

# 2015 Bill Index

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**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
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**VOL.58  
PART 17  
5588 -5927**

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CLERK:

On Page 51, House Calendar 433, Federal Report  
of the Joint Standing Committee on Education,  
Substitute House Bill No. 6186, AN ACT PROTECTING  
SCHOOL CHILDREN.

SPEAKER SHARKEY:

Distinguished Chairman of the Judiciary  
Committee, Representative Tong. You have the floor,  
sir.

REP. TONG (147<sup>th</sup>):

Good afternoon, Mr. Speaker. I also had a boy  
band.

SPEAKER SHARKEY:

It's a frightening thought, sir. Thank you for  
sharing it.

[laughter]

REP. TONG (147<sup>th</sup>):

I move acceptance of the Joint Committee's  
Favorable Report and passage of the bill.

SPEAKER SHARKEY:

[laughs] I can't get that image out of my  
head. I'm sorry.

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REP. TONG (147<sup>th</sup>):

No, just let that percolate for a second.

SPEAKER SHARKEY:

[laughs] The question before the Chamber is acceptance of the Joint Committee's Favorable Report and passage of the bill. Will you remark, sir?

REP. TONG (147<sup>th</sup>):

Yes, thank you, Mr. Speaker. The Clerk has an Amendment LCO No. 8517. I ask the Clerk please call the amendment and I be given leave of the Chamber to summarize.

SPEAKER SHARKEY:

Will the Clerk please call LCO 8517, which will be designated House Amendment "A."

CLERK:

LCO No. 8517, designated House Amendment  
Schedule "A" and offered by Representative Tong,  
Senator Coleman, et al.

SPEAKER SHARKEY:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Seeing none, you may proceed with summarization, sir.

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REP. TONG (147<sup>th</sup>):

Thank you, Mr. Speaker. This bill concerns the reporting of child abuse and that includes sexual misconduct in our schools affecting children.

Under current law, it is a Class A misdemeanor if a mandated reporter, which includes schoolteachers, fails to report instances of child abuse or sexual misconduct.

Unfortunately, this bill arises out of an incident in Stamford where a principal, an assistant principal, and other teachers and administrators failed to meet those requirements, resulting in the criminal prosecution of the principal of Stamford High School and the assistant principal and has precipitated a variety of other resignations, and unfortunately, has brought a great black eye upon the city of Stamford.

We're seeing instances like what happened in Stamford where an English teacher, a high school English teacher, was engaged in an improper sexual relationship with two students and was also smoking marijuana with these students in the parking lot. And though that was known, or people had a reasonable suspicion of that happening, the

teachers and administrators failed to report within 12 hours, as they're required to do under the statute.

Unfortunately, we're seeing incidents like this in Madison, in Danbury, and other parts of the state. And this bill - this amendment - which is a strike-all amendment and becomes the bill, makes it very clear that we mean what we say in our statutes. That we take very seriously the obligation of mandated reporters to report when they have reasonable suspicion of child abuse and sexual misconduct.

What the bill does, simply, Mr. Speaker, is it maintains the Class A misdemeanor for failing to report, but it provides that if you willfully or intentionally fail to report, if it's your second violation for failing to report, if you have actual knowledge that a child is being abused or is a victim of child abuse or sexual misconduct - if you fail to report under those circumstances you will face a Class E felony, punishable up to three years in prison and a \$3500 fine. It also creates a charge of conspiracy not to report, which addresses

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the situation where there's a cover-up and makes that a Class D felony.

The amendment, which becomes the bill, also provides that teachers and administrators and other mandated reporters absolutely must take the training and refresher training they're required to take under the state or they risk not receiving their certification. It also requires the principal to certify every year to the superintendent of a school district that the training has been completed by every mandated reporter in their school, and the superintendent must then report to the State Department of Education that that has - training - has been completed. I move adoption, Mr. Speaker.

SPEAKER SHARKEY:

The question before the Chamber is adoption of House "A." Will you remark? Representative O'Dea.

REP. O'DEA (125<sup>th</sup>):

Thank you, Mr. Speaker. Good afternoon.

SPEAKER SHARKEY:

Good afternoon, sir.

REP. O'DEA (125<sup>th</sup>):

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Just a few questions to the proponent, if I  
may.

SPEAKER SHARKEY:

Please proceed, sir.

REP. O'DEA (125<sup>th</sup>):

With regard to the refresher training program,  
I believe that's added anew. How often is that,  
pursuant to Section 17a-101i? Through you, Mr.  
Speaker.

SPEAKER SHARKEY:

Representative Tong.

REP. TONG (147<sup>th</sup>):

The refresher training must take place every  
three years. Through you.

SPEAKER SHARKEY:

Representative O'Dea.

REP. O'DEA (125<sup>th</sup>):

And has that refresher training program  
already been created or is that to be created?  
Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tong.

REP. TONG (147<sup>th</sup>):

It is already in place. Through you.

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SPEAKER SHARKEY:

Representative O'Dea.

REP. O'DEA (125<sup>th</sup>):

Thank you. And the additional report personnel - do I understand correctly that now it's any employee of the school system is a mandatory report? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tong.

REP. TONG (147<sup>th</sup>):

Through you, Mr. Speaker. This bill does not change the definition of mandated reporter, which is found at Section 17a-101 of the General Statutes. Through you.

SPEAKER SHARKEY:

Representative O'Dea.

REP. O'DEA (125<sup>th</sup>):

Thank you, Mr. Speaker, and thank you to the proponent. Just briefly, under Line 46, intentionally, unreasonably interfering - presumably that would include deleting e-mails? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tong.

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REP. TONG (147<sup>th</sup>):

Through you, Mr. Speaker. That is a matter of proof for the prosecutor, but I imagine that would be competent evidence. Through you.

SPEAKER SHARKEY:

Representative O'Dea.

REP. O'DEA (125<sup>th</sup>):

Thank you, Mr. Speaker. And thank you to the proponent. As I understand it, we're not changing the definition of child through this legislation. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tong.

REP. TONG (147<sup>th</sup>):

Through you, Mr. Speaker. This legislation is making clear that a mandated reporter has an obligation to report when any student in a regular program in our public schools is possibly, upon reasonable suspicion, the victim of child abuse.

What we wanted to make clear is that there may be students, at times special education students, who are older than 18 years old, but they are still part of a regular program - not an adult education program - in our public schools. And if there is an

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instance of child abuse or sexual misconduct  
involving that student, we want that reported.

Through you.

SPEAKER SHARKEY:

Representative O'Dea.

REP. O'DEA (125<sup>th</sup>):

Thank you, Mr. Speaker, and thank you to the  
proponent. Last question - under Line 205, as I  
understand it, anyone who has either been  
terminated - their employment contract has been  
terminated - or they resigned and has been  
convicted is not eligible for rehire by any local  
or regional Board of Education. Is that correct?

REP. TONG (147<sup>th</sup>):

That is correct, through you. Sorry.

SPEAKER SHARKEY:

Representative Tong. Representative O'Dea.

REP. O'DEA (125<sup>th</sup>):

But if they've been - if their contract has  
been terminated, but there has been no conviction,  
are they eligible for rehire? Through you, Mr.  
Speaker.

SPEAKER SHARKEY:

Representative Tong.

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REP. TONG (147<sup>th</sup>):

Yes, through you.

SPEAKER SHARKEY:

Representative O'Dea.

REP. O'DEA (125<sup>th</sup>):

Thank you, Mr. Speaker. And thank you to the proponent for the response to questions. I believe this is good legislation and should pass. Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir. Do you care to remark further on House "A?" Representative Candèlora.

REP. CANDELORA (86<sup>th</sup>):

Thank you, Mr. Speaker. Mr. Speaker, if I may, just a couple of questions to the proponent of the amendment.

SPEAKER SHARKEY:

Please proceed, sir.

REP. CANDELORA (86<sup>th</sup>):

Thank you, Mr. Speaker. In the Judiciary Committee we saw this bill, and it was a tough vote for me. I was the sole no vote. With this title, it's - it was a tough one to cast. But one of my concerns was, while I appreciate the intent of the

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bill, what we're trying to accomplish, I was concerned with the sort of uniform, across-the-board treatment of mandatory reporters and making that a felony across the board. Even for sort of - maybe unintentional, neglectful type of failure to report versus somebody who is complicit or actively engaged in a cover-up certainly should be treated differently.

And so I just wanted to - if the good gentleman could sort of accent - there's three circumstances, I think, where an individual could be charged with a felony who fails to mandatory report as required. If he could just point out those three areas. Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tong.

REP. TONG (147<sup>th</sup>):

Yes, thank you, Mr. Speaker. I do wanna thank Representative Candelora, Representative Rebimbas, and others for their feedback and input in this bill. And I can tell you it was, in part, a direct result of my conversations with Representative Candelora that I agreed to make the change in this legislation. It was originally a Class E felony for

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failure to report, but I took the time to listen and understand his concerns about that.

And so that change is reflected in Lines 40 through 45 of the bill. And it provides that a Class E felony - well, it shall be a Class A misdemeanor, as it is today, except that it should be a Class A - a Class E felony if such a violation is a subsequent violation; if such a violation was willful or intentional or due to gross negligence; or such person has actual knowledge, meaning they knew that a child was abused or was a victim of abuse or misconduct as defined in Section 2a of the bill. Through you.

SPEAKER SHARKEY:

Representative Candelora.

