



Senate

General Assembly

January Session, 2005

File No. 443

Senate Bill No. 609

Senate, April 20, 2005

The Committee on Judiciary reported through SEN. MCDONALD of the 27th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING A PERMANENT INDEPENDENT MONITOR AT THE CONNECTICUT JUVENILE TRAINING SCHOOL.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 46a-13k of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2005*):

3 (a) There is established an Office of the Child Advocate. The
4 Governor, with the approval of the General Assembly, shall appoint a
5 person with knowledge of the child welfare system and the legal
6 system to fill the Office of the Child Advocate. Such person shall be
7 qualified by training and experience to perform the duties of the office
8 as set forth in section 46a-13l. The appointment shall be made from a
9 list of at least three persons prepared and submitted by the advisory
10 committee established pursuant to section 46a-13q. Upon any vacancy
11 in the position of Child Advocate, the advisory committee shall meet
12 to consider and interview successor candidates and shall submit to the
13 Governor a list of no less than five and no more than seven of the most

14 outstanding candidates, not later than sixty days after the occurrence
15 of said vacancy. Such list shall rank the candidates in the order of
16 committee preference. Upon receipt of the list of candidates from the
17 advisory committee, the Governor shall designate a candidate for
18 Child Advocate from among the choices [within] not later than eight
19 weeks [of] after the date of receipt of such list. If at any time any of the
20 candidates withdraw from consideration prior to confirmation by the
21 General Assembly, the designation shall be made from the remaining
22 candidates on the list submitted to the Governor. If a candidate has not
23 been designated by the Governor within the eight-week time period,
24 the candidate ranked first shall receive the designation and be referred
25 to the General Assembly for confirmation. If the General Assembly is
26 not in session, the designated candidate shall serve as acting Child
27 Advocate and be entitled to the compensation, privileges and powers
28 of the Child Advocate until the General Assembly meets to take action
29 on said appointment. The person appointed Child Advocate shall
30 serve for a term of four years and may be reappointed or shall
31 continue to hold office until such person's successor is appointed and
32 qualified. Upon any vacancy in the position of Child Advocate and
33 until such time as a candidate has been confirmed by the General
34 Assembly or, if the General Assembly is not in session, has been
35 designated by the Governor, the Associate Child Advocate shall serve
36 as the acting Child Advocate and be entitled to the compensation,
37 privileges and powers of the Child Advocate.

38 (b) The Office of the Child Advocate shall be in the Freedom of
39 Information Commission for administrative purposes only.

40 (c) Notwithstanding any other provision of the general statutes, the
41 Child Advocate shall act independently of any state department in the
42 performance of his or her duties.

43 (d) The Child Advocate may, within available funds, appoint such
44 staff as may be deemed necessary provided, for the fiscal years ending
45 June 30, 1996, and June 30, 1997, such staff shall not exceed one and
46 one-half full-time positions or the equivalent thereof. The duties of the

47 staff may include the duties and powers of the Child Advocate if
 48 performed under the direction of the Child Advocate. The
 49 independent monitor for the Connecticut Juvenile Training School
 50 appointed pursuant to subsection (b) of section 17a-27e, as amended
 51 by this act, shall report to the Child Advocate.

52 (e) The General Assembly shall annually appropriate such sums as
 53 necessary for the payment of the salaries of the staff and for the
 54 payment of office expenses and other actual expenses incurred by the
 55 Child Advocate in the performance of his or her duties. Any legal or
 56 court fees obtained by the state in actions brought by the Child
 57 Advocate shall be deposited in the General Fund.

58 (f) The Child Advocate shall annually submit to the Governor and
 59 the General Assembly a detailed report analyzing the work of the
 60 Office of the Child Advocate.

61 Sec. 2. Section 17a-27e of the general statutes is repealed and the
 62 following is substituted in lieu thereof (*Effective July 1, 2005*):

63 (a) The Department of Children and Families in the maintenance,
 64 pursuant to section 17a-3, of the new Connecticut Juvenile Training
 65 School shall use the Manual of Standards for Juvenile Training Schools
 66 published by the American Correctional Association in order to
 67 improve safety for staff and residents of the Connecticut Juvenile
 68 Training School and to allow the Connecticut Juvenile Training School
 69 to be able to be accredited by the American Correctional Association.

70 (b) The Governor shall appoint an independent monitor for the
 71 Connecticut Juvenile Training School.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2005	46a-13k
Sec. 2	July 1, 2005	17a-27e

KID *Joint Favorable C/R*

HS

HS *Joint Favorable C/R*

JUD

JUD *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Child Advocate, Off.	GF - Implements the Budget	64,600	64,600

Note: GF=General Fund

Municipal Impact: None

Explanation

Funding, in the amount of \$64,600 in each of FY 06 and FY 07, has been included under the budget of the Office of the Child Advocate within sHB 6671 (the FY 06-07 Appropriations Act, as favorably reported by the Appropriations Committee) to support the salary of a Monitor for the Connecticut Juvenile Training School (at \$62,800) and associated other expenses (at \$1,800).

OLR Bill Analysis

SB 609

***AN ACT CONCERNING A PERMANENT INDEPENDENT MONITOR
AT THE CONNECTICUT JUVENILE TRAINING SCHOOL*****SUMMARY:**

This bill requires the governor to appoint an independent monitor for the Connecticut Juvenile Training School, the state's secure facility for delinquent boys. The monitor reports to the state's child advocate.

It also makes technical changes.

EFFECTIVE DATE: July 1, 2005

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Change of Reference

Yea 12 Nay 0

Human Services Committee

Joint Favorable Change of Reference

Yea 11 Nay 5

Judiciary Committee

Joint Favorable Report

Yea 29 Nay 8