

Assembly Bill 980

DMV Confidentiality for Public Social Workers

Assembly Member Ash Kalra

SUMMARY

AB 980 would provide enhanced confidentiality and suppression of Department of Motor Vehicle (DMV) records to Adult Protective Services social workers and Public Administrator/Guardian/Conservator workers.

BACKGROUND

In 2004, a national study conducted of 10,000 licensed social workers found that nearly half had experienced personal safety threats as a result of their work with individuals and families. With a growing elderly population and an increased prevalence of financial abuse, among other reasons, Adult Protective Services (APS) social workers and Public Administrator/Guardian/Conservator (PA|PG|PC) workers report that they are increasingly experiencing personal safety issues while investigating reports of abuse, neglect, and exploitation of seniors and persons with disabilities.

Those who physically and financially prey on victims can be particularly hostile to county workers whose job it is to expose and stop their criminal activity and protect the victim. These APS and PA|PG|PC workers frequently encounter abusers who are violent and unstable, at times due to their own mental illness or substance use disorders. For example, Public Guardians are constantly in unstable and unsafe situations when they are seeking to potentially conserve individuals who are in need of treatment services, and who also may be in abusive or neglectful situations.

In addition to experiencing threats and physical assaults while on duty, counties report numerous stalking incidents of alleged abusers photographing APS social workers and PA|PG|PC workers and their vehicles and license plates. It is common for these county social workers to use their own vehicle on duty, which exposes them to further harm.

Vehicle Code Section 1808.4 provides 23 categories of public employees the ability to seek greater confidentiality of their DMV records, which includes persons in law enforcement, elected public office, and others that work in potentially hostile situations. Apart from their home addresses being fully protected, persons are given assurance that their personal information will be kept private and that law enforcement will be able to recognize a person's classification status when looking up their license plate.

Some APS and PA|PG|PC in smaller counties, which investigate allegations of both child and adult abuse are already provided enhanced confidentiality because of their dual investigatory role. However, this creates inequity as these protections are afforded to some but not all social workers. In addition to equity of protections, this can present a challenge for counties when recruiting new staff to fill these important but challenging roles.

SOLUTION

Due to the sensitive and sometimes perilous nature of the job, AB 980 adds APS workers and PA|PG|PC workers to the DMV confidentiality list.

Adding these two groups of workers would be a modest expansion of the statutory list and it would be appropriate to provide these public workers parity with their child protective services counterparts. APS and PA|PG|PC workers are equally vulnerable to harm from those they are investigating.

SPONSORS

- County Welfare Directors Association
- California State Association of Public Administrators, Public Guardians, Public Conservator

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