



# The Childline Registry: A Poverty Trap for Children and Families

Pennsylvania's Child Protective Services Law authorizes the Department of Human Services to maintain a statewide database known as the Childline Registry. People can be placed on the registry when reports of child abuse or neglect are "indicated" by a caseworker. There is no right to a hearing before being placed on the registry for life. In order to get off the registry, people must follow a complex appeal process within a short period of time; very few people have access to a lawyer that can help with this. Placement on the registry shuts the door to housing, employment, and volunteer activities.

## The Childline Registry Unfairly Stigmatizes Low-Wage Workers and Families

### **The ease with which people can be placed on the Childline registry is troubling.**

- Individuals are placed on the registry with no hearing or meaningful opportunity to present evidence, based on an initial investigation by a caseworker. Unless an appeal is filed via a confusing process in a short time period, they are on the registry for life. Pennsylvania courts have indicated this scheme is likely unconstitutional.
- In 2020, when people did appeal to get off the registry and were provided with a hearing, they were successful in clearing their names 94% of the time, meaning that they never should have been placed on the registry to begin with.

### **The economic consequences of being placed on the Childline registry are severe.**

- The definition of who has "direct contact with children" and needs a Childline clearance has been defined broadly by employers, who decide whether they are covered. Many require clearances, even for jobs that do not involve routine interaction with children.
- The jobs that are most impacted by these child abuse clearances are in high growth fields, such as childcare, schools (including cafeteria workers, crossing guards, school bus drivers, janitorial staff), hospitals, and home health care - the largest industry in Pennsylvania. Being excluded from these jobs keeps families trapped in poverty.

### **Placement on the Childline registry disproportionately impacts low-wage workers, especially Black and Brown women, and the families they support.**

- Nationally, 46.64% of the female workforce is employed in service and caregiving fields. Approximately 63% of home health care workers are people of color.
- In 2018, 435,000 children in Pennsylvania were living in poverty. Children ultimately suffer when their parents are placed on the registry and cannot access jobs that could help meet their basic needs or even lift their families out of poverty.

### **The registry does not distinguish between types of conduct.**

- All people placed on the registry are placed on it for life, whether they allegedly missed doctor appointments or sexually abused a child.
- Most cases on the registry are not for sexual abuse. A growing number are for neglect, a category that captures a wide range of situations including those caused by poverty.

## The Legislature Must Act to Fix the Childline Registry

### **Require a hearing before someone can be placed on the registry and provide for a right to counsel.**

- Mandate child welfare agencies to request a hearing within a short period of time after making a finding of child abuse and prohibit placement on the registry until the hearing and any subsequent appeals have either been exhausted or waived.
- Given the enormity of rights at stake, people with low incomes should be appointed counsel to represent them at the hearings.

### **Restructure the registry to distinguish serious incidents of abuse from more minor incidents and limit how long people stay on the registry.**

- Implement a tiered structure that reflects both the nature and severity of the alleged abuse or neglect and the culpability of the perpetrator. Time periods for remaining on the registry should be capped appropriately for each tier. Conduct that does not involve intentional harm to a child should not result in placement on the registry at all.
- If sufficient evidence of child abuse is found by the administrative judge after a hearing, that judge should determine the appropriate registry tier after doing an individualized assessment and considering factors including the circumstances and severity of the incident, the culpability of the individual, the individual's employment, and whether the individual poses a continued risk to children.
- All people on the registry should be afforded a meaningful way to be removed from it for good cause shown or after a certain number of years have passed.

### **Limit the category of jobs that must have child abuse clearances and only report individuals whose conduct is tied to ability to perform the job safely.**

- Narrow the definition of "contact with children" as well as the categories of jobs that would require clearances.
- Mandate that only conduct that bears a reasonable relationship to the ability to perform such jobs be used in the employment screening process.

### **Require and provide mechanisms for conducting a racial impact analysis of the registry and addressing racial bias.**

- Collect and release data to better understand the racial impact of the registry.
- Train investigators and other fact finders on implicit bias and provide specific criteria designed to mitigate such bias and eliminate disparities.

**For more information, contact:**

**Jamie Gullen, [jgullen@clsphila.org](mailto:jgullen@clsphila.org)**

**Brandon DeShields, [bdeshields@clsphila.org](mailto:bdeshields@clsphila.org)**