REP. CANDELORA (86<sup>th</sup>):

Thank you, Mr. Speaker. And in that first section where, you know, such violation is a subsequent violation, the intent of that language is that if a person was charged with a misdemeanor who was a mandatory reporter, found guilty of that misdemeanor, and if they then subsequently, as a mandatory reporter, fails again a second time to report abuse, they then could potentially be

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charged with a felony. Is that how I read that section? That section's meant to capture those individuals? Through you.

SPEAKER SHARKEY:

Representative Tong.

REP. TONG (147<sup>th</sup>):

That is correct. Through you.

SPEAKER SHARKEY:

Representative Candelora.

REP. CANDELORA (86<sup>th</sup>):

Thank you, Mr. Speaker. And then that third section that speaks to the person has actual knowledge that the person was abused, or that the person was a victim described in Section 2a. That last part - so what that means is if the individual has actual knowledge that the person may have been abused or may have come across that abuse in their employment and they had that actual knowledge, that a felony could be charged. Is that what that section means? Through you.

SPEAKER SHARKEY:

Representative Tong.

REP. TONG (147<sup>th</sup>):

Through you, Mr. Speaker. If I understand the question correctly, to me, actual knowledge has its plain and ordinary meaning. That you know for certain, either through observation - usually through observation - that this type of abuse has occurred. And it's not a should-have-known standard, it is a know standard. Through you.

SPEAKER SHARKEY:

Representative Candelora.

REP. CANDELORA (86<sup>th</sup>):

Thank you, Mr. Speaker. That completes my questions. I appreciate the Chairman addressing these concerns. I do think the underlying bill sets important public policy. I think we're all very empathetic and sympathetic to what's going on in Stamford. We certainly need to get our arms around this and make sure that those atrocities don't occur again, and on the same time, not be too heavy handed on the individuals who are mandatory reporters that are faced with very difficult circumstances.

I think by and large, probably 99 percent of our mandatory reporters in the State of Connecticut have our children's best interests in mind. And

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it's that 1 percent that we need to make sure we go after. And I think that this amendment certainly does that, and I just, again, thank the Chairman for incorporating my concerns.

SPEAKER SHARKEY:

Thank you, sir. Would you care to remark?  
Would you care to remark further on Senate - on, House "A?" Representative Rebimbas.

REP. REBIMBAS (70<sup>th</sup>):

Thank you and good afternoon. I do rise in support of the amendment that's before us, and I certainly want to take an opportunity to thank Representative O'Dea and Candelora for the questions that they pose and certainly the Chairman of the Judiciary Committee for his responses. And also his willingness to compromise regarding the amendment that's before us because, again, it's always difficult when a tragedy - a situation - brings a proposal before us.

But we certainly do then wanna make sure, as it's already been stated, that it's even handed, any type of punishment. But most importantly, we are hopefully curtailing this type of behavior and inability to communicate when you see a wrong being

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done that you wanna make sure that the individual, again, is the adult in the situation and makes the right decision, which is to make sure that they communicate it. So then if there is any victim of sexual assault on - certainly on school property - that it's properly addressed and that the victim is properly treated.

So again, I do wanna thank the Representative for this amendment and most importantly is the training component that's gonna come along. 'Cause many times we pass legislation here, but unless we properly train these individuals that we expect to be responsible - sometimes it's for nothing. But in this case, I do believe that the training component and the refresher program component will certainly then make sure that what is expected from this piece of legislation would certainly be delivered. So I do rise in support of the amendment. Thank you.

SPEAKER SHARKEY:

Thank you, madam. Further on House "A?"  
Representative Lavielle.

REP. LAVIELLE (143<sup>rd</sup>):

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Thank you, Mr. Speaker. I think it's good  
after - yes - good afternoon.

SPEAKER SHARKEY:

Good afternoon, madam.

REP. LAVIELLE (143<sup>rd</sup>):

I rise in support of the amendment, but I have  
just a few questions for clarification to the  
proponent.

SPEAKER SHARKEY:

Please proceed, madam.

REP. LAVIELLE (143<sup>rd</sup>):

Thank you very much. I'd like to refer first  
to the paragraph that begins with Line 71 and goes  
to Line 78. It discusses the time delay within  
which a mandated reporter must communicate his or  
her knowledge or suspicion of some of these  
activities. And I just wondered if the Chair of  
Judiciary could explain if there - if this has to  
be 12 hours after the actual witnessing of  
something or hearing something and how you  
determine this. Sometimes when someone might come  
to the realization that something that didn't mean  
anything to them two or three days before suddenly

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does. How do we make sure that those determinations hold up? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tong.

REP. TONG (147<sup>th</sup>):

Through you, Mr. Speaker. This is existing law - the sections that the good Representative has referenced. It's a matter of fact that a prosecutor would have to make out when the - and would have the burden to show - when the reasonable suspicion occurred or accrued. And I imagine that it would be when a reasonable person, upon observing an incident or hearing a credible report, would normally, under normal circumstances, reasonably suspect that something is going on and ought to be reported. Through you.

SPEAKER SHARKEY:

Representative Lavielle.

REP. LAVIELLE (143<sup>rd</sup>):

Thank you, Mr. Speaker. And I thank the good Chairman for his answer. I do realize it's existing law and it does have some impact on how the activity of a mandated reporter is evaluated and how it's in compliance with what's here in the

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amendment. And I know that in a situation where there are a lot of children, as you have in a school, these things can always become very murky and ambiguous, but I gather that because it's an existing law, the court system has enough experience dealing with this that it can be reasonably determined.

I refer next to the changed section - the underlying section that begins on Line 205, where it discusses that no Board of Education shall employ someone who was terminated or resigned following suspension if the person has been convicted of a crime of child abuse. It is - is that possible now that they can be employed? Is this a complete change? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Tong.

REP. TONG (147<sup>th</sup>):

Through you, Mr. Speaker. I suspect that a person who was actually convicted of failing to comply with this statute and failing to report an incidence of child abuse would have a hard time getting a job even without the statute. I'm not aware of any other provision in the General

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Statutes that emphatically says that a Board of Education shall not hire such a person, and that is the purpose of this provision. Through you.

SPEAKER SHARKEY:

Representative Lavielle.

REP. LAVIELLE (143<sup>rd</sup>):

Okay. So that is a - that is a definitive change that this amendment proposes.

And finally, just for - really for clarification purposes - Section 10, which is new, beginning on Line 324. Again, it refers to prohibitions on employing someone who has been convicted of a violation of - and then there is a section of the General Statutes - I don't know what that is. So I wondered if the good Representative could explain what that statute is and what the - what that would mean that the conviction would be a violation of what? Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Tong.

REP. TONG (147<sup>th</sup>):

Through you, Madam Speaker. I believe that this section, starting at Line 324, was put in there to promote consistency in the statutes. I'm

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afraid I can't tell you exactly what section. I don't have committed to memory what that particular provision looks like, but it's a provision that's intended to promote consistency with the previous provision we talked about. Through you.

REP. LAVIELLE (143<sup>rd</sup>):

Okay. [laughs]

DEPUTY SPEAKER SAYERS:

Representative Lavielle.

REP. LAVIELLE (143<sup>rd</sup>):

Thank you, Madam Speaker. Sometimes it's difficult when you find just the number of the statutory reference. I am particularly interested in this bill because not only as ranking member of Education but also because in my district we have had a couple of incidents recently where, of course, my first reaction was what else can we do? How can we, through legislation, if possible, prevent some of these incidents from happening? Nip them in the bud? Realize that somebody may be doing something that no one noticed.

And of course it's always a - the first impulse is to protect the children. The second one is to think how can we do this without turning into

a culture where everyone is informing on everybody and everybody suspects everything? And particularly in such a sensitive environment.

And clearly there were some instances where probably reporting could have been handled better. Probably the requirements - legal requirements - regulatory requirements - could have been clearer to school staff and what their obligations really are. So I think that this bill - this amendment, I should say - does make some progress in clearing that up. We will probably never completely resolve that issue, but it is of primary importance. The one thing that no one disagrees on in terms of the educational context is that we have an absolute responsibility to keep our students safe. And this bill is a measure that will help us to do that.

Thank you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Thank you. Representative Ackert of the 8<sup>th</sup>.

REP. ACKERT (8<sup>th</sup>):

Thank you, Madam Speaker. And good to see you. Through you, just a question to the proponent of the amendment, please.

DEPUTY SPEAKER SAYERS:

Please frame your question, sir.

REP. ACKERT (8<sup>th</sup>):

And to the good Chair of Judiciary. The - we understand the reason for this, and we had mentioned there is existing training already being taking place. And as I read the legislation in front of us, the amendment - what was added was and refresher training program. So as it states now there are not - a standard employee, when they're hired - knew they have to do the training but there isn't - there is not any refresher required. Is that correct at this point? Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Tong.

REP. TONG (147<sup>th</sup>):

Through you, Madam Speaker. It's my understanding that there already is refresher training in place, but this makes it clear that it's required. That there are consequences for not completing a training. That there are certifications required of the principal and of the superintendent that training has been completed. One of the problems we saw in Stamford was that the

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training was not being done, and that's  
inexcusable. Through you.

DEPUTY SPEAKER SAYERS:

Representative Ackert.

REP. ACKERT (8<sup>th</sup>):

And that's important. I thank the good Chair  
for that answer because one of the things I know  
that we did recently in the Education Committee and  
put on to the school districts was additional  
training that was not - had not - been required in  
the past for all employees. And the lost time in  
classroom and the lost time in their jobs made it a  
critical negative effect in the educating of our  
children - in our students. And I want to just make  
sure that this is something that's actually taking  
place because in Line 15 it originally said, and  
was blocked out, just all new, but now it's each  
school employee. And I wanna make sure - and then  
in Line 60, which is existing statute - within  
available appropriations.

