



**Testimony before the Judicial Proceedings Committee**

**In Support of  
Senate Bill 31- Family Law - Child Abuse and Neglect – Expungement of Reports and  
Records- Time Period**

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Thank you for the opportunity to provide testimony on Senate Bill 31– Child Abuse and Neglect – Expungement of Reports and Records- Time Period. Advocates for Children and Youth (ACY) supports this bill.

There are three possible conclusions to a child abuse or neglect investigation, and the records for each of these are maintained by the Department of Human Resources (DHR) for different periods of time. Senate Bill 31 only extends the length of time that DHR can maintain records for child abuse and neglect investigations where there is a “Ruled Out” finding.

In child abuse and neglect investigations performed by the Local Departments of Social Services (LDSS), an “Indicated” finding is made when “there is credible evidence, which has not been satisfactorily refuted, that abuse or neglect occurred.” See COMAR 07.02.07.02(B)(22). Currently, there is no statute that allows these records to be expunged and SB 31 does not affect the maintenance or expungement of “Indicated” findings. The second possible conclusion to a child abuse or neglect investigation is an “Unsubstantiated” finding, which is made when the evidence is inconclusive as to whether the suspected child abuse or neglect occurred. These records are maintained for 5 years, and SB 31 would not change this time period, either.

However, currently, when LDSS determines that the alleged child abuse or neglect did not occur, the “Ruled Out” finding is only maintained for 120 days. SB 31 extends that period to 5 years. It will help protect children to have access to these records beyond 4 months in case where there are additional incidents of maltreatment more than 120 days after the initial allegations. Although SB 31 will allow DHR to maintain these records longer than the currently allowed 120 days, these are confidential records, and will remain confidential. These records do not come up when a criminal background check is done or even when the Central Registry, where records of adults who have abused or neglected children, is searched.

**We urge this Committee to issue a favorable report with our amendments to Senate Bill 31 so that “Ruled Out” records are maintained for 5 years in order to further our protections of Maryland’s children.**

