

Legislative History for Connecticut Act

PA 14-70

HB5037

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2014**

**VOL.57
PART 14
4451 – 4808**

Substitute House Bill 5037, AN ACT CONCERNING CROSS

REPORTING OF CHILD ABUSE AND ANIMAL CRUELTY.

SPEAKER SHARKEY:

The distinguished chairman of the Committee on Children, Representative Urban. You have the floor, madam.

REP. URBAN (43rd):

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

SPEAKER SHARKEY:

The question is on acceptance of the joint committee's favorable report and passage of the bill. Will you remark, madam?

REP. URBAN (43rd):

Yes, thank you, Mr. Speaker. Mr. Speaker, Public Act 11-194 established a process for DCF, the Department of Agriculture and state, regional and municipal animal control officers to cross report suspected child abuse and neglect and instances of an animal being treated cruelly.

I am very, very happy to report to this Chamber that the level of collaboration between the Department of Agriculture and the Department of Children and

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Families has been excellent, very much so in the training aspects of this where we have had very successful and well attended training programs.

We actually had a national expert, Phil Arco come in and we filled 2C for two days with DCF workers and Department of Ag workers sharing information.

This bill builds upon the foundation laid by Public Act 11-194 by expanding the scope of the reporting requirements to more appropriately capture open DCF child protection service cases.

The new language will help ACOs and DCF work together to identify children and families who may be in need of assistance from DCF and to address incidents of animal cruelty.

I urge my colleagues to support this bill.

SPEAKER SHARKEY:

Thank you, madam.

Would you care to remark? Would you care to remark further on the bill that's before us?

Representative Betts.

REP. BETTS (78th):

Thank you very much, Mr. Speaker. Very briefly, I urge everybody to support this. It's a good bill.

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There was no opposition to it so I ask everybody to support it. Thank you very much.

SPEAKER SHARKEY:

Would you care to remark? Thank you, sir.

Would you care to remark further on the bill before us?

Representative Hovey.

REP. HOVEY (112th):

Thank you, Mr. Speaker. Just through you, a question to the proponent of the legislation.

SPEAKER SHARKEY:

Please proceed, madam.

REP. HOVEY (112th):

Thank you, sir. Through you, Mr. Speaker, I just wanted to inquire of the good gentlewoman why it is so important for this kind of communication to be occurring between the Department of Children of Families and the reporting of abuse to animals and the reporting of abuse and neglect of animals?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Urban.

REP. URBAN (43rd):

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Through you, Mr. Speaker, it is, it's a well-established fact that there is a link between animal cruelty and future violent behavior.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Hovey.

REP. HOVEY (112th):

Thank you, Mr. Speaker. And through you, does the good gentlewoman think that the possibility of this reporting and collection of information will be useful for prevention in any way, shape or form?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Urban.

REP. URBAN (43rd):

Through you, Mr. Speaker, absolutely.

SPEAKER SHARKEY:

Representative Hovey.

REP. HOVEY (112th):

Thank you, Mr. Speaker. And through you, could she explain how that would occur?

Through you, Mr. Speaker, thank you.

SPEAKER SHARKEY:

Representative Urban.

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REP. URBAN (43rd):

Through you, Mr. Speaker, if we can find an incident of animal cruelty, we have found that if there is neglect of an animal, there is an 80 percent chance that there is a neglect of a child.

In 71 percent of pet owner women who entered shelters reported that their batterer had injured, maimed, killed or threatened the family pet and that was done in front of 75 percent of the time in front of children who were then threatened or coerced from that incident.

So the idea, through you, Mr. Speaker, to the good Representative is to be able to interrupt that cycle of violence and save some children from future abuse and neglect. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Hovey.

REP. HOVEY (112th):

Thank you, Mr. Speaker, and I thank the gentlewoman for her answers.

I support this legislation and I understand the importance of it. I know that there are people who try to minimize the importance of communication across our state entities, but this is one area where it's

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very important for that communication to occur for prevention purpose. Thank you, sir.

SPEAKER SHARKEY:

Thank you, madam.

Would you care to remark? Would you care to remark further on the bill that's before us?

Representative Shaban.

REP. SHABAN (135th):

Thank you, Mr. Speaker. A quick question, through you if I may.

SPEAKER SHARKEY:

Please proceed, sir.

REP. SHABAN (135th):

Thank you, Madam Speaker. And through you, since we passed the original bill do we have an idea how many reports or communications have actually happened pursuant to the original bill. Through you.