So if a school district said well, we couldn't  
do it just because we didn't have the money, by  
this legislation, it seems like that would apply.  
That would be kind of, you know, disingenuous on

the part, I think, of the school district to say that, but it's still listed there. And I'm wondering why, at that point, we left in within available appropriations if we really and truly wanna make this happen? Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Tong.

REP. TONG (147<sup>th</sup>):

Through you, Madam Speaker. To address your question about Line 15 - yes. We wanted to make it clear that we mean everybody. And that everybody who is a mandated reporter is required to do their training and their refresher training.

With respect to the training, the training at this point is done by DCF. And at present, DCF does it for free. And actually the, you know, this bill originally had other provisions regarding training, but after hearing testimony, we thought that this was the best language to capture the intent, which was just to make sure that everybody does their DCF training and they do it regularly and they do it reliably. Through you.

DEPUTY SPEAKER SAYERS:

Representative Ackert.

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REP. ACKERT (8<sup>th</sup>):

Thank you, Madam Speaker. And I really appreciate the answers by the good Chair, and I look forward to supporting this amendment and the underlying legislation. Thank you.

DEPUTY SPEAKER SAYERS:

Will you remark? Will you remark further on the amendment that is before us? If not, let me try your minds. All those in favor, indicate by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER SAYERS:

Those opposed, nay. The ayes have it. The amendment is adopted. [gavel] Will you remark further on the bill as amended? Will you remark further? If not, will staff and guests please come to the Well of the House, the members take their seats, and the machine will be opened.

CLERK:

[bell ringing] The House of Representatives is voting by roll. The House of Representatives is voting by roll. Will members please report to the Chamber immediately.

[pause]

DEPUTY SPEAKER SAYERS:

Have all the members voted? Have all the members voted? Please check the board to see that your vote has been properly cast. If all the members have voted, then the machine will be locked, and the Clerk will take a tally.

The Clerk will announce the tally.

CLERK:

House Bill 6186, as amended by House "A"

Total Number Voting	139
Necessary for Passage	70
Those voting Yea	138
Those voting Nay	1
Absent and not voting	12

DEPUTY SPEAKER SAYERS:

The bill, as amended, passes. [gavel] Will the Clerk please call Calendar No. 437.

CLERK:

House Calendar 437, on Page 51, Favorable Joint Report - or Favorable Report of the Joint Standing Committee on Judiciary, Substitute House

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REP. SAMPSON (80<sup>th</sup>):

Thank you, Madam Speaker. I rise for the purpose of a Transcript notation.

DEPUTY SPEAKER SAYERS:

Please proceed, sir.

REP. SAMPSON (80<sup>th</sup>):

Thank you, Madam Speaker. Earlier today we voted on a bill, House Bill H.B. 6186, AN ACT PROTECTING SCHOOL CHILDREN. At the time, I was unaware of the strike-all amendment, and I had indicated my vote in the negative. And I understand I cannot change my vote, but I would like the record to state that I am very much in support of the bill. Thank you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Thank you, sir. And the Transcript will so record. Will the Clerk please call Calendar No. 443.

CLERK:

House Calendar 443, on Page 22, Favorable Report of the Joint Standing Committee on Judiciary, Substitute House Bill 6923, AN ACT CONCERNING SEXUAL ASSAULT.

DEPUTY SPEAKER SAYERS:

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THE CHAIR:

The bill, as amended, is passed. [gavel] I would ask all the members to kindly stay close to the Chamber since things will start to be moving along. Senator Duff.

SENATOR DUFF:

Thank you, Madam President. Madam President, if the Clerk can call the next three items, please. Calendar Page 19.

THE CHAIR:

Mr. Clerk.

SENATOR DUFF:

Making sure he has a pen. Calendar Page 19, Calendar 622, House Bill 6186. Calendar Page 28, Calendar 436, House Bill 5983, followed by Calendar Page 10, Calendar 512, 6792.

THE CHAIR:

Thank you, Senator Duff. Mr. Clerk, Page 19. Thank you.

CLERK:

On Page 19, Calendar 622, substitute for House Bill No. 6186, AN ACT PROTECTING SCHOOL CHILDREN, it's amended by House Amendment Schedule "A," a Favorable Report of the Committee on Judiciary.

THE CHAIR:

Senator Coleman, you have the floor, sir.

SENATOR COLEMAN:

Thank you very much, Madam President. Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the House.

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THE CHAIR:

Motion is acceptance and passage in concurrence with the House. And you have the floor.

SENATOR COLEMAN:

Thank you again, Madam President. The bill is simply an effort to make very clear that teachers and principals are mandated reporters and that if it comes to their attention that a teacher and a student are involved in a sexual relationship, that they are most certainly and indeed required to report that. Failure to report it would mean that they would be subject to a criminal offense and also subject to mandatory retraining regarding mandated reporting.

I urge support for the bill. I know that there is the amendment that was adopted in the House as a result of conversations between the proponents of the bill and some of the Representatives of the teachers unions, both major unions in the State of Connecticut. And I think the amendment represents the compromise between the interests of the proponents and the Representatives of the teachers and principals throughout the state. So I urge support, Madam President.

THE CHAIR:

Thank you, Senator Coleman. Will you remark? Will you remark? Senator Kissel.

SENATOR KISSEL:

Thank you very much, Madam President. I stand in strong support of the bill as amended by the House. And I'm glad the differences by the various interested parties were ironed out. Thank you.

THE CHAIR:

Thank you, Senator Kissel. Will you remark? Senator Leone, you have the floor.

SENATOR LEONE:

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Thank you, Madam President. I stand in strong support of this legislation being brought forward to us. And I want to thank Senator Coleman and Senator Kissel and the members of the Judiciary Committee that have brought forth this legislation. Because in Stanford, we had an issue where this has struck close to home. And what it boils down to is that the trust that needs to occur between teachers and students must not be breached. And we put a lot of faith in our education system. We put a lot of faith in our teachers.

And our teachers have a position of authority over our children. And sometimes that can blur the lines and maybe cause children to think something is acceptable when it in fact is not. And that's not to suggest that may have been the case. But quite simply when these kind of actions occur, consequences and repercussions need to be evident. And in the situation in our town, that was clearly not the case.

Situations were left to go unaccountable for. And it has caused extreme duress. It has affected numerous people within my community and also around our surrounding community. And it has caused a lack of public trust in our education system and all the good teachers and administrators that do such a fine job each and every day. And unfortunately for the actions of a few, it casts a shadow of a doubt over everyone. And that is not and should not be the case.

We have a lot of great instructors and our teachers do such a fabulous job, our administrators do a fabulous job. But when they don't follow the law, their actions and they must be held accountable. And our students deserve the very best. They need to be taught by the very best. And they need to be taught ethics, integrity, character, and above all, trust. And in this situation, that clearly faltered.

This bill goes a long way towards correcting that. And we hope that these kind of situations, whether in our community or anyone else's community does not occur again. So I would stand in strong support of this legislation. And, again, I want to thank all the leaders who helped iron out the differences in bringing forth this legislation that we have before us today. Thank you, Madam President.

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THE CHAIR:

Thank you, Senator Leone. Will you remark further?  
Will you remark further on the bill as amended?  
Senator Coleman.

SENATOR COLEMAN:

Thank you, Madam President, may this item be placed on  
our Consent Calendar?

THE CHAIR:

Seeing no objection, so ordered, sir. Will the Clerk  
please return to the call? Page 28.

CLERK:

Page 28. It is Calendar 436, substitute for House  
Bill No. 5903, AN ACT CONCERNING A STUDY OF CHRONIC  
OBSTRUCTIVE PULMONARY DISEASE, it's amended by House  
Amendment Schedule "A" and a Favorable Report of the  
Committee on Public Health.

THE CHAIR:

Senator Gerratana, you have the floor, madam.

SENATOR GERRATANA:

Good afternoon, Madam President. Madam President, I  
move acceptance of the Joint Committee's Favorable  
Report and passage of the bill in concurrence with the  
House.

THE CHAIR:

Motion is acceptance and passage in concurrence with  
the House. Will you remark, madam?

SENATOR GERRATANA: Yes, Madam President, thank you  
very much. This bill is an act concerning a study of  
chronic obstructive pulmonary disease. Many people  
are aware of emphysema and other such diseases like  
chronic bronchitis that afflict people usually over  
the age of 25. The bill requires that the DPH

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SENATOR DUFF:

Thank you, Madam President. On Calendar Page 9, Calendar 503, House Bill 6117, I'd like to place that item on the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR DUFF:

Thank you, Madam President. On Calendar Page 8, Calendar 501, House Bill 6830, like to place that item on Consent Calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR DUFF:

Thank you, Madam President. We have a number of other items on the Consent Calendar from earlier. If the Clerk can call those items and the ones I just added. And we may have a vote on the first Consent Calendar of the day.

THE CHAIR:

Thank you, sir. Mr. Clerk.

CLERK:

On Page 9, Calendar 508, House Bill 7048. On Page 8, Calendar 501, House Bill 6830. Also on Page 9, Calendar 503, House Bill 6117. Page 10, Calendar 523, House Bill 6849. Page 11, Calendar 529, House Bill 6823. Page 12, Calendar 545, House Bill 7029.

Also on Page 12, Calendar 540, House Bill 6919. And on Page 13, Calendar 567, House Bill 6921. Page 13, Calendar 561, House Bill 6907. Page 16, Calendar 598, House Bill 7003. Page 16, Calendar 595, House Bill 6820. On Page 17, Calendar 600, House Bill 6855.

