.1-05.5**

The index shall contain all reports of decisions that services are required for child abuse, neglect, or death resulting from abuse or neglect.

### **Maintenance**

This issue is not addressed in the statutes reviewed.

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## **Northern Mariana Islands**

### **Establishment**

This issue is not addressed in the statutes reviewed.

### **Purpose**

This issue is not addressed in the statutes reviewed.

### **Contents**

This issue is not addressed in the statutes reviewed.

### **Maintenance**

This issue is not addressed in the statutes reviewed.

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## **Ohio**

### **Establishment**

This issue is not addressed in the statutes reviewed.

### **Purpose**

This issue is not addressed in the statutes reviewed.

### **Contents**

This issue is not addressed in the statutes reviewed.

### **Maintenance**

This issue is not addressed in the statutes reviewed.

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## **Oklahoma**

### **Establishment**

#### **Ann. Stat. Tit. 10, § 7111**

There is established within the Department of Human Services an information system.

### **Purpose**

#### **Ann. Stat. Tit. 10, § 7111**

The information system will be used to maintain all reports of child abuse, sexual abuse, and neglect.

### **Contents**

#### **Ann. Stat. Tit. 10, § 7111**

The records shall contain:

- All information in the written report
- A record of the final disposition of the report, including services offered and accepted
- The plan for rehabilitative treatment plan
- Other relevant information

### **Maintenance**

#### **Ann. Stat. Tit. 10, § 7111**

The Division of Children and Family Services of the Department of Human Services shall be responsible for maintaining a suitably cross-indexed system of all the reports. Records shall be maintained by the department until as otherwise provided by law.

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## Oregon

### Establishment

#### Rev. Stat. § 419B.030

A central registry shall be established and maintained by the Department of Human Services.

### Purpose

This issue is not addressed in the statutes reviewed.

### Contents

#### Rev. Stat. § 419B.030

Local offices of the department shall report to the registry in writing when an investigation shows reasonable cause to believe that a child has been abused.

### Maintenance

#### Rev. Stat. § 419B.030

The registry shall contain current information from reports catalogued by both the name of the child and the name of the family.

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## Pennsylvania

### Establishment

#### Cons. Stat. Tit. 23, § 6331

There shall be established in the Department of Public Welfare:

- A pending complaint file of child abuse reports under investigation
- A statewide central register of child abuse of founded and indicated reports
- A file of unfounded reports awaiting expunction

### Purpose

#### Cons. Stat. Tit. 23, §§ 6334; 6342

If the statewide central register or the pending complaint file contains information indicating a prior report or a current investigation concerning a subject of the report, the department shall immediately notify the appropriate county agency of this fact.

The department may use nonidentifying data contained in the pending complaint file and the central register to conduct studies.

### Contents

#### Cons. Stat. Tit. 23, § 6336

The statewide central register shall include and be limited to the following information:

- Names, social security numbers, home addresses, ages, and sex of the subjects
- The dates and nature and extent of the alleged abuse
- The county in which the alleged abuse occurred
- Family composition
- The name and relationship of the child to other persons named in the report
- Factors contributing to the abuse
- The source of the report
- Services planned or provided
- Whether the report was founded or indicated
- The progress of any legal proceedings
- Whether a criminal investigation was done and the result of any criminal prosecution

### **Maintenance**

#### **Cons. Stat. Tit. 23, § 6338**

When the report is determined to be founded or indicated, it shall be removed from the pending file and entered in to the central registry. A subfile shall be created to retain indefinitely the names of perpetrators of child abuse and school employees who are the subjects of founded or indicated reports.

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## **Puerto Rico**

### **Establishment**

#### **Ann. Laws Tit. 8, § 444d(a)**

A central registry shall be established as a component of the Commonwealth Center for the Protection of Minors.

### **Purpose**

#### **Ann. Laws Tit. 8, § 444d(a)**

This central registry shall be organized:

- To allow identification of prior referrals and prior protection cases and the status thereof
- To analyze periodically the statistical data and any other information that may allow assessment of the effectiveness of service programs

### **Contents**

#### **Ann. Laws Tit. 8, § 444d(a)**

The central registry shall contain, but shall not be limited to:

- All information in any written report confirming abuse, institutional abuse, neglect, and institutional neglect
- The services offered and accepted
- The rehabilitation treatment plan
- The name, date, and other data regarding any person who requests or receives information from the central registry
- Any other information that may be useful to achieve the purposes of this chapter

### **Maintenance**

This issue is not addressed in the statutes reviewed.

