

The Need for Miranda in CPS Investigations

Did you know that child welfare agents can enter a parent's home without a court order?

Child Welfare Agents routinely:

- Search the entire premises like the police with a warrant
- Strip search children
- Interrogate parents and children in separate rooms
- Open medicine cabinets, refrigerators, cabinets and closets
- Go through garbage

Agents frequently demand unrestricted access to a family's home for up to 80 days without explaining that unless there is a court order, it is the family's right to decide who comes into their home and what information they want to provide.

How would you feel knowing someone could enter your house at any time and ask you questions about your parenting—for up to 11 weeks?

These investigations disproportionately impact families of color, not because of higher rates of abuse, but because the system conflates poverty with neglect.

Today, there's no procedure in place to ensure that all families know their rights. Parents with resources are able to consult with a lawyer and learn their rights, but the rights of parents without resources are routinely violated. This hurts children because it often leads to unnecessary family separations.

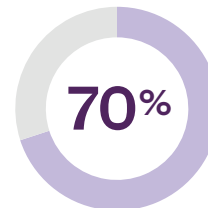
This legislation simply makes the case that all families deserve to know their rights. It should be part of a child welfare agent's job to inform families why they're entering their homes, what the investigation entails, and what resources are available to them. By providing this basic information, we can help keep more families together.

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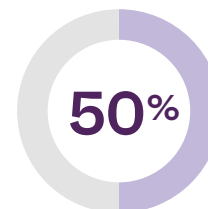
New York Children were subjected to a CPS Investigation in 2019.

"We cannot conflate a parent knowing their rights with risking child safety—doing so is fear-mongering and a back door to violating parents' rights with impunity. The only thing children in foster care are being protected from is success."

—Joyce McMillan
Executive Director of JMACForFamilies



of investigations clear the accused parent of wrongdoing, but not before subjecting the family to the trauma of an investigation.



of Black children nationwide will experience a CPS investigation before they turn 18.



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NEW YORK STATE SENATOR Jabari Brisport
(D, WF) 25TH SENATE DISTRICT

NEW YORK STATE ASSEMBLYWOMAN Latrice Monique Walker
55TH ASSEMBLY DISTRICT

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