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Page 18, Calendar 613, House Bill 6899. Page 18, Calendar 615, House Bill 6737. On Page 19, Calendar 616, House Bill 6856. Also on Page 19, Calendar 622, House Bill 6186. On Page 20, Calendar 628, House Bill 7027. Page 20, Calendar 626, House Bill 7023.

Page 21, Calendar 632, House Bill 6774. Page 22, Calendar 643, House Bill 5780. On Page 22, Calendar 646, House Bill 7021. On Page 23, Calendar 649, House Bill 5793. Page 24, Calendar 651, House Bill 6987. Page 27, Calendar 408, Senate Bill 1030.

On Page 28, Calendar 517, House Bill 6498. Also on Page 28, Calendar 436, House Bill 5903. And on Page 30, Calendar 432, Senate Bill 1105.

THE CHAIR:

The machine will be opened. Clerk will announce a pendency of roll call vote.

CLERK:

Immediate roll call has been ordered in the Senate.  
Immediate roll call on Consent Calendar No. 1 has been ordered in the Senate.

[pause]

THE CHAIR: (The President in the Chair)

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

CLERK:

On Consent Calendar No. 1

Total Number Voting	36
Necessary for Adoption	19
Those voting Yea	36
Those voting Nay	0
Absent/not voting	0

THE CHAIR:

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Consent Calendar passes. [gavel] Good afternoon,  
Senator Duff.

SENATOR DUFF:

Thank you, Madam President. Madam President, I would ask that the Clerk now please call from Senate Agenda No. 1, Emergency Certified Bill, House Bill 7061, please.

THE CHAIR:

Mr. Clerk.

CLERK:

House Bill No. 7061, AN ACT CONCERNING THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2017, AND MAKING APPROPRIATIONS THEREFOR, AND OTHER PROVISIONS RELATED TO REVENUE, DEFICIENCY APPROPRIATIONS, TAX FAIRNESS AND ECONOMIC DEVELOPMENT.

THE CHAIR:

It will be a good afternoon and a good evening. But a good afternoon, Senator Bye.

SENATOR BYE:

Good afternoon, Madam President. Nice to see you today.

THE CHAIR:

It's good to be seen and good to see you, ma'am.

SENATOR BYE:

Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the House.

THE CHAIR:

The motion's on acceptance and passage in conjunction with the House. Would you remark?

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**JUDICIARY  
PART 1  
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Sanchez and Namrata Ramakrishna come forward.  
I hope I didn't butcher those names too badly.  
Good afternoon, ladies.

LETICIA SANCHEZ: Good afternoon, Senator Coleman, Representative Tong and members of the committee. We have a special greeting for Senator Boucher, Representative Morris, Representative Flexer, Representative Fox and Representative Simmons some of whom represent our districts and all of whom we have worked with in the past.

My name is Leticia Sanchez and I am from the Center for Youth Leadership at Brian McMahon High School in Norwalk. This is Namrata Ramakrishna from the Mayor's Youth Leadership Council which is a program of the Stamford Youth Services Bureau at Stamford High School. On behalf of our 382 members we are here to testify in support of House Bill 6186, AN ACT TO PROTECT SCHOOL CHILDREN.

It's ironic that this hearing is taking place just days before a teacher from Stamford High will be sentenced for a sexual relationship she had with one of her students, a relationship that jumpstarted a series of actions or inactions by school administration -- administrators and school district officials that has led to this hearing.

So while there will be some closure in the coming days the healing has only just begun. Healing for the student, healing for the teacher and healing for a school district that failed to protect one of its students. Just like background checks we know that the child abuse reporting training called for in Public Act 1193 is not a cure-all especially since it does not include any sanctions for school districts that fail to ensure teacher training.

And this is reassuring that school districts even know about the law. This came up during the phone calls that our members made to every school district in the State.

They asked if -- they called to ask if the school district maintains the database of employees by name, the date they took the child abuse reporting course and the date they are scheduled to retake the course. Of the districts we spoke with just a handful reported that the -- that they maintained such a database.

Officials from many school districts confessed to not knowing about the law or the letter sent by the Department of Education commissioner in August 2011 that outlined the requirements of the law. Granted a school or two within a district may keep a database of its employees but a centralized district wide database does not seem to exist in many school districts.

NAMRATA RAMAKRISHNA: Generally speaking we are in favor of the legislation as outlined in the draft of House Bill 6186 because it strengthens Public Act 1193. However we do have several questions and comments. Number one, we agree with the requirement of a training program and refresher course about child abuse reporting for each school employee but we're not sure how practical and cost efficient it is for the Department of Children and Families to conduct such training in person as outlined in subsection C of section one.

According to Tom DiMatteo of the Department of Children and Families legal department a PowerPoint course is available online for school employees to complete. While that may be more convenient and cost efficient we're not sure how effective it is. So you may want to

ask the Departments of Education and Children and Families to come up with the best way to conduct the training especially regain the refresher course. Can we continue?

SENATOR COLEMAN: Please continue.

NAMRATA RAMAKRISHNA: Okay. Thank you. In addition you may want to consider a requirement that all school employees complete a national criminal background check every three to five years. Number two, we're still confused about how the legislation defines a child. In section 2 subsection 1 the phrases under the ages of -- under the ages of 18 years and any person 18 years of age or older appear. And in subsection A of section 12 the phrase any child under the age of 16 appears.

Can the legislation simply read any person regardless of age who's enrolled and attending a public elementary, middle or high school in a local or regional school district instead? Number three, we agree with subsections two and three of section two about the penalty and training programs of people who interfere with the making of a report of child abuse.

Number four, in subsection three of section six you may want to consider adding another layer of reporting. We suggest that the chairperson in each academic department in the school certified as a principal that each teacher and teacher's aid in the department is in compliance with the training and refresher course.

This should also hold true for the persons in charge of nonacademic departments for example custodians, office staff and others. Given the research we conducted with school districts we agree that school superintendents should

certify compliance with the log of the State Commission of Education. Number five, although we agree with the concept we anticipate some pushback from school districts about the creation of a confidential rapid response team in each school district to coordinate with the Department of Children and Families as outlined in section ten of the legislation.

There may be some union issues with the makeup of the team especially if it includes non-school district employees which we believe it should to ensure objectivity. And number six, we understand the language of section 11 of the legislation regarding the rehire of a school employee by the same school district but what restrictions or requirements if any are applied to the person who seeks employment in another school district?

Finally please know that we appreciate the effort you are leading to make our school safe. We realize that the large majority of school employees would never do anything to harm a child. However as we have seen in current cases in Stamford, Westport and other school districts there are some school employees that do which is why the requirements of House Bill 6186 should be part of every school district safety plan. Thank you for the opportunity to testify.

SENATOR COLEMAN: Thank you both. I appreciate your testimony. I particularly appreciated the criticisms that you leveled against Representative Tong's bill. Representative Tong might have a comment or two.

REP. TONG: We teach our students in Stamford to be courageous and free thinking and to come up here and criticize the chairman's bill. I want to thank you both for coming down here and

offering such detail and substantive testimony. You know we hear from a lot of folks but it's not often people come up with very thoughtful, well considered, specific suggestions.

So I want to commend you guys for doing that. and I think for -- for those of us in Stamford and maybe in other communities that are unfortunately confronting this issue of child abuse and sexual misconduct in our schools -- I mean one of the difficult things for us in Stamford was trying to figure out who was addressing this issue, who was in charge, who's responsible and who's taking responsibility for making sure that all of you and all of your peers are safe. And I'm glad to see the answer is that students are taking responsibility for your schools and for yourselves and for your community. And as a Stamford public school parent and part of your community I'm very proud of your effort here today and that you've stepped on this very important issue.

So I want to ask you a couple quick questions. And we can talk more about your substantive suggestions later. But have you had a chance to talk about this issue with your peers, with other high school students and can you give me a flavor of what they'd like to see happen, what their expectations are? You know, do they feel that this is too tough? Too soft? You know do you have any feedback from -- from your peers?

NAMRATA RAMAKRISHNA: Coming from Stamford High School this year I don't think any of my peers are -- or I -- even I didn't really have an idea of the consequences of like the sexual misconduct and child abuse before it happened -- before the event happened this year. But once it did happen it was -- everyone was discussing it and it -- a lot of people wanted

to see more happen to the people who hadn't responded quickly or responded well, much quicker and more -- in a more detailed manner than actually happened.

REP. TONG: What about your parents? You know in drafting this legislation I think those of us from Stamford, Representative Simmons and others who -- Representative Fox, who were part of putting it together we tried to reflect what we think the expectations of our community are and what the expectations of parents are. For example there's -- we're elevating the failure to report to a felony and we did that in part because we think that's what parents would expect that there are going to be very serious consequences for not reporting instances of -- of child abuse. Do you have a sense of what your parents or have you heard from parents and what they're thoughts are on this?

NAMRATA RAMAKRISHNA: I think parents as a whole were afraid and frightened to think that the school wasn't doing all that it could to keep their students safe because my parents especially when they were thinking -- when they heard about this they realized that it could easily have been me or it could easily have been my friend. And I think that is something that they hadn't expected to have to face because they just assumed that the schools would keep their students safe and that the school would hold teachers or all their employees accountable for their actions.

REP. TONG: Well thank you for that. That's really important feedback and again I want to thank you guys for making the trip up. We make it every day but we really appreciate you being a part of this and taking such an important leadership role on this issue. Mr. Chairman.

SENATOR COLEMAN: Thank you. Senator Boucher.

