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Bill Number:	6419	
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THE CHAIR:

There's a motion on the floor to place Calendar 684 on the Consent Calendar. Seeing no objection, so ordered.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Continuing Calendar Page 16, Calendar 687, House Bill 5875 is marked go.

Moving to Calendar Page 17, Mr. President, Calendar 688, House Bill 6585 is marked go. Continuing on Calendar Page 17, Mr. President, Calendar 689, House Bill 5421; Mr. President, move to place that item on the Consent Calendar.

THE CHAIR:

Motion on the floor to place Calendar Number 689 on the Consent Calendar. Without objection, so ordered, sir.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, moving to Calendar Page 18, Calendar 694, House Bill 5021; Mr. President, that item is marked go. Continuing on Calendar Page 18, Mr. President, Calendar 695, House Bill 6419; Mr. President, move to place that item on the Consent Calendar.

THE CHAIR:

There's a motion to place Calendar Number 695 on the Consent Calendar. With seeing no objection, so ordered, sir.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Moving to Calendar Page 19, Calendar 702, House Bill 6444. Mr. President, that item is marked go. Continuing Calendar Page 19, Mr. President, Calendar 699, House Bill 6284. Mr. President, would move to place that item on the Consent Calendar.

THE CHAIR:

There's a motion on the floor to place Calendar Number 699 on the Consent Calendar. Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Moving to Calendar Page 20, Mr. President, Calendar 160, Senate Bill 757 is marked go.

THE CHAIR:

Senator Looney, what -- could you repeat that number again on Page 20?

SENATOR LOONEY:

I believe it's Calendar 160, Senate Bill 75 --

THE CHAIR:

No.

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CONNECTICUT
GENERAL ASSEMBLY
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Mr. Clerk, please call Consent Calendar.

THE CLERK:

Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the chamber. Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the chamber.

Mr. President, those items placed on the Second Consent Calendar --

THE CHAIR:

Mr. Clerk, please hold for a second.

I'm trying to hear the Clerk call the Consent Calendar and I'm sure you don't want to miss that vote either, so if I could have your attention and quiet, please.

Mr. Clerk.

THE CLERK:

The items placed on the Second Consent Calendar begin on Senate Agenda 1, substitute for House Bill 6486, substitute for House Bill 6649. Senate Agenda Number 3, House Bill 6394. Today's Calendar, Calendar Page 3, Calendar 317, Senate Bill 586; Calendar Page 4, Calendar 455, House Bill 5018; Calendar Page 7, Calendar Number 593, Substitute House Bill 5286; Calendar Page 8, Calendar 606, substitute

for House Bill 5883; Calendar Page 9, Calendar 619, House Bill 6343; Calendar 626, House Bill 6476; Calendar 629, substitute for House Bill 6232; Calendar Page 10, Calendar 634, House Bill 6544; Calendar 636, substitute for House Bill 6483; Calendar Page 11, Calendar 649, substitute for House Bill 6466; Calendar Page 13, Calendar 663, substitute for House Bill 5254; Calendar Page 15, Calendar 680, substitute for House Bill 5821; Calendar Page 16, Calendar 684, House Bill 6231; Calendar Page 17, Calendar 689, substitute for House Bill 5421; Calendar Page 18, Calendar 695, substitute for House Bill 6419; Calendar Page 19, Calendar 699, substitute for House Bill 6284; Calendar Page 21, Calendar 711, House Bill 5099; Calendar 712, substitute for House Bill 6025; Calendar Page 22, Calendar 718, substitute for House Bill 5861; Calendar Page 23, Calendar 720, substitute for House Bill 5108; Calendar Page 32, Calendar 450, House Bill 6233; Calendar 467, substitute for Senate Bill 1031; and, Calendar Page 35, Calendar 205, substitute for Senate Bill 948. Mr. President, that completes the items placed on the Second Consent Calendar.

THE CHAIR:

Will you please call the Consent Calendar? The machine will be open.

THE CLERK:

The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the chamber. The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted? If all Senators have voted, please check your vote. The machine will be closed. The Clerk will call the tally.

THE CLERK:

Motion is on adoption of Consent Calendar Number 2:

Total Number Voting	36
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

Consent Calendar Number 2 passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, would move for immediate transmittal to the House of Representatives of any items voted on, on Consent Calendar Number 2, requiring additional action by the

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DEPUTY SPEAKER GODFREY:

Have all members voted? Have all members voted? Please check the board to make sure your vote is properly cast. If all members have voted, the machine will be locked.

Will the Clerk please take a tally?

Will the Clerk please announce the tally?

THE CLERK:

Senate Bill 1078, as amended by Senate "A" and House "A."

Total number voting	145
Necessary for passage	73
Those voting yea	145
Those voting nay	0
Those absent and not voting	6

DEPUTY SPEAKER ALTOBELLO:

The bill passes as amended.

Will the Clerk please call Calendar 333.

THE CLERK:

On page 36, Calendar 333, substitute for House Bill Number 6419, AN ACT CONCERNING THE POLICIES, PRACTICES AND PROCEDURES OF THE DEPARTMENT OF CHILDREN AND FAMILIES, favorable

report of the Committee on Appropriations.

DEPUTY SPEAKER ALTOBELLO:

Representative Urban of the 43rd District, you have the floor, madam.

DEPUTY SPEAKER ALTOBELLO:

Representative Urban.

REP. URBAN (43rd):

Thank you, Mr. Speaker. I move for the committee's joint favorable report and passage of the bill.

REP. ALTOBELLO:

Question before the chamber is passage of the bill. Will you remark? Representative Urban.

REP. URBAN (43rd):

Thank you, Mr. Speaker. Mr. Speaker, in the state of Connecticut, the Department of Children and Families has their own mission statement, or you might even call it a results statement. And I'm taking this directly from their website.

They say in the State of Connecticut, "All children will live safe, healthy and productive lives, free from abuse and neglect, and family well-being will be supported and protected."

In 2007, the Program Review and Investigation Committee looked at this result or mission statement and issued a 184-page report, Mr. Speaker, on how DCF was doing.

Program Review and Investigation Committee asked their staff to take that report and put it in terms of results-based accountability, which then turned it into a four-page report, which asked how much did they do, how well did they do it, and is anyone better off.

And just picking from each area, Mr. Speaker, under how much did they do, Program Review and Investigation found that DCF does not centralize or summarize client information.

Trend data on key agency client measures are not regularly compiled or reported.

When the question came up of how well do they do it, it was found that under how well do they do it, quality and proven efforts fragmented, regular integration and analysis of results data lacking, information systems within DCF and OCA are inadequate, some obsolete, many incompatible.

And, Mr. Speaker, I am just choosing one from each area.

And then the final area, and probably the one

that is most important to the people of the State of Connecticut is, is anyone better off?

And the one that I am picking off of this results-based accountability study is beyond the exit plan process for federal 1 child welfare consent decree.

There is no systematic tracking of progress in achieving the state's desired results for (inaudible) children and families.

Mr. Speaker, this bill tonight is continuing the focus of building accountability into the DCF process specifically by requiring information -- and that would be specific information, Mr. Speaker -- into permanency plan documents, by notifying attorneys of record when DCF decides to transfer a child to an out-of-state facility, by requiring DCF to file annual reports with the kids' committee -- excuse me, the Select Committee on Children on its case review findings, and annual reports to the Human Service Committee on its progress incorporating measurable outcomes into contracts with providers

Mr. Speaker, it is time for us as a body to build this accountability into our evaluation of what is happening in DCF, and to truly be able to move towards

the results or mission statement that DCF has articulated on their website.

I urge my colleagues to vote for this bill.

DEPUTY SPEAKER ALTOBELLO:

Question before the chamber is passage of the bill. From the Bell Town, Representative Hamm, 34th District. You have the floor, madam.

REP. HAMM (34th):

Thank you, Mr. Speaker.

In an effort to improve the file copy, the Clerk has an amendment LCO 7786. If the Clerk would call and I be allowed to umm is rise.

DEPUTY SPEAKER ALTOBELLO:

Will the Clerk please call LCO 7786, which shall be designated House Amendment Schedule "A".

THE CLERK:

LCO 7786, House "A," offered by Representatives Urban, Hamm, Hovey, Mushinsky.

DEPUTY SPEAKER ALTOBELLO:

Representative seeks leave of the chamber to summarize.

Do I hear objection? If not, madam, please proceed.

REP. URBAN (43rd):

Mr. Speaker, this is largely a technical amendment. It deletes the fiscal note which was primarily a requirement that the department had to keep track of how many schools each child attended.

Believe it or not, at this point we don't have such data available, and so it would be very labor-intensive. And the rest of it is just renumbered.

I move adoption.

DEPUTY SPEAKER ALTOBELLO:

Question before the chamber is adoption of House "A".

Will you remark on House "A"?

If not, I'll try your minds. All in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ALTOBELLO:

Opposed? The ayes have it. House "A" is adopted.

Representative Hamm.

REP. HAMM (34th):

Thank you, Mr. Speaker. There is a Second Amendment that we think will also benefit the bill,

LCO Number 8030, if the Clerk would call and I be allowed to summarize.

DEPUTY SPEAKER ALTOBELLO:

Will the Clerk please call LCO 8030, which shall be designated House Amendment Schedule "B".

THE CLERK:

LCO Number 8030, House "B," offered by Representatives Urban and Darum, et al.

DEPUTY SPEAKER ALTOBELLO:

Representative seeks leave of the chamber to summarize.

Seeing no objection, please proceed, madam.

REP. URBAN (43rd):

Thank you, Mr. Speaker. This amendment is more substantive. It actually creates a pilot program in one midsize juvenile court district in our state. The judicial branch has asked for this particular pilot. They're willing to do it within available budgetary resources.

Some of you may recall that over the last several years, we've had many conversations about what the right public policy is in our state as far as whether or not we should open our juvenile courts and under what conditions.

And what this particular amendment does is create one pilot. And then immediately there will be an advisory council created with 14 members who will identify and come up with what the rules are and how the openness and the extend of the openness will be granted

There's some reporting deadlines. The council goes out of business in early 2011, and they have to report back by the end of 2010 to the General Assembly with what recommendations they are -- they have as far as whether we should open the courts in the rest of the state.

I move adoption, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Question before the chamber is adoption on House "B".

Representative Gibbons of the 150th, you have the floor.

REP. GIBBONS (150th):

Thank you, Mr. Speaker. Through you, Mr. Speaker, may I ask a couple of questions to the proponent of the amendment, please?

DEPUTY SPEAKER ALTOBELLO:

You surely may, madam.

Please proceed.

REP. GIBBONS (150th):

Through you, Mr. Speaker, this pilot program that you are going to create and you say that came at the suggestion of the Judiciary Committee or the judiciary branch, I forget which, through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. Through the judicial brunch themselves, the judges.

DEPUTY SPEAKER ALTOBELLO:

Representative Gibbons.

REP. GIBBONS (150th):

Through you, we both served on the lower-the-age Juvenile Justice Committee a couple of years ago, and one of the -- I mean the main proponent -- result of that program was to lower the age of all juveniles who are in our court system from 18 down to 16.

Is this pilot program going to take the place of lowering the age statewide so that we can try it out on a pilot basis?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. I hope what the distinguished Representative is talking about is the Raise The Age Advisory Council --

REP. GIBBONS (150th):

Right.

REP. HAMM (34th):

-- which would raise the age of juvenile court to 18 instead of lowering it?

REP. GIBBONS (150th):

I'm sorry; you are absolutely right.

REP. HAMM (34th):

This pilot is only one pilot. It is not intended to take the place of that initiative. The advisory council that created and was active under Raise The Age, however, is very similar to the structure we're using for the same group of people to identify what the rules to open the juvenile court would be.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Gibbons.

REP. GIBBONS (150th):

Again, through you, Mr. Speaker. Is this part of

the program only going to make a report and make suggestions or is it going to take actual juveniles and take them in through the steps of raising the age?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker, this has nothing to do with Raise The Age. What this pilot program will do is in one juvenile court in child protection or termination of parental rights matters, there will be an open presumption that relatives and others can be in the courtroom.

The juvenile courts in our country are primarily closed, although 16 states now have moved to have some degree of openness, because they believe it improves accountability. We've been struggling in Connecticut with how fast and if we should do this.

So this is just a very prudent way it try to figure out what's right for Connecticut. There's only going to be one under the conditions of this advisory council, and they will report back to us on what they believe to be the right thing.

DEPUTY SPEAKER ALTOBELLO:

Representative Gibbons.

REP. GIBBONS (150th):

Thank you. And I think the Representative for her clarification. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Gibbons.

Further on House "B"? Representative Hovey of the 112th, you have the floor, madam.

REP. HOVEY (112th):

Thank you, Mr. Speaker.

Mr. Speaker, through you, a couple of questions to the proponent of the amendment.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, madam.

REP. HOVEY (112th):

Thank you, Mr. Speaker.

Mr. Speaker, through you, I'd like to ask the gentlelady, what is the actual purpose of having the open court?

What do you believe is the catalyst? I understand judicial has asked for it, but could you please frame for our legislative intent why judicial may have asked for a more open court?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. I think the answer is that some child advocates and now the judicial branch have come to the decision that clarity and transparency can only help improve the outcomes for the children in our system and for the parents as well.

There is some sense that secrecy tends to steamroll the rights of children and parents in some cases, and that some more openness in allowing some relatives in might benefit all of the parties and the court itself.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hovey.

REP. HOVEY (112th):

Thank you.

And is it the contention that possibly through the openness of the court, some of the agencies involved would have practice that would become much more transparent and possibly more accountable on behalf of the youth that are in that court?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. That's exactly right.

Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Hovey.

REP. HOVEY (112th):

Thank you.

And around the concerns of the protections of that children that are in that court, could you please frame for me, madam, how the court would become closed?

To all of the parties in the matter need to agree to close the court? Or what exactly will be the format for actually closing the court?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. In the one juvenile court in our state that is selected by judicial, it will be presumed to be open.

However, we've put in some protections to balance the rights of everyone; and upon the motion of any party, the judge will be able to make a decision case by case on whether or not to close the court.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hovey.

REP. HOVEY (112th):

Thank you, ma'am.

And through you, Mr. Speaker, when we're talking about children especially, one of the ethical mandates for all of us is that we are to protect those who are considered most vulnerable or those who cannot protect themselves.

So within the content -- within the framework of the open court, I would assume, madam, that the judge would be protecting that child's psyche and their interest; and if there were psychological support around the need for information to remain confidential, the judge would support that decision, through you, Mr. Speaker; am I correct?

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm:

REP. HAMM (34th):

Through you, Mr. Speaker. Yes, you certainly are. And I would just like to point your attention to lines 33 to 35, which, in fact, is the confidentiality provision.

Nothing in the open court pilot will in any way disclose the confidentiality of any of the parties.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hovey.

REP. HOVEY (112th):

And thank you, madam. I think that's one of the things that's very important to most of us here, that the confidentiality of the individuals, especially those children that are involved in that court, would be preserved, and that there would be no further psychological damage done to them because of the actual process that they're going through.

So thank you, madam, for that.

Through you, Mr. Speaker, one more question. Around the documentation issue of this one open court in the state, will that documentation actually be statistical documentation or anecdotal documentation?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. The amendment itself is silent on that particular regard, but I'm certain that that is the kind of issue that the advisory board will look at, and they will, of course, become effective upon passage and get to work.

And I certainly share for purposes of legislative intent your belief that we should have really solid, hard data and not just anecdotal.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hovey.

REP. HOVEY (112th):

Thank you, Mr. Speaker.

And, Mr. Speaker, I thank the good lady for her answers to my questions, and I'll hold the rest of my comments for passage of this amendment.

Thank you, sir.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Hovey.

Question before the chamber is adoption of House "B".

Representative Sawyer of the 55th. You have the

floor, madam.

REP. SAWYER (55th):

Mr. Speaker, thank you very much. And the question through you to the Representative that brought out the amendment.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, madam.

REP. SAWYER (55th):

Thank you.

Representative Hamm, I'm very excited about this, because I think it is a new day, perhaps, and it's an option. It's something that is I think -- something that has been talked about for a long time and it's sort of been talked about in court hallways. It's been talked about in the hallways in the legislature as well, because there have been issues on both sides, should we do this, should we not, and I think it's a very sensitive way to be able to handle it, but I'd like to ask just a couple of questions, if I might.

Through you, Mr. Speaker, do you believe or do you have a feeling as to where you would expect or anticipate such a pilot court to be located?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. I have -- I am aware judicial believes it should not be in a large, you are been area, primarily because of the volume of the caseload. They will be looking in a smaller, medium-sized town.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Sawyer.

REP. SAWYER (55th):

Thank you, Mr. Speaker. And would you expect in this case that it would supplant a closed court or in -- say in this medium- or small-sized area, would it be in addition to the closed court, that there would be two, there would be an open one and a closed one?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. I think the thought at this point, but very preliminarily from judicial, is that it would be an existing court with existing

staff, resources, everything that is currently there. And it would be closed presumptively.

Then any of the parties who are not comfortable with that and would want to have the benefit of the closed court would file the motion, and their case would be heard in an adjoining court that would be closed.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Sawyer.

REP. SAWYER (55th):

And would you anticipate -- thank you, Mr. Speaker, in a follow-up question, would you, through you, sir, would you anticipate that or do you expect that perhaps the question of victims' rights would be a part of the deliberation of this particular he is seemed committee that will be looking at the rules and the regulations?

Would that be a part of the decision-making process here? Because we have perhaps some -- in some cases victims that would want to have it in open court.

Would you consider that that would be holding some weight or more weight?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. I'll do my best to understand. The open court is not an option for juvenile delinquency cases at this point. It's just uncared for, neglect and some terminations if all parties agree.

So for purposes of victims' rights on the criminal side, they're not part of the pilot. Those courts would be closed on all those matters.

If you're talking about things like child sex abuse or those kinds of very sensitive areas, that I think is the kind of that the motions would come in for and close the courts.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Sawyer.

REP. SAWYER (55th):

Thank you, Mr. Speaker. And as a follow-up to that answer -- and I appreciate that very much -- in the case where a -- a young person in a parental dispute situation wishes to do this in open court,

would the child have the choice to or have a choice into whether or not this would be done in open or closed?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. Children in juvenile court are all represented by counsel. Sometimes they have guardians ad litem on their behalf as well, and it is through the motion of any of those advocates that the child's wishes would be heard by the court.

And the decision would be made by the judge whether to close it or not

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Sawyer.

REP. SAWYER (55th):

I thank the woman for her answer, because I think that's an important point, that we have young people, and in many cases they -- it is important that we find and have it brought forward their feelings and desires, because oftentimes it is -- most impact is going to be on the child in particular.

And one last question through you, Mr. Speaker. Are there other -- have you received the support of other children's groups are such as Voices for Children or the Children's Trust Fund or I'll go as far to say the Trial Lawyers Association, if you could please share with us others that are interested in this.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. I think you will find that children's groups in our state are split and divided on what is the best interest for the children.

The major proponent and energy from -- for this particular approach comes from the Center for Children's Advocacy, who, as you know, are the people who brought us Juan F. and the Emily J. case on trying to improve the rights of kids. They firmly believe it should be open.

The Office of the Child Advocate believes that it is not a good idea, not in the best interest of children, and it should be closed.

And I think in response to the other groups that you have indicated, they don't have official

positions, because the lawyers in their ranks have divided opinions, just as the judiciary did. And I think the process is evolving as people make their decision. That's why this is the approach we're going to try this time

The children's groups are not giving us a unified voice. And so it's hard to make good policy when we -- when we don't know what's best for kids.

We think this is a good way to start.

Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Sawyer.

REP. SAWYER (55th):

Mr. Speaker, Representative Hamm very clearly states that this is squishy, that we don't have the consistency across all the groups, and that's why this particular approach, Mr. Speaker, is, I think, a balanced way to start.

A group of distinguished people that will be working on the very first approach, and it is not widespread, and we're going to give it a try.

So I -- I believe with the questions that go on about the best care of our children when they go through the juvenile court system, that this gives us

perhaps even a regional approach that we will find a balance for I think over a number of years.

It's certainly nothing that's going to be decided in the next couple of nights, and I think we will see this come back over the next few years, Mr. Speaker, with improvements, and we'll get a balance out of it in the long run.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Sawyer.

The question before the chamber is adoption of House Amendment Schedule "B".

Representative Aman of the 14th, you have the floor, sir.

REP. AMAN 14th:

Thank you very much, Mr. Speaker. I think the idea of a pilot program to handle this sort of situation is the ideal time for a pilot program.

You have, according to the proponent, a split decision by people all who feel that the interest of the child is first, all who have very, very good intentions, and for all of us when we're trying to make good law, that's probably the most difficult thing to do, is when everyone in the room has an

absolute same interest and yet their solutions are very different.

And that's when a pilot program, I think, is the ideal thing to go forward with, because everyone in the room is probably saying there's this potential unintended consequence, it's that one, let's keep it small, let's see if -- what the problems are, and let's handle them when they're on a very small scale rather than a very large and a problematic scale.

I do have a couple of questions for someone who is not involved with the legal system and children that I would like to have answered.

The proponent of the bill said that this would most likely be in the mid to small-size courtroom. And from the discussion, I think that's probably the proper place to be -- to be.

However, I wonder if she could just give me some examples of what are small and midsize courtrooms within the state, again, for those of us who are not involved in it, I think it might give us a helpful -- an idea of which of which courts this may end up at even though it has not been assigned at this time.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Aman, did you direct that question to Representative Hamm?

REP. AMAN 14th:

To Representative Hamm.

DEPUTY SPEAKER ALTOBELLO:

Thank you very much. Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. I practice in several of the courts, and I think sizewise, I would refer you probably to Willimantic size, New Britain, which is not the size of Hartford, but it covers many of the smaller towns surrounding Hartford. The Rockville area, small cities like the Middletown area.

Those kinds of sizes.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Aman.

REP. AMAN 14th:

Just following up on that, as I read the bill, they're only going to do this in one court or does the chief court administrator have the ability to try this out over -- since time is a given, say over the next couple of years in a variety of different places, or once they decide in one court, are they locked into

just using the pilot at one physical location?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. I think because they're doing it within available resources, they're going to choose one. And for the next year and a half, it will only be in the one.

And then the report will be made to the General Assembly at the end of December 2010 with the recommendations about whether it should be rolled out, whether it was an experiment that isn't the right place for Connecticut at all. And if so, whether to go statewide.

So that's the current plan as it's spelled out in the amendment.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Aman.

REP. AMAN 14th:

I thank you Representative Hamm for the answer. I just have another question looking at this.

Under current law -- and looking at -- in the

vicinity of lines 11, 12 and 13 in the amendment, they talk about the judge may during such hearings exclude from the room individuals that he -- he or she feels should not be in the court.

And then we get into the new section, lines 26, 27, 28, that again the judge may order by case by case to either open the court or again keep it separate and apart, going back to the first section.

And I guess my -- my question, between the two sections, one seems to say the judge may exclude people, and the normal course of activities is that people are not allowed in the courtroom, and it seems like under the pilot program, the reverse is true. People are allowed in the courtroom unless the judge says that they may not be there.

And I -- I'm just wondering if the proponent, Representative Hamm, can elaborate on that, on how the two different systems are going to work on a practical basis.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. That is a very astute

observation. You need to check line 10. The current law if Connecticut is that our juvenile courts are closed. They are presumed closed, and the judge can make a decision, case by case, when to let another person in who's not a party and when not to, except for the pilot. The courts -- juvenile courts in our state will continued to be closed.

But in that one court, the presumption is that it will be an open court and that it will be the motion of any of the parties to decide to ask to have the court closed, and the judge may on a case-by-case basis make that decision.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Aman.

REP. AMAN 14th:

I thank you her. I just -- going back to the current situation, I know that the Representative is very familiar with the actual operations.

How often does a judge currently allow additional people to observe a juvenile court proceeding and what type of individuals will they normally allow in?

Again, I'm not talking about cases that are very dramatic or have unusual circumstances.

I'm just talking about the -- the normal caseload that a judge may hear. What type of guidelines do they use for letting people in or barring them if someone requests to come in.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. Currently, it's very seldom. Sometimes you might have a relative come. One of the parents may come with older children when the issues were about a minor, smaller child, and then the parties would decide to let the older children in. Those kinds of cases.

It's pretty unusual currently to have anyone in the courtroom who's not a party.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Aman.

REP. AMAN 14th:

Thank you very much to Representative Hamm for her answers. Again, as I started, I think a pilot program -- I'll be very interested to see the report, and I'm sure that Representative Hamm will be updating

myself and others as this proceeds over the next year and a half.

Again, I thank you, Mr. Speaker, and I thank you Representative Hamm for her answers.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Aman.

Representative Hamzy, do you wish to speak on House Amendment Schedule "B"?

REP. HAMZY (78th):

Thank you, Mr. Speaker. Just a couple of questions to the proponent of the amendment.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, sir.

REP. HAMZY (78th):

Thank you, Mr. Speaker. Like a lot of other members of the legislature in this chamber, I'm a little conflicted with regard to opening -- opening up juvenile matters to -- to the public.

I understand through the amendment that was offered and the questions that have been asked and the answers given that there will be a pilot program established. There will also be a -- an advisory board that will look into the merits of -- of further opening up juvenile matters.

Was there thought given to establishing this advisory board first before doing the pilot program to see what determinations that they -- that this group of people would make, as I said, prior to having the pilot program?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. Yes, there was. We had conversations with judicial. You will notice that the actual creation of the pilot is effective October 1st, 2009, and the council begins work effective upon passage.

So judicial felt that over the summer for the next several months, with sufficient time for them to get everyone together and talk about what the rules should be, how these particular things were going to be handled, and that they would be ready to go in October.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamzy.

REP. HAMM (34th):

Thank you, Mr. Speaker. So the role of the -- this advisory board would be to establish the rules that this pilot court would operate under, and then this board would also further make an assessment of how that is worked out?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. Yes. That's exactly right.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamzy.

REP. HAMZY (78th):

And through you, Mr. Speaker, the proponent of the amendment mentioned earlier that there were a number of states that do open up juvenile proceedings now.

Through you, Mr. Speaker, how many states are there currently that do that?

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. There are currently 16

states that have some level of open courts.

Oregon was the first, Alaska, Michigan, Minnesota is actually the model that we reviewed, and also New York.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamzy.

REP. HAMZY (78th):

Thank you, Mr. Speaker.

And I don't know if you would know the answer to this, but of the states that do allow public -- these juvenile proceedings to be made public, how many of those states elect their judges as opposed to being appointed -- I don't know -- I don't even know if that's a consideration, but do you -- do you know how many of those states do elect their judges?

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. No, I don't.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamzy.

REP. HAMZY (78th):

Through you, Mr. Speaker, in reading the

appointments made to this -- to this advisory board, I notice that there's no gubernatorial appointment.

Through you, Mr. Speaker, what is the reason for that?

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. I believe you will find that most of the appointments are executive branch appointments, and that would be under the current Governor.

There are not -- in addition to all of the executive branch appointment gubernatorial appointments in addition to that, but there is plenty of representation here from the executive branch.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamzy.

REP. HAMZY (78th):

Thank you, Mr. Speaker. And I thank Representative Hamm for her answers. I honestly still do not know how I'll vote on the amendment.

I understand the proponent's argument that make some of these proceeding public will enhance

transparency and promote accountability. But as I said in my opening remarks, I feel somewhat conflicted in having, you know, these types of matters be open to the public even on a limited scale, as proposed by this amendment, and even on a pilot basis, again, as proposed by this amendment.