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## **Rhode Island**

### **Establishment**

#### **Gen. Laws § 42-72-7**

There shall be established a central registry within the Department for Children and Their Families.

### **Purpose**

#### **Gen. Laws § 42-72-7**

The central registry shall be responsible for the collection, receipt, dissemination, reporting, and maintenance of all files relating to children.

### **Contents**

#### **Gen. Laws § 42-72-7**

The central registry will be the main repository for all case files, and shall establish uniform forms and standards for data acquisition and transmission.

### **Maintenance**

#### **Gen. Laws §§ 40-11-3(a); 42-72-7(b)**

The electronically recorded records, properly indexed by date and other essential identifying data, shall be maintained for a minimum of 3 years.

Any request for information, assistance, and investigation of complaints must be registered with the central registry in order to assure the elimination of duplication and for the purpose of gathering statistical data.

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## **South Carolina**

### **Establishment**

#### **Ann. Code § 63-7-1920**

*Effective June 16, 2008*

The Department of Social Services must maintain a Central Registry of Child Abuse and Neglect within the department's child protective services unit.

### **Purpose**

#### **Ann. Code § 63-7-1910**

*Effective June 16, 2008*

The purpose of the central registry is to:

- Establish a system for the identification of abused and neglected children and those who are responsible for their welfare
- Provide a system for the coordination of reports concerning abused and neglected children
- Provide data for determining the incidence and prevalence of child abuse and neglect in this State

To further these purposes, the department must maintain one or more statewide data systems concerning cases reported to it pursuant to this article.

### **Contents**

#### **Ann. Code § 63-7-1920**

*Effective June 16, 2008*

Perpetrators of child abuse and neglect must be entered in the registry only by order of a court as provided for in this subarticle and § 17-25-135, or as provided for in § 63-7-1230.

Each entry in the registry must be accompanied by information further identifying the person including, but not limited to, the person's date of birth, address, and any other identifying characteristics, and describing the abuse or neglect committed by the person.

### **Maintenance**

#### **Ann. Code § 63-7-1920**

*Effective June 16, 2008*

The Central Registry of Child Abuse and Neglect must not contain information from reports classified as unfounded. Other department records and databases must treat unfounded cases as provided for in § 63-7-930.

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## **South Dakota**

### **Establishment**

#### **Ann. Laws § 26-8A-10**

The Department of Social Services shall be the central registry for reports of suspected child abuse or neglect.

### **Purpose**

#### **Ann. Laws §§ 26-8A-12.1; 26-8A-12.2**

The department may check the registry for findings of child abuse or neglect for any of the following persons:

- Current or potential employees for Head Start programs
- Potential foster or adoptive parents
- Current or potential employees or volunteers for the Juvenile Division of the Department of Corrections or any adolescent treatment program
- Any entity recognized as administering a Court Appointed Special Advocates (CASA) program as provided in § 16-2-51, or a court considering appointment of a guardian *ad litem* for a child

### **Contents**

#### **Ann. Laws § 26-8A-10**

A report shall include:

- The name, address, date, and place of birth of the child
- The name and address of the child's parent, guardian, or other responsible person
- The date of report
- The suspected or proven instances of child abuse or neglect

### **Maintenance**

#### **Ann. Laws § 26-8A-12**

The department will adopt rules for the operation of the registry, including:

- Filing of reports
- Procedures for notice to the subject of the report
- Amendment and expunction
- Release of information
- Statistical information
- Provisions for maintenance of records and the type of information placed in the registry

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## **Tennessee**

### **Establishment**

#### **Ann. Code § 37-1-406**

The Department of Children's Services shall maintain an abuse registry.

### **Purpose**

This issue is not addressed in the statutes reviewed.

### **Contents**

#### **Ann. Code § 37-1-406**

The registry shall maintain the findings of investigations of reports of child abuse or neglect.

### **Maintenance**

#### **Ann. Laws § 37-1-406**

Not later than 60 days after receiving the initial report, the department shall determine whether a report of abuse was indicated or unfounded and report its findings to the department's abuse registry.

## **Texas**

### **Establishment**

#### **Family Code § 261.002**

The Department of Protective and Regulatory Services shall establish and maintain a central registry.

### **Purpose**

#### **Family Code § 261.002**

The rules shall provide for cooperation with local child services agencies and with other States in exchanging reports. The department shall use the information obtained to perform the background checks required under § 42.056 of the Human Resources Code.