SENATOR BOUCHER: Thank you, Mr. Chairman. And thank you for a remarkable real testimony. I mean the detail in which you went into showed that you studied this bill line item by line item. You should be really commended on this and you bring and highlight a very important issue as the Center for Youth Leadership typically does. And I do want to at least recognize your great advisor, Bob Kocienda who has over the many years brought many students here to be a part of this process and to really help to make change and State law as a result.

So if people say that you're not -- you know you're too young to make a difference in the process they only have to look to your exemplary program. You've touched a nerve on this bill very much because in the district that I represent and I'm proud to have once represented the district in which your program resides in now, we've had a couple of incidents like this in multiple towns that I represent. And it seemed like all this year. So you've brought and highlighted an issue that disturbs the sensibilities of almost everyone.

And in fact not only is the penalty an important aspect of this -- and I do have a question to ask you in regards to your peers and how they feel about the profession of teaching as well but one of the things that jarred me the most was my first year serving on the State Board of Education the very first order of business was to have a teacher come forward and the revoking of their certification of teaching for an incident such as this. And it actually did result in the individual's certification being taken away permanently for the rest of their career which I think is just a minimal part of what we need to do because

quite frankly the breaking of a trust between a student and a teacher is one of the most serious, serious violations I think that you could possibly have.

But that being said do your peers -- has this undermined the kind of regards that we all hold as the teaching profession is probably the most important profession in society that we have. They are the ones that are really bringing forward the next generation of -- of our citizens into the future. And so what they do is paramount and very important for society. So I'm asking you that -- and I think you're going to get a lot of support on the issue you brought forward but has this had an impact in the way in which students perceive the teachers in their school?

NAMRATA RAMAKRISHNA: I think once this incident is past at my school we were suddenly like -- it brought to the forefront an issue that we hadn't really confronted before. But I do think overall there are so many good teachers in our -- in our school system that it outweighs the one negative that we do have -- that we did have. But I do think the way that the teachers discussed this issue with us and let us know that our safety is paramount to any other issue that has happened -- that is happening in our school. Really -- really like -- it really gave us a sense of confidence in our teachers and in our schools regardless of what had passed.

SENATOR BOUCHER: I am so happy to hear that. Lastly, do you feel that by making it even a greater crime in a situation such as this some will criticize that?. They'll say well why should this get any greater scrutiny or punish than say others that do the same in another say environment or another situation. What would

you respond to that from the standpoint of this should be even a higher penalty in this kind of school environment, this sort of trusting environment?

NAMRATA RAMAKRISHNA: I think it is integral that there should be a higher punishment because it is a situation where everyone is considered a minor and we spend so much of our time in -- in school and with these teachers that -- with these adults that we perceive as our second parents maybe but when you break that trust it kind -- it starts to scare you for the rest of your time in school and that -- that trust especially with -- between a student and a teacher is very different I think than the trust of maybe an employee with another employee or an employee with their boss and any other environment.

SENATOR BOUCHER: Well said and well done. Thank you, Mr. Chairman. And thank you.

SENATOR COLEMAN: Thank you, Senator. Any other members care to -- Representative Simmons.

REP. SIMMONS: Thank you, Mr. Chairman. And thank you, Leticia and Namrata for taking the time to come testify today and for your extremely articulate and thoughtful suggestions on ways we can strengthen this bill to keep kids safe in the future from -- from incidents like this. And in particular I want to commend your questioning number six of your testimony related to section 11, making sure that these rules apply to school employees if they seek employment in other towns because I think it's very admirable that you're not only standing up for your own towns and schools but for kids across the State. So thank you so much again for coming up to testify. And we'll take your suggestions and work to strengthen this bill.

Thank you.

SENATOR COLEMAN: Are there other members with questions or comments? If not, thank you both very much. This is a very serious subject that you're commenting on and I think you did a great job. Thank you for your input.

NAMRATA RAMAKRISHNA: Thank you for having us.

LETICIA SANCHEZ: Thank you.

SENATOR COLEMAN: All right next is Kevin Kane.

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KEVIN KANE: Thank you, Senator Coleman. I was going to say Representative Tong and Senator Kissel and members of the committee for having us here today. My name's Kevin Kane. I'm the chief state's attorney. For years I know those of you who've been on the committee for a while I get the impression must be sick of seeing me year after year when I'm principally the main person here. We have a lot of subject -- well a lot of -- we have a very small division of criminal justice.

We have a lot of very good subject matter experts, excellent prosecutors in the division. Over the years I've wished I could get them up here to help give you information that you need to make good decisions on passage of bills. They've all always been too busy. Fortunately today I was able to get Vicki Melchiorre and Elizabeth Tanaka who are assistant state's attorneys in Hartford here to talk about one of the bills, the sexual assault rape shield bill that's on the agenda today. And Tim Segrue who is in our appellate unit just managed to have some free time and he could come up here too. They are experts. I'd like to have them here to testify. Unfortunately I had hoped I could start a pattern and do this more and more often

combined period which would stay at ten years of some combination of the two and it simply would open the door to trial courts to have probation as an option which is important in our view because the period of supervision that probation contemplates for these folks can be ten to 35 years.

It's significantly longer than special parole which is capped at the maximum exposure. So the example there that we gave in the testimony is a person who commits a class B felony and is subject to a 20 year prison sentence can only get a combination of prison and special parole that's capped at 20. That's not so if you expand it to allow probation because the judge can impose a 15 year sentence of the 20 available, suspend five and also impose a 35 year period of probation which would effectively be 50 years of either incarceration or supervision. So hopefully you'll see that as a good thing for the State and to protect our communities against the worst of the worst when it comes to sexual offenders. Thank you.

KEVIN KANE: And the last -- the bill I'm here to testify about is -- is the act concerning the protection of children -- school children. I'm Kevin Kane. I'm sorry, Representative Rebimbas. I -- that's another reason I should have other people, once in a while my mind goes blank. That's the reason I should have help more often than I do. This act is good. Dave Cohen would have been here to testify about that. He is a state's attorney from Stamford where this became a problem. Every so often we've had issues in schools with regard to this mandatory reporting statute. In the past we've felt there is -- that training was the issue.

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The best way to resolve it was by training. A fairly good training program was instituted by

DCF. It became obvious that there are improvements that could be made very well. Dave Cohen would have been here today but the -- one of the cases that arose that -- said made a highlight in this was the sentencing of the teacher, was scheduled to be today. It was supposed to be this morning. Dave Cohen was there in court expecting it to be, there was a last minute continuance. It had to be postponed. By the time he found out it was too late for him to get here.

I mean so it would have been too late had at the committee been able to start when we thought at noon and he had to leave so he didn't get up here. He's submitted written testimony in favor of the bill. I think Representative Tong has worked very hard on it. It's good he's also had school children come here to -- who were free and comfortable and expressing their thoughts.

This bill does contain our thoughts which I think it is a good bill and we are in support of it. It clears up any ambiguity there which we had always thought was clear that a student, a child was defined in one portion of this statute -- a child was defined as being under the age of 18 except that a child under the age 21 who was a full time student in a college, high school or secondary school was also considered a child for the purposes of this act.

That apparently was the reason for the attorneys for the school board interpreting -- coming to the conclusion that the statute didn't apply. I think it -- we think it did apply. There is a little bit of lack of clarification there that this amendment will take care of and that will be good. And I think the other efforts designed to address the

problems which became so clear in -- in Stamford and has existed in other schools. This bill is -- is a -- it's a good bill and we'll leave to the important resolution of those issues. Thank you.

With regard to the juvenile sentencing bills those are both on. The sentencing commission people will be here to testify about those bills. I want to state as I have in previous years, this is the third time now, that this is a compromised bill coming out of the commission. It's an important bill. It's a good bill. The division I supported. I was part of the -- the end. We went through a two year process before we finally created a new subcommittee after having gone through two other subcommittees in a very different form than this. We really did work hard to hammer out this compromise.

It does some significant things. It makes people eligible for parole who wouldn't have been eligible otherwise. It sets parameters. Some of this bill was required and Graham and Miller. Some of this bill. The bill does go beyond Graham and Miller. I think for good reasons, for a variety of reasons. It also changes the -- directs the parole board to follow this -- the criteria set forth in 53-300 subsection C in deciding whether or not a person eligible to be paroled is suitable to be paroled.

Now that's a stricter standard than applies to the adults, than would apply to the adults. It's a standard which -- which requires the parole board to consider all of the factors that go into sentencing and balance them all together rather than focusing just on the defendant's rehabilitation and just on the public safety. There are considerations that

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private citizen who though not a family member is an impassioned advocate for Michael Spyke and others like him who have so much to give if allowed to take this next positive step in their lifelong rehabilitation. I strongly encourage you to read his letter as you consider this bill. And I will let Michael's last state in his letter say it best which is one thing I will keep on doing is having faith and applying myself every day to be a better man. And he has. Thank you.

SENATOR COLEMAN: Thank you, Greta. Are there questions? There are apparently no questions or comments. Thank you for your testimony.

GRETA BLANCHARD: Thank you.

SENATOR COLEMAN: Joshua FEINZIG. I hope I'm saying the name right. No response. Sarah Raskin. Laura Cordes.

LAURA CORDES: Good evening. Senator Coleman, Representative Tong, Senator Kissel, Representative Rebimbas and members of the judiciary committee. My name is Laura Cordes. I'm the executive director of the Connecticut Sexual Assault Crisis Services, the coalition of nine community based rape crisis programs or sexual assault crisis programs throughout our State.