I look forward to -- if there is continuing debate and questions -- further listening to those answers.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Hamzy.

Representative Gibbons of the 150th. You have the floor.

REP. GIBBONS (150th):

Thank you, Mr. Speaker, for the second time. Now that I understand what the amendment says, I've got a couple more questions. I'll be very brief.

Through you, Mr. Speaker, in the states that have opened their proceedings in the juvenile courts, have they found that this has been beneficial to the juvenile?

I think that's the end goal in all of this.

And what is the purpose of having these as open

as this pilot professes it's going to try to do.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. I believe those proponents and child advocates who believe it will be beneficial to the child believe that the advocacy is better, that visibility is better, that everybody in the courtroom is on their best behavior, and that generally the whole process is improved.

And they've also found that -- I've looked quite extensively at the Minnesota experience. The kids seem to feel more involved and that their choice is heard, because they know the court is just like any other court. And all of our courts, except for juvenile, are open to the public.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Gibbons.

REP. GIBBONS (150th):

I think the Representative for her answer.

Through you, Mr. Speaker, when you say open to the public, though, does that mean that anybody can

wander into the court?

I'm trying to understand exactly what the judge is going to limit the public proceedings to or who it's going to include and whom it's going to eliminate from the public proceedings.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. I don't believe we know definitively the answer to that at this point. That's what the advisory group will do. Certainly the superior courts in the rest of the state are open to everyone, and the judge has the option to then exclude people.

And so I -- I think that we're going to go slowly based on the rules that are developed by this group. The Minnesota experience shows that after an initial interest in a few controversial cases, that the press just wasn't interested anymore, and it got back to business as usual. Slight uptick. And so not a big change once people got used to it.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Gibbons.

REP. GIBBONS (150th):

Thank you. One last question. Is this pilot program going to terminate or sunset at some point or is it going on indefinitely? Or how do we know when we've concluded the pilot?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

That will be included in the report which will be made to us by the end of December in 2010.

So we will have the one open court for about a year and a half, and then their recommendation will be to us as to how we go forward from there.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Gibbons.

REP. GIBBONS (150th):

Thank you. And I thank the Representative for her answers.

DEPUTY SPEAKER ALTOBELLO:

And I thank you, Representative Gibbons.

Further on House "B"? Further on House "B"?

Representative Nicastro of the 79th. You have the floor, sir.

REP. NICASTRO (79th):

Thank you, Mr. Speaker. Good afternoon

Question for the proponent of the bill, please.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, sir.

REP. NICASTRO (79th):

Thank you. Having had some experience in the juvenile court for 17 years as a juvenile officer, we have worked very closely with DC -- it used to be called DCY, now called DCF, as you well know.

My concern is, as you well know, we have the FWSN bill, the Family With Service Needs bill, which is still in effect, which involves truants, runaways, uncontrollable at home and uncontrollable at school.

These children are not considered delinquents unless they violate a lawful court order.

My question to you, through the Speaker, is will these cases be open to people when these are not actually considered delinquent acts unless they violate that court order?

DEPUTY SPEAKER ALTOBELLO:

Representative Hamm.

REP. HAMM (34th):

Through you, Mr. Speaker. The amendment is very clear that it's uncared for, neglected, abused or dependent or a possible termination case.

I believe the judicial branch technically treats prisons as delinquent cases, even though, as you are correct to point out, technically, they are not. They're a different kind of hybrid.

But those particular cases won't be part of the pilot.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Nicastro.

REP. NICASTRO (79th):

Through you, Mr. Speaker. Thank you very much.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Nicastro.

Further on House "B"? Further on House "B"? If not, I'll try your minds.

All those in favor please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ALTOBELLO:

Opposed?

The ayes have it. The amendment is adopted.

Further on the bill as amended? Further on the bill as amended? Representative Hovey of the 112th.

REP. HOVEY (112th):

Thank you, Mr. Speaker. Mr. Speaker, I rise in support of this legislation. This has been a responsive, thoughtful collaboration by several different groups and by several different Representatives.

It has been inclusive, and I think in lots of ways, it has been very, very responsive to the issues and concerns on the front side that everyone had in order to bring out a piece of legislation that people felt was in the best interest of some of those that we consider to be our most vulnerable.

For -- for my purposes, I believe that it's important for legislative intent, and I thank the good lady for putting on the record some of the issues that we have had concerns about with regards to the open court and making sure that we do protect those children whose psyche is so tenuous.

So we also wanted to really respond to PRI's report. And while I think this is a step towards responding to that, I have to say that on my part, I

am disappointed in some ways that it's not a more rigorous, a more I guess a little heavier-handed with regards to mandating accountability and transparency on the part of DCF.

They do have a very difficult job, and I know that some of the instances that they're involved in, there is not going to be happy people. But there are also plenty of situations where they -- the customer has not had satisfaction. And I would have liked to have seen us be a little more strident with regards to requiring some different things.

But I do believe that this is a great beginning, and I look forward to future legislation that adds on to this. And when we have our reports coming back and see what the value of our -- our energy has proven, then we'll move forward and have our feet clearly in a good stead.

Thank you, sir.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Hovey.

Further on the bill as amended? Further on the bill as amended by Schedule "A" and "B"?

If not, staff and guests please retire to the well of the House. Members take your seats. The

machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the chamber. The House is voting by roll call. Members to the chamber, please.

DEPUTY SPEAKER ALTOBELLO:

Will the Clerk please take a tally?

And would the Clerk please announce the tally?

THE CLERK:

House Bill 6419, as amended by House "A" and "B".

Total number voting	146
Necessary for passage	74
Yea	146
Nay	0
Absent not voting	5

DEPUTY SPEAKER ALTOBELLO:

The bill is amend amended by House "A" and "B". Passes.

Speaker Donovan in the Chair.

SPEAKER DONOVAN:

House please come back to order. Will the Clerk please call Calendar Number 440.

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BRIAN MATTIELLO: Thank you, and good morning, Senator.

SENATOR MUSTO: And for Brian and for everyone else, if you could, when you start your testimony, whatever bills you're talking about, if you could sort of highlight them for us, and if you did give written testimony, please let us know so we can find it, and if you do I'm sure, Mr. Mattiello, you have several things you're going to talk about.

If you could sort of highlight them for us and point them to us, I would appreciate that as well, just so we can try to follow along and I can make notes where you know, where we need to.

BRIAN MATTIELLO: Sure.

SEN. MUSTO: Thank you.

SB877
SB878 SB879
HB6419 HB6420
HB5915

BRIAN MATTIELLO: So good morning Select Committee members. My name is, for the record, my name is Brian Mattiello. I'm Director of Strategic (inaudible) at the Department of Children and Families.

You have before you a number of bills that I actually like to look at them as thoughtful topics regarding the Department as well as child welfare, the work of child welfare in this state.

And many of these bills I've had conversations with introducers and parties that have had a genuine interest in these matters, and they are really all premised on the interest in making DCF better at what it does, to gain a better understanding about some of the enormous challenges that we face at the Department and as a state, and ultimately, to achieve better

last year we have increased from quarterly meetings to monthly meetings and have done considerable planning with them. But how do we make that interaction more meaningful?

I believe there is still some dissatisfaction among some of the members. That continues, but I know that this act is playing a different role today than it was even a year ago, and I think we still have some work before us on that.

I won't go through them, the sections here. If you have any questions, be glad to return to it.

Let me move next to the really, Senate Bill Number 878, Senate Bill Number 879, and House Bill Number 6419. Those together create three task forces dedicated to issues around prevention, reorganization of the Department of the Children and Families, and then a transparency and accountability bill.

Again, as I began my testimony about, instead of breaking down the words, just first acknowledging the spirit behind this, and that really is to gain a deeper understanding of the complexity of the work the Department is engaged in, what those challenges are, as well as elevate the dialogue.

And I think that's of importance to everyone who has an interest in the Department to make sure that where there are some strengths we're building on them, that we really begin to understand what it is that we want to do better by first having some understanding of what it is that is moving in the right direction within the Department. And that's how critical that dialogue is.

HB6419

For example, if I were the prevention advocate, and I am, I would want to begin to understand the work of prevention in the Department by first taking a look at some very important initiatives, I know amounting to a lot of money, but they are some important relationships that we developed over the years, and some real important initiatives, particularly I'm most excited about some of the early childhood work that we've done with Head Start, as well as the training of some teachers about how best to handle certain behaviors that present themselves in the classroom, and identify where early onset of some mental health issues with children should be coming to the attention of professionals.

If I were a family advocate, I certainly would take note of a 41 percent increase in the number of families we're serving in homes versus out of home, that means removing children.

That practice has come a long way on that front. There are many who believe, in the Department and outside the Department, there is more work to do in that particular area, particularly if we can come in contact with families with needs much earlier on, and not necessarily with an investigation approach but a different approach by assessing their needs and addressing them.

And if I were a community provider, I would take note of nearly $100 million in the last three fiscal years that we've invested with together in building a community-based system of care and there are wait lists, which means there are more that are not accessing that service, but it has permitted us to do, to provide interventions with families that we

haven't been able to historically, and we're talking really in the last five years.

The last thing, so on these, you'll see our testimony. You'll realize that task forces, they might be place holders, or they simply are perhaps if we don't get our arms around what are the priorities, or what is the right way, sort of next steps, and how do we sequence these.

If they do move forward as task forces, our only appeal is that we're able to participate, that the appointments are broader, and that it really is, does aim toward elevating the dialogue that needs to occur among a number of parties.

The last thing then I'll comment on, this is efficient for you, Senator, excuse me, the last two bills, the leadership audit. Members of the Committee know that this, the origins of this came from the series of hearings that were held in the fall and early winter of last year.

HB6420

There are some very strong opinions about whether the Department is top heavy with management, whether there are adequate job descriptions or people with the right credentials filling positions. There's a whole host of things that have been described by individuals that are of worry, and why they're interested in conducting a leadership audit.

The only thing that I would caution, this is really as much a personal note as it is on behalf of the Department, on a personal note because I've been around government for nearly 20 years now and I worry about making sure that we scope any particular study well.

any given time there's a concern about the quality of that database. We can fix that and we intend to.

And I think also making sure when a child is found, that we remove that name from the list as quickly as possible, and I think that's some of the concern that's been expressed and I'm happy to work with you and anyone else to accomplish those changes.

That concludes my testimony.

SEN. MUSTO: Thank you. A couple of things. I understand, I mean, we're here in a public hearing, and that there's somewhat limited time, and you have not spoken at length, and I'm sure you've spoken to the other members of the Committee at length on various things.

Some of the, there's no question that you guys do a very hard job dealing a very delicate population. Some of the concerns that I've heard about the Agency in general are sort of not focusing enough on the family as a whole, kind of focusing more on the child, and obviously you're trying to protect children. I understand that.

Could you give us any kind of specifics? I mean, you're talking sort of a 40,000-foot view here today, mostly, as far as I could tell. Can you give us any specifics about what you might, any strides you're making toward incorporating families more?

BRIAN MATTIELLO: Yeah. And so I, first of all I think that a well-placed criticism, one that, our own self-criticism of the Department would list, how do we improve a family engagement?

I want to answer that at two levels. The first is sort of at the system level, if you don't mind, and one of the issues that came to my mind when I looked at the task forces is particularly one that reorganization, quite often the conversation is, it's too much in one place. We need to separate and then families can, we can adjust the needs of families.

If you don't take the lens of sort of bureaucratic structure, you sort of start with the family itself, most advocates and when you ask families themselves, they're very confused about who's involved in their life and what types of services.

So I would just caution, if we do in fact take that lens in the family, you're going to find that you're going to be compelled to try to put more together to really figure out how we're doing a common assessment of families, where they can go to one particular place not seven places for the types of services, and how we make government and services more user friendly.

But I have to say that as a particular note, you really should bear some thinking, that if we only look at sort of organizational structure and decide from an accountability perspective how it should break out, you might miss something important.

And if you go back in 1969, 1968, you've got to go over to the State Library and look at why they passed the Consolidated Children's Agency, you'll see much of the things that we're talking about today, about the importance of making things simple for families on a more concrete level.

When you look at the *Juan F.* Exit Plan, and we're all familiar with that, 22 particular explicit outcomes, the issues that have, that were of concern to the plaintiffs, and frankly to the Department when we entered an agreement, was simply placement. It was search for relatives.

Sibling placement meant when more than one child comes into care, how well are we keeping them together. A search for relatives basically said, you know what? Every child has a family and we want to make sure in the first instance that the Department when a child comes into our care, we're learning about that natural support system around that child the best that we can.

That is a process measure. That basically says, are you doing the search. The follow up to that is, are you engaging the families, and are you really finding placement resources with that.

We have some good news in terms of a growth, in terms of relative placements, but I think from what other jurisdictions have been able to do on this front, we're about mid pack, about any given time about 20 to 25 percent of kids not of home care are in relative or kinship placement in the broader sense.

There is a jurisdiction and it's a particular note to us in Pennsylvania that has now exceeded 50 percent. We'd like to know more about how they've been successful with that.

The last one is on treatment planning, and we've heard a lot about this because this is a particular measure that we have not been successful in meeting, although the Commissioner testified yesterday in front of

Appropriations, and we've learned that for this latest quarter of data we're going to jump from just under 60 percent of the treatment plans meeting the criteria in the exit plans up to 80 percent.

And at the heart of that is, is it an understandable document to the family? How do you engage them? And there's a number of questions that are evaluated.

In addition to all those things that we measure, perhaps you heard a lot more, but the federal review that was just done in September looks deeply at these questions about family engagements.

We have a number of initiatives, and instead of taking the time here, I actually did a summary sheet of some very important initiatives, one called Better Together. Another was called Family Conferencing. They have not gotten to the levels that we're interested in in terms of their implementation, but they're very, very important initiatives that we're going to hang on to and get the most of.

And the third one that I wanted to mention is differential response, which is part of your prevention bill that's before you. And if members are not familiar with this initiative, I really would like to spend some time with this Committee, with Committee members on that.

In short, when a call comes in to Hotline, we go our investigation route. We accept the report of abuse and neglect.

What this basically says, this initiative says, is that for those low and moderate risk cases, there might be an alternative route instead of investigation. We want to go out and assess

the need to families, which is a much more friendlier approach, and address those risk factors that exist, that are either leading to concerns about safety, neglect and abuse and try to address those as opposed to a more forensic process. And I think that's an encouraging initiative, and I'd be glad to talk more about the status of that.

But I will outline for you some important initiatives in the Department that I think move us in that right direction. Having said that, the reason we have these initiatives and the reason we're measuring is that we have some distance yet to travel on this front.

SEN. MUSTO: Okay. Thank you. Regarding, I did mean to say this a little bit earlier, but regarding some of the task forcing, there are some, and this is for everybody who may be testifying today.

The bills do discuss task forces. There are some ideas in there that may or may not end up in task force. They may just be something we end up legislating directly without a task force.

Some of them have already been studied, as you pointed out. They may have been in some of these many, many studies you put at the back here.

I do want to take you up on your offer, you know, to sort of discuss this at length somewhere else, and in that vein, I would ask to the extent that you can, that you and DCF, your counterparts, sort of hang around today a little bit, listen to the testimony of other people.

We could probably use some feedback on that from DCF, and just to, you know, make sure that whatever gets said gets heard and gets commented on, and maybe we can incorporate some of that into what we're doing, and maybe you can do that as well.

BRIAN MATTIELLO: I will remain as long as I can. Probably around 12:30 or thereabouts I will need to part. But I'd be happy to stay (inaudible).

SEN. MUSTO: Thank you. I believe my Co-Chair has some questions.

REP. URBAN: Hi, Brian. You know, recognizing the budget issues that we're dealing with, and knowing that DCF has a very tough job, but I'm going to get a little tough here, okay, Brian?

BRIAN MATTIELLO: Please.

REP. URBAN: First of all, when I look at the mission of the Department of Children and Families, and you know that you were in front of the Results Based Accountability Subcommittee yesterday, and that we only got through one small part and that DCF will be coming back in front of my Subcommittee--

BRIAN MATTIELLO: Yes.

REP. URBAN: --to be looking at that so, you know, that's another story. But when I look at DCF and I'm looking at what is the result for the people of the State of Connecticut that we're trying to achieve, you know, just off the top of my head, I would say preserve the health and the safety of all Connecticut children and families.

And if we start to go through programs to see if we're actually getting there, it unfortunately looks like we have a lot of distance to travel.

So, you know, all my questions are coming from that perspective. If that's the outcome that we want, then every program that is under the umbrella of DCF has to be getting us to that outcome, and if it's not, then we need to know why and we need to know whether we're going to continue to fund it. So that's the perspective I'm coming from.

The other thing is, you did do the DCF, the PRI study at the end here. I have asked now that Program Review and Investigation is now going to be doing things from a results based accountability perspective, and for this Committee they have done the DCF study in terms of results accountability, and that will be available to the Committee.

And in essence what we're always asking, and you came forward with some numbers, how much did you do and how well did you do it? And I think that you have been very good on the how much that you're doing, but we really need to get to how well we're doing it.

That being said, there is a particular area that I have been championing and you didn't mention it at all. It was underneath a task force but that is, there has been a task force, the Speaker's Task Force on Animal Abuse and the Circle of Violence, which was meeting during the summer and the fall.

And what we were looking at is that animal abuse is an indicator of future violent behavior. The FBI uses it as an indicator of future violent behavior, and we were trying to

look at where we could step in so that we would be able to prevent violent behavior, that we would be able to counsel.

So in that spirit we asked, under that bill, that there would be attention to that. It's very simple. It is low cost.

When you do intake, does anybody ask the child, how is your little puppy doing? How's the cat doing? Is anybody feeding it? Because there's an 80 percent chance if that animal is being abused, the child is being abused. No cost. Low cost. Just add the questions in.

I'm also asking for cross reporting, that if an animal control officer sees animal neglect, and it's not just abuse, if the animal's neglected, the child's being neglected, that the animal control officer would report to DCF.

I've been at this home. The animal's not being fed. I think we need to pay attention. Again, I don't see that as a high cost item, and yet when I talked to your Commissioner, and when you guys came to my task force, which you did, you talked about how we had to do all this expensive training and represented it was going to cost all this money. I'm sorry. I don't accept that.

BRIAN MATTIELLO: Okay.

REP. URBAN: I don't see why that is such a big deal, and I'm asking you guys to go across silos. I understand that your agency cannot guarantee the safety of children. I understand that there are many agencies that have to help.

But when I ask you to go to another agency like Department of Ag and work that out, I expect

that to be done. It's not a big cost item. Just do it.

And as I said, you're being the one that's the recipient of this Brian and I--

BRIAN MATTIELLO: This is not unpleasant in any way. I just want to, so that provision is before us. It's in one of the task forces. Forgive me for (inaudible)--

REP. URBAN: Yes. Yes.

BRIAN MATTIELLO: So it wasn't an attempt to avoid this. So let me address this as best as I can.

First of all, there was substitute language for a bill that came out on mandated reporters last week or the week before from the Committee where we're going to amend and have animal control officers placed in, so we're number one, supportive of that.

I think with respect to the, maybe the word training is conjuring up a very complicated image in your mind, but obviously we want to state the value behind any changes in our practice and in our investigation protocol and inform people what types of things they may come across. There is an element of that.

We also, when you add animal control officers to mandate a reporter, we do special outreach whether you're teachers, doctors. For a new group like that, you would want us to go out and introduce ourselves.

So, okay, don't be against training. So I think those, the animal control officer mandated reporters, the training piece, revising our investigation protocols, meeting

with the Department of Agriculture, I think they're are all doable items.

I think the cross reporting bill that we saw very early on maybe as a proposed bill, I talked about on a date certain, that that's calling us and back and forth. That might be a bit more complicated and I just want to just suggest a bit of caution on that, maybe as a first step taking these things on, seeing where we stand a year from now.

But I think we can have that conversation, but I don't want to be confused that these are, as you outline, doable steps for us.

REP. URBAN: There we go. Sorry. No, I really appreciate it, and in all fairness, when the Commissioner was here, she was very, very gracious about adding the animal control officers. She saw the value of doing that.

BRIAN MATTIELLO: So can I, just quickly on the PRI, how well, so we, in September the federal review took place. In the spring we did a case review in four offices. We're conducting one in Hartford coming up. These are very in-depth looks at our case practice. I'm trying to get underneath, just, you know, numbers tell you part of the story or they help allow you to frame the next question.

You do want to get at quality pieces, and not all of our exit outcome measures are just pure process, and I can convince you of it if you gave me some time, that there are really some quality pieces to it. But for the most part they were process.

You can't improve the quality of something you're not doing. You start with measuring, are you doing things that are going to lead to

the kind of outcomes of things that you value, and so there always is going to be a mix.

On the RBA piece, there are three levels of RBA as you know through your population base, and what, your comments were about the well being indictors of children as a whole.

We are going to make a contribution to that, a very important one as a Department with its mission. We are not the sole contributors to the well being.

Second, when you look at system, yesterday I think we might have missed the opportunity to share with you some system outcomes that we think are associated within home services, with family preservation, those sort of pieces.

I outlined a few here today in terms of direction, positive trends. There are also some things about permanency, achieving permanency. That is, kids who come into our care and then you know, adopted or placed with a relative for long term, or returned home.

There's some good news and then there's some news that we're still struggling with. But on a system level we can articulate those, and then on the child specific level, which is where some of those things went yesterday, it's really those three tiers.

I think the Department is very capable of articulating on those things, and I think, I don't want to return a criticism, but as a person who's skilled in RBA there were program areas selected, not programs.

We struggled to fit within those eight questions, you know, perfectly. I'm happy to struggle with it because it starts an important

dialogue, but even the questions were pure RBA in some respects, so it's not going to be a push back but if we are going to do this and do this well, then I think there needs to be some movement on both sides in terms of how is it that we really shape so that we can, in fact, form informed decision making.

There was a bit of a struggle in terms of squeezing it into those eight questions, and across a very vast program area.

REP. URBAN: You are absolutely right. There's no question about it. And as you know, we've been trying to go down this path and we've been getting pushed back ourselves.

BRIAN MATTIELLO: Okay.

REP. URBAN: So it's an evolving process, and I fully recognize what you are talking about, and that's why I'm hoping when we have DCF in front of the RBA Subcommittee, just the RBA Subcommittee, that those, that dialogue will take place, Brian. That's the whole idea.

BRIAN MATTIELLO: I have my outfit picked out and everything.

REP. URBAN: Excellent. And I have to say just today, your conversancy with the way RBA works is excellent. So, you know, I'm looking forward now to our conversations.

And I hate to end on a bad note.

BRIAN MATTIELLO: Oh, you've got more?

REP. URBAN: I just have one other, and I mentioned this in the Appropriations Subcommittee hearing, but these are the kinds of things that

we're dealing with that we get from the public, and I'll just mention two things.

I don't expect you to respond, Brian, it's just that these are the things that we get, we get slammed with.

It was brought to my attention that you did some car seat and car seat refresher training, Thomas Field, and that was $48,000. In my town you can get that done by the State Police. I don't understand why it was $48,000.

And in another one, the Global Talent Agency gave drumming lessons at the CCP facility and that was $62,000. And I'm just, you know, these are things we have to respond to as Legislators, and when those get picked out and are brought to our attention, those are, you know, those are things that take all the good work and you know, all the atta boys are gone because we have these things that come in front of us.

So those are the sort of things in this budget atmosphere that we simply cannot allow to be out there, unless there is some overriding reason why we need to have people drumming and--

BRIAN MATTIELLO: I've not had a personal experience with this car seat training, and so we'll respond on the 24th with that. In respect to drumming, and there may be some comments from folks behind me about that, but if you've attended a drumming session with the kids and you look at that experience through their eyes, it's unbelievable what passion develops.

When the kids are away from home filling their time with key programming, drumming has, is

really a therapeutic experience for many of the kids.

REP. URBAN: Keep doing that, Brian, and I really--

BRIAN MATTIELLO: All these things are up--

REP. URBAN: Yeah.

REP. MATTIELLO: I get that.

REP. URBAN: And you know, if that's the case and you know, we can look at it that way, awesome. I mean, I have a professional diploma in music, so you know, I know and I don't want to take away the musical souls and I know that drumming can be an outlet.

BRIAN MATTIELLO: Yes.

REP. URBAN: But we need to justify it. We need to know this.

BRIAN MATTIELLO: Okay.

REP. URBAN: I know I took way too much time, Mr. Chairman. Back to you.

SEN. MUSTO: Madam Co-Chair, that's perfectly fine. And again, this, there are public hearings, I actually have two other things to do today, so I know I'm going to be going in and out a little bit. I know other people are as well.

At this point, I would like to leave the meeting in the hands of my Co-Chair, but I believe Representative Jarmoc has some questions and then Senator Boucher and Representative Hovey have some questions as well, and of course, Representative Thompson probably has some questions as well.

So if, Karen, Representative Jarmoc, rather.

REP. JARMOC: Good morning, Brian.

BRIAN MATTIELLO: Good morning.

REP. JARMOC: Just to focus on when you were initially beginning your comments you talked about things such as, and I was pleased to hear it, prevention, improved accountability, and therefore, you know, helping our most vulnerable groups of people.

And I'd like to add in, and I'm not saying that you were being negligent, but just intervention, and you have mentioned things like family preservation and achieving permanency.

And as you know, my, what I grapple with in regard to the Department of Children and Families is, I feel that you have an appropriate mission in place, and that you have adequate policies in place. But at the end of the day there's some type of a disconnect happening here where those policies are not being carried out, necessarily. The mission is not being adhered to, and that stems from obviously, the public hearings that took place between the Select Committee on Children and also the Human Services Committee throughout the fall.

And obviously where this topic of discussion in regard to the Department of Children and Families is taking place in this Committee and also the Human Services Committee, and that's what I grapple with, the disconnect because in regard to let's, for example, the leadership, the management study.

You expressed that you really were not in favor of that and I respect your opinion on that. I do.

BRIAN MATTIELLO: I just in the words of caution about--

REP. JARMOC: Caution.

BRIAN MATTIELLO: --to be sure that it's meaningful.

REP. JARMOC: Okay. And possibly because there have been a number of these types of management studies, and I do hear you on that. Although, I feel that this is becoming an unusual circumstance in terms of the movement and the dialogue that's taking place in regard to the discontent with what's happening within the Department of Children and Families.

And I, what I heard consistently back in the fall was the term systematic failure sort of at all levels of leadership, and I know you might not agree with that. But I'm just saying, this is my sort of the work that I've been doing and then also from hearing what was discussed at those hearings systematic failure was a very consistent word, and I happen to agree with it to a very great deal.

And so while I recognize that $300,000 for some type of a study, which we might not, you know, go that route in terms of paying for that, for it to be done that way.

But I do think that something does need to be done. Everything is not okay. We're not sort of moving along okay here, and there isn't that confidence in what's happening in the Department of Children and Families.

And so, I do want, I do think it's important that the Legislature work closely with the Department of Children and Families along with advocates and consumers. But there's definitely a disconnect going on, and I don't know if--

BRIAN MATTIELLO: Representative, I sat through those hearings, too. I've been at the Department four and a half years. It's given me an opportunity to experience some of that disconnect.

I've not been involved in child welfare for 30 years, so there's a lot that I need to learn and it was never a personal experience for me and I didn't grow up doing social work, so there's a lot of people that in perspective that I need to learn from in order to shape my own sort of pains and perspectives of this.

And your questioning isn't personal to me, but I feel like I want to respond at a personal level that I've been lots of places in government, and frankly, I've never been part of, this job means the most to me.

