

SENATE, No. 236

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senator McGREEVEY

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. a. Notwithstanding the provisions of section 1 of P.L.1977,
8 c.102 (C.9:6-8.10a) or any other law to the contrary, all records of
9 child abuse reports and all information obtained by the Division of
10 Youth and Family Services in investigating a case of child abuse which
11 results in a child's death or a critical incident, shall be made available
12 to the public six months from the date of the death of the child or the
13 critical incident, if the disclosure is in the best interest of the child and
14 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.9:6-8.21
18 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

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36 This bill requires the Division of Youth and Family Services
37 (DYFS) to make available to the public, six months following the

1 death of a child or a critical incident, all records of child abuse reports
2 and all information obtained by DYFS in investigating the child abuse
3 or critical incident if the public disclosure is in the best interest of the
4 child involved and any of the following factors are met:

5 1.. The subject of DYFS' investigation has been indicted for an act
6 of child abuse or neglect;

7 2. DYFS's involvement in an investigation has been publicly
8 disclosed; or

9 3. A child named in a child abuse report or involved in a critical
10 incident has died.

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