

ASSEMBLY, No. 1389

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman PASCRELL

1 AN ACT concerning child abuse and supplementing Title 9 of the
2 Revised Statutes.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. (New Section) a. Notwithstanding the provisions of section 1
8 of P.L. 1977, c. 102 (C.9:6-8.10a) or any other law to the contrary, all
9 records of child abuse reports and all information obtained by the
10 Division of Youth and Family Services in investigating a case of child
11 abuse which results in a child's death or a critical incident, shall be
12 made available to the public six months from the date of the death of
13 the child or the critical incident, if the disclosure is in the best interest
14 of the child and if any of the following factors is met:

15 (1) The subject of an investigation of child abuse, resulting in
16 death or a critical incident has been indicted for an act of child abuse
17 or neglect as defined by the provisions of P.L. 1974, c. 119 (C.9:6-
18 8.21 et seq.);

19 (2) The division's involvement in an investigation has been
20 disclosed publicly by a law enforcement agency, a county prosecutor,
21 a public or private child protection agency authorized to investigate a
22 report of child abuse or neglect, a court, or a parent or guardian of
23 the child who is the subject of the investigation; or

24 (3) The child named in the child abuse report or the child involved
25 in the critical incident has died.

26 b. As used in this section, "critical incident" means a serious injury,
27 or life-threatening condition or a newsworthy event, alleged to have
28 been due to an act of child abuse or neglect, occurring to a child who
29 is or has been under the supervision of the Division of Youth and
30 Family Services.

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32 2. This act shall take effect immediately.

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STATEMENT

This bill requires the Division of Youth and Family Services (DYFS) to make available to the public, six months following the death of a child or a critical incident, all records of child abuse reports and all information obtained by DYFS in investigating the child abuse or critical incident if the public disclosure is in the best interest of the child involved and any of the following factors are met:

1. The subject of DYFS' investigation has been indicted for an act of child abuse or neglect;
2. DYFS's involvement in an investigation has been publicly disclosed; or
3. A child named in the child abuse report or involved in the critical incident has died.

Requires DYFS to make public, information on child abuse or neglect investigations under certain circumstances.