SPEAKER SHARKEY:

Representative Urban.

REP. URBAN (43rd):

Through you, Mr. Speaker, we have had very few and that was because of the narrowness of the way we originally wrote the bill. So when we did these trainings and we had the ACO workers together with the

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DCF workers it led to this furthering of the language so that we would be able to capture more of the cases and be able to prevent some future violent behaviors.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Shaban.

REP. SHABAN (135th):

Thank you, Mr. Speaker, and I thank the lady for her answer.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark? Would you care to remark further on the bill that is before us?

If not, staff and guests to the well of the House. Members take your seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will members please return to the chamber immediately.

SPEAKER SHARKEY:

Have all the members voted? Have all the members voted? Will the members please check the board to make sure your vote is properly cast.

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If all the members have voted, the machine will be locked and the Clerk will take a tally. The Clerk please announce the tally.

THE CLERK:

House Bill 5037.

Total number voting	141
Necessary for passage	71
Those voting Yea	141
Those voting Nay	0
Those absent and not voting	10

SPEAKER SHARKEY:

The bill passes.

Will the Clerk please call Calendar 389.

THE CLERK:

House Calendar 389 on page 19, favorable report of the joint standing committee on Judiciary, Substitute House Bill 5588, AN ACT CONCERNING BAIL

BONDS.

SPEAKER SHARKEY:

Representative Matt Ritter.

REP. RITTER (1st):

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

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SENATE**

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Calendar page 22, Calendar 515, House Bill Number 5361, move to place on the Consent Calendar.

Also, Madam President, under Matters Returned from Committee, Calendar page 39, Calendar 265, -- pardon me. We've taken action on that one already.

Calendar page -- back on Calendar page 6, Madam President, under Favorable Reports, Calendar page 6, Calendar 331, House Bill Number 5248, move to place on the Consent Calendar.

Also, Madam President, Calendar page 24, Calendar 526, House Bill number 5556. Move to place on the Consent Calendar.

In addition, Madam President, under Favorable Reports, Calendar page 27, Calendar 546, House Bill Number 5061, move to place on the Consent Calendar.

Calendar page 30, Calendar 563, House Bill Number 5554, move to place on the Consent Calendar. It may have been placed there earlier, Madam President.

THE CHAIR:

It has been.

SENATOR LOONEY:

Also Madam President, Calendar page 27, Calendar 543, House Bill Number 5037, move to place this item on the Consent Calendar.

Also under Favorable Reports, Madam President, Calendar page 18, Calendar 470, House Bill Number 5506, move to place on the Consent Calendar.

And back on Calendar page 10, Madam President, Calendar 396, Senate Bill Number 114, move to place on the Consent Calendar.

In addition, Madam President -- in addition, Madam President, I have a couple of items to mark as go.

Madam President, items to be marked go, Calendar page 333, page 33, Calendar 579, House Bill 5348. And

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And on page 22 Calendar 513, House Bill 5353.
Calendar 515, House Bill 5361.

And on page 24, Calendar 526, House Bill 5556.
Calendar 524, House Bill 5219.

Page 25, Calendar 4. -- sorry, Calendar 530, House Bill 5368,
page 27, Calendar 546, House Bill 5061.
Calendar 543, House Bill 5037.

On page 28, Calendar 550, House Bill 5514.

Page 29, Calendar 554, House Bill 5148.

Page 30, Calendar 563, House Bill 5554.

Page 31, Calendar 567, House Bill 5229. Calendar 565,
House Bill 5028.

And on page 42, Calendar 384, Senate Bill 442.

THE CHAIR:

Senator Looney, do you have any more good news for us?

SENATOR LOONEY:

Yes, thank you, Madam President. One additional item
to add before we call for the actual vote on the
Consent Calendar, and that is item an Calendar page
33, Calendar 575, House Bill 5359. With that one
addition it would call for a vote on the Consent
Calendar.

THE CHAIR:

Mr. Clerk, please call for a vote on the Consent
Calendar, and the machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Immediate roll call on the second Consent Calendar
today has been ordered in the Senate.

THE CHAIR:

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If all members have voted? All membered voted, the machine will be closed. Mr. Clerk, will you please call the tally.

THE CLERK:

On the second Consent Calendar for today.

