

# **Deborah G. Stevenson**

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### **TESTIMONY IN FAVOR OF SB636, HB5421, HB5425, HB5980, HB5981, HB5982, HB6145, HB6149, and HB6150.**

I am an Attorney practicing in the areas of Education and Appellate Law, and I routinely represent parents, some of whom have been accused falsely of neglect. I thank the Committee members for their hard work and thoughtfulness in proposing the legislation before you today, and I hope that you will vote to approve **SB636, HB5421, HB5425, HB5980, HB5981, HB5982, HB6145, HB6149, and HB6150.**

For the sake of time, I will not address each of the bills individually, but in your review of those bills, I hope you will agree that each of them will restore the Constitutional rights of parents and will level the playing field when a DCF social worker, with the awesome power of the state, comes knocking on a parent's door.

Right now, when that happens, the parent is presumed guilty until proven innocent, the social worker is not required to verify any facts before beginning an investigation, is not required to inform parents that they do not have to allow the social worker into their home or to speak with them, and may take custody of a child, not because the parent neglected the child today, but because the parent "might" neglect the child at some point in the future. That's called "predictive neglect" and courts have affirmed DCF's actions based on that theory. In other words, right now, DCF takes many actions that simply are unconstitutional. The bills before you today, require DCF to restore the Constitutional rights of parents, simply by actually applying Constitutional principles to their everyday actions.

One of the most important bills before you is SB636. Not only does it place into statutory law the principle that parents are presumed innocent until proven guilty, but it also requires the protection of a parent's Constitutional rights, in addition to requiring the firing of DCF employees who violate those Constitutional rights. This sends a strong message to DCF, one that is long overdue, that its past unconscionable practices no longer will be tolerated. I applaud you for this. DCF cannot continue to practice business as usual. If any change is to occur within this agency, sanctions must be imposed when wrongdoing occurs.

I also applaud you for proposing HB5425, ending the practice of "predictive neglect". While it is laudable to protect children, there must be balance in the system. No one can predict with any certainty that another person will neglect a child at some point in the future. The theory of "predictive neglect" disregards the need for any proof that neglect actually occurred, is simply absurd, and should no longer be used to tear families apart.

The remaining bills are equally important. They would require DCF to verify facts before beginning an investigation, to forbid the use of hearsay as evidence against a parent, and to allow DCF records to be made available to the public unless the parents requested that the records to remain confidential. These bills bring fairness to the system, do not cost the state any money, make common sense, and restore fairness and justice to a system that long ago lost the public trust. **Please vote to adopt all of these bills.**