

TO: Megan O'Connor, OPWDD
FROM: Jay Kiyonaga, Executive Deputy Director *JK*
DATE: August 15, 2013
SUBJECT: **REVISED: Process for Requesting SCR Checks for Subjects/Suspects in Abuse and Neglect Cases**

When cases of alleged abuse or neglect are assigned to your Agency for investigation, or further delegated by you to a private provider, the investigator must request that the Justice Center conduct a search in the Statewide Central Register (SCR) for any known subjects/suspects in the case. In order to ensure that the Justice Center responds timely to the investigator's request to search the SCR, the Justice Center has created a SCR search specific e-mail box for submitting these requests. **Please forward this memorandum to all Agency investigators of cases of alleged abuse or neglect, as well as any private providers who may also be leading such investigations.**

Please find the updated SCR Check Request Form attached, which also includes a link to the new e-mail address for submitting requests. Effective immediately, this form must be sent to the Justice Center at subjectsearchs@justicecenter.ny.gov to request that the Justice Center search the SCR for known subjects/suspects of allegations of abuse or neglect. Additional guidance for Investigators is included below.

Purpose of the SCR Check Request Form

The purpose of this form is to enable authorized investigators at the Department of Health (DOH), Office of Mental Health (OMH), and Office for People with Developmental Disabilities (OPWDD) to request that the Justice Center conduct a search of the Statewide Central Register (SCR) database for indicated reports of child abuse or maltreatment against any individual who is the subject/suspect of a report of abuse or neglect to the Vulnerable Persons Central Register (VPCR) pursuant to NY Social Services Law § 492(3)(c)(iv). In addition, this form is to be used by any investigators from private providers who have been delegated investigative responsibility by one of the State agencies previously identified.

When to Submit an SCR Check Form

This form must be completed for each case of alleged abuse or neglect that involves one or more known subjects/suspects as soon as the information required in the form is known or discovered. Additional requests to search the SCR should be sent to the Justice Center if new subjects/suspects are identified during the course of the investigation.

The Justice Center's Role Once the Form is Submitted

The Justice Center will conduct a search for the known subject/suspect(s) in the SCR. Based on the findings, The Justice Center will note that a search has been completed and upload any pertinent information into the relevant case file within the VPCR. To ensure the security of the SCR check results, the Justice Center will:

- For State agency led investigations, notify the investigator that requested the SCR check that the information is available for review in the VPCR.
- For private provider led investigations, notify the provider's Criminal Background Check/Staff Exclusion List Authorized Contact and send him/her the results of any indicated reports. To ensure that the Authorized Contact is aware the request is being made and is able to properly route the response from the Justice Center, it is recommended that the investigator copy the Authorized Contact on the email to the Justice Center.

Required action by the investigator if the SCR check produces an indicated report

In accordance with statute, the investigator must then contact OCFS, Local Social Services District or the agency that investigated the indicated report to gather the information contained in such report(s). Information obtained in the indicated report is not itself proof that the subject/suspect committed the act alleged in the report to the Justice Center, but may be used in consideration with other evidence. All such information must be included in the investigation file in the VPCR but does not need to be referenced in the investigator's narrative report unless deemed relevant to the investigator's findings.

Please contact subjectsearchs@justicecenter.ny.gov with any further questions regarding the SCR search process.

Attachment

Cc: Jeff Wise
Robin Forshaw
Tony Bruno