I come in contact every day with situations that absolutely break my heart and absolutely feel like it's not good enough, and it always seems to follow up with something that actually fills my heart. Something good occurred. Something safe happened, and it's a mix of that.

And you can't be at DCF or care about DCF without preparing yourself to have a mix of both. And in four and a half years I've actually come out of my skin wanting to get better at this, in deciding what's next and to try to keep this dialogue in a way that keeps

us focused on an agenda to improve and get better at this.

And frankly, part of getting better isn't taking everything that exists and just vertically, you know, funding more. It is about shifting, some real deep thinking that needs to go on here, to look at a case and go beyond, and it's important to do this.

But go beyond what did DCF do and not do, and look at what brought that family to our attention to begin with because families are being ravaged by substance abuse, mental health, you know, domestic violence and poverty, and all these things that are bigger than the theory of child welfare, what we're expected to do at a point of crisis.

And so, it's never going to feel good enough in this work, and frankly, some of the things that we want to change really require a lot more than what these task forces and what DCF can do, and it really requires some real deep thinking.

The final thing I want to say is that, I hope that I never come across someone in any of my settings that has not said the practice is uneven, that when we talk about some advancements, and there are some real important ones that have occurred at the system level, that there are families who haven't experienced that advancement.

And then on a case specific level, which is important to evaluate our work, might not be reflecting what might be happening in the larger system.

So when I talk about more in-home cases versus out of home, a lower entry into care rate,

which is real, you know, important. Talk about, of those permanencies that are happening, they're happening faster than in any point in history, but then remind you that there are some permanencies that aren't happening. Their kids are staying in care still very long periods of time, that the family settings, which I know is important to you, that a larger percentage of our kids.

So 57 percent of our kids in 2002, throughout the calendar year were in family-based settings, and 72 percent in 2007, and I should have within the week what's 2008 and I think it's going up. I'm encouraged by that.

What's the big driver? Relative placement, and that's real important. Now 17, or 20, or 25 is not going to impress you, but when I tell you that 3 years ago we were 11 percent, I hope you're encouraged by at least the trend in that direction.

So unevenness, never good enough, you know, not where we want to be, but we are somewhere, and if you are committed to change, sometimes it's about transactional, what's next and sometimes it's about that big thinking, too, and sort of a fundamental shift.

But I dismiss no one who has an opinion. Everyone who testified that their story at DCF, people had bad experiences with us. People want something different and more. There's no one opinion, and so you meet people that are going to decide sort of operationally what's next, and then you need something use both.

And so, if this Session is about starting a different dialogue, whether it's through a task force or through some initiatives, or even just the assignment you got recently, to try to go a

little deeper in the next couple of weeks to really figure out what makes sense, I think that's all to the good.

REP. JARMOC: All right, thank you, Brian. Because you know, just to use relative placement as an example, so again, this is where I struggle because you're providing me with figures in regard to how you've been able to increase relative placement, children being placed with relatives as opposed--

BRIAN MATTIELLO: A kinship, I should say.

REP. JARMOC: A kinship. And so, which is part of your mission and your policy, so therefore, hat's off.

But, I don't hear that. I'm not hearing that on the outside from families and from advocacy groups. And so, you know, this is where I struggle. What is going on? And I don't expect you to answer that.

But do you understand what I'm saying?

BRIAN MATTIELLO: Well, the numbers are accurate. The numbers are accurate.

REP. JARMOC: Yeah, I'm not questioning your numbers.

BRIAN MATTIELLO: There's 22 percent and that means there is a difference between the 78 percent--

REP. JARMOC: That's, I'm not questioning your number, but it doesn't always, at the end of the day I continue to question the, you know, adherence to mission and policy.

BRIAN MATTIELLO: Yep.

REP. JARMOC: But I do think that we do need to work together, all of us, because you are correct when you were saying that we have, we all have the same sort of ultimate goal. We share a desire to do what's best for kids.

And so I just would say, and I said it to you before, let's try to work together on this because ultimately it's got to be about what's best for kids and for families. So thank you very, very much, and I look forward to hearing the testimony of the other people as well and I'm glad you're going stay. Thanks.

REP. URBAN: Thank you, Representative. Senator Boucher.

SEN. BOUCHER: Thank you, Madam Chairman and thank you for being with us today and I know that this is a very difficult subject, and some have even asked if this is opening up a can of worms.

And I think that any time you have an opportunity to discuss and review this, it's helpful for both sides, and it allows better introspection in what you have.

But part of the issue, too, it seems to me is the articulation and the ability to communicate what you do well, and that to me speaks of a higher issue, and that is at the top leadership areas. Is the Department communicating clearly and well about what they do well and have accomplished all that work that they do, but whether statistically and otherwise to show the proof but also give the message, because there is no question. It is a most difficult area of our state government to work in.

It is where the most difficult problems and in trackable problems, and problems that sometimes

the families themselves create, and the families may not always be, and you should be able to articulate that, not always the best place into relative placement, but oftentimes it is, and the work in that area is difficult, but it's the articulation of that.

And in another sense, that if it was working well management-wise, you might not need as many of these boards and task forces and so forth that seem to be so replete in all of this.

Just for my own information, how many advisory boards do you have at DCF? Do you have an idea of just the numbers that are there?

BRIAN MATTIELLO: Well, I mean, first, seven came to mind, and I'm certain of the youth advisory boards. They, each of the area advisory councils, so that's another 14.

SEN. BOUCHER: It sounds like a lot.

BRIAN MATTIELLO: (inaudible)

SEN. BOUCHER: It sounds like a lot.

BRIAN MATTIELLO: I mean, we touch many people. I don't know if that's the right number or the wrong number. I mean, there's lots of parts of the agency and then we're, of course, in over 20 locations.

SEN. BOUCHER: Right. And that's part of the issue there because there's this massive size and different areas. I really appreciate what you've provided here. I have to tell you. It's been very helpful because what you've done, and something I was looking for, actually, of all of the different review and evaluations, outside contractors that were

asked to review the Department, you've gone all the way, quite a long way back to the 70s, right up until 2007 and the Program Review Committee, which I thought was a great thing to do--

BRIAN MATTIELLO: I was nine at the time, by the way.

SEN. BOUCHER: You were nine? I can well understand. But it's interesting to me to go through this and to look and see where, 1995 KTMG came in and they found, you could tell that this outside group would do this.

They spoke a great deal about the small divisions and units of structure inter=department integration, horizontal communications, the current organizational structure ineffectively divides groups and functions.

Functions performed in the central office could be more appropriately in the field or on a contracted out basis. Central office's staff had grown substantially. There's a high number of managers and supervisors in central office relative to the staff, yet the span of control of these managers and supervisors is low.

And again, this is 1995, way before your time. And additional layers of management exist in the functional layers than is necessary. The Commission's span of control is too great, yet it excludes important areas of agencies such as Health and Mental Health and so forth.

So in your position, do you go back and review some of the previous analysis and what improvements have been made over a span of nearly 15 years to make sure that some of those things have been improved upon as compared to

maybe the 2007 study by Program Review where they touched on a few different things.

They didn't quite go the direction of actual organizational issues.

BRIAN MATTIELLO: Yeah, that's right. And what's interesting about the 1995 report, if you were to look at the organizational structure today, it resembles about 70 percent of that report.

And there were some changes subsequent and actually, I think in one story it went one way and then it went back, kind of thing.

Probably the report that I place a lot of value on is actually about our Department, that organizational development as a whole on child welfare and it's issued by Muskie school, and which actually is now serving as a national resource center for the initial development of child welfare agencies, which we're working with on a couple of important projects.

And they said that organizational structure has to really fit right for, you know, sort of organic. It has to fit right for you. It's an important issue to think about, but that there is no structure that can be parachuted in any particular jurisdiction that guarantees a particular outcome.

And so, I find that it doesn't lessen the struggle of trying to get this right and trying to make sure that there's an efficiency in decision making, and that as that report pointed out it was to everyone was reporting to the Commissioner kind of thing.

And so, there are some, you know, some real problems that you can experience as a result of organization, but there isn't a template of

child welfare or even a consolidated children's agency that has proven to be, and that's from people who have done the most thinking on this front.

And so I think it belongs as a very important discussion, and it's mostly going to be about, it's going to be organic. It's here--

SEN. BOUCHER: Well, just on that topic of organic—

BRIAN MATTIELLO: --versus trying to grab some of these generalized statements about organizational parachuting and expect a particular outcome.

SEN. BOUCHER: But on a regular basis, organizations should be looking from within to see how they can better accomplish their goal or task, and oftentimes the process that's used is a process of re-engineering activity that actually maps what everybody does, and to make sure that they're doing it in an efficient way.

It actually points out duplicative, and I saw a duplication in some of this information that maybe, you know, the same thing was being done by more than one entity that was accomplishing the same goals.

And if you map that out, it's used in education, it's used in business. It's used in so many different, and in government, quite frankly, a lot in government to see, in fact, and that reviewing your process, what everyone does and the way in which they do it, also leads to really good job descriptions and procedures.

And that job description should really reflect the outcome you're trying to achieve, the best possible, most efficient way that that task can

be accomplished in order to receive that outcome, and I would strongly suggest that, because I've heard many comments about the, whether there's good job descriptions that are there and ferret out. That's one good way to ferret out duplication.

BRIAN MATTIELLO: Okay, Senator. I hear what you're saying, yep.

SEN. BOUCHER: And I think the last thing I wanted to bring out, Brian, because I did read in the Program Review and Investigations Report, they pointed out your strengths, which was good. There were a number of things that you did very well, and I'm sure you've looked at that as well.

But then they went on to talk about what you needed to do better, and I would suggest going back in some of those different reports and seeing where there's similar items, you know, that they pop up in every report.

If that's still popping up, that that's an area of focus that you guys need to go and really, really review.

But I just wanted you to comment on the debate going on about whether the Department should continue to be in the business of prevention, or should that be done by another entity, whether that still fits, whether that's appropriate, does it take away from the focus of what your main mission and job should be.

BRIAN MATTIELLO: I'm going to speak in general terms not necessarily about the move of the Children's Trust Fund over to the Department.

Everything that I've read about, prevention, framework in state government, one thing that

has emerged repeatedly, and therefore I think conclusively, is that prevention is not about a program or a set of programs that should exist in one particular location, that it's a way of thinking. It's a way of doing business, and the more stakeholders you have in prevention, the more results you'll get.

What do I mean by that? I think not having DCF involved in prevention. Whether we're fulfilling our mandate as a whole is certainly a fair discussion, but to have us not in the business at all I think is a mistake and inconsistent with what some of the best thinking around prevention programming really is all about.

We need to be a stakeholder and, but there's a continuum as you know, and so what is that you're trying to prevent? Whether it's someone falling down in a nursing home, or are you trying to prevent someone, you know, being abused and neglected.

Outside our doors, if the only thing that exists in prevention outside of DCF's door, which by the way, the most important pieces do exist, what's happening in our hospitals, in our communities and in our schools, and that's the way it should be.

But if it stops at our door and doesn't at the, on that continuum, and doesn't enter the door at DCF I think you've lost an important stakeholder, and you've also lost a focus on what is it when we didn't purely, primarily prevent abuse and neglect, but we're starting to see an early intervention or we're seeing risk factors that of our low and moderateness before they get to, you know, real high-end safety concerns, that that continuum needs to

flow through our Department and frankly, throughout state government as a whole.

That's my generalized response to your question. Is that--

SEN. BOUCHER: Well, for those of us that are--

BRIAN MATTIELLO: --does that answer your question?

SEN. BOUCHBER: --not as familiar with how prevention is handled through your Department, do you have a separate group that does that, or is it integrated in all of your different departments?

BRIAN MATTIELLO: We have a prevention division, but we also have prevention liaisons in each of our area offices so we try to integrate it into our business within the community.

We do try to bring up topics with our area advisory committees, which exist associated with each of our area offices, our 14 area offices.

And we run, we outline those programs for you here, most of which are done in partnership with others. So while we have a division, we're not the ones exclusively running the programs. Partnership with State Department of Ed, with a number of private providers, we conduct a number of training opportunities, which necessarily mean that we're really connected with a large network of individuals, and then we serve on a number of, you know, organizing task forces and committees that are doing important planning and developing of services on prevention.

There are four individuals dedicated exclusively to prevention in our Department and

then those liaisons hold other jobs like function, have important functions in the area of prevention.

SEN. BOUCHER: Brian, I'm just, one last thing in the report that was, the last report in 2007, there was a comment made that there's a duplication of external monitoring efforts and that there were, it was determined that there were several mandates that could be eliminated without the loss of accountability.

Do you recall any of those that were being proposed and did the Department come forward, therefore asking for that relief so as to streamline the process?

BRIAN MATTIELLO: We did, Senator, and this Committee actually voted out. What we did was, we pulled from the Program Review and Investigations Committee those obsolete and redundant reporting items, and advisory boards, and those sort of people, and separated them in an individual bill that was voted out by this Committee.

SEN. BOUCHER: Thank you so much for your testimony, and I also leave you with the thought, and I don't, Representative Hovey has some questions as well, that there should be a much greater emphasis on internal processes and procedures, and by looking at that, by mapping out what each department does, each individual does within that department, and having a clear job description will maybe highlight a number of things that could be very helpful to your Department, and might alleviate some of these concerns and questions.

BRIAN MATTIELLO: Your point's well taken. Thank you.

REP. URBAN: Thank you, Senator. Representative Hovey.

REP. HOVEY: Thank you, Madam Chair. Good morning, Brian. There seem to be a couple of, in my mind at least, a couple of reoccurring things, and the first reoccurring thing is communication, and just to speak to communication personally, the Co-Chair said that he was sure that we had all been communicated with and had conversations at length with DCF and I would say that as probably the newest member on this Committee and the Ranking Member, I've had no conversations with DCF.

So just, you know, I've been getting all of my research from, and my background information from going on line and reading all the testimony from this fall, and you know, Program Review's piece of material.

BRIAN MATTIELLO: (inaudible)

REP. HOVEY: I'm sure you will. I'm sure you will. But I just, again, I think that kind of highlights some of the holes in communication when the Ranking Member, and granted, I have a fair amount of expertise because I was previously the Ranking Member on Education and because of what I do privately, my background is, you know, very much in behavioral and emotional health.

So I'm up to speed on lingo and all of that. But the intricacies of DCF's workings, I am not. I'm trying to get there. So please, I ask for your indulgence.

And the second piece of that, fragmentation, in looking at all of the communication that I've reviewed, there seems to be this kind of

underlying theme that the left really doesn't know what the right is doing, and also this piece that really concerns me that, because you know I have a hard time to believe that people working in DCF and the people I know who work in children's services and preventive services and even, you know, some of the more punitive arms of intervention services, all do it because they are interested in doing what's best for children and families.

But there's a real disconnect between what people's perceptions are and probably what I hope is the reality, you know. I'm not going to make that a blanket statement, but I hope that that's, that the reality is not truly what people's perceptions are.

And of course, when you're working with any area of emotion and behavior, so much of what you have to do is change perception. Change perception not only of the individual clients that you're working with in their own internal dynamics, but also the way they view the world, and you're a part of that world.

And so that's the piece that keeps coming up for me is this idea that people, our constituencies' perception, your clients' perception is so negative, and I'm, you know, known for my candor. It's just so negative about DCF and its workings.

And so then when I move to some of the changes that are occurring, and specifically with regards to the prevention component, and I know you folks have a prevention component.

But I wonder how you're going to deal with this compatibility issue, in my mind anyway, of DCF's perception and the ability for people to

access, which is what needs to occur if you're going to be involved in prevention.

People have to perceive you as being supportive and you know, nurturing and you know, almost maternal if you're going to be involved in the prevention arena.

And so I'm wondering how you folks are going to deal with your compatibility issue?

BRIAN MATTIELLO: I said earlier that I had sat through those hearings and it wasn't the first time, you know, that I've been exposed to some of those concerns.

One, there were really two major parties. One was those who experienced the child protection system and some of the concerns expressed.

And then there was a large contingency of individuals that were experiencing our voluntary services system in a way that was a bit disappointing to hear, you know, that we weren't meeting their needs because that is designed to be a bit more user friendly.

The, on the child protection side, I think the nature of what we do, and for many families it's not going to engender, you know, some good will in every case. And I'll remind members of this Committee that as far as authority of government goes, the only thing greater than having authority to remove children is perhaps the death penalty.

So we're engaged in something that's extraordinary, and there are some really bad things that happen to kids out there, and I'm glad we have an agency and a mandate that says the safety of children comes first.

When you get to those cases where it's not as easy, you know, so a scenario, you walk in, mom's got a needle out of her arm that's hitting her. The kids haven't eaten in two and a half days. While those are hard things to see, they're actually easier cases to make judgments on. We need to figure out the rule from that unsafe situation.

That's not the majority of our cases. Our other cases are, there's some deep-seated issues the family's struggling with. There might be a mental health issue associated with a child. It might be just, and not all poor people abuse their children but poverty that's really, you know, just taking a hold of that family in a way that they, all those stressors, and it results in some neglectful behavior with children.

The most cases that I think child welfare as a whole, and I'll just state it straight out, is a bit underdeveloped around. This is not unique to Connecticut DCF but we want to, we only care about Connecticut DCF and so do the people sitting in this room.

But I think it's a struggle nationally of how you move from those again, easier to judge cases of safety and making sure that we have all the authority that we need to keep kids safe, and feeling good about that theory.

And then when we get to those more complicated cases, how do we become a bit more engaging, and in fact, through a differential response, figuring out a way, an entirely different way from when that report comes to us and it's accepted, but there are some risk factors going on and we address that different. That's the bigger thinking.

On the day-to-day stuff, it's really my response to Senator Musto, because what I want to get to you is that those summary sheets, what are the family engagement initiatives within the Department? What are we currently investing in that's going to help us make a difference on this front?

And you can look through and say, this one I like, this one I don't. Or as a whole it's not a collection of enough. It's not moving fast enough and we all have those opinions.

But I want you to understand that there some important things going on, and that this is a direction, not just the exit plan tells us so, but that there is a different way to deal with these families.

I heard that at the hearings, and in particular I walked away on the voluntary services with wanting to understand that a bit further, and so there's some, I can't answer definitively that tomorrow or next week, you know, through these means we'll solve this problem, but I'm pleased with the direction we're going in terms of the measurement, and in terms of the initiative, and I would like you to know about that and then we can decide what's the gap between where we are and where we want to be.

REP. HOVEY: Thank you. And I think that probably for me, one of the easier components of your job, so to speak, to evaluate is the protection part versus the prevention part.

BRIAN MATTIELLO: Right.

REP. HOVEY: And I personally am very concerned about the voluntary intervention component because those are individuals who are being proactive versus your needing to be reactive.

BRIAN MATTIELLO: Yes.

REP. HOVEY: And so the perception of those people and their ability to access quality preventative programming, and especially in this environment where I believe the stressors are going to become phenomenal, not just on those individuals that we have traditionally considered higher risk, but also at groups that have never been at risk before.

So I think that the demand for voluntary preventative services and quality services is probably going to grow significantly.

So just putting that out there, I would like to move on to the fact group, the State Advisory Council, and just, I'm not really, I guess I'm not really understanding exactly how the system works and who are participants in the system.

I know that people are appointed to the Advisory Council, but the feedback that I've had is that those have absolutely a talk down issue also, that the Advisory Council, and that people who are say, lay persons who want to participate in those are feeling like they're wasting time and not really having much to contribute.

And so I'm wondering, and I will look forward to the follow up from your Department. I'm wondering, first of all I would like, I will explore who all of the chairs are and that piece of it myself.

But also, I personally have sat on a couple of advisory councils and considered expert in at least one area, and had my minority leader remove me because I wasn't really feeling like it was a worthy expense of my time.

And so if I'm feeling that way, and I'm not known for being shy, then I would call in to question the talk down nature of those advisory councils also and the need to really look at that. Thank you.

REP. URBAN: Thank you, Representative Hovey. Representative Thompson.

REP. THOMPSON: Good morning, Brian.

BRIAN MATTIELLO: Good morning.

REP. THOMPSON: Thank you very much for your testimony and for your frankness and your awareness of all the issues.

I do want to say that I will simply make a statement. There are some heavyweights. No offense to the one following me, but there are some people waiting to testify both from agencies and from the public who have been very patient for the last hour and a half.

So I'm looking at this report you submitted to us. Oh, first may I thank you very much for the book you gave to me and the study and I think you said you had copies for other members of the Committee, or did you?

BRIAN MATTIELLO: I'd be happy to do that, yes.

REP. THOMPSON: Okay. And I think that really throws a light on what we're coping with here. It was a study of child abuse throughout the industrialized world and I'm sad to say we live perhaps in the most violent society in that world.

And so when I first came to the Legislature, I had a meeting with Amy Wheaton and she's been

succeeded by a number of people since, but I went over there because I at one time in my life had represented employees in all of the institutions and in the different youth departments and so on.

And I can remember going to Long Lane School for Girls, the Meriden School for Boys, and these were the kids who had gotten in trouble and had to be institutionalized, and I can remember such things as going to a picnic at Long Lane School and the superintendent was a Miss Meacham, who was about 5'3" and weighed about 110 pounds, white hair, motherly type, who just controlled that institution and the people working behind the tables and so on with some of the girls who were residents there. It was just a different world, and it was something a little bit different over at the school for boys.

But it was a different population, different challenges, and so I went to Amy Wheaton and I said to her one day, I said, Commissioner, you testified before us and the statistical evidence that you presented to us, the number of kids in trouble, in serious trouble and so on, and the number of kids who have been abused and so on, just blows my mind.

And I didn't say it, but I was thinking of it, here's a woman who lost a leg to cancer, had just lost her husband and I said to her, how do you cope with all of this? And she said to me, to tell you the truth, there's one thing that keeps me going.

I know if a child, no matter how badly they've been treated, is loved by one person they have a hope. If they need a, it doesn't, it can be a father, a mother, a sister, an older brother,

a coach, a youth worker, whatever, that child has a chance.

And I kind of think that's still true, that somewhere in all of this, if we can relate to kids that way, and we put your Department I think in, as you and Representative Hovey discussed, we put you in a very difficult position because you're really dealing most of the time with kids who have been hurt or damaged, and it's a matter of putting the pieces back together.

So one of the Committee's findings is goals of the consolidated children's agency, leadership and advocacy for children versus an integrated service delivery have not been fulfilled.

I agree with that, and I think you have more or less said that you agree with it, but we're still learning. We're still responding.

And one of the recommendations, or one of their findings, children and families are best served by integrated individualized care delivered through community-based systems, and I think that's the key to the whole issue here.

The fault we find with DCF, the faults we find with a lot of things, we are doing more things in preschool, school readiness. Birth to Three is a model agency. They touch kids right from birth. They're dealing with families right from birth.

The Healthy Families Program under the Children's Trust Fund are dealing with families right from birth, and much of their programs beyond that recognize that. The Commission on Children recognizes that. Their focus is a lot different than what you're served.

So I think yes, there's a very important role for DCF and it should be part of that community system. But I wasn't kidding the Commissioner yesterday when I said to her, I think you ought to tell the Governor that you're not ready for this responsibility of integrating further and taking away much of what has been done in prevention than just simply shifting the money.

None of the people who built the system would go with it, so, and I think the book you gave me, and I hope you all could share it, will demonstrate that, that times are different in America right now and this economic situation will only make it worse.

But there is another way beyond results-based accounting. There is another way. There's a picture of what can be and we know that other countries, other societies are meeting these same challenges. Maybe not as great or as acute as we do, but when you have, you know, 47 million Americans without healthcare and many of them children, or most of them perhaps children.

Our infant mortality rates are off the chart in comparison to most of the other industrialized countries.

There is a way of working toward that, and we see it happening, and I think I would invite you to, and I know you guys work with the commissions and with the Trust Fund of exploring what they're doing, how they're doing it, and working closely how your services might be integrated with theirs, rather than theirs being swept up by yours, and we preserve what we have.

We had a child plan here some years ago. We had a meeting. We had the French-American

Foundation here. We had people from all over the country and one of the things they, I think one of the things they recommended, every community should have responsibility for their children.

And one of those communities that took that to heart was East Hartford. Not my district, but close enough. They have a community-based health center. They have a school-based health center. But when they came together as a community, they decided, what is the best thing we can do for our children, and that was to have a school-based health center because the kids didn't have access to dental care often or even to healthcare.

Well, they established that and they got it going. Now they have their own dental service right in the school. They really cover most of behavioral health but it's integrated with the community and they also work with a community-based hospital.

And it just seems to me to make a lot of sense. They have a youth service commission that's wonderful, and there's a law on the books that enables communities to, it's optional with the community, to create a community-based person, like we have the agent to the elderly. There would be an agent for the youth, who would, you know, report to the town council annually and give him an idea and do, you know, all that local feeling out and sounding out, what can we do to make things better for our kids.

So we are doing things to improve healthcare. We are doing things to improve children's readiness for school. We do have the Birth to Three, which is a national program, which works, and there are good things happening.

But you guys have, and I don't mean to make too much of this, you have the most difficult job, I think, in dealing with your, and you need more help rather than trying to absorb things that are already working.

You can coordinate with them and so on, so that's the end of my statement. I hope you'll take it in stride and work with us.

REP. URBAN: Thank you, Representative Thompson. And Brian, thank you for answering the questions and I would just like to say that any time I have had to deal with somebody at DCF and it's been you, you've done a tremendous job.

BRIAN MATTIELLO: Thank you.

REP. URBAN: And I thank you for the job that you are doing. You've been very responsive, and I also thank you for being in the hot seat this morning. I know it's not easy, but you do a terrific job, Brian, so thank you.

BRIAN MATTIELLO: You're very kind. Thank you.

REP. URBAN: We have gone over the one-hour limit for the public officials, so now we're going to go back and forth between the public themselves and the public officials.

We did have somebody cancel at the first, so I'm going to exercise the chairman's ability to indulge in this and ask that the first person be Kate Nicoll from Soul Friends.

KATE NICOLL: Good morning.

REP. URBAN: Good morning, Kate. Thank you for being here.

done, but there needs to be a comprehensive overview of that before any restructuring is put into place.

SEN. MUSTO: Thank you. Are there any other questions from members of the Committee? Thank you very much.

SARAH CHASSE: Thank you.

SEN. MUSTO: Our next speaker from the legislator agency list is Carolyn Signorelli. How did I do on that one? Better? Okay. Good afternoon.

CAROLYN SIGNORELLI: Good afternoon, Senator Musto, distinguished Committee members. Thank you for this opportunity to address you today.

My name is Carolyn Signorelli and I'm the Chief Child Protection Attorney for the State of Connecticut, and I've submitted testimony to you on all the bills that are on the agenda today, because they all affect the clients that my agency serves.

But instead of going through my testimony in the interest of time, I'd just like to address some of the sort of macro-concerns that are being raised by all of these bills and sort of being addressed by all of these bills, and address some of the questions that you have, that the Committee members have brought up today.

One of the things that was pointed out was that, one of the questions that's being asked is, where should prevention lie?

And I agree with Brian Mattiello that DCF has to be engaged in prevention, and the issue around prevention isn't whether DCF should have

all of prevention or whether some other agency should have all of prevention because prevention occurs across the board at every level of entry where somebody in need is interacting with state government.

So you know, for example, DSS engages in prevention when they help somebody find supportive housing. That's preventing homelessness.

Then we have DCF is engaging in prevention when they remove an abused child to prevent them from being further abused.

So I think the question that we're really grappling with is, how encompassing should DCF's mission be? Who are the people that DCF should be serving and focusing their prevention efforts upon?

I also agree with Brian Mattiello that, you know, prevention has to do more with a way of thinking and a way of approaching folks.