Total number voting	35
Those voting Yea	35
Those voting Nay	0
Absent not voting	1

THE CHAIR:

Consent Calendar passes. Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. If the Clerk would call the first item marked go to follow the Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 33, Calendar 579, Substitute for House Bill Number 5348, AN ACT CONCERNING THE PAYMENT OF DELINQUENT PROPERTY TAXES. Favorable Report of the Committee on Planning and Development.

THE CHAIR:

Senator Kelly.

SENATOR KELLY:

Thank you. Thank you, Madam President. Pursuant to Rule 15 of the Joint Rules, I am recusing myself from consideration of this bill.

THE CHAIR:

Thank you, sir. Please leave the Chamber.

**JOINT
STANDING
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COMMISSIONER JOETTE KATZ: Good morning. Good morning, Senator Bartolomeo, Representative Urban and members of the Children's Committee. My name is Joette Katz and I'm the Commissioner of the Department of Children and Families and I'm here to testify on several of the bills on your public hearing agenda including five DCF-sponsored proposals.

The first bill that I'd like to speak on is Senate Bill Number 43, AN ACT CONCERNING REVISIONS TO THE DEPARTMENT OF CHILDREN AND FAMILIES STATUTES. This proposal is part of our Legislative package. It makes a number of technical and are minor changes to various DCF statutes.

HB5040
HB5037
HB5039

Specifically it makes the following modifications. Sections 1 through 4 delete references to quote certified relatives close quote in the statutes. The Department stopped new placements of children with certified relative caregivers approximately 10 years ago because those placements did not qualify for federal Title IV-E reimbursement.

Those certified relative caregivers in place at that time were grandfathered, however, no such placements have existed for the past few years.

Section 5 provides statutory authority for DCF to lien properties when providing funds for home modifications on behalf of foster parents. We envision utilizing this mechanism in very limited circumstances. If we do place a lien, it would be for 50 percent of the funds provided and the amount would be reduced by 10 percent for each year a child remains in the residence.

Sections 6 and 7 make technical corrections and

the state system of higher education or a private higher education institution.

Section 7 makes clarifying changes to the statute concerning DCF investigations of allegations of child abuse and neglect involving school employees. It also allows DCF to share the outcome of -- of investigations with school officials. Currently we can only share information when we have substantiated an allegation against a school employee.

Finally the -- the Department recommends that the Committee make one modification to the language on lines 237 through 240. Please see the proposed substitute language in our written testimony.

We've also submitted written testimony in support of two other bills, House Bill 5037 which is AN ACT CONCERNING CROSS REPORTING OF CHILD ABUSE AND ANIMAL CRUELTY and Senate Bill 5039, AN ACT CONCERNING ANIMAL-ASSISTED SERVICES. In the interest of time I will defer to our written statements but obviously would be happy to answer any questions that you may have and I thank you again for the opportunity to appear in front of you.

SENATOR BARTOLOMEO: Thank you, Commissioner.

Are there any questions from the Committee?

Representative Betts.

REP. BETTS: Thank you, Commissioner. And the first one I'd like to start off with is what's the rationale for your asking to have the authority to place liens on properties? Has this been a big problem?

SB43

COMMISSIONER JOETTE KATZ: It has not been a big

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STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES

Public Hearing Testimony

Children Committee

February 18, 2014



S.B. No. 43 AN ACT CONCERNING REVISIONS TO THE DEPARTMENT OF CHILDREN AND FAMILIES STATUTES

The Department of Children and Families supports S.B. No. 43, An Act Concerning Revisions to the Department of Children and Families Statutes. This proposal is part of DCF's legislative package.

This bill makes a number of technical and/or minor changes to various DCF statutes. Specifically, it makes the following modifications:

Sections 1 through 4 delete references to "certified relatives" in §§ 17a-11(d), 17a-93, 17a-11b and 17a-114a. The Department stopped new placements of children with certified relative caregivers approximately ten years ago because those placements did not qualify for federal Title IV-E reimbursement. Those certified relative caregivers in place at that time were "grandfathered," however, no such placements have existed for the past few years.

Section 5 provides statutory authority for DCF to lien properties when providing funds for home modifications on behalf of foster parents. We envision utilizing this mechanism in limited circumstances. If we do place a lien, it would be for fifty percent of the funds provided and the amount would be reduced by ten percent for each year a child remains in residence.

Section 6 corrects an obsolete statutory reference to the Select Committee on Children.

HB5037

Section 7 corrects references to the Department's Family Assessment Response program.

