

Dear Delegate,

DATE: _____

We are writing to you in hopes that you will disseminate information that has the potential to protect the life of a child placed inadvertently in the care of a child abuser. Not many people know that on July 27, 2006 President Bush signed into law H.R.4472 – The Adam Walsh Child Protection and Safety Act of 2006 (Passed by Both House and Senate). Part four of this bill encompasses the NATIONAL REGISTRY OF SUBSTANTIATED CASES OF CHILD ABUSE. This database, once constructed, will contain the names of perpetrators and nature of the cases related to substantiated reports of child abuse or neglect (as collected by government and related agencies). President Bush, during the signing ceremony, commented on how it could be used to investigate potential adoptive or foster parents, thus preventing a child from being placed in an abusive situation.

We believe that this database has far reaching potential for working parents in the realm of daycare. The law specifies that “information contained in the national registry shall only be accessible to any Federal, State, Indian tribe, or local government entity, or any agent of such entities, that has a need for such information in order to carry out its responsibilities under law to protect children from child abuse and neglect.” This registry would be an invaluable tool for parents to access, much like the Sex Offender Registry.

Each day, millions of parents rely on “home daycares” that are not regulated by State guidelines due to the fact that they are not licensed. The people operating these daycare facilities may or may not be legitimate. Although conducting a thorough background check of any childcare provider is recommended, it can be cost prohibitive for parents with limited incomes (the ones that need daycare the most) and may not provide the entire picture. Pair that with the fact that you need a notarized form signed by the provider to conduct the check and it becomes even more prohibitive in both cost and convenience. Thus, most parents are reluctant to do it and are left to their own devices.

Child Protective Services (CPS) is usually tasked with the responsibility of protecting our children and will of course have access to this database. Currently, a parent can contact their local CPS concerning a daycare provider, but they are under very strict guidelines as to what can be revealed.

- A perfect world: Allow parents to access limited information on names of persons contained in the Child Abuse Registry.

- A near perfect world: If public access is not granted, provide parents a national “hot-line” to a designated government agency with Registry access to check the status of a daycare provider.

- A better solution than what we have currently: Relax CPS guidelines to provide information utilizing this database to parents that call about a daycare provider.

On June 29, 2006, Anne Marie Cardinal, our former daycare provider, was sentenced to serve 10 years in the Virginia Beach Correctional Center for 10 convictions of operating a daycare facility without a license. Despite the autopsy report that the abrasions and contusions on Hannah's face were suggestive of a smothering, however, no one has yet been charged with her death. We are waiting for the day when charges come forth and the person responsible is finally held accountable. Anne Cardinal will be released from jail in two to four years because the crime for which she was convicted is only a misdemeanor and she will not be required to serve the full term.

Since our daughter's death, Anne Cardinal has received 21 counts of Level 1 Child Abuse and Neglect which will remain on the Central Registry with the Department of Social Services for the next 18 years. However, information contained in the Child Abuse and Neglect Central Registry is confidential and is released, only with the child care provider's signed, notarized authorization or a court order. No one will ever know how dangerous this woman is and is certain to place their child in the care of a child abuser, as we unknowingly did.

The Sex Offender Registry was created to protect families from convicted sex offenders, so why shouldn't we offer the same security to the tiniest and most vulnerable members of our community and protect them from convicted child abusers. I think the President put it very well when he signed the Adam Walsh Act. He said, "Protecting our children is our solemn responsibility. It's what we must do. When a child's life or innocence is taken it is a terrible loss -- it's an act of unforgivable cruelty. Our society has a duty to protect our children from exploitation and danger."

We recently wrote to US Attorney General Gonzales and Secretary Leavitt of the US Department of Health and Human Services regarding our concerns with the National Child Abuse Registry. The Department of Health and Human Services forwarded our letter to the Children's Bureau who has since responded. Apparently Congress has not yet appropriated the funding required to support implementation of the National Child Abuse Registry, putting them at a standstill. Because, realistically, it could take several years before any funds are available to create a national registry, our goal is to work with Virginia legislators to implement a statewide child abuse registry. As a member of the Health Welfare and Institutions Committee, we are contacting you to ask for further assistance with this much needed legislation.

It is too late to save our daughter's life, but we want to do everything possible to see that no other family has to endure the pain and suffering to which we've been subjected, from the hands of a repeat child abuser. Accessibility to a Child Abuse Registry is essential when deciding who to employ to care for and nurture life's most precious gifts – our children. Thank you for your time and for any assistance you may be able to provide.

Sincerely,
