



greater than the deprivation of the parent's right to control the child, consent is not constitutionally required.

However, by adding "neglect" allegations to the exception, there would virtually be no more exception. The vast majority of allegations of neglect made to or investigated by the Department concerns the care being provided by the child's custodial parent, guardian, caretaker or someone in the child's household. Neglect, without an allegation of abuse, represents in most cases a much lower risk of harm to the child and therefore insufficient grounds to usurp the parent's right to control who speaks to his or her child under what circumstances. By including neglect allegations in the exception to consent, the Department would be able to interview the majority of children without parental consent, even where there is no allegation of abuse or imminent physical harm. The rule would be swallowed by the exception.

Therefore, I respectfully request that this bill not be voted upon favorably as drafted and that Section 3 be eliminated.

Respectfully Submitted,

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