Thank you for the opportunity to come before you this evening to offer testimony regarding three important bills, House Bill 6186, 6939 and 6923. We've filed testimony -- written testimony and I'll work to limit my comments this evening. When a child experiences abuse or neglect we want the adults that they interact with to accept the responsibility to report, to understand how to make that report and to support the child at the time of the

disclosure.

We should have no tolerance for those individuals or institutions who cover up or interfere with reports of child sexual abuse especially when they are already mandated -- excuse me, when they are already mandated to receive training and are aware of their obligation. Representative Tong, I wanted to personally thank you for your work that you have done on House Bill 6186. I know you spent time with our staff and advocates at our local community based sexual assault crisis program in Stamford to take the time to learn how to improve the repose to victims and to make sure that our schools are safe.

We're encouraged by the proposal to further engage local and regional boards of education and superintendents to coordinate their response with DCF as well as multidisciplinary teams or NDTs and to ensure that school employees receive in person mandated reporter training. As the bill moves forward I'd encourage careful consideration the creation of the proposed rapid response teams to avoid any duplication of roles with NDTs and to protect the privacy of victims.

CONNSAC is supportive of the increase in sentences proposed in House Bill 6939. The ability to provide longer sentences including probation and community supervision of sex offenders can increase justice for victims, hold offenders accountable, and reduce recidivism when they are being supervised by our State's specialized sex offenders supervision units.

We are however posed to any language or changes that would allow for sentences to be entirely suspended in effect allowing offenders to serve

process is incredibly invasive.

Our current statute stipulates that all but those kits in which a victim does not use a name should be sent to the lab but the statute is silent on the timing of the transfer of kits from the police to the lab in Meriden. And then the time in which the lab should test the kits. Evidence found on the kits can establish if a sexual assault occurred, can eliminate or identify a suspect, identify someone who may have prior convictions and link cases based on evidence.

Unfortunately guidelines have been unclear for police on whether or when to bring the kit to the lab and sexual assault victims have reported that their kits have been held at police stations. The ten day timeframe in the bill allows enough time for the police even the most remote to get them to the lab. And we want to adopt a specific timeline for -- timeline for kits to be tested once they arrive at the lab. This bill sets forth a 60 day timeframe. Thank you for your consideration. I'd be happy to answer any questions you may have.

SENATOR COLEMAN: Are there questions? Chairman Tong.

REP. TONG: Thank you, Mr. Chairman. I just wanted to thank you and CONNSACS for being an invaluable resource on 6196, the child abuse bill that we're talking about today. You know it's really important to have such matter-experts available to all of us here and to help us craft legislation. And I really appreciate your being here today.

(HB 6186)

LAURA CORDES: Pleasure. Thank you.



Connecticut Association of Boards of Education, Inc.

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Testimony  
submitted to the  
Judiciary Committee  
March 4, 2015

**HB 6186 AN ACT PROTECTING SCHOOL CHILDREN**

CABE has concerns about Section 10 of HB 6186, An Act Protecting School Children. Specifically, we would suggest the authority be placed with the Superintendent because of the confidentiality of the issues associated with abuse. We would oppose the loss of state funds and would suggest the use of remediation and working to reinforce a structure that provides a safe environment to learn. Professional development of staff is an issue we take very seriously and would remind the committee that school districts are already mandated to provide training on signs of child abuse.

Thank you for your attention to this issue.

**Center for Youth Leadership  
Stamford Youth Services Bureau**

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*Why wait for someone else to make a difference?*

**Connecticut Legislature  
Judiciary Committee  
*Testimony in Support of SB 6186:  
An Act Protecting School Children*  
March 4, 2015**

*Leticia Sanchez and Namrata Ramakrishna*

Good afternoon Senator Coleman, Representative Tong and members of the committee. We have a special greeting for Senator Boucher, Representative Morris, Representative Flexer, Representative Fox and Representative Simmons, some of whom represent our districts, and all of whom we have worked with in the past.

My name is Leticia Sanchez and I am from the Center for Youth Leadership at Brien McMahon High School in Norwalk. This is Namrata Ramakrishna from the Mayor's Youth Leadership Council, which is a program of the Stamford Youth Services Bureau at Stamford High School. On behalf of our 382 members, we are here to testify in support of SB 6186, An Act to Protect School Children.

It's ironic that this hearing is taking place on the same day that a teacher from Stamford High will be sentenced for a sexual relationship she had with one of her students; a relationship that jump-started a series of actions (or inactions) by school administrators and school district officials that has led to this hearing. So, while there will be some closure today, the healing has only just begun. Healing for the student; healing for the teacher; and healing for a school district that failed to protect one of its students.

Just like background checks, we know that the child abuse reporting training called for in Public Act 11-93 is not a cure-all, especially since it does not include any sanctions for schools districts that fail to insure teacher training. And this is

assuming that schools districts even know about the law. This came up during the phone calls that our members made to every school district in the state. They called to ask if the school districts maintain a data base of employees by name, the date they took the child abuse reporting course and the date they are scheduled to re-take the course.

Of the districts we spoke with, just a handful reported that they maintain such a database. Officials from many school districts confessed to not knowing about the law, or the letter sent by the Department of Education commissioner in August 2011 that outlined the requirements of the law. Granted, a school or two within a district may keep a database of its employees, but a centralized, district-wide database does not seem to exist in many school districts.

Generally speaking, we are in favor of the legislation as outlined in the draft of SB 6186 because it strengthens Public Act 11-93. However, we do have several questions and comments:

1. We agree with the requirement of a training program and refresher course about child abuse reporting for each school employee, but we're not sure how practical and cost efficient it is for the Department of Children and Families to conduct such training in-person, as outlined subsection "c" of Section 1. According to Tom DeMatteo of the Department of Children and Families legal department, a power point course is available online for school employees to complete. While that may be more convenient and cost efficient, we're not sure how effective it is. So, you may want to ask the Departments of Education and Children and Families to come up with the best way to conduct the training, especially the refresher course. In addition, you may want to consider a requirement that all school employees complete a national criminal background check every three or five years. - 2 -

2. We're still confused about how the legislation defines a "child." In Section 2, subsection 1 the phrases "...under the age of 18 years" and "...any person 18 years of age or older" appear, and in subsection "a" of Section 12 the phrase "...any child under the age of 16" appears. Can the legislation simply read, "any person, regardless of age, who is enrolled and attending a public elementary, middle or high school in a local or regional school district?"

3. We agree with subsections 2 and 3 of Section 2 about the penalty and training program for people who interfere with the making of a report of child abuse.

4. In subsection 3 of Section 6 you want to consider adding another layer of reporting. We suggest that the chairperson of each academic department in a school certify to the principal that each teacher and teacher's aide in the department is in compliance with the training and refresher course. This should also hold true for the persons in charge of nonacademic departments; for example, custodians, office staff, and others. Given the research we conducted with school districts, we agree that school superintendents should certify compliance with the law to the State Commission of Education.

5. Although we agree with the concept, we anticipate some pushback from school districts about the creation of "confidential rapid response team" in each school district to coordinate with the Department of Children and Families, as outlined in Section 10 of the legislation. There may be some union issues with the make-up of the team, especially if it includes non-school district employees, which we believe it should insure objectivity.

6. We understand the language of Section 11 of the legislation regarding the rehire of a school employee by a same school district, but what restrictions or requirements, if any, are applied to the person who seeks employment in another school district?

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Finally, please know that we appreciate the effort you are leading to make our schools safe. We realize that the large majority of school employees would never do anything to harm a child. Unfortunately, as we have seen in current cases in Stamford, Westport and other school districts, there are some, which is why the requirements of SB 6186 should be part of every school district's safety plan.

Thanks for the opportunity to testify.

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March 4, 2015

The Honorable Eric D. Coleman  
The Honorable William Tong  
Chairmen  
Joint Committee on Judiciary  
Room 2500, Legislative Office Building  
Hartford, Connecticut 06106

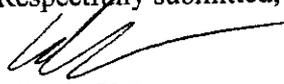
Re: **Committee Bill No. 6186** – An Act Protecting School Children

Dear Chairmen and Committee Members:

The Connecticut Criminal Defense Lawyers Association (CCDLA) is a statewide organization of over 300 licensed lawyers, in both the public and private sectors, dedicated to defending persons accused of criminal offenses. Founded in 1988, the CCDLA works to improve the criminal justice system by ensuring that the individual rights guaranteed by the Connecticut and United States constitutions are applied fairly and equally and that those rights are not diminished.

With regard to **Committee Bill No. 6186, An Act Protecting School Children**, the CCDLA endorses the testimony of the Office of the Chief Public Defender regarding the impact the mandated reporter statute and these proposed changes will have on the delivery of legal representation services and a defendant's constitutional right to effective assistance of counsel under the 6<sup>th</sup> Amendment. The CCDLA joins with the Office of the Chief Public Defender to urge this Committee not to raise the penalties for non-reporting which were very recently adopted. The CCDLA also joins with the Office of the Chief Public Defender to request that this Committee re-consider whether it is good public policy to require mandated reporting by social workers employed in law office settings since this requirement significantly infringes upon the attorney-client privilege, client confidentiality, and the 6<sup>th</sup> Amendment right to effective assistance of counsel.

Respectfully submitted,

  
Elisa L. Villa  
President, CCDLA  
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STATE OF CONNECTICUT  
DEPARTMENT OF CHILDREN AND FAMILIES

Public Hearing Testimony

Judiciary Committee

March 4, 2015



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H.B. No. 6186 AN ACT PROTECTING SCHOOL CHILDREN.

The Department of Children and Families (DCF) offers the following comments regarding H.B. No. 6186, An Act Protecting School Children.