Section 8 repeals § 17a-63a, which concerns a reporting requirement related to private provider measurable outcomes. We believe that this reporting requirement is unnecessary now that the Department has incorporated Results Based Accountability provisions in most of our provider contracts.

H.B. No. 5040 AN ACT CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES AND THE PROTECTION OF CHILDREN

The Department of Children and Families supports H.B. No. 5040, An Act Concerning the Department of Children and Families and the Protection of Children. This proposal is part of

director, athletic coach, or athletic trainer who works for a constituent unit of the state system of higher education or a private higher education institution.

Section 7 makes clarifying changes to statute concerning DCF investigations of allegations of child abuse or neglect involving school employees. It also allows DCF to share the outcome of investigations with school officials.

Finally, the Department recommends that the Committee make one modification to the language on lines 237 through 240. Please strike the language and in its place substitute the following:

"(26) The Birth-to-Three system's referral intake office to provide referrals of substantiated victims of child abuse or neglect with suspected developmental delays and newborns impacted by withdrawal symptoms resulting from prenatal drug exposure, to determine eligibility, facilitate enrollment and plan for the provision of services."

H.B. No. 5037 AN ACT CONCERNING CROSS REPORTING OF CHILD ABUSE AND ANIMAL CRUELTY

The Department of Children and Families supports H.B. No. 5037, An Act Concerning Cross Reporting of Child Abuse and Animal Cruelty.

Public Act 11-194 established a process for DCF, the Department of Agriculture (DOAG) and state, regional and municipal animal control officers (ACO) to cross report suspected child abuse or neglect and instances of an animal being treated cruelly, harmed or neglected. DCF and DOAG have collaborated on successful and well-attended training sessions on this issue. This bill builds upon the foundation laid by Public Act 11-194 by expanding the scope of the reporting requirements to more appropriately capture open DCF child protective services cases. We believe that the cross-reporting should not include referrals made by the Department to the Family Assessment Response system and our interpretation of this language is consistent with that belief. However, we would suggest a clarifying amendment on line 39: after the closing bracket insert "there is an open child protective service case and"

Currently records indicate that only one report to DCF from the Commissioner of Agriculture has been filed since the effective date of Public Act 11-94. This is due to the narrowly written definition of what must be reported: those cases in which an Animal Control Officer (ACO) has filed a verified petition with superior court. Almost no animal cruelty cases get to the point of the filing of a verified petition. Also, on the DCF end, we were only reviewing open investigation cases, which typically are only open for forty-five days.

The new language will help ACOs and DCF work together to identify children and families who may be in need of assistance from DCF.

**Testimony: HB 5037: AAC Cross Reporting of Child Abuse and Animal Cruelty
Committee on Children
Public hearing 2/18/2014**

We strongly support HB 5037 to enhance the Cross Reporting of child abuse and animal cruelty. It is important that the process of identifying the link is clear. Thank you for recognizing this important tool to deal with cruelty and domestic violence.

Laski/Moore Family
279 Fern St.
Manchester, CT 06040



**Testimony Regarding HB 5037: AAC Cross Reporting of Child Abuse and Animal Cruelty
Committee on Children
Public hearing 2/18/2014**

**Amy Harrell
President, CT Votes for Animals**

I wish to express strong support for HB 5037, which aims to strengthen our laws requiring the cross-reporting of animal cruelty and child abuse. The link between these two abuses has been repeatedly demonstrated, and I believe we should prioritize efforts toward the early identification of potentially violent individuals.

Children and animals are among the most vulnerable in our society, and most in need of our protection. Yet violent acts are committed to them daily on a scale that horrifies all of us. When we increase our efforts to shield them from harm, we not only save them from pain and suffering, but we also invest in a more peaceful society.

Cross-reporting of child abuse and animal cruelty is an excellent way to prevent violence from happening in the first place. Please advance this legislation to further refine our cross-reporting law and protect children and animals. Thank you.

family pets.

Researchers have found that over 70% of women entering domestic violence shelters reported that their partners had threatened, abused, or killed the family pet.⁴ Another study found that in families under supervision for physical abuse of their children, pet abuse was concurrent in 88% of the families.⁵

- **Animal neglect can be an indicator of abuse toward people**

Animal abuse in the form of neglect is often one of the first indicators of distress in the household. Whether owing to lack of empathy, mental illness, or substance abuse, a person who fails to provide minimal care for the family pet is more likely to neglect the basic needs of other dependents in the household. In many cases, children found living among the squalor of neglected pets are taken into foster care.