What I would like to submit to you when you're sort of thinking about these issues and about DCF's mission, and whether or not it's capable of achieving its mission. All of these bills are taking a look at that.

Is that DCF's primary mission is its protective mission, and I think a lot of folks would agree that having a protective mission and a sort of an early prevention mission interferes with what folks are talking about the disconnect.

Representative Jarmoc said you have these great policies in place. Your policy is to engage with relatives and families, yet there's this disconnect, and people come before the

Legislature and say the Department isn't meeting our needs, isn't serving us.

And what I would submit to you is that having this protective mission and attempting to engage with families who may be lower risk or who may be, you don't, can't substantiate neglect and abuse with, creates the disconnect because it's very difficult for families to engage with the agency that they know has the authority to severely intrude in their lives and remove their children.

So what I've sort of proposed throughout my comments on all these bills is that the differential response system, and what I've said in my comments on Senate Bill Number 878 is that I don't think you need a task force to look at that. I think that differential response system definitely needs to be implemented. I think July 1, 2009 is too soon. I am on the steering committee working on implementing that, and I think that a deadline should probably be set but July 1, 2009 is too soon.

But what I would submit is that DCF needs to recognize that a differential response system where they're trying to engage families on a voluntary basis should not really look like a DCF program in the community. That's part of the problem. That's part of the disconnect, is that many families don't want to engage voluntarily with the Department that they know can remove their children.

So, and I say this with all due respect to the efforts that the folks at DCF are making to engage prevention, but I think we need to look at which families DCF is primarily responsible for prevention with, and those families who can be identified by a differential response system

that are low risk and who could be served directly by the community should be served directly by the community, and DCF should really be more in a background, more supportive role.

And you know, just to sort of comment on the issue about family engagement and relatives and you know, being told that DCF is not following their policies, you know.

In defense of DCF, you know, the way the community and families see their decision is not, you know, they're often not going to be happy with the decision by DCF to say we are not going to place a child with you.

And that also brings into play DCF's protection role, you know. DCF always has to have in the back of their mind you know, is it really safe to put the child back into the family system, and they don't necessarily engage with the families in some of the ways that say a DRS model with family conferencing or family strengthening approach would.

Or, Brian Mattiello pointed out that the Department wants to do better in utilizing the family conferencing model, and the family conferencing model is a model where you know, these family members would sit down at the table with the Department and do some problem solving. But that's a collaborative effort, and if your mission is protection, sometimes it's very difficult to engage in that collaborative effort.

And the issue of trust goes both ways, because you know, some community members and families don't trust DCF because they're afraid they're going to remove their children.

But when I have conversations with folks in DCF about letting the community or allowing another agency who is already in the community and whose primary focus is prevention, to be the face of this program, you know, their reaction is well, we have to make those kids are safe first, and that DCF worker needs to be in that home and those sorts of things.

So DCF also doesn't necessarily trust the community providers or the family strengthening models to really address the needs of those lower risk children, and I think that it's time that when we take a look at these task forces and what these task forces are looking at to say, DCF, you really need to focus on protection, and you really need to focus on these higher risk families.

And yes, prevention has to be a part of that, but as far as prevention for lower risk families that may be facing issues of poverty or, you know, you may not necessarily be able to substantiate actual neglect or abuse yet.

The DRS model is a good way to shift those families from a child protection system, and engage them in problem solving and you know, addressing their needs before there's actual neglect or abuse or before a child has to be removed.

Are there any questions?

SEN. MUSTO: Thank you. I have a couple questions, and I understand you talked about a lot here about prevention, and DCF's role and other people's role, and I know it's sort of all jumbled up together.

But what I'd really like to do is try to separate it a little bit, so I'm going to ask

you to really focus on the question I ask because I've got three or four questions about DCF's role and other people's role in prevention. I'd like to see if we can kind of break some of the things out without aggregating them.

CAROLYN SIGNORELLI: Sure.

SEN. MUSTO: The first question is the potential for duplication if DCF and one or more other groups gets involved in prevention.

And what I'd like you to specifically address is, what would DCF's role be in prevention versus someone else's role and would you have to have one other or two other, or how do you see, how would you prevent duplication itself?

CAROLYN SIGNORELLI: Well, I think that the issue isn't duplication because you're talking about perhaps intervention at different stages in a family's life, and intervention based upon the issues or the severity of the risk that families are facing.

So let me try to give you an example of what I sort of envision with implementing the DRS model, which I think is an excellent way to start addressing some of these concerns about family engagement and prevention.

Right now I believe the model that DRS is proposing is that the DCF social, that this is going to be a DCF program primarily, and that the DCF social worker is going to be very involved with these families that have been identified by the Hotline as sufficiently low risk that DCF does not need to start an investigation on.

So the idea is, they will receive a differential response track, and that track will include being referred to community providers that are obligated as part of a contract requirement, to engage the family in a family conferencing model and problem solving.

Let's sit down and see why this family was brought to the attention of the Department, you know, why somebody made a Hotline referral. What are the issues that this family is facing, and how we as community providers and varied other resources for the family can come to the table to solve those problems, address those issues, sort of nip them in the bud, provide the family with supports, community supports or ways to solve their own problems so that hopefully they will never have another referral made on them and they will never come to DCF's attention.

So that's not a duplicative service. That's a service that's getting to that family early enough before DCF has to take greater measures such as doing an investigation, doing forensic evaluations of children, possibly filing a neglect petition or removing the child.

So the other issue is with a prevention agency that's primarily focused on what is termed primary prevention. That means let's try to help families who are at risk never come to DCF's attention.

Those type of programs need to be made available to all families that are identified in need of support or help or intervention. So for example, there are currently programs in the state that identify at risk mothers in the hospital or in clinics because you know, this is their first pregnancy and perhaps they have mental health issues, or perhaps they struggle

with substance abuse issues or perhaps they're struggling with housing, you know, just issues that might affect their ability to support and properly care for a child.

And that sort of primary prevention is addressing a risk, but it's not a child protection prevention. It's a pure prevention. It's trying to make sure that that family starts addressing the child's needs and meeting a child's needs and raising healthy children right off the bat.

And those programs would not be duplicative. They should be provided. The hope is that they prevent a child ever coming to DCF's attention. But if a child eventually does, you know, if for some reason that program fails, and if a child does come to DCF's attention it's not duplication. It's DCF interceding at a new sort of risk, a continuum of risk that families might deteriorate to or arrive to that DCF then comes in and provides services.

SEN. MUSTO: Wouldn't that in some ways, though, it seems to me, I don't know, but I'd like a comment on this.

But wouldn't that in some ways mean that people would sort of view DCF in general as completely adverse. I mean, that there would be no chance that once you're involved in DCF it would just be a completely adverse relationship.

Because if what you're doing is saying, we're going to put all the nice parts as it were of DCF prevention, take them out of DCF, that once DCF does sort of come knocking on the door, somebody gets referred to DCF, that it would really at that point be completely adverse. There would be no view on the family part that people would be able to actually work with DCF

but at that point DCF would be just completely adverse to them.

CAROLYN SIGNORELLI: Well, I disagree that that's the way it would have to be, and I think that Brian Mattiello pointed out that prevention is more a way of thinking. It's not necessarily where or when something's happened, it's how interventions are conducted.

So there's, even if we were to take primary prevention out of DCF, which it really isn't there now in any event, and I don't think it should be put there, but this issue of family engagement, you know, to my mind if DCF did make a more concerted effort to follow its own policy regarding conducting family conferencing meetings early on in every case that comes to their attention, that they decide the allegations are at high enough risk that they need to investigate, that perhaps the family would see them as a more benign intervention and would be able to work better with them.

I don't, I think it really has to do with more how you engage the family and the issue becomes, which families are you engaging and which families are you identifying that DCF needs to engage with and provide services to, versus which families can receive a differential response and be, you know, placed in the hands of the community or community provider that has a contract with the fee agencies.

SEN. MUSTO: So who makes the second, who makes that decision? Once we get a family at risk in some way, there's been some referral, or even if it's just you identify some risk factors and try to get in early, which I think probably we can all agree would be the ideal world, but if

possible, or to what extent it's possible is a different question.

But who makes the secondary determination as to okay, this has now gone to the next level. We need to get a more interventionalist response?

CAROLYN SIGNORELLI: Well, DCF has their Hotline, and the DCF workers that man the Hotline, they have to assess the allegations that are made to them for risk level, and what the level of risk is that those allegations support.

So it would be the DCF Hotline worker that's making, and probably in consultation with the supervisor there, or perhaps even a program supervisor, that's making the determination of which track the case can go on.

Is it going to go to differential response, or are we going to refer it to an investigation, or in some instances they decide not to accept the referral because the allegations are not sufficient to support a finding of neglect at all.

So that's where the initial decision for the track, which track the family is going on, is made. But once it's determined that it goes to the investigations track, there's no reason that at that stage the Department can't engage in intervention that the families perceive is more helpful.

But we're never going to be, you know, as long as DCF is the agency that has the authority to do removals of children when the risk is high enough, you know, I don't think that you're ever going to necessarily be able to get every family to see their intervention as benign and helpful.

And a large part of that, if you know how the investigation social worker intervenes with that family, reacts, you know, interacts with that family, that's a large piece of it.

But you know, investigation workers always have in the back of their minds, safety first and that's as it should be. You know, I'm not arguing that it shouldn't be that way. That's why we need child protection, and that's why DCF was initially created.

So you know, there are families that do successfully engage with DCF even after the children have been removed. It's not really all black and white, but I think that if we want to, if the state wants to start engaging in earlier lower risk levels to truly prevent families from deteriorating into crisis, that it would be important to not have the child protection agency be the agency that's engaging at that stage.

SEN. MUSTO: Okay. Thank you. The second sort of question I had is, is there, and I guess unfortunately I'm going to have aggregate a little bit because it seems like this is part of the first one as well.

If you have an agency in general or any group that has experience at later levels in the proceeding, once there's a removal, once there's reunification issues, once there's treatment, that sees the end result, how does that information get back to the beginning, to the prevention to know what things to focus on if you end up taking the prevention out to a certain extent from that organization?

If that was not clear, please let me know because I know it's a little bit complicated.

CAROLYN SIGNORELLI: Yeah, and you know, there's so much here and all the issues are so complicated, it's really sort of hard to cover everything, and you know, the reality, I'm not proposing that DCF should have nothing to do with DRS, because I think that the reality is, is that all the agencies that are involved in providing the various types of services that families present in needing, need to be collaborated in the system.

So, you know, for example, you know, if a family is put on the DRS track, they may need the Department of Mental Health and Addiction Services. They may need housing services.

So I think that the reality is that it's still, it's a state intervention, but the issue is, you know, which state agency is going to be more directly involved with engaging the family, and I think that once they're, I believe that DCF plans on continuing to track, whether they've, when they receive a referral, whether they've accepted the referral and whether it's been placed onto the differential response track.

So if that family were to come back at a later time with a new referral and the presumption being perhaps differential response was that this family did not work, did not resolve the problems, I believe that DCF would still have that information in their records, that there was a referral and the family did receive a differential response.

So they would be able to track back and say, we tried to intervene. DCF typically in their investigations, if it comes to their attention that a parent has received prior substance treatment, they ask a parent to sign a release.

So you know, that in this situation the investigations worker would probably say, you know, please sign a release for the community service providers that you received services from through differential response, so that at that point the Department can begin to get the whole picture of the family and what the family's needs are and what the nature of, if the intervention needs to be at that point.

SEN. MUSTO: Thank you. Are there other questions? Yes, Representative Thompson.

REP. THOMPSON: I think what you were describing was a healthcare model of a kid who breaks his arm. He's immediately taken into the hospital where he's going to be seen and his needs addressed and repaired. At that point there may be a, you know, determining how that break happened, there will be a determination whether to bring in DCF or so on.

But at that point coming through that system, DCF would be looked upon as a support, making sure if there is some question, making sure that the child is safe from that point forward. Am I following you correctly?

They have a different role, but it can be constructed so that the role is supportive and interpreted by the public as supportive.

CAROLYN SIGNORELLI: Well, I mean, the reality is that when DCF gets called by hospitals because of a break in the arm, that's because typically the hospital or somebody at the hospital made a determination that that break may not have been accidental.

REP. THOMPSON: Right.

CAROLYN SIGNORELLI: So that's going to be, you know, your (inaudible) at the child protection investigation, and depending upon how the investigative worker engages with that family, and what information they begin to discover about how that break occurred, that's what's going to determine what the need for intervention is.

REP. THOMPSON: Okay. But if in the public eye it can be construed as being helpful and supportive, the role of DCF on a community basis, I would think a police officer might be called in as well, and that's a community person.

My thought is that for a basic model the healthcare system, which in some of the programs, you mentioned one from the Children's Trust Fund program, what is it, Nurturing Connecticut? And that's a good model. People are reassured and so on.

My problem with all of this is when, if we go back six years to 2003, we had a program, a number of programs that affected this population, which was badly damaged by reduction of funding.

One of them was Birth to Three. Children, they changed some of the eligibility standards for children getting into that system, and I think in all due respect to the Legislature, they made a big mistake by increasing, you know, the level of birth weight and so on, and so many kids were denied services.

Our neighbors in Massachusetts and Rhode Island were going the other way. We were going up, and as a result the number of children did not get into that program until sometime later, and the, it's been well documented that a child who

receives that care from birth, the kind of care they were denied, will be 50 percent less likely to need special education.

That's now up to 65 percent, so it was almost a no brainer, but I think in the stress, and it was like the situation we're in now. People thought, well, we'll just cut a little here and a little there and the consequences were long range, was very expense to the community, but even more expensive to the child and to the family.

I don't know how you can do that any other way than having a community based system that works with the state agencies and the state providers and with the local police, the local youth groups, the local education groups and so on and so forth, are all involved in looking at the children.

And I would suggest that we have models around the world, and certainly I think the French childcare system is you know, superior to ours because there is that involvement right from day one, involving both the healthcare, the education and so on.

So if you can answer that question, how do we get the community so well informed about the good things that DCF can be doing, the good things that other agencies are doing probably the good things you're doing.

CAROLYN SIGNORELLI: Well, you know, I mean, I think that question was, you know, posed earlier about being able to articulate the positive and you know, the reality is that the folks who have been satisfied by DCF intervention, they don't call their legislators and they don't come up to public hearings to testify.

But you know, I did spend nine years representing DCF in the courts, and they do do some tremendous work, and they do prevent children from being further damaged, and they do get children back to healthier families and that goes on all the time. And you know, those aren't necessarily the things that you hear about up here at the Legislature, and that's a little unfortunate.

Because what happens is, as a result of hearing only the bad stories, you start looking at making sweeping changes in the opposite direction, you know, when the issue is how to better carry out, you know, existing policies and things like that.

And you know, I think that we have a lot of families in Connecticut that need early intervention, and I agree with you that, you know, cutting Birth to Three and eligibility for Birth to Three, you know, is not the way to go.

We're talking a lot about focusing more on prevention, and I think one of the last bills on the agenda, House Bill Number 6411 talks about taking some more concrete measures to actually achieving what the Governor set out to achieve, and this Legislature set out to achieve when it talked about transitioning 10 percent of all social service states agencies' budgets to prevention.

And if, I mean, if we were to actually accomplish that, you know, when you think about the budgets of DSS and DCF and Corrections and all those agencies, when you think about what we could accomplish with early intervention and how much we could truly prevent, it's pretty staggering.

And I think that this combination of bills that are before you today, if they can be consolidated in a way where we're really looking at, how do we create that shift to prevention where the state is able to successfully engage the families early on and make sure that their children's needs are being met early on, we're going to see, you know, resolution of a lot of problems, including, you know, school readiness and future incidents of neglect and abuse, you know, future incidents of juvenile delinquency cases and things like that.

So hopefully, this is a great start, what's going on with these bills of making that transition, and one of the other things that I commented in my written testimony is that several of the task forces that are being proposed, some of what they're looking at overlap to a certain extent for, you know, if you make a certain decision on leadership issues, it's going to have an effect on organizational and structural issues.

Or if you make a decision about where, which agency should be the face of DRS or should be handling DRS or doing the quality assurance, that's going to affect issues of the leadership organization and the structure of the Department as well.

So I think that they really need to be looked at in concert and although some, each task force is very specific, there's definitely overlap and it would probably make more sense for there to be sort of an overriding task force or maybe just to see back in Program Review so there isn't this duplication because I think this is a great opportunity to enable DCF to focus its mission on protection and preventing further neglect or further abuse, or

helping children who are already experiencing the problems of neglect.

That's a huge mission in and of itself, or just appropriately caring for the children that they have in their custody. That's also a huge mission, and I think that this is an opportunity to enable DCF to focus on that, and for other state agencies to have more experience and a proven track record with actual prevention and preventing neglect and abuse to begin to be more involved in the shift to greater prevention efforts by the state overall.

REP. THOMPSON: Thank you very much. I agree with you.

CAROLYN SIGNORELLI: Thank you.

SEN. MUSTO: Are there any other questions from members of the Committee? Representative Hovey.

REP. HOVEY: Thank you. Hi, Carolyn.

CAROLYN SIGNORELLI: Hello.

REP. HOVEY: So, Carolyn, when we're trying to sum up all of the conversations and we've had quite a few conversations about many and varied issues with regard to children, would it be safe to say that the differential around prevention is voluntary prevention versus prevention and protection, and that if we divided, just divided that out, that that would make the differential between DCF, DCF involvement and private public provider involvement?

CAROLYN SIGNORELLI: I would agree with that, and I think I spelled that out a little more

articulately in my testimony because just the idea behind differential response is that those families are going to engage voluntarily.

REP. HOVEY: Okay.

CAROLYN SIGNORELLI: And voluntary services, as you said earlier, families are being proactive in seeking help, so it's really not necessarily a child protective case of a family voluntarily willing to try to solve their own problems and address their children's needs, and I think that that is a logical place to sort of make the differential.

SEN. MUSTO: Any other questions? Thank you very much.

CAROLYN SIGNORELLI: Thank you.

SEN. MUSTO: There's a, we'll go back to a member of the public. It looks like Tamara Kramer. Did I get that one right?

TAMARA KRAMER: Kind of.

SEN. MUSTO: Close enough?

TAMARA KRAMER: It's actually pronounced Tamara, but.

SEN. MUSTO: Tamara.

TAMARA KRAMER: I think my parents might have mispronounced it when they chose that name, so I don't blame anyone who says it incorrect.

SEN. MUSTO: Puts them in good company.

TAMARA KRAMER: They'd be so proud that I come in public. Good afternoon, Senator Musto, Representative Urban, not here right now, and

distinguished members of the Select Committee on Children.

My name is Tamara Kramer, and I'm a Policy Fellow testifying on behalf of Connecticut Voices for Children, a research-based public education advocacy organization that works statewide to promote the well being of Connecticut's children, families and youth.

I'm here today concerning five different bills, so I'll keep my comments short on each. We support with revisions, which we have filled out in detail in our written testimony, which I hope you have before you, the following proposed legislation.

Senate Bill Number 877 An Act Implementing The Recommendations Of The Program Review and Investigations Committee Concerning The Department Of Children And Families, Senate Bill Number 878 An Act Concerning The Prevention Role Of The Department of Children And Families, House Bill Number 5915 An Act Concerning "Stuck Kids", House Bill Number 6419 An Act Concerning Transparency And Accountability Of The Department of Children And Families, and House Bill Number 6420 An Act Concerning A Leadership Audit Of The Department Of Children And Families.

Regarding the recommendations of the PRI report, Voices strongly supports their adoption. As the Committee report finds, *Juan F.* litigation has done much to increase the resources available to DCF.

However, it also notes that the court monitoring is an expensive and time-consuming endeavor. DCF must further enhance its internal processes for ensuring high quality care, and not only for children in the foster

progress report can be given to the General Assembly.

HB 5915

On the Stuck Kids legislation, we strongly support this legislation with a request that this report on the number of out of state runaway and homeless youth be required to be made public through publication on the Department's website, provided that any personally identifiable information about DCF involved children and families be redacted.

HB 6419

Regarding the transparency and the accountability of the Department, our recommendation is to implement these proposals immediately as many of the ideas in this legislation were pulled directly from the 2007 PRI Committee report, as well as the court reports coming from the court monitor on *Juan F.*

We feel that a creation of a task force once again would be unnecessary and instead would put a hold on these important measures that can improve the performance of the Agency.

HB 6420

And regarding the leadership audit of the Department, we know that despite our best efforts it's entirely impossible to ensure the best possible outcomes for children through legislation and implementation and accountability are just as, if not more important.

We support a leadership audit that would take a look at the multiple layers of management within the Agency and ensure that those who are employed in the various positions have the skills to match their job descriptions.

It would make good sense that an employer working with you with specialized mental health

needs be educated in a way that provides them with the correct level of expertise.

We believe this leadership audit should also look at areas where there is too much management and bureaucracy, which is bogging down the system and potentially preventing the Agency from fully meeting its mandate to protect kids.

And I want to thank you for this opportunity to testify. I apologize for speaking so quickly.

SEN. MUSTO: Yeah, that was good. You're going to be in politics soon if you can keep that up.

I do want to reiterate for those of you who may not have heard it, we did talk in the beginning that the task force recommendations, we are going to be looking at those and where there's a task force whether we're going to be taking some of those recommendations and implementing them directly.

So there were some discussions about that. I want to make that clear again.

From what I could gather from, you seem like you're supporting the Stuck Kids, the transparency and accounting and the leadership audit.

HB5915
HB6419
HB6420

TAMARA KRAMER: That's correct.

SEN. MUSTO: Those are all three clear supports.

TAMARA KRAMER: Yes.

SB877

SEN. MUSTO: The first one you're supporting with your one, excuse me, one exception.

There's going to be other places where we actually can immediately innovate and make ourselves eligible and I'll get that to you.

REP. MUSHINSKY: Thank you. Appreciate it.

ELAINE ZIMMERMAN: Sure.

SEN. MUSTO: Any other questions from members of the Committee? Thank you very much.

ELAINE ZIMMERMAN: Thank you.

SEN. MUSTO: Representative Urban.

REP. URBAN: Thank you. I just wanted to point out to members of the Committee, earlier we had talked about the DCF the PRI, Program Review and Investigation Report on DCF and you now have it in RBA terms, so they have taken the report and they have put it into terms of performance standards, indicators, how much did we do, how well did we do it, and is anybody better off?

So that report has now been distilled down to three pages, so I just want you to know you now have it. Thank you.

SEN. MUSTO: Returning to the public hearing sign up sheet, Sarah Eagan. Is Sarah Eagan in the room? Good afternoon, Miss Eagan.

SARAH EAGAN: Good afternoon. I want to thank the Committee for holding this hearing and allowing me to testify. My name is Sarah Eagan. I'm a lawyer and I direct the Child Abuse Project at the Center for Children's Advocacy and I'm here to cram as much as I can about three different bills into my three minutes of public testimony, which is House Bill Number 6419, the transparency and accountability bill, Senate

HB5915

HB5916

Bill Number 878, which is the prevention bill and the Stuck Kids bill is the third bill. It's right on one side.

And first of all, even, and I appreciate Senator Musto underscoring this point throughout the duration of today's hearing about the fact that the transparency and accountability bill as well as the prevention voluntary services bill, Senate Bill Number 878, both call for the creation of a task force before implementing an action step.

And I wanted to follow up on Senator Musto's emphasis on the fact that task forces may, are not needed to implement a lot of these action steps.

And pointing to my testimony, I wanted to alert the Committee to the fact that there have been at DCF itself in the last several years has undertaken at least 15 internal evaluations and monitoring projects just since 2002, that the legislative PRI Committee issued a report just in the last year and a half with 37 recommendations that have still yet not been legislatively implemented, that between the Office of the Child Advocate, the office of the Attorney General, as many as 10 DCF advisory groups and close to 20 Juan F. court monitor quarterly reports, these organizations, task forces and evaluations have all exhaustively studied the operations of the Department of Children and Families, and issued numerous recommendations, many of which are found in the bills that are on the docket for today.

So I just wanted to highlight that perspective for the Committee, and going back about a month or two, my office also wanted to underscore that the Human Services Committee and the Children's Committee held four days of

investigative hearings into the operations of the Department of Children and Families.

Heard from advocates, heard from DCF personnel and then heard from, I think, about 100 members of the public on the final day about their feelings about really transparency, accountability and results at the Department of Children and Families, and the response from the Legislators was very welcoming to those comments, and again and again, as the same, as is true today, Legislators are asking for, what are the action steps that we can take to address some of these transparency, accountability and results issues at the Department.

And so going to the bills that are on the docket for today, taking away the task force part and just looking at what are some of the action steps suggested, I wanted to emphasize a couple of very specific suggestions.

One of them is a suggestion to incorporate a pilot project to study the combination of the treatment planning process which occurs over here at DCF with a court based, that's my three minutes, thank you, with a court based case status conference, both of which mirror each other but are held separately.

We would urge a pilot project to combine those two processes, to make treatment planning more accountable, to bring in more parties into that process and to make it more effective.

HB 6419

Secondly, very quickly, the bill, the transparency and accountability bill includes numerous reporting requirements asking that DCF report on aggregate treatment planning data to the Legislature.

It also requires action steps mandating specific training and experience for specialized workers at the Department of Children and Families.

It also requires, would require DCF to submit to the court in its permanency plan social studies and a status report, key information about what's happening with a child and his family.

That particular portion of the bill is modeled after a working bill in other states that requires the child welfare agency to tell the court at regular intervals, these are the things we're providing, this is how well it's working, this is the ramification timetable, this is the visitation schedule the parent and child has, these are the services that are in place, this is how things are going.

Right now, DCF already submits studies to the court, but they may or may not contain that information. So a lot of these actions have, including the action step in Senate Bill Number 878, which calls for the implementation of DRS by a time certain, are things that have already been studied, that are already operational, and many of which would require little cost to get started or no cost to implement, which of course is a major concern to the Legislature and to the constituents at this time.

But we believe that all three of the bills, except kids' bill, Senate Bill Number 878, and the transparency and accountability bill contain numerous action steps that can be implemented immediately to benefit children and families.

I'm sorry I took so long.

SEN. MUSTO: No, that's fine. This is the Center for Children's Advocacy, correct?

SARAH EAGAN: Yes.

SEN. MUSTO: Okay. The only, did you submit, I have some written testimony here on House Bill Number 5915. Did you submit anything else?

SARAH EAGAN: Yes. I've also submitted testimony on House Bill Number 6419 as well as Senate Bill Number 878.

SEN. MUSTO: Okay. So three different ones? Okay. Could you, again, could you tell us a little bit about the Center itself, the history and what, who comprises it, et cetera.

SARAH EAGAN: The Center for Children's Advocacy is a nonprofit legal organization affiliated with the University of Connecticut School of Law. We were created about ten years ago. We're in our 11th year. We are currently comprised of nine lawyers and multiple supportive staff, and we are broken up into numerous projects, all of which, all of the attorneys in our office represent children and youth of all different ages on a multitude of issues ranging from child protection, juvenile justice related work, special education related work, and medical housing and other property related issues.

The Center does its work through three major categories. One, legislative advocacy. Two, general policy work, training and also litigation.

SEN. MUSTO: Thank you. Are there any questions from members of the Committee? Representative Urban.

JOINT
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SEN. MUSTO: Next on the legislators and agency heads, Jeanne Milstein. Good afternoon, Miss Milstein.

JEANNE MILSTEIN: Good afternoon, Senator.