### **Contents**

#### **Family Code § 261.002**

The registry shall maintain reported cases of child abuse or neglect.

### **Maintenance**

#### **Family Code § 261.002**

The department may adopt rules and regulations as are necessary to carry out this section.

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## **Utah**

### **Establishment**

#### **Ann. Code § 62A-4a-1003**

The Division of Child and Family Services shall develop and implement a management information system that meets the requirements of this section and Federal law and regulation.

### **Purpose**

#### **Ann. Code § 62A-4a-1003**

The information and records in the system may, to the extent required by title IV-B or IV-E of the Social Security Act, be provided by the division:

- To comply with abuse and neglect registry checks requested by other States
- To the U.S. Department of Health and Human Services for purposes of maintaining an electronic national registry of substantiated cases of abuse and neglect

**Contents****Ann. Code § 62A-4a-1003**

With regard to all child welfare cases, the management information system shall provide each caseworker and the department's office of licensing, exclusively for the purposes of foster parent licensure and monitoring, with a complete history of each child in that worker's caseload, including:

- A record of all past action taken by the division with regard to that child and the child's siblings
- The complete case history and all reports and information in the control or keeping of the division regarding that child and the child's siblings
- The number of times the child has been in the custody of the division
- The cumulative period of time the child has been in the custody of the division
- A record of all reports of abuse or neglect received by the division with regard to that child's parent, parents, or guardian including:
  - » For each report, documentation of the latest status or final outcome or determination
  - » Information that indicates whether each report was found to be supported, unsupported, substantiated by a juvenile court, unsubstantiated by a juvenile court, or without merit
- The number of times the child's parent or parents failed any child and family plan
- The number of different caseworkers who have been assigned to that child in the past

**Maintenance****Ann. Code § 62A-4a-1003**

The management information system shall also:

- Contain all key elements of each family's current child and family plan, including dates and number of times the plan has been judicially reviewed, the number of times the parent has failed that child and family plan, and the exact length of time the plan has been in effect
- Alert caseworkers regarding deadlines for completion of compliance with policy, including child and family plans

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**Vermont****Establishment****Ann. Stat. Tit. 33, § 4916**

*Effective September 1, 2008*

The Commissioner of Social and Rehabilitation Services shall maintain a child protection registry that shall contain a record of all investigations that have resulted in a substantiated report on or after January 1, 1992.

**Purpose****Ann. Stat. Tit. 33, § 4916**

*Effective September 1, 2008*

The commissioner shall adopt rules to permit use of the registry records as authorized by this subchapter while preserving confidentiality of the registry and other department records related to abuse and neglect.

**Contents****Ann. Stat. Tit. 33, § 4916***Effective September 1, 2008*

A registry record means an entry in the child protection registry that consists of the name of an individual substantiated for child abuse or neglect, the date of the finding, the nature of the finding, and at least one other personal identifier, other than a name, listed in order to avoid the possibility of misidentification.

For all substantiated reports of child abuse or neglect made on or after the date the final rules are adopted, the commissioner shall create a registry record that reflects a designated child protection level related to the risk of future harm to children. This system of child protection levels shall be based upon an evaluation of the risk the person responsible for the abuse or neglect poses to the safety of children. The risk evaluation shall include consideration of the following factors:

- The nature of the conduct and the extent of the child's injury, if any
- The person's prior history of child abuse or neglect either as a victim or perpetrator
- The person's response to the investigation and willingness to engage in recommended services
- The person's age and developmental maturity

**Maintenance****Ann. Stat. Tit. 33, § 4916***Effective September 1, 2008*

The commissioner shall develop rules for the implementation of a system of child protection registry levels for substantiated cases. The rules shall address:

- Length of time a person's name appears on the registry
  - When and how names are expunged from the registry
  - Whether the person is a juvenile or an adult
  - Whether the person was charged with or convicted of a criminal offense arising out of the incident of abuse of neglect
  - Whether a family court has made any findings against the person
- 

**Virgin Islands****Establishment**

This issue is not addressed in the statutes reviewed.

**Purpose**

This issue is not addressed in the statutes reviewed.

**Contents**

This issue is not addressed in the statutes reviewed.

**Maintenance**

This issue is not addressed in the statutes reviewed.

**Virginia****Establishment****Ann. Code § 63.2-1514**

The State Department of Social Services shall maintain a child abuse and neglect information system that includes a central registry of founded complaints.

