



NEW YORK STATE SENATOR

Hugh T. Farley

Sen. Farley Reports Senate Gives Final Passage to Bill Expediting Investigations of Missing Children

HUGH T. FARLEY March 17, 2015

| ISSUE: **CRIME**



State Senator Hugh T. Farley (R, C, I – Schenectady) and his colleagues in the New York State Senate gave final passage to legislation that would expedite access to critical information in missing child cases. The bill (S3520A) is in response to a recent tragic child abuse case in Albany County and would help provide child abuse and maltreatment records to law enforcement agencies when that information is needed to find a missing child.

In December 2014, five-year-old Kenneth White was reported missing by his older cousin, who was watching him at the time. She claimed two masked men entered the house where Kenneth and his two siblings lived with their custodial aunt and abducted the boy.

When the Albany County Sheriff's office contacted CPS to request access to Kenneth's records, they were denied. Tragically, Kenneth White was found dead later that night and his cousin, who had originally reported him missing, has been charged with his murder. A review of the case determined that the records should have been turned over when requested.

The new legislation would clarify existing law by specifying that CPS records can be released to expedite an investigation when law enforcement is investigating a missing child and there is reason to believe that a parent, guardian, or other person legally responsible for the child is the subject of a report of child abuse or maltreatment. If CPS denies the request, law enforcement agencies can request an administrative review by the state Office of Children and Family Services, which would have the ability to overturn a decision by the county CPS.

The bill has passed the Assembly and will be sent to the Governor for consideration.