This bill makes a number of very important modifications to mandated reporting generally and school reporting specifically. DCF receives over 45,000 reports each year and opens approximately 30,000 investigations of suspected child abuse or neglect or referrals for family assessment response and mandated reporters account for over 75% of those reports. In 2014, school employees made 7,837 reports which accounted for 25.6% of all accepted reports. When mandated reporters fail to report, they put children at substantial risk.

Section 2 changes the legal standard for reporting child abuse or neglect from "*reasonable cause to suspect or believe*" to "*reasonable suspicion.*" The section also includes language requiring school employees to report suspected abuse/neglect of a student over the age of 18, unless such student is in an adult education program, and it establishes penalties for "*intentionally or unreasonably interfering*" with the making of a report. DCF supports all of the provisions of this section of the bill.

DCF also supports sections 3, 4, 5, 8, 9 and 12 of the bill which strengthen penalties and includes provisions related to students over the age of 18.

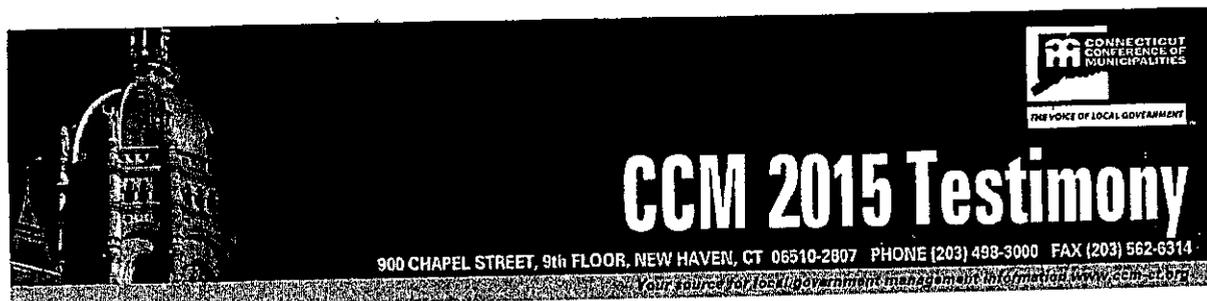
Some sections deal with matters of educational policy within the jurisdiction of the State Department of Education – subsection (a) of section 6, section 11, section 13 and section 14 - and we will defer to SDE for their expertise.

The Department does have concerns regarding the potential fiscal impact of requiring in-person training and refresher training for all school employees in section 1 of the bill. Currently, DCF has over 172 staff who are trained to provide mandated reporter training for all groups of mandated reporters. We provide "Train the Trainer" trainings for our staff who provide these trainings in the community as a secondary responsibility of their job duties. Such training are available upon request and free of charge. Last year, we provided training to 14,504 individuals. In addition, we provide on-line training to an addition 29,873 individuals. We would like to point out that DCF is in the process of updating the online training to include a test and verification of completion on an individual basis. We believe that this may provide a constructive, cost-effective alternative to the requirement for in-person trainings.

We are also concerned about the establishment of a special Child Abuse and Neglect Investigation Fund in section 7, the proceeds of which would be funded by forfeited grant payments from local school districts outlined in subdivision (4) of subsection (f) of section 6. DCF investigations have been, and should continue to be, supported by General Fund appropriations. The Department believes we should explore other mechanisms to ensure compliance with the training requirements of this act.

Finally, we suggest that the Committee omit the last sentence of section 10 on lines 319 through 322. While it may be appropriate to utilize multidisciplinary teams for the investigation of some reports of abuse in school settings, we believe that it may dilute the effectiveness of these teams to have them participate in all school investigations.

The Department would appreciate the opportunity to work with the sponsors of this legislation on the modifications suggested in our testimony as this bill moves forward through the process.



## JUDICIARY COMMITTEE

March 4, 2015

The Connecticut Conference of Municipalities (CCM) is Connecticut's statewide association of towns and cities and the voice of local government - your partners in governing Connecticut. Our members represent 156 towns and cities, representing over 95 percent of Connecticut's population. We appreciate the opportunity to testify on bills of interest to towns and cities.

### HB 6186 "An Act Protecting School Children"

CCM understands the policy goal of this proposal, however there are concerns that the proposal is too broad and ambiguous in achieving its intended outcome.

Professional development for education staff currently exists to identify signs of child abuse. The broad and ambiguous nature of the language, such as reasonable "suspicion" may complicate the intent of the proposal. In addition, CCM has concerns regarding the loss of much-needed education state funds for failure to enact each provision of the bill. This proposal does not have a fiscal note yet, therefore leaving at question implementation costs for towns and cities.

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If you have any questions, please contact Mike Muszynski, Senior Legislative Associate of CCM at [mmuszynski@ccm-ct.org](mailto:mmuszynski@ccm-ct.org) or (203) 500-7556.



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TESTIMONY OF SUSAN O. STOREY, CHIEF PUBLIC DEFENDER  
JUDICIARY COMMITTEE  
PUBLIC HEARING MARCH 4, 2015

*Committee Bill No. 6186, An Act Protecting School Children*

The Office of Chief Public Defender respectfully requests that the Judiciary Committee carefully consider how *Raised Bill No. 6186, An Act Protecting School Children*, impacts the quality of representation of law offices utilizing social workers employed as integral members of a legal criminal defense team. The bill increases the penalty for failure of a mandated reporter to make a report from a Class A Misdemeanor, now punishable by up to 1 year of incarceration, to a class E Felony, which is punishable by up to 3 years of incarceration. In addition, the bill provides that anyone "acting alone or in conspiracy with another, for purposes of intentionally and unreasonably interfering with or preventing the making of a report" will be guilty of a Class D felony, punishable by up to 5 years of incarceration.

The bill also substantially reduces the threshold required for making a report from a situation where a person may have reasonable cause to suspect or believe to a "reasonable suspicion." While the Office of Chief Public Defender is absolutely in support of protecting children, the proposed lower threshold and the enhanced penalties, once again raise concerns as our Agency fulfills its constitutional obligations. The mandated reporter statute and these proposed changes impact the delivery of legal representation services and a defendant's constitutional right under the 6<sup>th</sup> amendment to effective assistance of counsel.

This Office is required to raise its concerns again this year because designating criminal penalties for non-reporting has already had a chilling effect on the ability of public defender social work staff to fully participate in the holistic representation of our clients while preserving the attorney-client privilege. The public defender social workers are a vital part of the adult, delinquency defense, and child protection teams. Their clinical skills are critical to the attorneys' ability to provide effective representation in the legal process by obtaining crucial information from clients. Both the United States Supreme Court and the American Bar Association recognize and mandate this holistic approach: **Criminal Defense Function 4-4.1 (a)** states that: Defense counsel should conduct a prompt investigation of the circumstances of the case and explore all

avenues leading to facts relevant to the merits of the case and the penalty in the event of conviction. See also *Rompilla v. Beard*, 545 U.S. 374 (2005). This means that attorneys are not only obliged to counter the factual allegations, but also must lay groundwork for mitigation in sentencing: in essence, ensuring that the punishment matches the offender. Attorneys are not trained to be investigators or social workers, and that is why the public defender offices employ all three professions in a "Team Case Management" approach where all work confidentially in the representation of adult and juvenile defendants.

The success of the Connecticut "Team Case Management" approach of defense attorney and non-attorney support staff collaboration has served as the best practices model for indigent defense organizations throughout the country. The Office of Policy and Management and the Appropriations Committee have consistently supported the expansion of our Agency's integrated defense team model to include social workers for the past three decades in recognition of their value to the criminal and juvenile justice systems.

In 1990, nationally recognized legal ethics expert, Geoffrey C. Hazard, Jr., then Sterling Professor of Law at Yale Law School, issued an ethics opinion that public defender social workers had the same duty of confidentiality to their clients as the attorneys due to their professional role as part of the defense function. Recent conversations with Professor Hazard indicate no change in his opinion in this regard. As members of the defense team, the social workers and other non-lawyer staff have the same duty of confidentiality to the client, but under **Section 5.3 of the Professional Rules of Professional Responsibility** must also be made aware of and comply with the disclosure requirements of **Rule 1.6** that applies to attorneys. **Rule 1.6** specifies that: "a lawyer shall reveal information to the extent necessary to prevent a client from committing a criminal or fraudulent act that the lawyer believes is likely to result in death or substantial bodily harm."

In 2013, the Legislature designated failure to report as a misdemeanor and interfering with a mandated reporter's ability to make a report as a felony. Criminalization for failure to report required this Office to seek clarification in the statute for the protection of public defender staff. During the last legislative session our Agency worked with DCF Commissioner Katz and reached what was believed to be a workable compromise solution to clarify the role of our social workers. However, despite the creation of a favorable legislative history, it soon became clear that without a specific exemption in the statute for communications protected by the attorney client privilege, public defender attorneys and social workers remain at risk of felony prosecution. This threat significantly interferes with the ability of public defender staff to provide effective assistance of counsel as guaranteed under the federal and state constitutions.