Animal hoarding is an extreme example of how life-threatening neglect affects both people and animals. By the time an animal hoarding situation is discovered, the unsanitary conditions and lack of care may have killed a large number of the animals and compromised the health of dependent children or elders in the household.

- **Animal abuse by children is a warning sign**

Children who abuse animals are sending out clear warning signs that they pose a risk to themselves as well as to others. The National School Safety Council, the U.S. Department of Education, the American Psychological Association, and the National Crime Prevention Council agree that animal cruelty is a warning sign for at-risk youth.⁶

Longitudinal studies show that chronic physical aggression (e.g., animal cruelty) by elementary school boys increases the likelihood they will commit continued physical violence as well as other nonviolent forms of delinquency during adolescence.⁷

A child who abuses animals may also be acting out against violence in his own home.⁸ Professional intervention can remove a child from a potentially abusive situation and divert him or her from future abusive behavior.

Experts agree that early prevention and treatment of animal cruelty is the key to stopping the cycle of violence, because as aggressive children get older, they are less responsive to therapeutic intervention.⁹ Animal cruelty in children should not be taken lightly. Children who abuse animals should receive immediate professional psychological intervention for both their own welfare and that of the community.

- **Stopping animal abuse strengthens our communities**

Reporting, investigating, and prosecuting animal cruelty can help take dangerous criminals off the streets. Police know that in homes where animal abuse is a problem, other issues are often concurrent. Acts of animal cruelty are linked to a variety of other crimes, including violence

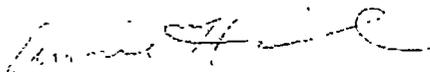
against people, property crimes, and drug or disorderly conduct offenses.¹⁰ Stopping animal abuse in children can help curb violent tendencies before they escalate to include violence against people.

More than a dozen states, including Connecticut, have cross-reporting laws; at least two dozen states have laws, including Connecticut, allow courts to include pets in protection orders in domestic violence situations; and at least two dozen states, including Connecticut, have counseling provisions in their animal cruelty laws.^{11,12,13}

The mission of The Humane Society of the United States (HSUS) is to create a humane and sustainable world for all animals—a world that will also benefit people. We believe that teaching humans to behave with kindness and respect toward animals will help build a more humane and better functioning civil society.

Thank you for your time and consideration.

Yours truly,



Annie Hornish
Connecticut State Director
The Humane Society of the United States
Cell: (860) 966-5201 Email: ahornish@humanesociety.org

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- 13 The Humane Society of the United States, 2008.

Center for Youth Leadership

Why wait for someone else to make a difference?

Connecticut Legislature: Committee on Children

Testimony in Support of HB 5039: An Act Concerning Animal-Assisted Services; HB 5037: An Act Concerning Cross Reporting of Child Abuse and Animal Cruelty; and HB 5040: An Act Concerning the Department of Children and Families and the Protection of Children

February 18, 2014

Millie Cunningham and Andrea Barros

Hi Senator Bartolomeo and members of the committee. We have special greetings for Representative Urban, with whom we have worked in the past, and Senator Duff and Representative Wood, both of whom represent our hometown of Norwalk and support our activism on a host of issues. My name is Millie Cunningham and this is Andrea Barros. We are members of the Center for Youth Leadership at Brien McMahon High School in Norwalk. On behalf of our 226 members, we are here to testify about HB 5037, HB 5039 and HB 5040.

HB 5039

We will start with HB 5039. Twice a week since 2003 we have volunteered with children who have been abused and/or experienced violence at home. We can say without hesitation that animal assisted therapy has been a godsend for many of these children.

Since we are not trained therapists, we do not lead the animals in their sessions with the children. However, when we sit with the children or hold them as they play and read to the animals, you can actually feel the children's bodies relax; their hearts stop racing; their breathing slows to a comfortable pace; and they talk to the animals as you or I would to a trusted friend or family member. The responses of

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STATE OF NEW JERSEY

215th LEGISLATURE

A2155: Establishes a pilot program in DCF providing animal assisted therapy to victims of childhood violence, trauma or children with behavioral health care needs; appropriates \$100,000

INTRODUCED JANUARY 16, 2014
Sponsored by: Assemblywoman CELESTE M. RILEY District 3

Dear Ms Urban,

I wholeheartedly support House Bills 5037 & 5039. I hope these bills pass into law soon.

Thank you,

Jeanette Hardenburg