**Purpose****Ann. Code § 63.2-1514**

The purpose of these records is to provide local departments with information regarding prior complaints or reports.

**Contents****Ann. Code §§ 63.2-1514; 63.2-1515**

The central registry shall include founded reports and such information as prescribed by State board regulation. When the founded case does not name a parent or guardian of the child as the abuser, the child's name shall not be entered in the registry without permission of the parent or guardian.

**Maintenance****Ann. Code § 63.2-1514**

The department shall maintain all unfounded investigations, family assessments, and reports determined not to be valid in a record that is separate from the central registry.

The record of unfounded investigations and complaints and reports determined not valid shall be purged 1 year after the date of the complaint or report if there are no subsequent complaints or reports regarding the same child or the person who is the subject of the complaint or report in that 1 year. The local department shall retain such records for an additional period of up to 2 years if requested in writing by the person who is the subject of such complaint or report.

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**Washington****Establishment****Rev. Code § 26.44.030(15)**

*Effective October 1, 2008*

The State Department of Social and Health Services shall maintain investigation records.

**Purpose**

This issue is not addressed in the statutes reviewed.

**Contents****Rev. Code § 26.44.030(15)**

*Effective October 1, 2008*

The department shall maintain investigation records and shall maintain a log of screened-out nonabusive cases.

**Maintenance****Rev. Code §§ 26.44.030(15); 26.44.031**

*Effective October 1, 2008*

The department shall conduct timely and periodic reviews of all founded cases of abuse and neglect.

An unfounded or inconclusive report shall be maintained no longer than 6 years after completion of the investigation, unless a prior or subsequent founded report has been received regarding the child who is the subject of the report, a sibling or half-sibling of the child, or a parent, guardian, or legal custodian of the child.

The department may keep records concerning founded reports of child abuse or neglect as the department determines by rule.

## **West Virginia**

### **Establishment**

#### **Ann. Code § 49-6A-9**

Each local child protective services office shall receive reports.

### **Purpose**

This issue is not addressed in the statutes reviewed.

### **Contents**

#### **Ann. Code § 49-6A-9**

Each local child protective services office shall receive all reports of children known or suspected to be abused or neglected.

### **Maintenance**

#### **Ann. Code § 49-6A-9**

Each local office shall cross-file all such reports under the names of the children, the family, and any person substantiated as being an abuser by investigation of the Department of Health and Human Resources, with the use of such person's name limited to the internal use of the department.

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## **Wisconsin**

### **Establishment**

#### **Ann. Stat. § 48.981(3)(c)(5)**

The agency shall maintain a record of its actions in connection with each report it receives.

### **Purpose**

#### **Ann. Stat. § 48.981(3)(c)(8)**

The information in the reports shall be used by the Department of Children and Families to monitor services provided by county departments or licensed child welfare agencies under contract with county departments or the department.

The department shall use nonidentifying information to maintain statewide statistics on child abuse and neglect and on unborn child abuse, and for planning and policy development purposes.

### **Contents**

#### **Ann. Stat. § 48.981(c)(3)(5)**

The records shall include a description of the services provided to the child and to the parents, guardian, or legal custodian of the child.

### **Maintenance**

#### **Ann. Stat. § 48.981(3)(c)(5)**

The agency shall update the record every 6 months until the case is closed.

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## **Wyoming**

### **Establishment**

#### **Ann. Stat. § 14-3-213**

The State agency shall establish and maintain within the statewide child protection center a central registry of child protection cases.

### **Purpose**

#### **Ann. Stat. § 14-3-213**

Through the recording of reports, the State agency's recordkeeping system shall be operated to enable the State agency to:

- Immediately identify and locate prior reports to assist in the diagnosis of suspicious circumstances and the assessment of the needs of the child
- Monitor the status of all pending child protection cases
- Evaluate the effectiveness of existing laws and programs through the development and analysis of statistical and other information

### **Contents**

#### **Ann. Stat. § 14-3-213**

All reports of abuse or neglect contained in the central registry shall be classified as either "under investigation" or "substantiated." Unsubstantiated reports shall not be contained in the central registry.

Any person named as a perpetrator in a substantiated report shall have a right to have included in the record his or her statement concerning the incident.

### **Maintenance**

#### **Ann. Stat. § 14-3-213**

Within 6 months, any report classified "under investigation" shall be reclassified as "substantiated" or expunged, unless there is an open criminal investigation or prosecution.