This is especially true in the cases of juveniles in view of the recent Connecticut Supreme Court ruling in *State v. Akeem Riley*, S.C. 19109, released February 27, 2015 (official release date March 10, 2015) that courts must consider the "mitigating factors of a defendant's youth and its hallmark features "as well as the science that establishes such factors as generally applicable" before sentencing juveniles (defendants under the age of 18). The ruling will require defense counsel to more thoroughly delve into a juvenile client's social history including evidence of, neglect, sexual abuse, or other traumatic events or conditions that might be determined as mitigating client culpability. Defense attorneys are not trained to evaluate and synthesize such

evidence and must rely on social workers and mitigation specialists to assist them in developing the criteria outlined in the *Miller* decision for presentation to the court. It is extremely important to preserve the attorney-client privilege with all defense team members to obtain such sensitive and often painful information in these cases, but may be impossible to do so if our social workers are mandated reporters. By warning clients, especially children, not to disclose the very information about their lives that we most need to prepare their cases, we will not be able to fully develop the factors to comply with the *Miller* or the *Riley* decisions that require analysis according to the U.S. Supreme Court, Justice Kagan writing for the majority in *Miller*:

"...consideration of his chronological age and its hallmark features—among them, immaturity, impetuosity, and failure to appreciate risks and consequences. It prevents taking into account the family and home environment that surrounds him—and from which he cannot usually extricate himself—no matter how brutal or dysfunctional. It neglects the circumstances of the homicide offense, including the extent of his participation in the conduct and the way familial and peer pressures may have affected him. Indeed, it ignores that he might have been charged and convicted of a lesser offense if not for incompetencies associated with youth—for example, his inability to deal with police officers or prosecutors (including on a plea agreement) or his incapacity to assist his own attorneys. . . ."

Writing for the majority in *Riley* Justice MacDonald stated:

...We read the import of *Miller* as impacting two aspects of sentencing:

- (1) that a lesser sentence than life without parole must be available for a juvenile offender; and
- (2) that the sentencer must consider age related evidence as mitigation when deciding whether to irrevocably sentence juvenile offenders to a lifetime in prison. Accordingly, for the reasons set forth subsequently in this opinion, we hold that the dictates set forth in *Miller* may be violated even when the sentencing authority has discretion to impose a lesser sentence than life without parole if it fails to give due weight to evidence that *Miller* deemed constitutionally significant before determining that such a severe punishment is appropriate....

In our collective experience, juvenile clients are not likely to reveal information that their attorneys and social workers most need to know if you warn them that you will have to call DCF if they reveal anything that should be reported. If a social worker makes a report against the client's express wishes, then an ethical conflict in continuing to represent the client may result for the attorney often requiring that assigned counsel be appointed in lieu of permanent public defender staff. As a result, public defender attorneys and social workers are in the untenable position of trying to provide constitutionally required zealous representation with a mandated reporter on the defense team. Neither are children any safer when social workers can't ask and children cannot reveal information about neglect or abuse. There must be a trusted individual who will keep the information confidential until the child is advised of his/her legal options and is emotionally prepared to handle the consequences of revelation.

Furthermore it has come to our attention that an organization in Washington D.C. plans to issue defense trial guidelines in Mid-March 2015 with the objective of setting forth a national standard of practice to ensure zealous, constitutionally effective representation for all juveniles facing a possible life sentence consistent with the United States Supreme Court's holding in *Miller v. Alabama*, 132 S.Ct. 2455, 2469 (2012). It is our understanding that these guidelines will specifically call for the holistic team approach of attorneys, investigators and social workers as utilized in Connecticut public defender offices, but with all members acting as agents of defense counsel and having a duty to preserve the attorney-client privilege and client confidentiality.

In conclusion, the Office of Chief Public Defender would urge this Committee not to raise the penalties for non-reporting which were so recently adopted. In addition, this Office would urge this Committee not to lower the threshold required for making a report. We would also respectfully request that, at some point in the near future, the Committee re-consider whether or not it is good public policy to require mandated reporting by social workers employed in a law office setting that significantly infringes upon the attorney-client privilege, client confidentiality, and the 6<sup>th</sup> Amendment right to effective assistance of counsel. Thank you for the opportunity to explain our position.

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State of Connecticut  
DIVISION OF CRIMINAL JUSTICE

**TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE**

IN SUPPORT OF:

**H.B. No. 6186 (COMM) AN ACT PROTECTING SCHOOL CHILDREN.**

JOINT COMMITTEE ON JUDICIARY

March 4, 2015

The Division of Criminal Justice respectfully recommends the Committee's **Joint Favorable Report** for H.B. No. 6186, An Act Protecting Children. This bill represents a comprehensive approach to address shortcomings and concerns with the existing mandated reporter laws, which require those in certain professions to report to the Department of Children and Families when they suspect a child is the victim or abuse or otherwise at risk of harm.

Concerns with the mandated reporter laws are not new. The Division of Criminal Justice supported legislation to strengthen these laws in past sessions, including a recommendation that training be *required every five years* for those professions designated as mandated reporters.

The latest concerns with the mandated reporter law involve incidents that occurred recently in the City of Stamford and involving students in that city's public school system. Coincidentally sentencing is scheduled today in the Stamford Superior Court for a teacher convicted of having sexual relations with a student. It was that particular matter and the response of Stamford school administrators that generated H.B. No. 6186. While the particular incident(s) occurred in Stamford, we would note that the State's Attorney received many calls and letters from individuals around the state voicing similar concerns with the situation in their school districts.

The Division wishes to express its gratitude to the Committee and, in particular, Chairman Tong for drafting H.B. No. 6186 in response to these concerns. This legislation represents a comprehensive approach to dealing with these concerns:

The bill increases the maximum penalty for non-compliance with mandated reporting from the class A misdemeanor (a term incarceration not to exceed one year) adopted in Public Act 13-297 to a Class E felony (a term not to exceed three years).

The bill clarifies that when dealing with the mandatory reporting of abuse of a student, there is no age limit. It is the position of the Division of Criminal Justice that the existing law already requires reporting for as long as the youth is a student, yet others have interpreted the current law

to not require reporting once the victim reaches age 18. H.B. 6186 makes it clear that the law applies to any student, including those over age 18.

The bill strengthens mandated reporter training for all Board of Education employees. Among other provisions, (a) all training must be done in person, and not online; (b) training is not just for new employees, but must include refresher courses at regular intervals; (c) failure to comply with training requirements can result in the loss of teacher certification; and (d) compliance with training requirements becomes a requirement for every Board of Education to meet for certification.

It is a tragic reality that abuse of students by school employees, although by no means widespread, does occur. We owe a tremendous debt of gratitude to the vast majority of school employees who serve our children and our communities with great distinction. We must, however, be prepared to deal severely with those who violate the special trust that is placed with them. H.B. No. 6186 makes necessary revisions that can potentially limit the length of time that the rare instances of abuse do occur by assuring that mandated reporter obligations are strictly adhered to.

In conclusion, the Division of Criminal Justice recommends the Committee's **JOINT FAVORABLE REPORT** for H.B. No. 6186. We would also like to thank the Committee for affording this opportunity to provide input on this matter and would be happy to provide any additional information the Committee might require or to answer any questions that you might have.

Connecticut Sexual Assault Crisis Services, Inc.

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**Testimony of Connecticut Sexual Assault Crisis Services, Inc.**

Laura Cordes, Executive Director

HB 6186 AN ACT PROTECTING SCHOOL CHILDREN

H.B. 6939 AN ACT CONCERNING SEXUAL ASSAULT IN THE FIRST DEGREE

H.B. 6923 AN ACT CONCERNING SEXUAL ASSAULT

Judiciary Committee

March 4, 2015

Good afternoon, Senator Coleman, Representative Tong, and members of the Judiciary Committee. My name is Laura Cordes, and I am the Executive Director of Connecticut Sexual Assault Crisis Services (CONNSACS). CONNSACS is the coalition of Connecticut's nine community-based sexual assault crisis services programs which provide free and confidential sexual assault crisis counseling and advocacy services to thousands of women, men and children, of all ages, each year throughout our state.

Thank you for the opportunity to come before you today to offer testimony regarding HB 6186 AN ACT PROTECTING SCHOOL CHILDREN, H.B. 6939 AN ACT CONCERNING SEXUAL ASSAULT IN THE FIRST DEGREE, H.B. 6923 AN ACT CONCERNING SEXUAL ASSAULT

HB 6186 AN ACT PROTECTING SCHOOL CHILDREN

When a child experiences abuse or neglect, we want the adults that they interact with to accept their responsibility to report, understand how to make that report and to support the child at the time of the disclosure. We should have no tolerance for those individuals or institutions who cover up or interfere with reports of sexual assault especially those who are mandated to receive training and are aware of their obligation to report. We are encouraged by the bills language that would further engage local and regional boards of education to coordinate a response with DCF and regional MDTs (multi-disciplinary response teams) but encourage careful consideration of the creation of separate rapid response teams to avoid any duplicative roles and to further protect the privacy of victims.

We support measures to ensure that school employees receive in person mandated reporter training. Effective mandated reporter training includes information about how to identify abuse, how to file a report and what to expect once a report has been made. In person training can help employees acknowledge the conflicted feelings and emotional difficulty of filing a report, especially when the victim and/or the potential abusers are known to the reporter, and reinforces the fact that mandated reporters are not and do not need to be investigators. Lastly in person training can help reporters understand how to respond to a child in a manner that is supportive, that does not cause further trauma or harm a future criminal investigation.

H.B. 6939 AN ACT CONCERNING SEXUAL ASSAULT IN THE FIRST DEGREE

SeCONNSACS is supportive of the increase in sentences proposed in this bill, especially for those found guilty of aggravated sexual assault in the first degree whose victims are minors under the age of 16 and ten. The ability to provide longer sentences including probation and community supervision of offenders through our state's specialized sex offender supervision units can increase justice for victims, hold offenders accountable and reduce their recidivism rates. While we understand the reality of split sentencing in our current criminal justice system and appreciate the desire to lengthen sentences and probation periods, we are opposed to any language that would reduce current mandatory minimums or allow for sentences to be entirely suspended – in effect allowing offenders to serve no jail time for these crimes.