

# Sponsor Statement

## SB 55

### **“An Act relating to tampering with public records”**

Public records must not be altered to cover up mistakes, incompetence, dereliction of duty, or crimes. [SB 55](#) is intended to raise awareness and penalties related to deliberate alteration of records of persons in state custody. Accurate and complete records are essential to making critical decisions that can have profound and lasting effect on person’s lives and the lives of their families when they cannot make those decisions for themselves.

Senate Bill 55 makes tampering with records of persons in state custody a class C felony. This means that if a person is convicted under this law he or she could be given up to a \$50,000 fine and 5 years in prison.

Existing law provides this penalty when the tampering is done with the intent to obtain a benefit or to injure or deprive a person of benefits; SB 55 specifically broadens existing law to include intentional tampering with records of persons who are in state custody.

SB 55 purposefully includes children’s and adult’s records. Persons with disabilities, the elderly, the mentally ill, prisoners, and children are all vulnerable to abuse, neglect and exploitation. It is clearly logical to include this significant disincentive to record tampering in law to emphasize the responsibility we have as custodians and guardians.

SB 55 is not targeted at any specific state agency or persons, it is meant to act as a deterrent to potentially prevent tragedy. It was discovered in Florida last year that a child welfare caseworker had been falsely claiming to be maintaining contact with Rilya Wilson, age 5, for over a year, when in reality, Rilya had disappeared. In that case the social worker, possibly overworked, chose to submit records that indicated all was well, rather than admit that he or she had no idea about the child’s welfare. Rilya is still missing. While there is no guarantee that stiffer penalties for falsifying records would have prevented this tragedy, it is true that Florida quickly passed a bill similar to SB 55. After the fact and too late to help Rilya ...

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