SEN. MUSTO: I would also like to thank everyone who remains here for their patience with us. I know this is a long day with a lot of testimony. It is very valuable to those of us who are legislators who are trying to make decisions about these things, to hear from everyone, so I appreciate your staying around to give us your opinion, and certainly the agency folks who do have some particularized knowledge and experience regarding these things. Thank you very much.

JEANNE MILSTEIN: Thank you very much, Senator Musto. Good afternoon, members of the Select Committee on Children. My name is Jeanne Milstein. I'm the Child Advocate for the State of Connecticut.

I've prepared some written testimony on two bills, and unfortunately there's two more bills I support, but because I'm computer challenged somehow they didn't make it into the written testimony, so I will get that additional testimony to you.

But what you do have, my testimony in support of Raised House Bill Number 6420 An Act Concerning A Leadership Audit Of The Department Of Children And Families, and also House Bill Number 6419, which is regarding transparency and accountability of the Department of Children and Families, which I support in part and oppose in part.

The two pieces of testimony that didn't make it to this particular document are Senate Bill SB877 SB879

like to work with all of you to accomplish that.

I'm going to stop. Again, my written testimony goes through other bills and we'll get you the testimony that didn't make it to this document today, and I want to thank you and would be happy to answer any questions.

SEN. MUSTO: Thank you very much for coming in. There were, one thing I'd like you to go over a little bit is, you have Raised House Bill Number 6419. You were extremely opposed, strongly opposed, to Section 1(a)(1)(F) which would permit as a pilot program, some opening of child juvenile cases to the public on a trial basis, with of course, the option of the judge to close them under certain circumstances.

Could you just sort of address that, and you didn't, we have your written testimony, but it might be--

JEANNE MILSTEIN: Sure.

SEN. MUSTO: --it might be helpful to sort of hear kind of what's on the top of your head.

JEANNE MILSTEIN: I'd be happy to, and I'd also, Christina Ghio is here, who is our Legislative Coordinator and attorney who has even more detail about this. But we really believe that the risk outweighs the benefits of having an open court because, Christina, would you like to come up and testify.

Would it be okay if Christina comes and testifies, because she's had some experience with that?

SEN. MUSTO: Christina, for the record, if you could for the Clerk's benefit spell your name, and tell them where you're from?

HB 6419

CHRISTINA GHIO: I'd be happy to. Sure. Christina Ghio, G-h-i-o is my last name, and I'm a Legislative and Administrative Advisor for the office.

You asked about the provision of the bill that allows juvenile court proceedings to be open and you mentioned the provision that would allow the court to exclude people at certain times.

Really, there are a couple of concerns. I think the first issue is that there really is no evidence out there that suggests that having a proceeding open, in fact, increases the accountability or improves the functioning of the system in any way.

And there are a couple of studies that have been done that are often cited, one in Minnesota and one in Arizona. But in fact, the methodology with regard to that study has been challenged, and some of the findings of that study have been challenged.

One of the parts of the study that has not been challenged is the part that talks about the fact that there really was no indication that it increased accountability. There was no indication that it improved services in any way.

The part of that study that was challenged is the part that looks at whether or not there was a potential for harm to children. It's often cited, the Minnesota study in particular is often cited as evidence that there is no harm to children, but in fact that the methodology

behind that piece of the study has been looked at and scrutinized, and in fact the court in California recently found that it was significantly flawed, and as a result did not open proceedings.

So that's the first concern, is that there's really no evidence that an improved services or accountability and a significant concern that there is a potential for harm to children.

I don't know if that answers your question or if you have additional questions.

HB6420

SEN. MUSTO: No, I just wanted your reason, so if that's your reason, that's fine. When, there were a few things it seemed like you were most focused on the management audit, and again, I mean, you raised the question yourself and I think other people are probably thinking the same thing although we did hear from some of the prior testimony I know you were here for, you know.

Why do we need sort of yet another one, or is there something particular that we're looking for this time and you might want us to focus on when we write this bill that says we want the audit to focus on this, for this purpose.

JEANNE MILSTEIN: What makes this audit different than the other studies is that it really does look at, do we have the right people with the right skills in the right position? It looks at the leadership and the functioning of the Agency.

The other studies to date have really looked at the structure of the Agency. This gets down to the core of, what does good leadership look like? Going back to Senator Boucher's point,

the resources to do the community-support systems.

REP. HAMM: Okay. I think I know where you're going.

ELIZABETH BROWN: Thank you.

SEN. MUSTO: Thank you very much. I think one thing's clear from all of this. We've got some work to do.

ELIZABETH BROWN: Well, we're going to do it.

SEN. MUSTO: Thanks for your time. Cheryl Martone. Good afternoon, Miss Martone. Miss Martone, did you submit any written testimony?

CHERYL MARTONE: No, I did not, yet.

SEN. MUSTO: Okay, thank you.

CHERYL MARTONE: My name is Cheryl Martone.

SEN. MUSTO: Martone. Excuse me.

CHERYL MARTONE: That's okay. In the Human Services they were calling me Cheryl Martin.

SEN. MUSTO: I will, I'll blame my mispronunciation on your penmanship, but, thank you.

CHERYL MARTONE: Okay. Sorry about that. Good afternoon, Senator Musto and Representative, is it Urban, and the Committee and the panel and the Select Committee on Children.

I'm a parent of DCF. I have a child that was taken away from me, I feel illegally, and I'm here to talk about Senate Bill Number 879 and House Bill Number 6419, and I've recently,

because I've been coming to all the hearings, and I'm speaking out for parents.

And I've met a lot of parents and I've started the Parents Investigation Group, parents of DCF that have been falsely accused and wronged by DCF, and this is my email, ctparents@gmail.com that people can get, other parents can get in touch with me and I'm organizing because my mom just recently passed away in January, and I'm kind of carrying on a legacy for her because she was a private investigator.

So I feel that the investigators at DCF do not do their job properly. I say that from meeting a lot of other parents. Our children, and I wrote this on the investigation of abuse by DCF and it's on a blog, and our children are being held hostage by the State of Connecticut.

My child, I feel, is a prisoner of war. I made a poster, because he was taken illegally in a three-day trial, which they closed off on two days and the judge, Bayer, made a bad decision in my case, my child's case because my child did nothing wrong. I did nothing wrong to my child but they're still trying to say that I educationally neglected my child.

And I find from other parents, too, when they take their children, they're very appalled by what is happening.

And I'd say from about from most of the parents that I've talked to, about 70 percent of children that are taken into DCF's custody do not need to be there.

I know there's cases of people or parents that probably, but I haven't met any, and I don't know of any, that abuse or neglect their children, and I feel that DCF has been given,

the Department of Children and Families has been given too much money and they're too wise and they're too thrifty, they're over-spending and it's just a money-making racket gain.

We're supposed to, my child is a prisoner of war. The Department wages a war on you when you try to speak up about your family's legal rights.

You're supposed to protect your children, and they look up to you for this protection. And if we as parents do not protect our children no one else will.

And I feel that DCF has begrudged me and hurt me so much that they have not allowed me to protect my child from them. I feel my child is unsafe from the DCF.

Our relatives and good friends will also try to stand by us but the DCF and the system will only cut them out and down, too.

State-ordered therapy is a violation of our constitutional rights and due process. Judges make decisions based on the case presented to them by DCF, AAGs and attorneys for the families. DCF makes up a social study and that's what the judge mostly bases his decisions on in the hearings.

I have a little bit more to say. Is that okay?

SEN. MUSTO: Do you think you can wrap it up in maybe a minute.

CHERYL MARTONE: Yeah, a couple minutes. The social study that's presented to the court--

SEN. MUSTO: Ma'am, we do have other people to speak, so if you could just sort of finish up that would be great. Thank you.

CHERYL MARTONE: I just want to say that the social studies that the judges based their decisions on, I looked at my social study and it's mostly false.

I saw on, they wrote up about my child the false material, utter garbage and a disgrace of a piece of paper. I say DCF and the system is not the law. The Constitution of the United States of America is the law, and that, my fellow citizens is American, is the reality here.

We need to gather as a group, parents who have been falsely accused and wronged as we must unite to have secret meetings like DCF does and make decisions based on DCF's track record about them and force the law on them.

I feel that they've, they let my child be in a residential home. My child did nothing wrong to anyone, but he got beat up twice in the residential home, and I see they have a booth downstairs, too. The Waterford Country School is where my child was at, and I was interviewed by Channel 3 today, and I'm going to be on the 5:30 news, too.

I just want to say that to prevent the state spending a lot of money, and I know they're in a budget crisis and they're trying to save money. I think, I'm talking about preventative maintenance here.

Once they get a report to the DCF Hotline, they act upon it. They react. They don't act properly, and that was my motto last week for parents. Act, do not react.

But DCF reacts on you like you're, like you're a ravaging animal and I don't agree with the part about the animal thing because my child is allergic to cats and dogs. So they need to look into that, too, because if they tried any animal kind of treatment on my child and they didn't ask them if he allergies, this is what I'm saying.

They don't, they need to sit down with parents and do preventative measures instead of just barging in, breaking people's doors down, having police beat up families and killing children, too.

I met with a parent last night, her daughter died at the hands of DCF because her child was drugged by DCF. They think they're doctors and they are not.

SEN. MUSTO: Thank you, ma'am.

CHERYL MARTONE: I have a lot more to say but I will submit written testimony about all these issues with DCF.

SEN. MUSTO: Thank you, ma'am. Are there any questions from members of the Committee? Okay, thank you very much for coming in, and thank you again for waiting through. It's been a long day for all of us.

CHERYL MARTONE: I do have what needs to be changed by DCF. I will--

SEN. MUSTO: Again, you can submit written testimony. I believe you have ten days, is that correct, to submit written testimony? Three days. Excuse me.

CHERYL MARTONE: Three days.

SEN. MUSTO: So if you would like to submit written testimony in the next few days that would be great.

CHERYL MARTONE: Appreciate it, because I'm really big on family preservation and they do not try to preserve families. Thank you.

SEN. MUSTO: Thank you. Again, I apologize for my inability to pronounce anybody's name. John DiBiase. Good afternoon, Sir. Again, did you submit any written testimony?

JOHN DIBIASE: Yes, I did.

SEN. MUSTO: Okay, thank you.

JOHN DIBIASE: Senator Musto, Representative Hovey, you're back again, Senator Boucher, Representative Urban, Diana Urban, Karen, Representative Karen Jarmoc and Gail Hamm and Mary Mushinsky from Wallingford. Hi, there. Glad to see you all here.

I'm a graduate of the PLT from Meriden, and also just finished a course with the (inaudible) dealing with the children's mental health and I took the course there at the church there in Hartford.

I don't know if you all know (inaudible) but he helped me to get into that program and I'm now working with the citizens' committee with (inaudible) organization regarding DCF.

I'm here today to ask for your support for House Bill Number 6419 and also Representative Ayala's bill, Proposed House Bill Number 5692 An Act Requiring The Department Of Children And Families To Notify Non-custodial Parents Of Certain Abuse And Neglect Investigations.

I've been a non-custodial parent for the last ten years and we have a lot of problems dealing with systems, whether it's the police department, DCF, the courts. The courts are still, I was just in court Monday, and now the courts want to take away the only two overnights I have with my son.

He's got mental health issues. He's got anger issues. His self-esteem issues, and that's due in part because of the way he was raised by his mother and the abuses that he's had to live with for the last ten years.

I've been working with a child abuse organization called (inaudible) USA and the organization there in Ohio. It's a center for effective discipline.

I've got a blog spot for my own organization, Parents Against Spanking and I'll just put a plug in for that.

I'm not a child abuser, although I've been accused of that by, particularly my stepsons. There was a case in Meriden where DCF, we were having a family dispute. It was kind of a cultural thing with my stepsons and my wife at the time. She was from Cambodia, so, and my son was there visiting and we got into an argument and the police ended up ended up getting involved.

I go back to this. My stepsons were having anger problems with each other. One brother, one day he threw a heavy stapler at the other brother in my presence, and he could have got hurt. So I went to their school psychologist and asked for help and intervention and the child's mother wouldn't allow me to get the assistance from the school.

The mother told police that I didn't have something about her, if I didn't do something about her two sons that she was going to leave me, and in fact she lied to the police. She had intended to leave when her kids had arrived from Cambodia. They arrived in February of 2006 and then this incident happened on April 2, and then after--

SEN. MUSTO: Sir, excuse me. I'm sorry. If you could just wrap up.

JOHN DIBIASE: DCF kicked my door in. There was no children in the house. The two children who I, by the way, when they first arrived here I was involved with their life, with their schooling. I helped them to get, I took them to the medical appointments, helped them get enrolled in school.

I had a good relationship with the children until this incident happened in the bathroom with the mother and the younger son, and then DCF took my wife in and the two kids and took them and put them up in a hotel. My wife had $3,000 in the bank. There was no reason for DCF to even have to put her anywhere, and she had friends she could have went with, but she used DCF.

My son had been sexually molested by her two teen-age sons. He was, I guess nine years old at the time, I believe. It was reported to Meriden Women and Families, the family center there. There's a child abuse agency there. It was reported to the police. The police said they were going to investigate the sexual abuse. That never happened.

The kids and the mother ended up moving to New Haven where her job is and now they're free to

molest other kids if they want because the system didn't follow through. The police didn't follow through. DCF didn't follow through.

The police tried to have me arrested for abandoning my kids. I didn't want those kids coming back into my house. The mother had threatened me. She had thrown a kettle of hot boiling water at me because she was angry about the incident with her sons and her in the bathroom. Also, she was threatening with her (inaudible) so I went, I took my gun, went into the back room and then waited for the police to come.

SEN. MUSTO: Sir, excuse me, I have to ask you to focus on DCF today. We don't, I know obviously you have a bad experience with DCF.

JOHN DIBIASE: DCF has violated my constitutional rights--

SEN. MUSTO: Sir, excuse me. Sir.

JOHN DIBIASE: --under the Fourth and Fourteenth Amendments, equal protection. I've got a disability. There's, when they failed to investigate sexual harassment of my then nine-year-old son.

I sat helplessly in my car while the DCF, while the Meriden Police Department gave DCF permission to break down my door. I was terrified. I locked my car door because the police department, frankly, opened my car door.

I called Tom Dutkiewicz from DCF watch. He's a friend of mine and I've known him for a number of years and trying to get advice what to do. And when I heard my door being kicked and punched in by this enormous woman, I said I

can't, I'm living not in my house. I'm living in an apartment, and who's going to pay for this door that DCF broke in.

So I opened the car door. I went and I said okay, I'll let them in the house. I filed, I went and filed an action against DCF at the Hartford District Court, Federal Court. I tried to get legal assistance because of my disability to help me represent myself.

The Attorney General got involved in my case and I couldn't keep up with his motions and that, and I ended up having the case closed, disposed of, because I couldn't get legal representation.

I feel I'm a vulnerable party because of my disability, my anxiety disorders and that, and it makes it very difficult for me to represent myself in court, and I was denied that by the Federal Court access to an attorney.

In my current custody case I'm trying to get an attorney also provided, and the judge just denied me that. I got a letter from my veteran's therapist there at St. Mary's Hospital who wrote me a letter to ask the court to please provide me with an attorney. They denied me that right and access to the courts.

So I think that's, I had six questions I wanted to ask Brian Mattiello and Carolyn Signorelli regarding the advice and competence of investigators, how DCF workers respond in intake hotlines, the practice of both parents, DCF to label both parents as perpetrators when one parent is making a complaint about the abuse of the other parent.

And regarding DCF records, after a case has been determined unsubstantiated, their records

are still kept on file. These records can be used against a parent in the future, whether it's regard to custody.

I wanted to know if, can unsubstantiated records be expunged so that the parents aren't stuck with this thing on their record, even though it was, you know, nothing proven as far as abuse goes.

And fathers like myself have problems when you're trying to report abuse by the other parent, whether it's a spouse or your ex-spouse. They're very intimidating and they ask you, in my case I was annoyed a number of times because they asked me if I had a disability. That's irrelevant as to why I was reporting the abuse. Yet they keep asking you, you know, are there substance abuse issues and all that, and I don't know what's going on in their home, so how could I answer some of these questions.

And like I--

SEN. MUSTO: Sir, thank you very much but we really need to move on--

JOHN DIBIASE: Are there any questions?

SEN. MUSTO: Yes. I'll ask the Committee if they have any questions. I'm sorry to cut you off, but we do have other people waiting to speak.

JOHN DIBIASE: I've been working in--

SEN. MUSTO: If you can hang on just a second, let me ask if anyone has any questions for you and then we'll have to get to some other people after the questions are asked.

REP. MUSHINSKY: You covered a lot of ground. I just want to ask you--

JOHN DIBIASE: I have a lot more to cover, but--

REP. MUSHINSKY: I know it, but--

JOHN DIBIASE: --I don't have as much time as some of the other people.

REP. MUSHINSKY: But what would be the most important change, if you had to change one thing at DCF?

JOHN DIBIASE: The way they answer the Hotline, and how they address whatever issues that you're asking to be addressed.

REP. MUSHINSKY: Okay, so the way they answer the Hotline would be the number one.

JOHN DIBIASE: I answer a Hotline myself. I got a call today from a, by the way I way I want to address this thing with the children in recession. I'm concerned about the two factors, unemployment and housing foreclosures. How it could affect marital relations and increase in family separates and conflicts.

I've been getting more calls from (inaudible) Infoline for the Divorced Men's Association, for which I answer the Hotline. I've been doing this for over ten years, and with the way the recession is, the ability for parents to pay child support there's been increased tension in the home, possibly causing more calls to DCF and more calls to the police.

And if I can just--

REP. URBAN: Thank you. Thank you, sir. I think you answered Representative Mushinsky's question, and I would merely say to you the questions that you had for Brian Mattiello that

you had jotted down, if you could submit those to us and I would also like to thank you for your service to our country, and I would turn this over. I believe Representative Hovey had a question.

REP. HOVEY: Thank you, Mr. DiBiase. Is that how you say your last name?

JOHN DIBIASE: Yes, DiBiase.

REP. HOVEY: DiBiase? Okay. I understand that you've had a lot of conflict. Do your children, have your children been assigned case management?

JOHN DIBIASE: No.

REP. HOVEY: They have not. Okay. Thank you. And I think that we have the questions that you have. That was your testimony, right?

JOHN DIBIASE: I submitted written testimony, but I'd also like to include that with regard to this accountability with DCF. They're being sued, I believe, by a couple there in Torrington regarding their violation of their rights under the American Disabilities Act, and they need to comply with the Americans with Disabilities Act, particularly if there's a child with mental health disability to whether the parent has mental disability.

REP. HOVEY: Okay.

JOHN DIBIASE: And I'd be glad to work with DCF or anybody else. We're working, me and the group that I work with, the Connecticut Civil Rights Council. It has been working with Sandra Lugo-Gomez from the court operations.

We've been drafting the, what do you call it, focus groups--

REP. HOVEY: That's all right.

JOHN DIBIASE: Focus groups, you have to bear with me.

REP. HOVEY: It's quite all right.

JOHN DIBIASE: But we've been helping them to get the information, the implementation of the strategic plans, which at the top of the agenda is this ADA matter with, as a matter of fact, Department of Social Services was sued by I forget the name of the party when Governor Rowland was in office, and that was just recently settled.

And the DCF also needs to start complying with--

REP. HOVEY: If I could just ask you to take your six questions that you had, and actually maybe if you could just give those to the Clerk, they could interpret your handwriting. Then you wouldn't have to go through all of the, getting those to us. If Madam Chair wouldn't mind that.

JOHN DIBIASE: Well, I want--

REP. HOVEY: And if you'd just, wait just a second please. And if you would just give those to her, because I think that you can hear the commitment on this Committee's part to be proactive for children, and I know you've heard the commitment on my part to be proactive for the non-custodial parent.

And we really can't spend any more time in this particular hearing, but if you would get your

questions to the gals over at the desk, we'd really appreciate it.

JOHN DIBIASE: Thank you so much for letting me speak.

SEN. MUSTO: Thank you. Jon Clemens. Is it Mr. Clemens? Is that correct? Thank you. Good afternoon, Mr. Clemens. Thank you for waiting.

JON CLEMENS: Oh, absolutely. Thank you all for your patience. It's been a long day for everybody.

I'd like to begin by expressing my appreciation to Senator Musto, Representative Urban and all the distinguished members of the Select Committee on Children for their time and attention on the issues before them today.

My name is Jon Clemens. I'm a Policy Specialist with the Connecticut Association of Nonprofits. I come before you today to voice views and recommendations on House Bill Number 6419 An Act Concerning Transparency And Accountability Of The Department Of Children And Families.

This bill calls for the establishment of a task force to study the Department of Children and Families and make suggestions as to courses of investigation as well as improvement to the Department's care documentation policies.

I urge you to appoint private providers of children's services to any task force that may develop this bill or any similar bill. The experience, expertise and functional knowledge that they would bring with them to the table would be invaluable to such endeavors.

We at CT Nonprofits would be happy to assist you in identifying and contacting able candidates. We are a trade organization representing more than 530 nonprofit organizations, more than 75 of which are providers of children's services.

One of the goals of CT Nonprofits is to foster communication in cooperation among nonprofits. As such, our members meet and collaborate regularly. Ideas and viewpoints are not developed in a vacuum, but rather through discourse, a quality that they would carry with them.

I'd also like to highlight and offer support to one portion of this bill in particular. Section 1(E) of the bill suggests information to be included in every status report and permanency plan study. This would keep track of why a child originally came into DCF's care. It would cover the, all the placement experience, including the length of stay, all of the school placements, including the length of enrollment, and an analysis of the effectiveness of the services and treatment amongst others.

Such information would prove beneficial for tracking of the individual child's progress. Additionally, the data would be readily available for synthesis, allowing for continuum of care review, revealing where kids are finding success, where they're being held up in the system, and where service gaps may be present.

However, I would be remiss if I did not state that such reporting should not be passed on to nonprofit providers in the form of unfunded mandates.

If I can be of any help in connecting the Committee to the private provider community, or if you have any questions for me, please don't hesitate to be in touch.

SEN. MUSTO: Thank you very much. Are there any questions from any members of the Committee? Thank you all.

JON CLEMENS: Thank you very much.

SEN. MUSTO: And that was, yes, very well done. I do appreciate your being concise. You addressed the issue before that you wanted to come here and it's very helpful for us, very helpful for us to be able to put everything in order to focus on what you really want to talk about. We do appreciate it.

JOHN CLEMENS: Thank you.

SEN. MUSTO: Thank you. And is it Nancy DeWitt=Smith? And I see that Shirley Williams, your sister? She's here with you as well.

NANCY DEWITT-SMITH: Yes, she's here.

SEN. MUSTO: Miss Williams, would you like to join your sister? There should be a chair right there. You can bring it over if you like. It's completely up to you.

NANCY DEWITT-SMITH: Thank you.

SEN. MUSTO: Thank you.

NANCY DEWITT-SMITH: Good afternoon, Chairman and Committee members. I'm here to actually, there's three bills I would like to, there's components in each bill that kind of touch what I'm here for, House Bill Number 6419, Senate Bill Number 878 and Senate Bill Number 877.

I would like to read my statement. I also have submitted statements to everybody. Once I read my statement I think it will be much clearer of what I'm here for.

My name is Nancy DeWitt-Smith. I came here today to urge you to please revise the Department of Children and Families OTC document as a form JD-JM-58, and to take a closer look at their policies and regulations.

I would like to begin with my personal story and then my concern. My 25-year-old daughter who had been diagnosed as bipolar disorder was residing in supportive housing when she became pregnant. At this point my daughter, the biological father and I met with her psychiatrist regarding her meds, at this point, I'm sorry, regarding her meds and the side effects it would have on her unborn child.

At the consultation, the psychiatrist was not able to determine the outcome of the medication. At that time, I was in agreement with my daughter's decision to resume her medications after the baby was born.

My daughter was in compliance with all her medical appointments, which I sometimes accompanied her to. Further along in her pregnancy she moved back home so my husband and I could help assist her with anything that she might have needed.

My nightmare began Tuesday, February 28, 2006 when my daughter was transported to Bridgeport Hospital in labor. Prior to the transportation, my daughter became distraught, resisted any assistance from the EMT staff.

Upon arrival to the hospital, she was calm. Approximately 12:15 a.m. Wednesday morning or shortly thereafter, she delivered a full-term healthy baby boy. I remained with my daughter during the entire delivery and I didn't have the hospital, and I didn't leave the hospital until they were preparing to remove her to her room.

Upon my departure at 2:30 a.m. she was calm and there did not appear to be any concern. After I worked, I'm sorry, after work I went to visit my daughter and grandson. When I arrived at the hospital, to my surprise I discovered my daughter had been transferred to the psychiatric unit in Bridgeport Hospital while the baby remained in the nursery on another floor.

My daughter informed me that she not been allowed to have any contact with her baby. My daughter also informed me that the Department of Children and Families had been notified and will be coming to speak with her.

After speaking with my daughter, I attempted to make an inquiry of the staff regarding their reason for a referral to the Department of Children and Families. I spoke to the covering obstetrician, Dr. Parapurath who stated that she did not make the referral and was unaware of any reason why a referral would have been made.

Later during the trial it came to light that the social worker at the Bridgeport Hospital made the referral but neglected to file a mandatory form DCS 136 with the Department of Children and Families.

Because of all the confusion and chaos with the Department of Children and Families, I did not

pursue who made the decision and why my daughter was transferred to the psychiatric unit. Later, my daughter informed me it was because she resisted the EMT staff.

On Friday I received a call at my place of employment from my daughter who was very upset that a social worker from the Department of Children and Families came to the hospital and stated that he was there due to the fact that the hospital called to make a referral based on my daughter's psychiatric state of mind during labor.

Once I arrived at the hospital, the social worker spoke with me privately regarding the plan for the baby. After giving him names and phone numbers of my support system, which included my sister, a clinician social worker, a licensed foster parent, another sister who is a substitute teacher, a brother who works for GE, and my 22-year-old daughter at home, and our daycare provider.

After the social worker called back his supervisor, he met with the doctor in private. After he returned back to my daughter's room he informed us that my daughter would not be going home right away.

I then stated, if my daughter cannot go home, I would like to take the baby home with me. As for me and my husband, we are professionals. The social worker stated he had to check with his supervisor.

Not long after speaking with his supervisor, the social worker informed my daughter and I that the Department of Children and Families had made the decision to place my grandson in foster care, and proceeded to hand my daughter an order of temporary custody.

After consulting with various mental health professionals, I believe that my daughter's civil rights were violated. At no time was I aware that a mental health professional in the hospital deemed my daughter psychotic or a danger to herself or others. Consequently, my daughter was not allowed access to her baby for the first eight hours of his life and after that time, only with close supervision.

This greatly impeded the crucial bonding that must occur between mother and child shortly after birth. This had a great impact on my daughter to this day. She is extremely over-protective of her son.

On the third day after disputing with the Department of Children and Families, my grandson was placed in my home that evening. However, the Department of Children and Families conditions in the order of temporary custody were restricting my daughter's return to her home with me, and she was ordered to get treatment.

The social worker also stated that the Department of Children and Families would determine when the correct amount of and the type of treatment was received before my daughter would be able to return home.

Where she lived with her family for over 20 years was no problem. This was detrimental to my daughter to have had her baby removed and to be banished from her own home, own residence all at the same time.

This entire situation with Bridgeport Hospital referral to the Department of Children and Families and the Department's decision to place my grandson in foster care based entirely on my

daughter's mental health history appears to be unfounded.

At no time was my grandson in any imminent danger and had more than appropriate placement options. Furthermore, the Department of Children and Families demands appeared to supercede their authority.

It is my belief that there are specific federal laws that protect the rights of the mentally ill, where they live and the right to seek treatment.

Another problem I've had with the Department of Children and Families, any time a person is competent regarding their situation, the Department documents it that the person is minimizing their situation. This is a frequently used statement.

They also conveniently leave out information when it's not in the Agency's best interest to report it. Racism and discrimination is evident in the Department's percentage of number of African-American and Hispanic children versus Caucasian children that are removed from their families on a regular basis.

All Department of Children and Families is to a society is a modernized legal slavery system that breaks down the family structure by ripping children from their families and siblings to distribute throughout the country.

I'm almost done. With everything said and done, my daughter opted to go to trial to regain custody of her son. During the trial the judge asked each attorney to submit similar cases like my daughter's. Prior to my daughter's case, no other case existed where a newborn baby was removed from its parent's custody on

pre-neglect, when the mother had no previous abuse history of any kind.

With all my family's efforts to seek justice for my daughter and grandson fell on deaf ears, and now there is a precedent set at my daughter's expense that will allow the Department of Children and Families to use as they choose.

I'm not sure what can be done at this time regarding the Appellate Court decision to uphold the Department of Children and Families neglect status, but the OTC form used to obtain custody of my grandson and used at the adjudication hearing needs to be revised.

Within the rules of the Department of Children and Families, everything is either neglect or non-neglect. There are no gray areas. Every case is compiled and compressed into one of these two categories.

The form did not apply to my daughter's situation so the Department of Children and Families made it apply by deeming her neglectful.

The following areas are what the Department of Children and Families accused my daughter of. The child is being denied proper care and attention physically, educationally, emotionally or morally.

Two, the child is being permitted to live under circumstances, conditions, circumstances or associations injurious to his or her well being.

As you might have derived by now, the Department of Children and Families' forms were designed for ordinary people, with no

consideration given to individuals with mental illness.

The anguish that my daughter and my family have gone through will never be erased from our souls. It is critical that there be an extensive review of the Department of Children and Families' policies, regulations, forms, to be revised immediately to incorporate the needs of the mental health community. Thank you for your time.

SEN. MUSTO: Thank you very much, ma'am. And if you, I don't know how much time you were here today, but you must have heard some people talk about the prevention aspects, and how DCF sometimes does things that not many people are happy about and how we're going to try to oversee some of that.

This certainly seems like a case that fell into the differential response category that we've been talking about all day.

And it is testimony like this and individual experiences like this that do help us sort of evaluate what some of the needs are and what we can do about them.

So just, Miss Williams, we'll get to you in a second. But are there any questions for Miss DeWitt-Smith at this point? Yes, Madam Co-Chair.

REP. URBAN: I would just like to echo the words of my Co-Chair. Your testimony is very compelling. It's the kind of testimony that helps us figure out what we can do to prevent that kind of situation from happening.

So, I know it's not easy to come out and tell these stories, and I know it's painful, so I really appreciate your being here today.

SEN. MUSTO: Representative Hovey.

REP. HOVEY: Thank you, Mr. Chairman. I am, actually wanted to inquire as to how your daughter and grandson are doing now?

NANCY DEWITT-SMITH: With my fight, we were able to go back to court to obtain her full custody of him because she has moved back out on her own. He will be three next month, actually, and they're doing great.

I still support her, of course, and my husband and my family, so she just loves being a mom.

REP. HOVEY: So her medications are being managed?

NANCY DEWITT-SMITH: Oh, yes.

REP. HOVEY: And she's back on track? Because sometimes, you know, postnatal, we can have some issues there, so she's really recovered well and everyone's doing well.

NANCY DEWITT-SMITH: Yes.

REP. HOVEY: So it's a happy outcome in spite of the issues that you testified to.

NANCY DEWITT-SMITH: Yes. That's one of the reasons why I was really propelled to come and speak because there are other families that don't have the fight or the energy or means or support to come forward.

I really feel for the two people who were just up here, because the hurt, when you have been

through the ordeal, the hurt is so deep. It's almost un-repairable.

REP. HOVEY: It is, and thank you for your testimony. And I would say that your daughter's very lucky to have such a strong advocate in her mom.

NANCY DEWITT-SMITH: Thank you.

SEN. MUSTO: Yes, Representative Jarmoc.

REP. JARMOC: Good afternoon. Thank you for your testimony. Can I just ask a few questions? One would be, could you please leave your contact information with the Clerk, just so that I might be able to get in contact with you later as we move forward with DCF and reorganization.

Also, which DCF office did the social worker work through?

NANCY DEWITT-SMITH: The social worker worked through the New Have office.

REP. JARMOC: The New Haven office? Now I'm not surprised. Okay.

NANCY DEWITT-SMITH: I didn't reveal that, but I also, I have this rarity. I work for the Department of Children and Families, so I'm also an employee for 20 years.

REP. JARMOC: What do you do?

NANCY DEWITT-SMITH: My husband is a Bridgeport police officer.

REP. JARMOC: What do you do for the Department of Children and Families?

NANCY DEWITT-SMITH: I'm a secretary, so I work for the (inaudible) program supervisor.

REP. JARMOC: So, it's interesting the Commissioner, Susan Hamilton actually testified before the Human Services Committee last week in regard to some DCF bills as well, and she has always maintained and even last year, a year ago when we were discussing these issues, still, that DCF wholeheartedly seeks out family members. That's part of their mission and their policy to place children with family, as opposed to immediately in foster care, and it appears that they really did not follow their policy or their mission by not utilizing family resources. Would you say that's correct?

NANCY DEWITT-SMITH: That's correct.

REP. JARMOC: So, if you wouldn't mind leaving your contact information, that would be really helpful. Thank you very much.

NANCY DEWITT-SMITH: Thank you.

SEN. MUSTO: Representative Hamm.

REP. HAMM: I actually do a little work in the juvenile court and so I'm going to ask you some questions to help me understand where the process went wrong, if that's okay.

They removed the baby at the hospital and took the child to stranger foster care, right?

NANCY DEWITT-SMITH: (inaudible)

REP. HAMM: And then you had the ten-day hearing in court on the order of temporary custody?

NANCY DEWITT-SMITH: Not exactly. When they removed him from the hospital that Friday it

was the weekend, so Saturday and Sunday. Then Monday I was able to contact the office to talk with the program supervisor.

REP. HAMM: Okay. And at that point they placed the child with you?

NANCY DEWITT-SMITH: Yes, that evening.

REP. HAMM: So you, what happened? Did they vacate the order of temporary custody or it was just a 96-hour hold? You never got to court.

NANCY DEWITT-SMITH: Ninety-six hour hold.

REP. HAMM: Okay. And so what was the trial you're talking about? Was that the neglect trial?

NANCY DEWITT-SMITH: Yes.

REP. HAMM: And it was predictive neglect that the allegation was based on?

NANCY DEWITT-SMITH: Yes.

REP. HAMM: And it went to full trial, so it sounds like you had witnesses and a lawyer and all of those things. Did you hire private counsel or did you have court-appointed lawyers?

NANCY DEWITT-SMITH: Private counsel.

REP. HAMM: Okay. Very good. And there is an appeal?

NANCY DEWITT-SMITH: Well, that was the Appellate Court decision based on, the attorney, there were so many components to this piece that the attorney argued the neglect piece more, where they kind of overlooked the mental health area--

REP. HAMM: I see.

NANCY DEWITT-SMITH: --so the court upheld the neglect piece.

REP. HAMM: And so when you say that the form didn't have the ability to make any issues about the mental illness, you're talking about both the order of temporary custody and the neglect forms, right?

So you're saying you think there needs to be a defense of some nature so that you can raise those issues through the process.

NANCY DEWITT-SMITH: Yes. The forms need to be more individualized. It's just that it's really, it's not specific enough. It's just one way, and all cases aren't the same.

REP. HAMM: Well, the forms actually are drafted based on the statute of what neglect is defined as in our state.

So I think the concern that you're raising about how mental illness and mental health issues contribute to the neglect issue is something that is ongoing. We hear it a lot, quite frankly, and trying to figure out how to do it is really kind of the hard part.

The thing that's hard to explain to clients like yourself is that the neglect is not against the parent. It always feels that way, of course, because it involves a removal.

But the neglect is about the status of the child, so the allegation was that, whatever happened because of her bipolar contributed to putting the child in a circumstance that denied proper care and attention.

So it's so hard to explain like all of us because it feels very criminal when you're going through it, but it's not.

NANCY DEWITT-SMITH: Well, one of the things that they did do at one point is put her on the neglect registers. So, she worked in a daycare before and she worked around children, so with that being on the record--

REP. HAMM: Well, yeah.

NANCY DEWITT-SMITH: --it would have been—

REP. HAMM: So it was more than denied proper care. It sounds like there was a factual basis that ended up putting her on the registry. Were you able to get that off through them?

NANCY DEWITT-SMITH: Yes.

REP. HAMM: Okay, thank you.

UNIDENTIFIED SPEAKER: May I just say something to Representative Hamm.

SEN. MUSTO: Ma'am, if we could. I want to make sure that we get any questions for Miss DeWitt-Smith first, and then you certainly have a chance to talk. I believe Representative Mushinsky, and then Senator Boucher both had questions.

REP. MUSHINSKY: I wanted to ask you. Did the HIPAA law come in here at all where you said that you weren't even told that the baby was not united with the mother. Is that because of the HIPAA law preventing release of information about your daughter's mental health condition?

NANCY DEWITT-SMITH: No. I'm sorry, you said, I didn't quite understand the question because--

REP. MUSHINSKY: You said in your testimony that they didn't tell you that your daughter--

NANCY DEWITT-SMITH: Was moved to another floor. It was my daughter's information they didn't reveal to me.

REP. MUSHINSKY: Okay. So is that the federal HIPAA law that they just can't give you any information on your daughter's medical state?

NANCY DEWITT-SMITH: No, because I went to visit her and I didn't know where she was, so it was told to me previously when I was there with her before I left that she was going to a certain location. As far as I was concerned, she was going to a room.

REP. MUSHINSKY: Okay. I think that's federal law because I have a mental, a family member with a mental illness and they won't tell me sometimes, even though I'm there to help or visit the person, they sometimes won't even confirm they're in the hospital. I know perfectly well they're in there but they won't confirm it because of the federal HIPAA law requires them to protect patient privacy, so some of that might be a federal law rather than DCF is my guess.

NANCY DEWITT-SMITH: I don't even think that was DCF as much as the hospital. I think it was really the hospital that gave me difficulty, even visiting my grandson. They had me go through so much just to go into the nursery. That was the hospital, too.

REP. MUSHINSKY: Yeah, that might be federal law again. Well, thank you for coming and thank you for putting it in such clear, easy to

follow, in a clear, easy to follow story. Appreciate it.

SEN. MUSTO: Senator Boucher.

SEN. BOUCHER: Yes, I'd also, thank you, Mr. Chairman, compliment you on coming forward and providing your story because it certainly highlights the issues of mental illness and how to manage it through the bureaucratic process that you have to go through.

And in particular, you know, pointing out that it could be basically a clerical change that could occur on forms it might be extremely helpful to the individuals.

For those of us that know something about this area, we know how long and how much medicine has made a big change in the ability for someone that has children to be able to live a more normal life.

But it's also probably very problematic and you went probably through a lot if they're off of their medication for an eight-month period of time and you know full well it takes months once their start their medication again for it to actually go into effect.

So it does require a lot of family supervision and your daughter's lucky to have that family of support. Many others don't have that and often present a severe problem, both to themselves or to a young infant as well.

So I'm sure that there's also issues with regards to feeling of liability on the part of the state but it should definitely be more user friendly and more understanding of the modern advances that are being made, and hopefully we could take a better look at the way that

application is put together and whether it's reflective now of the changes in medicine. Thank you very much.

NANCY DEWITT-SMITH: You're welcome. Thank you.

SEN. MUSTO: Are there any other questions for Miss DeWitt-Smith. Yes, ma'am, is there anything that, we obviously asked your sister quite a few questions. She was a lot closer to it. Is there anything you'd like to add that you think she might have skipped?

SHIRLEY WILLIAMS: Well, yes. I just wanted to say that my sister's case with her daughter was unprecedented, and I'm sure they have a host of cases that are first-time cases of that kind.

And I just wanted to say that it should be just handled with a little common sense because if they had just, you know, a little sit down with the family at the hospital, all of that would have been prevented because we had a plan in place before, we went through the pregnancy and a plan in place right after.

So, we had tried to explain it. Her mental health professional that she was seeing, the psychiatrist knew that we had opted not to have the medication because the psychiatrist didn't know what it would do to the child.

So there are medications out there that they have no results from and there are some that are harmful, and she could not state which ones, so we opted to protect the child in that instance.

And also when her daughter did leave the hospital, she did stay with me because of DCF regulations, and she thrived very well on her

medication, and she instantly went back on because that was the plan from the beginning.

But because of the confusion of the worker and of them being called in, they refused to say, well, there's a plan in place. We agree with this plan. They just restated the plan.

So my concern with DCF is that if they have a worker who finds themselves in that position and speaking with the supervisor, it's okay to say that we want to agree with the family and we want to work with the family.

But we had difficult with them working with us. They wanted to work against us because that is their position, and we want to change that position.

Then also, I wanted to also, oh, I'm sorry.

REP. URBAN: You wanted to ask a question?

SHIRLEY WILLIAMS: Oh, no. I just wanted to also say there's a term called pre-neglect, which has no qualifying guidelines. They could not explain to us what that was and they could not, but they wanted to so state that about this case, and that they wanted to prevent any neglect to the child.

And I said, but there has not been any reason for your thoughts on that issue, you know, except for the fact that we're DCF and we want to protect children. And we agree with it. We want to protect children, too, and that's why we were all, we had a plan in place and we tried to explain it to them. We did state it to them, but it's like speaking to a robot and they're going according to their books, and if something is wrong with what you're not

agreeing with them, then you're wrong, and they have terms for that, too.

SEN. MUSTO: We all have terms for that. Yes, Co-Chair.

REP. URBAN: Thank you. I'd just like to say that as I look through your testimony again and listen to both of you, it just to me is so egregious, any of us that are moms, to have that baby taken away and not allow the mom to be with the baby for those first few hours.

It's, I don't understand in any circumstances unless the person was completely psychotic, that you would take a baby, newly born, away from a mom. So I fully understand where you're coming from about common sense, and again I thank you both for your testimony.

SEN. MUSTO: Representative Hovey.

REP. HOVEY: Thank you. I just wanted to inquire. Within the context of the hospital and the DCF worker that you were interfacing with there, was that individual a younger worker or an older worker?

NANCY DEWITT-SMITH: I don't know how old he was.

SHIRLEY WILLIAMS: He was young.

NANCY DEWITT-SMITH: He was, I would say in his late thirties. He wasn't too young.

REP. HOVEY: Well, you know, that's kind of a subjective comment, isn't it?

NANCY DEWITT-SMITH: He was young to me, because I'm--

REP. HOVEY: That's exactly right, and I know exactly how you feel. Some of these caseworkers look like they're 12, you know, to those of us that have been around for a while.

I guess what I'm trying to inquire about is sometimes because of the nature of the pay scale of DCF we encounter caseworkers who are very young and have, they're still going by textbook versus having been around enough to be able to use their own common sense and judgment. They haven't developed a sense of judgment around some of these things.

And then on the other end, we encounter people who have been around long enough that they have become skewed in one way or another, and so I was just trying to get a sense of whether or not there was any of that phenomena occurring there.

NANCY DEWITT-SMITH: Well, he had ten years of service with the state.

SHIRLEY WILLIAMS: And that was my next statement regarding the DCF worker, because they had stereotyped the issue instead of, like she was saying, there was only two categories and they had to choose one or the other and not, you know, think on their own.

SEN. MUSTO: Thank you. Are there any other questions from members of the Committee? Thank you again for coming in and for your time.

NANCY DEWITT-SMITH: Thank you.

SHIRLEY WILLIAMS: Thank you.

SEN. MUSTO: We have Sal Jiuliano up next. Mr. Jiuliano. No? And I believe that is it. There's two more? Okay, could you, you have to

give your name to the Clerk. Are you guys together?

KAREN HASEMANN: Yes.

SEN. MUSTO: Okay. Would you, oh, you just signed up? Okay. Thank you. So this is Kate Nicoll?

KAREN HASEMANN: Karen Hasemann.

SEN. MUSTO: Oh, I'm sorry. Oh, I'm sorry. Joe Watley, Mr. Watley and Karen Hasemann.

KAREN HASEMANN: Hasemann.

SEN. MUSTO: Mr. Watley, you can pull up a chair and sit down. Is there anyone else here who has not testified who might want to? Because if you do, you have to sign up with the Clerk and we just want to make sure we have your name and contact information. Okay. Thank you, folks.

KAREN HASEMANN: Hi. My name is Karen Hasemann. I'm the mother of three children. I have a daughter that's six years old today who was in the foster care system and has been actually adopted by the foster parents, but my situation with her sounds exactly like their situation.

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My daughter was taken, the only difference was that, I guess her daughter had some sort of bipolar. I've never had any mental health problem in my life. This was all made up, allegations made up overheard statements that nurses thought they heard me say. They turned it around and they used it against me and took my child out of my care in the hospital.

And then, of course DCF stepped in and had my daughter go to foster homes, and that happened right at the birth of my child, so I never got my child home, and my parents, who would be the

grandparents, stepped in and intervened in the case.

It went through the 96-hour hold case because they said I need to be psychiatric evaluated because I never had a psych evaluation in my life, and that took about six months just to have the appointment for the psych evaluation, all the time that my daughter was staying in the foster home.

And my parents have a home, raised three children, even went to DCF and said, can we get my daughter (inaudible) to go live with my grandparents, or her grandparents, and they took representation by an attorney and the attorney suggested that I move out of the house because if they have a problem with me, that might be the reason why the grandparents can't have my daughter live with them.

So I did move out of the house so that my daughter could come in and be home, but they had a problem with my parents just by the mere show of a hand in court, the judge asked DCF who, he thought it was a grand idea that my daughter be returned to the grandparents and taken out of the foster home and it was just the social worker, I have a problem with the parents and he never elaborated. So my daughter ended up staying in foster care.

A neglect trial was done and reading over the memorandum of decision by the judge it only said time will tall if Karen Hasemann will ever neglect her child. So I read it as I never neglected my child. I don't even know how I could since I never had my child at home. It was taken right from the hospital, so I thought I won the neglect trial.

Everybody told me I lost the neglect trial. They put it right away into TPR mode, made me lose the TPR case as well, and my daughter stayed in, which I believe was wrongfully adopted to the foster parents.

Now I have two sons with Joe. I thought Christina was coming home. That's why I expanded my family and we bought a house and we were going to have a home. All three of us were going to live together.

We had two sons and basically they did the same thing with Joey and Danny. They took Danny and Joey into state custody, not state custody, but right into an order of temporary custody, put them right in the foster home with, where Christina was and basically did the same thing to Joe, who never had any mental health issues again, nothing wrong with him. And you know, did the same thing and we had three kids removed.

Now, I'm in favor for, the reason why I came up here was to talk about the, it's not on your list today, but it is a proposed act, House Bill Number 5425 An Act Prohibiting Reliance On A Theory Of Predicted Neglect Or Predicted Abuse In The Adjudication Of Child Neglect And Abuse Cases.

Now that was the reason they took my child out of the hospital, and they were fictitious claims. These were outright, outright the most lies. I can't even imagine that somebody would even continue to investigate these fictitious claims as being truthful, and continue to take a child with these statements that were made by the hospital personnel to DCF.

But I'm here in support of this, but I believe there should be accountability when they do use

this, in the past when they have done this, that it should read as such as I have revised it, as that all acts prohibiting reliance upon a theory of predicted neglect or predicted abuse in all phases of the adjudication processes of a child, of neglect and abuse.

This is my revised version. It should say all acts prohibiting, and in all phases of the adjudication process, meaning the 96-hour hold, not just by adjudicating them neglectful, which can take up to, it took three years for me to go through a neglect trial.

And then it should be with the immediate remedy procedures to occur for the best interests of the children via returning them to the parents' or caregivers' home environment.

And the failure to do so will place the child in imminent risk and danger or the Department of Children and Families and its individual employees should be, are to be held accountable for the abuse and neglect in a criminal court system with an imprisonment sentence of no less than one year.

Now that's what the furthering of that act, or House Bill Number 5425 should really say, because it is not allowing for the remediation of what has been done. It's not giving the child back to the, you know, it's just saying that they should not allow kids to be taken under a predictive, prediction of abuse or neglect, which is definitely truthful because there should always be a, you know, actual act of neglect or abuse.

And there are, I have copies of these, where I believe these issues raised were very good issues but because I've been involved in this system now, it will go on seven years in

October. My daughter will be seven, and I've been involved in this with my two boys with Joe who has his own version of everything.

I believe that all these issues raised, and by all these issues that were raised by other people as well here, in addition to what I revised or added to it can help with the bills that you are looking into today.

I'm in favor also for the bill that you have on the table today, the House Bill Number 6419, the act of concern and transparency and accountability of the Department of Children and Families.

And quite honestly, you don't even have to place the word transparency in that act. It should just be the act concerning the accountability of the Department of Children and Families.

And everything in here, there was one thing on it that it should just read that it is to have happened, but in my case, basically everything that is here my lawyer made sure that these things were being done.

So this is very helpful and when you read over a case looking back at it, when you know, the child ever wants to look back at his record.

And I am also here to state that I am doing whatever I can for my children to get them out of the foster care system and back into our home environment where they belong. They have had a relationship with me and Joe, and they both know that we are the parents, and I think it's harmful and hurtful if we continue to keep them without that, without them, we're just lying to them saying, you know, something else that we're not around any more to them, is

just, I think, more harmful and causes the need for special services.

Now, again, a lot of times if you don't harm, if you fix something you should fix it to completion and you should do the right thing for it, and that will not allow the little kids to fall into these psychiatric appointments and you know, be placed on psychiatric meds.

Because a lot of times the kids won't act out if they're being told the truth, and continue to see their real parents and they've bonded with through visitation.

And it's, I think Joe has a lot more to say. On my case they claimed that I had a perceived disability and yeah, I still don't know today what I had as a disability, but yet they terminated my parental rights and I still don't know what I have or what type of disability.

All I know is I just didn't rehabilitate from it. But yet, I've never known myself to have a disability in my life and I've borne any type of medical health issues, and I've been going through all sorts of, you know, psychiatric appointments to do the right thing to get my child back.

But yet, nobody's told me I had any problems and you know, if I do have some, nobody's being explicit enough to tell me where I can understand it because it certainly seems that you know, people want to say the disability, and this is why the kids are taken, and that's why there might be potential neglect.

But hey, I have a support system that goes a long way, you know. I have support from, I know, all sides of my family and I think Joe wants to take over now.

SEN. MUSTO: But before you run, can we ask you some questions?

KAREN HASEMANN: Sure.

SEN. MUSTO: People may have some questions for you based on what you said, and I want to make sure that we get the focus on what you said.

KAREN HASEMANN: Okay.

SEN. MUSTOC: Did they ever tell you any reason I mean, what the--

KAREN HASEMANN: Yeah. They told me the reason the initial take from my daughter out of the hospital is because I didn't know the difference between male and female and that I didn't want my baby to be fed, and I have distortions of reality. Those were the initial, those were the things I had to prove as, for the 96-hour hold, and that's why I had to go through the slew of psychiatric doctors, neuro-psychologists, this and that, I don't know, therapy, because of some nurse writing these issues down, placing them on a, now taking my child away, and that's what was said to me, so.

SEN. MUSTO: Okay. And--

KAREN HASEMANN: That's on, actually the form, the 96-hour hold form.

SEN. MUSTO: One of the questions Representative Mushinsky asked, asked the question of someone else and I thought it was a very good question and I'm going to steal it from her.

If there was one thing you think you could fix with DCF, you know, one thing, what would that be?

KAREN HASEMANN: The main thing that they should fix is, they shouldn't be using predictive abuse and neglect. Abuse and neglect is a crime and it should be held in a criminal court, and if you are convicted or if you have been given the status of being a neglectful or abusive parent, you should go into a criminal court, not a DCF court or a juvenile court where they are closed.

That's the whole thing, a closed system, if you are abusive and neglectful, they can make you abusive and neglectful by the time (inaudible), so that's why I think it actually sounds terrible going through criminal court, but that's really safer for the individual.

So I, everything else, I think the biggest thing they can really start doing is, if they perceive somebody as having a disability, then they can become a little more sensitive to the needs of these individuals, or the people that need extra time, the point being talking to, if you know, you can't just explain it once and expect the person to get it right away. You know, they might have to repeat it a few times, and some sensitivity training would be good.

One of the things that I wrote on here is, actually I proposed something that an act concerning the proper training in the needed areas especially investigations. It was a mere caseworker that said to me, well, we need to investigate your case and because of that I had six months my child stayed in foster care to have this psychiatric appointment.

SEN. MUSTO: You know what, ma'am, and that was another thing I wanted to ask you was, you did give us some language that you were thinking of adding to these bills.

KAREN HASEMANN: Yeah.

SEN. MUSTO: If you could drop any of that off with the Clerk, that would help, be helpful as well, because that way, I mean, we're not going to remember--

KAREN HASEMANN: I know.

SEN. MUSTO: --the exact words, so it would be very helpful if you could give that to the Clerk.

KAREN HASEMANN: Yeah, definitely. That's one of the main things that really needs changing. They need training, and it can be, there's, because I've been involved in this case, I've been working in case law, so there's a case law by the last name of Glass, you can look under case law with Glass, Gerry Glass.

She was awarded $500,000 for her state, for her Department of Children and Families to utilize that money for training for sensitivity because she was a disabled mother with no, paraplegic or something, or quadriplegic mother and they were very cool to her and they wanted to take her child away from her.

And so she won the case along with some type of funding with that, and in so doing, their department was to go through some sensitivity training, and I think it would be swell to do with all departments so that they can talk to people if they need.

You know, it was always, if I asked it again, you know, for instance, me, I can understand—

SEN. MUSTO: Let me stop you for a minute, ma'am.

KAREN HASEMANN: --you know--

SEN. MUSTO: We've been talking all day about the, about some of the problems of DCF and I don't know how much you were here, but we did talk quite a bit about them treating different cases differently, more severe or less severe cases, and also dealing with families as a whole, rather than just children.

I did want to make sure that other members of the Committee, if they had any questions, they got to ask them. No? Okay. And Sir, did you have anything you wanted to add?

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JOSEPH WATLEY: I just wanted to have my own total place all on this now. In other words, my turn.

Joseph Watley, Thomaston, exiled father of two boys. Now, Representative Jarmoc, I spoke with you last Tuesday on the 10th. For the benefit of the rest of you that haven't heard the story, I'll try to frame what Karen said totally better.

At age 16, Karen suffered a brain tumor removal on her right frontal lobe, and according to the Department of Children and Families, the Torrington branch, she now has as a result of this operation that she went through at age 16, she has mental deficits.

So for this reason they predicted the children will be neglected, not that they were, because they took them away right from the hospital at birth.

Now, my personal problem with this regarding me is, DCF did nothing to prevent the removal of my boys from my care. Now, I'd like to hold this up, that's a television camera maybe there. Now this is what I'm being deprived of as well as Karen.

This is Danny and this is Joey. I'm being deprived of my two boys as well, because of what Karen has gone through with her operation and what she has to deal with as a result of this.

In other words, there is no accommodation for the brain injury. It's just termination. Now, this is wrong. Like I say, I believe this violates not only the state law, I mean, this is the Constitution State, I'm certainly, in our State Constitution was have some provisions against the discrimination. Also the federal Americans with Disability Act law, I'm certain this is in violation of that as well.

I did a Google search, and actually this was sent to me by Tom Dutkiewicz of Connecticut DCF Watch, and this has to do with the Glass case out in the State of Montana, Gerry Glass v. The Department of Public Health and Human Services.

Well, she won a discrimination case against Montana's DCF and she won and I have the figure right here, that it's $330,000, so that's what it cost the State of Montana to discriminate against a person out there.

This Gerry Glass was a victim of a car accident. She was at first a quadriplegic, but through therapy, she regained the use of her hands and arms and was reclassified as a tetriplegic.

What DCF threatened to remove her infant son, Gage, away from her and she lived under this threat for a year and a half.

Well, she finally stood up on her hind legs, got herself an attorney and battled these people and she won.

Now, if you measure our case against this case that occurred out here, I mean, hey, we have millions owed to us as well as getting our children back. But that's my opinion. I don't know if ever we're going to get to that point because we don't seem to have any attorney who would come forth and represent us against this wrong.

DCF out of Torrington, Connecticut should have accommodated Karen and accommodated her properly. Sending Karen off to psychologists and psychiatrists was futile.

Now, I'd like to illustrate this example with a little bit of humor. Not that this is funny or anything, but just to make it stick in your minds a little bit better.

Imagine me, a guy, if I took a Midol, now don't you think that pill would be inside my body running around frustrated looking for directions, like where do I go?

Well, you understand what I'm saying? Thank you. Thank you. Well, that's exactly what they did to Karen, sending her off to psychiatrists and psychologists like expecting that this is going to return her to the state of being that she was before the subsequent growth of the tumor and its removal, you see.

DCF was at fault for not properly accommodating her. Why can't you take the monies, the state

money and the federal dollars that they're receiving and put services in place to keep the children with the parent or now look on the parent.

Now what DCF did to me is also just as evil, just as bad. Against my will, I was ordered by a judge to undergo a psych eval, a court-ordered psych eval. I told my attorney, I said, no. I have a right to remain silent and not testify against myself. My attorney said, Joe, you have to do it or you're in contempt of court.

I said, well listen, I've already seen what they've done to Karen. I know what they're going to do to me. They're going to stick some negative, stigmatizing label on me that's going to forbid both of us from ever getting the children. Well, who was right on this one?

I go to see Dr. Steven Humphrey, the forensic psychologist, and he puts a negative stigmatizing label on me, personality disorder, not otherwise specified, some catch-all category, just something to stick on Joe. Some label to say, all right, you know, you can't have your children. You're not benefiting from the therapy that we're giving you, so you cannot have your children.

Well, I think you can clearly see, through the manner of which I'm speaking to you, I'm intellectually capable of taking care of my children, and I can also watch over Karen when the children are with us. I'll make sure that this comes out right, my boys being in my care and Karen's care.

But this was not afforded us. This is absolutely terrible the behavior of this DCF. They're monsters.

Now, I'd just like to bring a few points for you to hear, okay. Karen and I went over some things between last Tuesday and today.

Kathy Daner was the original caseworker. Kathy Daner physically assaulted Karen at one of the visits. She grabbed Karen by the arm, her thumbprint and fingerprints were imbedded in Karen's arm.

I took Karen to a doctor in Waterbury, told him the situation what had occurred, the circumstances surrounding this and he has it all documented, and he would be ready to testify at any time the physical assault that this caseworker did to Karen.

Now you want to know what happened as a result of this? Kathy Daner had Karen arrested breach of peace. Now Karen never had a record in her entire life, a police record, but now she does. Karen was the one who wound up with a breach of peace and when she went for the arraignment of the charges at the Bantam court, well, they upped the ante, criminal assault third degree and risk of injury to a minor.

Now would you like to hear how this occurred? Interesting story, here. It will keep you at the edge of your seats on this one.

About two months prior, little Joe presented at the visit with bite marks all over his left hand and his writs. Kathy Daner was silent about this, just presented our son to us, never said a word about the marks on the arm.

So Karen and I were wondering, because you could see six upper teeth and six lower teeth, five or six of them, and at the end of the visit we questioned how this had occurred.

Throughout the visit, you know, we took pictures. We had the camera and took close-up pictures, and I'm sure when they were viewing us behind the one-way see-through mirror of what we were doing.

Well, when we questioned about what happened, she says, well, you don't have to wonder, he was bitten at the foster home. I immediately called up Tom Dutkiewicz at Connecticut DCF Watch. He said, Joe, you had better call the DCF ombudsman because they're going to turn around and they're going to blame it on you, that you were an overzealous dad and you rough played with your son.

So I called up the ombudsman. He called DCF in Torrington and said you get Joe, Jr. to a doctor right away and have these marks checked out. Well, the very next visit we went to next week, DCF retaliated on us.
Joe and Karen, you can no longer bring that camera to the visit.

Because, this camera not only does still pictures, it does video. So Kathy Daner said no more camera. You cannot bring that any more.

Well, now this incident where six weeks later Karen was arrested, this was on her daughter's four-year-old birthday. This was October, 2006, was it?

Mr. and Mrs. Hasemann were accompanying Karen at the visit. Mrs. Hasemann brought the camera. Kathy Daner came into the room ballistic, ended the visit right there, grabbed a hold of little Christina, yanked her right out of the chair while she was eating her birthday cake.

Karen got up in a hurry and accidentally, with Karen's arm, I guess, elbowed Kathy Daner, bumped into her. Well, Kathy Daner in her report to the police said Karen with two hands shoved her into the wall. But another case aide testified in a court of law, Karen, you know you shouldered her. So see, there was conflicting testimony right there.

But from Karen and Mr. and Mrs. Hasemann, they all agree, yeah, well Karen accidentally in her haste to get out of the room from this caseworker going a little bit crazy, she accidentally bumped into her.

But now Karen has got a record out of this, a criminal record from this incident, all because of this caseworker. Believe me, this lady is abusive, she's abrasive, she's obnoxious, she's vindictive, she's very condescending in the manner that she spoke with us, oh, I could just go on, arrogant, discourteous.

It took that incident to finally get her taken off the case and we requested from our attorneys many months before, please get rid of her. It took this incident to get her replaced.

She was replaced by Pam Lucier. At first she seemed pretty nice.

SEN. MUSTO: Sir, I don't want to go through your entire case. What I'd like to do--

JOSEPH WATLEY: Okay, I'll go very--

SEN. MUSTO: Well, hang on.

JOSEPH WATLEY: A few points in?

SEN. MUSTO: You've been talking for about 15 minutes now. I'd like to get to the point where you tell us, you know, we're talking about DCF and what we'd like to fix in DCF.

JOSEPH WATLEY: Accountability.

SEN. MUSTO: Okay. Accountability.

JOSEPH WATLEY: Open courts, definitely open courts. You need open courts--

SEN. MUSTO: When you say open courts--

JOSEPH WATLEY: Remove the secrecy, you know, of court, where the--

SEN. MUSTO: Sir, hang on a second. When you say open courts, do you mean open to the public?

JOSEPH WATLEY: Family, public, the newspapers should come in. I mean, this would make it so caseworkers aren't doing things in secrecy.

Like this, what I really wanted to finish, like this Pam Lucier, caseworker, came into our house, my mom and I witnessed her saying this, I am not your friend, I am the enemy. Quote, unquote.

My, a representative from my government telling me that she's the enemy? That was very early on in the case. Now, I had to live with this on my mind all the way through the case. Oh, boy, this lady's gunning for me. I had to live under this duress, so to speak.

Not only are they discriminating against Karen, but they are insidiously developing a case against me. They had to knock me out of the picture, because I'm just fine. I'm mentally fit. I'm physically fit.

But they never wanted Karen to have access to these children, so they had to find a way to do a job on me and eliminate me out of the picture. So they put a label on me, well, Joe, you're not benefiting from therapy.

The two therapists recommended the return of my boys to me. Dr. Steven Humphrey at the six-month point said that I should have my children three overnights per week for a period of six weeks. Now, if nothing goes wrong, then I get them back 24-7.

So I told my attorney, Phil Walker. I said that's great, that's great news. He said, Joe, you don't understand. He says, they're not going to abide by Steven Humphrey's recommendation. They don't want Karen to have access to the kids. They're not going to do this.

SEN. MUSTO: Sir, do you have time for some questions from the Committee? Excuse me, do you have some time for questions from the Committee?

JOSEPH WATLEY: Yeah, absolutely, yeah.

SEN. MUSTO: Yes, Representative Mushinsky, I saw your hand first.

REP. MUSHINSKY: Thank you. Mr. Chairman. I think you were at the joint hearing of Human Services--

JOSEPH WATLEY: Yes, I was.

REP. MUSHINSKY: --and Children. I remember your case, and I sat through days of that hearing, and similar cases, and it seemed to me at the end of the two or three days that we were

there, that the common thread here is that DCF is not working with the Department of Mental Health and Addiction Services who has specialists in mental illnesses or mental disabilities, and DCF is, I don't consider them monsters, by the way, I consider them folks who are trying to, they see their job as protecting these infants, so that's the way they push the issue.

JOSEPH WATLEY: All right. They're misguided.

REP. MUSHINSKY: But it might be, we might have a better outcome with these dealing with the parents, the state and the parents if the Department of Mental Health was also a part of this picture, because they're really the experts on whether a disability interferes with child rearing.

They're really more, they have more expertise in their Department than DCF might have.

So I was going to ask you, what would you think about a partnership between DCF and the Department of Mental Health and Addiction Services for cases like these where there's a dispute over whether someone is medically able to be a parent.

JOSEPH WATLEY: Well, I agree with cooperation at any cost, you know. I mean, sure.

Now, just like this second person that I was sent to. Because of my alleged personality disorder I was told by DCF that I had to go see an individual counselor. Well, I saw this Warren Corson out of Bristol, and he reviewed the case and he assessed me and he said he agrees with the return of my boys to me.

But again, I mean, now he just echoed what Dr. Humphrey said, to return the boys to me. He said Joe is no threat to himself nor his minor children and the kids should be returned according to Dr. Humphrey's plan.

Now when DCF gets this, that's twice now. Two times that they had the recommendation to return the boys but they wouldn't do it. They just kept prolonging, aggravating me, antagonizing me, you know, making a hostile environment here. You know, why are they depriving me of my children when these people say that I'm fine, I'm mentally fine.

SEN. MUSTO: Any follow up Representative Mushinsky?

REP. MUSHINSKY: Well, again, I'm basing this on three days' worth of testimony, but it seems like this is not DCF's area of expertise to evaluate disabilities and mental illnesses and mental disabilities. It is the Department of Mental Health's expertise.

You know, maybe there's a way we can team these people up so that DCF does not snatch first, the there's this big fight and lawyers and courts and the whole business, you know. Maybe there's a way to include them early in the process so that the evaluation is done by the professionals in mental health rather than DCF, and really their job is protection.

JOSEPH WATLEY: I agree. Now, what you just spoke of I'm repeating that DCF did nothing to prevent the removal of my first born from my care. They just simply made me guilty by association.

Now Karen, at the time, had her parents to live with. I had my own separate house. My mother and I bought my grandmother's house, so we have

that together, and if there was any problem with Karen that she had to be kept at bay for a little while, I mean, I had a home where I could have kept my son with me.

But DCF again, did nothing to prevent the removal of my son from my care. They simply tarred me with the same brush as Karen.

I think that's wrong. I think that's got to be some law up there that they violated there, too.

SEN. MUSTO: I'm sorry, Representative Mushinsky. We've been talking a lot today about prevention and what role it should have in DCF and it's sort of ironic that this is like too much prevention. A lot of times we're accused of not doing enough and here they go too far in a particular case.

Representative Jarmoc, did you--

REP. JARMOC: Do you feel that if, Karen, if you had been provided let's say, with some supports in regard to their, DCF's concerns about parenting, that you would have been, that would have allowed for you to keep your children in the home?

You know when I said, there is parent aid programming, and that sort of thing, supports to assist you on parenting skills if that was their concern.

KAREN HASEMANN: Right. They did that for me. My social worker went like this to me, she said, one thing for you to go through the support classes and to go through the evaluation, but it's another thing to apply it and we don't think you're applying, you know, she was just outright hate, to do the hate crime. I have to

say, I never knew this lady in my life. She outright just hated me. I don't know how to fight against that.

I believe if the support that they thought I was lacking could be given to me, but I didn't see myself lacking in anything and neither did my mother, either did my girlfriend, you know.

REP. JARMOC: Okay. All right. And I just have one final question.

KAREN HASEMANN: She was objective to whatever they--

JOSEPH WATLEY: Representative Jarmoc--

REP. JARMOC: Real briefly, I've got to get to my daughter's basketball game.

JOSEPH WATLEY: May I insert this here?

REP. JARMOC: Yes.

JOSEPH WATLEY: Never at any time now did Karen have her children with her to work on these things. You've got to understand, all this is in the context of a two-hour visit, and then she doesn't see them until next week for two hours and so forth.

REP. JARMOC: My concern is that again, DCF's mission is families as allied families first, and so part of their policy and mission would be to provide, or to at least look into providing the necessary supports in the home to allow your children to stay in the home.

You know, so again, we've discussed that. And then finally, you know, we hear, I have heard consistently about the way that DCF staff,

front-line staff, management staff, is treating families. It's horrific. It's unacceptable.

JOSEPH WATLEY: Yeah. They're abusers. That's what they--

REP. JARMOC: I don't know how you put that into statute to change the way people treat other people, but it is something that we are clearly aware of and are working on as Legislators. I will say that is being done, and I just think we should sum up very soon. Thank you.

JOSEPH WATLEY: Thank you. Perjury is a statute. They shouldn't be lying in a court of law. Perjury already is a statute. When they were in the family court they lied.

When you compile lies on top of lies, that's what makes a case. When the judge hears, you know, 100 lies, he's saying oh boy, you know, I'll be in trouble if I put these children back with these parents.

REP. JARMOC: Okay. Thank you very much.

REP. URBAN: Thank you so much for really pointing a lot of things out for us and for your testimony. We really appreciate the time that you waited as well to testify before us.

JOSEPH WATLEY: Well, it's all for your awareness and hopefully we can get this thing corrected and maybe you'll do an investigation, like I said, on this case because like I told you last time, you have our permission to have our file to review this. This is, you know, in addition to beyond our testimony.

Susan Hamilton is not to block you from obtaining our file. We give you permission to have it.

REP. URBAN: Thank you.

KAREN HASEMANN: I just want to say that I think it was a good idea that Representative Mushinsky was saying to incorporate the togetherness of the Mental Health and work with the Department of Children and Families, not only for the parents of the people that are in the program, but also for the workers, the social workers. They get burned out.

I have seen, I think that may have, what was happening with my social worker and I think they all should go through some scrutiny as well, you know, being evaluated still being in that position, and with, Jeanne Milstein was saying that she thinks that she should re-evaluate people for their positions to make sure that those were in the proper place in conjunction with her to get funding or whatever, could be through the mental health.

Because of my, not only one child, but three children--

REP. URBAN: Thank you for those comments. They're very helpful.

KAREN HASEMANN: Okay, thank you.

REP. URBAN: Is there anyone else that we haven't heard from yet? If not, then we close this public hearing.

HB 6236
HB 6475
SB 878
SB 879
HB 6419
HB 6420
HB 5915

STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES
PUBLIC HEARING TESTIMONY OF
BRIAN MATTIELLO

SELECT COMMITTEE ON CHILDREN
FEBRUARY 19, 2009

S.B. No. 877 AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families **is in general agreement** with **S.B. No. 877** AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES, which incorporates the recommendations from last year's report prepared by the Legislative Program Review and Investigations Committee concerning DCF Monitoring and Evaluation. In fact, we have already initiated implementation of the vast majority of the recommendation contained in report. Attached is a summary status report of department progress on implementing the various recommendations (see **ATTACHMENT A**). A more complete status report was made available to the Program Review and Investigations Committee last week in response to several questions that they posed.

Section 1 - Subsection (b) deletes the existing biennial 5-year master plan requirement (*PRI Recommendation # 21*) and replaces it in subsection (c) with a new comprehensive strategic planning process (*PRI Recommendation # 1*). The Department **supports this modification** and is in the process of finalizing an integrated agency-wide strategic plan in conjunction with the National Resource Center for Organizational Improvement.

Section 2 - This section would require that the four DCF-operated facilities have DCF facility advisory boards and mandates that all boards respond to their facility's annual report and require that they add recommendations deemed necessary (*PRI Recommendation # 30*). The Department **supports the intent of this recommendation** and is committed to ensuring that each of our facilities has an active advisory board, but we do not believe it is necessary to establish this as an independent statutory mandate. We are already explicitly permitted to establish such panels under statute and are committed to ensuring we have parity across all our facilities in the use of advisory boards.

Section 3 - This section requires that all DCF facilities produce an annual report for their respective advisory groups. The report shall contain at a minimum the following: (1) aggregate profiles of the residents; (2) description and update on major initiatives; (3) key outcome indicators; (4) costs associated with operating the facility; and (5) description of education programs and outcomes (*PRI Recommendation # 22*). The Department **supports this reporting requirement**. We would like to allow each facility to develop its own format in conjunction with their advisory groups. We believe that this could provide an instructive basis for systems improvements.

(C.G.S. §17a-116b). The Department **supports the repeal of these obsolete or redundant reporting requirements.**

Please note that there are also two other similar bills that have been introduced this session which deal with the Program Review and Investigations Committee report. **H.B. No. 6236** AN ACT CONCERNING THE ELIMINATION OF CERTAIN REPORTS AND ADVISORY COMMITTEES RELATED TO THE DEPARTMENT OF CHILDREN AND FAMILIES, deals with the elimination of various reports and advisory committees as recommended by the Program Review and Investigations Committee. This bill was favorably reported by the Select Committee on Children last week. Also, there is **H.B. No. 6475** AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES, which was raised by the Program Review and Investigations Committee.

S.B. No. 878 AN ACT CONCERNING THE PREVENTION ROLE OF THE DEPARTMENT OF CHILDREN AND FAMILIES

S.B. No. 879 AN ACT CONCERNING DCF OVERSIGHT AND REORGANIZATION OF THE DEPARTMENT OF CHILDREN AND FAMILIES

H.B. No. 6419 AN ACT CONCERNING TRANSPARENCY AND ACCOUNTABILITY OF THE DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families **offers the following comments** regarding **S.B. No. 878** AN ACT CONCERNING THE PREVENTION ROLE OF THE DEPARTMENT OF CHILDREN AND FAMILIES, **S.B. No. 879** AN ACT CONCERNING DCF OVERSIGHT AND REORGANIZATION OF THE DEPARTMENT OF CHILDREN AND FAMILIES, and **H.B. No. 6419** AN ACT CONCERNING TRANSPARENCY AND ACCOUNTABILITY OF THE DEPARTMENT OF CHILDREN AND FAMILIES. Each of these bills are likely intended to serve as vehicles to address issues raised during the joint hearings of the Select Committee on Children and the Human Services Committee last fall.

The Department appreciates many of the concerns raised by Committee members and looks forward to working collaboratively to achieve consensus on a number of issues. We have already reached out to the leadership of both committees and welcome the continued dialogue.

The Department already produces numerous reports and data as part of its ongoing management and oversight of its programs and would be happy to discuss and share these reports with the committee members in our ongoing effort to educate the legislature about both the strengths of Connecticut's child welfare system as well as those areas needing improvement.

We recognize that the task force membership in these bills may just serve as a "placeholder," but we believe that if you are to establish a task force or multiple task forces, that they should include individuals with expertise in the subject area and should include both executive and legislative branch appointments.

We also recognize that the task force membership in the bill may just serve as a "placeholder," but we believe that if you are to establish a task force it should include individuals with expertise in the area of prevention and should include both executive and legislative branch appointments.

Regarding prevention services, it is the Department's mission to promote a range of services that enable children and families to thrive independently in their communities and to apply evidence-based or best practice prevention approaches at strategic points in the DCF continuum of care to ensure a smooth, timely and sustained transition for children, youth and families from DCF involvement to a state of independence and well being or to prevent DCF involvement altogether.

DCF seeks to target vulnerable children and families experiencing: isolation; substance abuse; domestic violence; cognitive limitations and other disabilities; teenage pregnancy; single heads of household; incarceration and hospitalization; and poverty. Very young children are particularly vulnerable. Our draft Strategic Plan contains outcomes seeking a fewer number of families requiring DCF services, fewer delinquency petitions, fewer FWSN petitions and reduction in repeat maltreatment.

Currently, the Department is involved in the following prevention activities:

- Suicide Prevention - 912 parents, DCF and community staff trained on youth substance abuse, depression and suicide prevention in 2007-2008 and ~ 200 attended a 2008 statewide conference for schools, DCF, school resource officers and community providers;
- Positive Youth Development - 3 "Strengthening Family 10 -14" Facilitator Trainings conducted since 2007 resulting in 40 people trained;
- Family Strengthening – 2,400 youth and adults served since 2005, resulting in improved communications between youth and parents and improved life skills in the youth;
- Parents with Cognitive Limitations (PWCL) - 1,131 individuals trained in working with Parents with Cognitive Limitations since 2005;
- Shaken Baby Prevention – interagency collaboration resulting in 43 trained facilitators in two promising models (Dr. Karp and Purple Crying);
- In 2007 and 2008, 946 people trained in community workshops, e.g. Homelessness Prevention, Making College a Reality and Engaging Fathers;
- Early Childhood Consultation Partnership (ECCP) community based training - 280 individuals in the first quarter of 2008, 2,804 teachers since 2003 and community networks created among sites served, 8,063 children served within core class rooms since 2003, 89% class rooms demonstrated improvement in at least one dimension on the CLASS instrument and 97% of at risk youth were not suspended;
- DCF Head Start Partnership – Since 2006, 8 Area Offices linked with their local Head Start offices resulting in more DCF young children receiving a high quality preschool experience, more offices engaging in joint treatment planning and more potential foster parents identified, from July – October 2008, 108 children referred to Head Start and 67 enrolled;
- 4,000 letters and brochures on suicide prevention mailed to all schools, superintendents, chiefs of police, youth service bureaus and DCF Area Offices;

- 2007 *Have a Safe Summer* campaign and CT Parenting website launched in 2008 with a multi-media campaign resulting in 1,100 unique individual website visits every week;
- Prevention list serve disseminates information daily to 2,000 individuals;
- Shaken Baby Prevention Pilot – DCF, DMHAS, DPH and DOC populations (a minimum of 200 parents) scheduled to engage in training in awareness and baby soothing techniques and evaluation;
- Parents In Partnership – early childhood programs rebid in 2008 resulted in two new programs each to serve 45 – 65 families;

DCF's prevention programming is allocated as follows:

- Juvenile Criminal Diversion- 5%
- Positive Youth Development / Family Strengthening – 13%
- Early Childhood Intervention – 79% (97% Programs and Services)
- Training/Capacity Building – 2%
- Public Awareness/media – 1%

Service Type	Amount
Juvenile Criminal Diversion	$359,618
YDI/Family Strengthening	$924,315
Early Childhood	$5,564,450
Suicide Prevention	$75,795
Training	$60,000
Media/Public Awareness	$40,000
Other	$54,000
Total Prevention Dollars	$7,078,178

H.B. No. 6420 AN ACT CONCERNING A LEADERSHIP AUDIT OF THE DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families has **some concerns** regarding **H.B. No. 6420** AN ACT CONCERNING A LEADERSHIP AUDIT OF THE DEPARTMENT OF CHILDREN AND FAMILIES.

Over the past three decades, there have been at least 11 studies conducted by either the Legislative Program Review and Investigations Committee (LPRIC) or management consultants regarding the Department of Children and Families. As you consider a leadership audit, attached is a brief summary of these studies. (**see ATTACHMENT C**)

As the Committee is aware, the Department is already working with the National Resource Center for Organizational Improvement in the development of an integrated, agency-wide strategic plan that sets clear outcomes and indicators to measure our progress. This has included

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CAROLYN SIGNORELLI
CHIEF CHILD PROTECTION ATTORNEY

Written Testimony of Carolyn Signorelli
Chief Child Protection Attorney

Select Committee on Children
Public Hearing February 19, 2009

SB346

Thank you for the opportunity to provide testimony regarding the bills on today's agenda regarding the Department of Children and Families, as well as prevention services to children and families. I would like to provide testimony generally in support of bills 878, 879, 5915, 6411, 6419 and 6420 with some suggestions and caveats for your consideration. I am opposed to Sections 1 and 2 of Senate Bill 877.

Raised Bill No. 877, An Act Implementing the Recommendations of the Program Review and Investigations Committee Concerning the Department of Children and Families.

Bill No. 877 containing recommendations from the Program Review and Investigations Committee appears to maintain a policy direction whereby DCF will continue to be responsible for virtually all children and families that are in need of treatment services for a myriad of issues effecting child well-being, for prevention activities that are mostly unspecified, in addition to its child protection mission. This bill also charges the Department with the task of developing "a strategic plan meeting the needs of children and families served by the department." It is premature to support these aspects of the Program Review Committee's recommendations found in Sections 1 and 2 of the bill, given the questions about the role, structure and leadership of DCF being posed in S.B. 878, S.B. 879, H.B. 6419 and H.B. 6420. While I recognize that the Department must continue to plan and strategize for how it will address its existing mission and goals, it would be wasteful for the Department to begin formulating a new strategic plan based upon the broad based responsibility for child welfare envisioned by the Program Review and Investigations Committee.

If the Department's role in prevention efforts is to be re-defined or voluntary services are to be privatized pursuant to the enactment of Senate Bill 878, then any future strategic plan or implementation of required programs must be informed by those policy directives. Also, in the event recommendations to re-structure or transfer responsibilities of the Department are made by the Task Force created by Senate Bill 879 or if the leadership audit called for in House Bill 6420 results in significant changes in leadership or its structure, it would be more efficient for new strategies to be formulated and implemented after those changes are effectuated.

also submit for your consideration that the Children's Trust Fund is the state agency most suitable to collaborate with DCF, as well as DHMAS, DDS, DSS, and community providers on formulating a coordinated Differential Response System, that identifies community providers that are capable of implementing the model; coordinates existing community programs into the system; and ensures adherence to best practices through contract administration, training and evaluation. The reason I suggest the Children's Trust Fund for this responsibility is because it is the one agency in this state whose sole mission is to prevent child abuse and neglect. CTF has already developed a successful network of community providers through the Nurturing Family Network which engages thousands of Connecticut's at risk families on a voluntary basis to improve parenting and prevent neglect and abuse.

It is critical that a significant transition of state funds to a Differential Response System, designed to voluntarily engage families in the creation of their own solutions and support network, not be viewed by the community and families as a DCF program. I assert this with the utmost respect for those in DCF who are working hard to make Differential Response a reality in Connecticut. Unfortunately, whether the perception is fair or not, many families who would benefit from such an intervention will not engage if they see this as a DCF program and they believe that DCF is watching. This will defeat the purposes of a differential response model of intervention: fostering a family's sense of initiative, problem-solving capacity, personal investment and sense of security in their community; preventing the family's situation from deteriorating; and avoiding a future investigation that substantiates abuse or neglect.

For these reasons I believe that Senate Bill 878 should be amended to:

- Remove the need for a task force regarding DRS and DCF's prevention role;
- Clarify that the Department's prevention role is directed at families and children who are the subject of an investigation where abuse or neglect is substantiated or who are referred by the court to the Department for services to address delinquency or FWSN petitions;
- Require that a differential response system be implemented statewide as soon as practical, but the Department's role should be limited to collaborating with the CTF and other state agencies around establishing the program's procedures, selecting appropriate community providers to execute a family strengthening model of intervention, and identifying and referring eligible families during Hotline screenings; and
- Provide that voluntary services, including the differential response system, should be privatized to the extent that all direct services are provided by community programs and organizations.

The only purpose I see remaining for the task force proposed in this bill is to study the extent to which voluntary services should be transitioned to private community providers and whether this should include for- profit entities. This policy is being proposed for all social services in S.B. 346, To Transfer the Administration of all Social Services to Community Providers. The feasibility and benefits of allowing non-governmental entities to administer, as well as deliver, social services should be considered in a comprehensive and thorough manner.

S.B. 879, H.B. 6419 and H.B. 6420 regarding Task Forces to study DCF:

In relation to Raised Bill Numbers 879, 6419 and 6420 I would submit that there is overlap between some of the duties of the Advisory Council proposed by the Program Review and Investigations Committee in Section 6 of Bill 877 and that whatever is voted out of this Committee should be coordinated to avoid redundancies and the possibility of different policy

directions being formulated by different bodies. Perhaps the Advisory Council's initial role during this time of re-examination should be to advise and inform the work of the task forces envisioned. I would further recommend that there be one task force to look at all the issues proposed to be studied in these bills, including privatization, and that subcommittees to look at the specific issues be formed and their work coordinated. Policy decisions regarding prevention roles, privatization and leadership structure will obviously effect any recommendations regarding reorganization and what DCF's future strategic plans, outcome goals and reporting requirements will be.

H.B. 5915 An Act Concerning "Stuck Kids."

I support H.B. 5915 regarding Stuck Kids to the extent that this is not already being done by the Department and to the extent that the information the Department tracks should be relayed to the Select Committee on Children as an important oversight and accountability measure.

H.B. 6411 An Act Concerning the Reduction in Child Poverty and Investment in Prevention:

I enthusiastically support this bill and see it as an important step to thoughtfully implementing the laudable goals of C.G.S. §§ 4-67v and 4-67-x. Based upon my hope that the Children's Trust Fund will survive this legislative session, I am confident that the Office of Policy and Management will recognize the value of including the Children's Trust Fund's expertise in carrying out the directives of this bill. Much of the work and study that will inform the analysis required in this bill has already been carried out. I am confident that the Children's Trust Fund will survive due to recognition of its critical contribution in this state to the goals outlined in Section 2(b) of this bill. The Children's Trust Fund has already implemented and evaluated cost-effective programs that are successfully addressing the promotion of competent parenting; the development of socially and emotionally healthy children; maternal health and safety, connecting parents with child care, as well as vocational, educational and social service supports; ensuring school readiness; engaging fathers; and avoiding crisis.

I would therefore respectfully request that this bill be approved but amended to include the Children's Trust Fund as a collaborating or advisory agency with the Office of Policy and Management.

Respectfully Submitted,

Carolyn Signorelli

CONNECTICUT
VOICES
FOR CHILDREN

Testimony Concerning S.B. No. 877, An Act Implementing the Recommendations of the Program Review and Investigations Committee Concerning the Department of Children and Families, S.B. No. 878 An Act Concerning the Prevention Role of the Department of Children and Families, H.B. No. 5915 An Act Concerning "Stuck Kids", H.B. No. 6419 An Act Concerning Transparency and Accountability of the Department of Children and Families and H.B. No. 6420, An Act Concerning A Leadership Audit of the Department of Children and Families

Tamara Kramer, Jamey Bell, JD & Alexandra Dufresne, JD

Select Committee on Children Public Hearing

February 19, 2009

Senator Musto, Representative Urban and distinguished Members of the Select Committee on Children:

We testify on behalf of Connecticut Voices for Children, a research-based public education and advocacy organization that works statewide to promote the well-being of Connecticut's children, youth, and families.

Connecticut Voices supports, with suggested revisions, S.B. No. 877, An Act Implementing the Recommendations of the Program Review and Investigations Committee Concerning the Department of Children and Families, S.B. No. 878 An Act Concerning the Prevention Role of the Department of Children and Families, H.B. No. 5915 An Act Concerning "Stuck Kids", H.B. No. 6419 An Act Concerning Transparency and Accountability of the Department of Children and Families and H.B. No. 6420, An Act Concerning A Leadership Audit of the Department of Children and Families

1. Implementation of the Recommendations from the Program Review Investigations Committee

Voices testified on this language during the last legislative session, and continues to support the adoption of these recommendations. As the PRI Committee report found in December of 2007, the *Juan F.* litigation has done much to increase the resources available to DCF. Further, on-going monitoring by the Court Monitor of DCF's performance against 22 specific outcome measures has helped improve DCF practice, including DCF's internal quality improvement programs. Similar impacts from the *Emily J.* and *W.R.* court monitoring processes have occurred.

As the Committee's report also discusses, however, court monitoring is a "expensive and time-consuming endeavor." DCF must further enhance its *internal* processes for ensuring high quality care – and not only for children in the foster care system, but also for children with mental health needs

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The Department's efforts to implement DRS have lacked both a real commitment as well as a sense of urgency. In the past six years two different pilots failed to get off the ground due to leadership change and re-organization, as well as a general failure to provide the necessary support. We urge you to leave the July 1, 2009 DRS implementation deadline so DCF will be mandated to commit to the program. The January 1, 2010 task force report date should be amended to be an implementation progress report to be presented to the General Assembly and to be made available on the DCF website.

b. Privatization of Voluntary Services

One of the major hurdles to efficiency and greater access to services within the Voluntary Services program is the high caseload ratio of 49:1. By privatizing the system there would be the ability to have a lower number of cases, and a greater ability to locate and provide youth with the correct services. This privatization could also be critical in an increased utilization of voluntary services; anecdotally we have heard individuals share an apprehension of becoming engaged in the system due to a fear of the department. By removing voluntary services there could be a removal of the stigma and trepidation of engaging with the program.

3. "Stuck Kids"

H.B. 5915, An Act Concerning "Stuck Kids", would shed light on a population that is often overlooked, and difficult to quantify in numbers. We strongly support this legislation that would require the Commissioner to review and monitor the placement of every out-of-state, run away and homeless child and youth in the custody, care or supervision of the Department of Children and Families and then report to this Committee the status of these placements. We would request that this report also be required to be made public through publication on the department's website (provided that any personally-identifiable information about DCF-involved children and families, if a part of any report, be redacted).

While we do have numbers on the number of youth placed out of state, and register concern that this number has never been reduced in any significant way over the years, there is no true count on the number of youth who are homeless or who have runaway and this would be a significant step forward in monitoring this uniquely vulnerable population.

4. Transparency and Accountability of the Department of Children and Families

H.B. 6419 would create a task force made up of legislative appointees to consider the following issues regarding transparency and accountability: whether DCF should report aggregate administrative case review data (ACR) and Connecticut comprehensive objective reviews to the General Assembly; whether DCF should include measurable outcomes in contracts with private providers; whether DCF should conduct service needs reviews and case conferences for "stuck" kids and the "unseen population"; and whether two different pilot programs should be established: one to combine ACRs and case status conferences, and the other to open Juvenile Court proceedings in one judicial district. While we applaud the serious consideration of initiatives that would make the

Department both more transparent as well as held to a higher level of accountability, we would like to argue that the establishment of a task force would be unnecessary and instead would put on-hold important measures that could improve the performance of the agency.
Our recommendation is to implement these proposals immediately as many of the ideas in this legislation were pulled directly from the 2007 Legislative Program Review and Investigations Committee Report or from the quarterly reports issued by the *Juan F.* court monitor.

We ask that you amend this legislation to include provisions that we know work to achieve the stated ends - results based accountability as a requirement in contracts with service providers, currently there is almost no liability for failing to meet contract expectations and the PRI report has recommended that DCF begin to hold providers responsible; integration of the court-ordered steps with the DCF treatment plan; and implementation of programming to increase the chance of permanency for youth in the system, service needs reviews of youth in temporary, psychiatric and out-of-state placements have been recommended in the Juan F. reports to remove barriers impacting permanency and well-being; and increasing the openness of juvenile court proceedings.

5. Leadership Audit of The Department of Children and Families HB6420

Despite our best efforts it is almost entirely impossible to ensure the best possible outcomes for children through legislation, and implementation and accountability are just as, if not more, important than the policies that we put in place. The Office of the Child Advocate has expressed concerns that many of the individuals who are currently employed in the department are the same individuals who have been in their positions through out many difficult incidences that have befallen the agency. We support a leadership audit that would take a look at the multiple layers of management within the agency and ensure that those who are employed in various positions have the skills to match their job descriptions. It makes good sense that employees working with youth with specialized mental health needs be educated in a way that provides them with a high level of expertise. The leadership audit should also look at areas where there is too much management and bureaucracy that is not only bogging down the system and potentially preventing the agency from fully meeting its mandate to protect kids, but is also misusing state money.

Testimony of Gwendolyn Eaddy-Samuel – Meriden CT
Before the Select Committee on Children
Connecticut General Assembly
Public Hearing, February 19, 2009

HB6419

Good Morning, Senator Musto, Representative McMahon and esteemed members of the Select Committee on Children.

My name is Gwen Eaddy-Samuel, a mother of four and I live in Meriden, Connecticut. I am parent leader & community advocate for children and families based on personal experiences, past employment and my commitment to help create a results based accountable, culturally sensitive Child Protective System that puts into practice strength based approaches versus the deficit model approach to address the needs of Connecticut's children and their family with a focus being placed on community based and family centered.

I am a strong supporter of PREVENTIVE, EARLY INTERVENTION types of programs and initiatives that keep kids safe, teach conflict resolution, and parent supports that keep families safe, healthy and intact as families continue to work toward self-sufficient living. I work toward making Social services of CT an Accountable, results based, community based and family centered systems

Please support the following bills:

HB 5915, AN ACT CONCERNING "STUCK KIDS"

The raised bill would develop accurate information on out-of-state, runaway and homeless children and youth in the custody, care or supervision of the Commissioner of Children and Families.

What does this bill do?

- Require the Commissioner of Children and Families to review and monitor the placement of every out-of-state, runaway and homeless child and youth in the custody, care or supervision of the Department of Children and Families.
- Require the commissioner to issue an annual report, in accordance with the provisions of section 11-4a of the general statutes, to the Select Committee on Children regarding the placement of the children and youth

HOUSE Bill 878, AN ACT CONCERNING THE PREVENTION ROLE OF THE DEPARTMENT OF CHILDREN AND FAMILIES

What would this bill accomplish?

- It would create a task force to examine whether:
  - DCF should implement a state-wide ***Differential Response System (DRS)* by July 1, 2009;**
  - DCF should ***privatize voluntary services;***
  - DCF should implement other prevention measures, as well as the nature and cost of these additional measures.

What amendments should I propose to this bill?

- ***The task force should be eliminated.*** Creation of a task force to study these programs is *unnecessary* and only serves to delay implementation of these critical prevention efforts.
  - DRS has already been selected as an appropriate intake system, **is already operative in at least 26 states**, and has been deemed a promising practice by child welfare practitioners around the country. Unfortunately DCF's efforts to implement DRS have lacked consistently, urgency, and commitment.
    - In 2003, DCF attempted to implement a DRS pilot. Evaluators concluded that the pilot failed in part due to changes in leadership related to the re-organization at DCF and a lack of clear accountability mechanisms.
    - In 2006, DCF attempted DRS implementation again. For a second time, commitment to the program lapsed and DCF abandoned the pilot.
- The July 1, 2009 DRS implementation deadline should remain intact so that DCF will be mandated to commit to the program. Subsequently, the January 1, 2010 task force report date should be amended to be an implementation progress report.

HB 6419, AN ACT CONCERNING TRANSPARENCY AND ACCOUNTABILITY OF THE DEPARTMENT OF CHILDREN AND FAMILIES

What does this bill accomplish?

- It would **establish a task force to study** a series of issues related to **transparency and accountability** in the Department of Children and Families (DCF), including:
  - Whether DCF should report aggregate administrative case review (ACR) data and Connecticut comprehensive objective reviews to the General Assembly
  - Whether DCF should include measurable outcomes in contracts with private providers
  - Whether DCF should conduct service needs reviews and case conferences for "stuck" kids and the "unseen population"
  - Whether two different pilot programs should be established· one to combine ACRs and case status conferences, and the other to open Juvenile Court proceedings in one judicial district

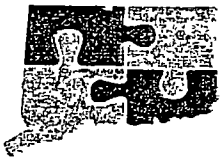
What amendments should I propose to this bill?

- Require that the important **substantive measures** designed to increase transparency and accountability be **implemented immediately**, rather than studied through the creation of another task force
  - Many of the recommendations raised in the bill are either drawn directly from the 2007 Legislative Program Review and Investigations Committee Report or from the quarterly reports issued by the *Juan F.* court monitor.
  - The task force will only serve to delay implementation of long overdue and critical recommendations made by multiple reviews of DCF policy and practice.

An *amended* bill would require implementation of what we already know would improve transparency and accountability in DCF:

- **Results-based accountability** in contracts with service providers
  - *2007 PRI report*: Since there is currently little accountability in meeting contract expectations, "the program review committee recommends [that DCF] compile necessary required data elements to compare actual and expected outcomes based on the performance-based contract. Failure to meet contract expectations should result in discussion and joint plans for progress in meeting expectations."
- **Fixing what doesn't work**
  - *Juan F. Court Monitor's report*: "[T]he level of provider input, family engagement and participation of key stakeholders (youths, mothers, fathers, providers, and attorneys) in both the development of the treatment plan and attendance at the Administrative Case Review (ACR) must improve."
  - *2007 PRI report*: "[I]ntegrating the court-ordered specific steps and the DCF treatment plan would strengthen the entire treatment planning process. The plan would be the result of discussion among parents (who are usually present at the court proceeding), children, DCF social workers, and attorneys. The fuller participation and development of a single, consistent treatment plan, would lead to a more comprehensive and higher quality plan . . . [and] would ensure that implementation of the treatment plan occurs" as a court order.
- **Achieving permanency for our most vulnerable kids**
  - *Juan F. Court Monitor's report*: Service needs reviews are "remov[ing] barriers impacting permanency and well-being" and "driving a thorough review of action step timeframes" for children in temporary placements, psychiatric placements, and out-of-state residential facilities.

What we do now as a state will influence the quality of life in the years to come in the future of CT's children and most vulnerable populations!!!!.



CONNECTICUT ASSOCIATION of NONPROFITS

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Testimony before the Select Committee on Children
Recommendations pertaining to House Bill 6419 – An Act Concerning Transparency and Accountability of the Department of Children and Families
By Jon Clemens, Policy Specialist,
Connecticut Association of Nonprofits
February 19th, 2009

I would like to begin by expressing my appreciation to Senator Musto, Representative Urban, and all of the distinguished members of the Select Committee on Children for their time and attention on the issues before them today. My name is Jon Clemens; I'm a Policy Specialist with the Connecticut Association of Nonprofits (CT Nonprofits.) I come before you today to voice views and recommendations on House Bill 6419 – An Act Concerning Transparency and Accountability of the Department of Families and Children.

This bill calls for the establishment of a taskforce to study the Department of Children and Families; it makes suggestions as to courses of investigation, as well as improvements to the department's care documentation policies.

I urge you to appoint private providers of children's services to any taskforce that may develop from this bill or any similar bill. The experience, expertise, and functional knowledge they would bring with them to the table would be invaluable to such endeavors. We, at CT Nonprofits, would be happy to assist you in identifying and contacting able candidates. We are a trade organization representing more than 530 nonprofit member organizations, more than 75 of whom are providers of children's services. One of the goals of CT Nonprofits is to foster communication and cooperation among nonprofits, as such, our members meet and collaborate regularly. Ideas and viewpoints are not developed in a vacuum, but rather through discourse, a quality they would carry with them.

I would like to highlight and offer support to one portion of this bill in particular. Under Section 1, Subsection (E,) the bill suggests information to be included in every status report and permanency plan study. This would keep track of why the child originally needed DCF involvement, all of the placements they have experienced – including length of stay, all school placements – including length of enrollment, a description of the type of treatment and an analysis of its effectiveness, amongst others. Such information would prove beneficial for the tracking of an individual child's progress; additionally, the data would be readily available for synthesis, allowing for continuum of care reviews, revealing where kids are finding success, where they are being held up in the system, and where service gaps may be present. However, I would be remiss if I did not state that such reporting should not be passed on to the nonprofit providers in the form of unfunded mandates.

If I can be of any help in connecting the Committee to the private provider community, or if you have any questions for me, please do not hesitate to be in touch.

Jon Clemens, Policy Specialist
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Jeanne Milstein
Child Advocate

STATE OF CONNECTICUT

OFFICE OF THE CHILD ADVOCATE
999 ASYLUM AVENUE, HARTFORD, CT 06105

Testimony of Jeanne Milstein, Child Advocate
Select Committee for Children
February 19, 2009

Good morning Senator Musto, Representative Urban, and Members of the Select Committee on Children. Thank you for the opportunity to testify **in support of Raised Bill No. 6420,** An Act Concerning A Leadership Audit of the Department of Children and Families, and to testify about HB 6419, An Act Concerning Transparency and Accountability of the Department of Children and Families, which I support in part and oppose in part.

Raised Bill No. 6420, An Act Concerning A Leadership Audit of the Department of Children and Families

I fully **support Raised Bill No. 6420, An Act Concerning A Leadership Audit of the Department of Children and Families.** In October and November of last year, this Committee, along with the Human Services Committee, held investigative hearings into the functioning and operations of the Department of Children and Families. At the hearing on October 20th, I shared my belief that DCF is an agency in peril. I described how the work of my office during my eight years as Child Advocate has documented a pattern of deficient leadership, management, and quality assurance. I testified that these deficiencies are echoed in the reports from the Juan F. Court Monitor and the Legislative Program Review and Investigations Committee and other oversight entities. Finally, I expressed my concern that many of the people in leadership positions at DCF during my investigations and the seventeen years under the Juan F. Consent Decree continue to guide the agency in leadership positions today.

To address these concerns, I recommended that Connecticut conduct an analysis of the present leadership at every level of DCF. I urged you to move beyond the idea of structural change and look at whether DCF has the organizational talent to develop and execute fundamental organizational change. Because Raised Bill No. 6420 would do just that, I fully support it.

Raised Bill No. 6420 would require the leadership audit to be conducted through the Legislative Program Review and Investigations Committee. The PRI staff have extensive experience with DCF, having completed a review in 1999 and most recently a review of contracting and oversight in 2007. They understand the structure of DCF and the many challenges facing the agency. Raised Bill No. 6420 would couple their expertise and experience with expertise in organizational leadership, organizational change, child welfare, and public agency management, ensuring a look at leadership that is both broad and deep.

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The audit would identify all existing leadership positions within the department; the responsibilities of each position; the skills, experience, and training necessary to carry out those responsibilities; and whether the existing staff have the skills, education and experience to fulfill their responsibilities and implement the department's mission. DCF is a sprawling agency with layers of bureaucracy and hundreds of leadership positions. Often, these layers of bureaucracy inhibit the efficient and effective delivery of services and build barriers between DCF and external entities such as other agencies, providers, and families. It is critical to separate those leadership positions necessary to implement agency mission and those that are unnecessary and can be eliminated. It is also critical to develop performance measures for each leadership position within the department. Agency mission and expected outcomes for families and children served by the agency should drive those measures.

Many people have asked me why I would recommend another study, and why now. Others have argued that DCF needs to be dismantled. I can see no reason to believe that structural change alone can transform ineffective managers into effective leaders that can execute and sustain fundamental change in outcomes for our children. If anything, separately housing the programs and services needed to assess and address the needs of a "whole" child requires an even greater confidence in leadership talent to communicate and collaborate across state agencies. I firmly believe that an analysis of leadership and recommendations for talent enhancement is a necessary first step to getting it right. This is not just another study. It is a focused look at leadership at all levels to ensure that the agency has the right people with the right skills in the right places to bring about the kind of fundamental change that is needed. This kind of analysis of DCF has never been done and I believe it is a critical next step and the most effective action that we can take to address the agency's long-standing pattern of failure.

Raised Bill No. 6419, An Act Concerning Transparency and Accountability of the Department of Children and Families

I support in part and oppose in part Raised Bill No. 6419, An Act Concerning Transparency and Accountability of the Department of Children and Families. I support efforts to increase accountability and transparency and would urge you to move forward on all but one provision of this bill without the need for a task force.

I am strongly opposed, however, to opening juvenile court proceedings to the public, as proposed Section 1(a)(1)(F), and urge you to delete that section of the bill.

There is no question that our system for caring for abused and neglected children is in need of significant improvement. It is critical that we improve accountability of all of the participants in juvenile court proceedings – of the Department of Children and Families (DCF), of attorneys appointed to represent children and indigent parents, of attorneys representing DCF, and of judges. It is also critical that we ensure that attorneys practicing in juvenile court have good training and provide good quality legal representation in what is an extremely complex legal environment. Finally, we must raise public awareness about abused and neglected children in our state.

There is simply no evidence, however, that opening juvenile court proceedings to the public will accomplish these goals and good reason to believe that opening such proceedings has the potential to harm children. Studies in Minnesota and Arizona are often cited as studies that show that opening juvenile court proceedings do not harm children. In fact, the methodology of those studies has been challenged and the findings regarding lack of harm to children have been called into question. Professor William Wesley Patton, a professor at Whittier Law School and an expert on the legal and pediatric psychiatric effects of opening child dependency proceedings, provided the Committee with an extensive analysis of both studies and I would urge you to read the information he provided. In addition, the Minnesota study noted significant evidence that opening the proceedings had no impact on public awareness, the quality of child protection hearings, or on accountability.

Having presumptively open juvenile proceedings has the potential to harm children. First, once proceedings are presumed open, there is little ability to protect the privacy of those children who may be harmed by publicity. While the bill proposes giving the court authority to exclude members of the public, it is not likely that this would occur. The Minnesota study found that once courts were presumptively open, decisions to close the court were rare. In those instances where courts would issue orders to exclude the public from a particular case, such exclusion would likely lead to motions for temporary injunctions and appeals as media attempts to gain access. Second, while the bill proposes granting the court the authority to prohibit the dissemination of any personally identifiable information disclosed during open proceedings, such orders would be difficult, if not impossible, to enforce.[1] Third, the evidence suggests that it is the fear of publicity that has the most significant impact on the child. I would refer you again to the information submitted by Professor Patton, which includes a discussion of a longitudinal study conducted in Canada.

Given the potential for harm to children, and the lack of evidence that public access will result in greater accountability or outcomes for children, I urge you to remove Section 1(a)(1)(F) from the bill.

Thank you for the opportunity to testify. I would be happy to answer any questions you may have.

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[1] The United States Supreme Court has made clear that publication of lawfully obtained information is protected speech under the First Amendment. See *Bartnicki v. Vopper*, 532 U.S. 514 (2001); *Smith v Daily Mail Publishing Co.*, 443 U.S. 97 (1979).

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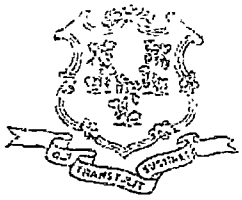

STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES
PUBLIC HEARING TESTIMONY

HUMAN SERVICES COMMITTEE
MARCH 3, 2009

S.B. No. 843 AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET RECOMMENDATIONS CONCERNING SOCIAL SERVICES

The Department of Children and Families **supports** S.B. No. 843 AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET RECOMMENDATIONS CONCERNING SOCIAL SERVICES. This bill makes a number of changes to implement the Governor's budget, including a statutory change in section 3 of the bill to reflect the proposed closure of High Meadows, a DCF-operated residential facility in Hamden.

High Meadows currently serves 36 children and is the oldest and smallest of the four DCF facilities. Approximately 20 of the 36 are individuals with developmental disabilities and the staff at High Meadows do an outstanding job in meeting their needs. However, over the last several years, the Department has moved to serve children in their communities rather than in large congregate settings and we have been successful in greatly reducing the number of children who require residential treatment. We anticipate that the downward trend in residential census will continue and we believe that the reduction in utilization is appropriate and will result in better outcomes for the children we serve. The move to close High Meadows is consistent with this trend.

The closure of the facility will result in an annual operating savings of $6 million and a significant cost avoidance of $11.8 million in capital improvements.

HB6525
SB878
SB879
HB6419
HB6420
HB6352

H.B. No. 6523 (RAISED) AN ACT CONCERNING LICENSING OF ADOLESCENT SUBSTANCE ABUSE TREATMENT FACILITIES

The Department of Children and Families **offers the following comments regarding** H.B. No. 6523 AN ACT CONCERNING LICENSING OF ADOLESCENT SUBSTANCE ABUSE TREATMENT FACILITIES.

This bill would amend section 17a-145 of the general statutes to exempt those residential substance abuse treatment facilities that are licensed by the Department of Public Health (DPH) from also being licensed by DCF. Currently, four facilities: the Children's Center of Hamden; Midwestern CT Council on Alcoholism, Inc.; New Hope Manor, Inc.; and Rushford Center, Inc., are dually licensed.

We recognize that potential conflict issues regarding state agencies' licensure role and function have arisen in recent years, and that during these difficult economic times the Legislature is

naturally interested in evaluating any potential redundancies in state agency regulatory activities. We are happy to work with members of the committee and DPH on making the best choices regarding the licensing of these and other programs and services that serve children.

Please note that bill has an incorrect reference to the DPH licensure statute. The correct reference is section 19a-490, not section 19a-491.

H.B. No. 6525 (RAISED) AN ACT ESTABLISHING A TASK FORCE TO STUDY THE REORGANIZATION OF THE DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families **offers the following comments** regarding H.B. No. 6525 AN ACT ESTABLISHING A TASK FORCE TO STUDY THE REORGANIZATION OF THE DEPARTMENT OF CHILDREN AND FAMILIES.

This bill would established a task force to study the Department of Children and Families, including: (1) an evaluation of the department's policies, practices and procedures, including, but not limited to, whether the Commissioner of Children and Families may suspend a child's visitation with his or her parent before an evidentiary hearing has occurred on the issue of visitation; and (2) consideration possible changes in the structure and organization of the department, including whether any functions of the department should be transferred to other departments or agencies.

We understand that this bill is likely intended to serve as a vehicle to address issues raised during the joint hearings of the Select Committee on Children and the Human Services Committee last fall. There are a number of similar bills before the Select Committee on Children, including: **S.B. No. 878** An Act Concerning the Prevention Role of the Department of Children and Families; **S.B. No. 879** An Act Concerning Oversight and Reorganization of the Department of Children and Families; **H.B. No. 6419** An Act Concerning Transparency and Accountability of the Department of Children and Families; **H.B. No. 6420** An Act Concerning a Leadership Audit of the Department of Children and Families. There is also **H.B. No. 6352** An Act Concerning Oversight of the Department of Children and Families, which was heard by the Human Services Committee on February 10th and remains before your committee.

The Department appreciates many of the concerns raised by Committee members and looks forward to working collaboratively to achieve consensus on a number of issues. We have already reached out to the leadership of both committees and welcome the continued dialogue.

We recognize that the task force membership in these bills may just serve as a "placeholder," but we believe that if you are to establish a task force or multiple task forces, that they should include individuals with expertise in the subject area and should include both executive and legislative branch appointments.

As you consider the establishment of a new task force, we would also point out that over the past three decades, there have been at least 11 studies conducted by either the Legislative Program Review and Investigations Committee or management consultants regarding the Department of