



State of Connecticut
DIVISION OF PUBLIC DEFENDER SERVICES

OFFICE OF THE CHIEF PUBLIC DEFENDER
30 TRINITY STREET
FOURTH FLOOR
HARTFORD, CONNECTICUT 06106

CHRISTINE PERRA RAPILLO
EXECUTIVE ASSISTANT PUBLIC DEFENDER
DIRECTOR OF JUVENILE DELINQUENCY DEFENSE
(860) 509-6472 TELEPHONE
(860) 509-6495 FAX

TESTIMONY OF CHRISTINE RAPILLO
EXECUTIVE ASSISTANT PUBLIC DEFENDER
OFFICE OF THE CHIEF PUBLIC DEFENDER
COMMITTEE ON THE JUDICIARY

Raised Bill 6702, An Act Concerning Public Access to
Proceedings in Certain Juvenile Matters
March 26, 2009

The Office of the Chief Public Defender is concerned that **Raised Bill 6702, an Act Concerning Public Access to Certain Juvenile Matters** erodes the basic protections of the juvenile courts. **Raised Bill 6702** proposes a pilot program to open certain child protection proceedings. The Office of the Chief Public Defender believes that this creates a slippery slope, whereby more and more child protection and delinquency cases will be open to the public. Many arguments have been made that opening the juvenile courts will lead to systemic improvements that have been hard to achieve by legislative or other reform efforts. This is not in the best interest of the children which the courts are designed to serve.

System reform, however necessary, should not be done on the backs of the children. Well meaning advocates argue that bringing light into the juvenile courts will result in better outcomes for children. This ignores the fact that confidentiality is one of the major protections offered by the juvenile courts. Opening a child's most private and intimate family issues to the public will not make the child safer or help wounds heal more quickly. The whole rehabilitative purpose of a separate juvenile court for delinquency matters is foiled by exposing the accused children to public scrutiny.

This proposed pilot program is of particular concern since there are other bills currently pending in this Session that would make further inroads in confidentiality protections in juvenile courts. **Raised Bill 5425, An Act Concerning the Department of Children and Families** would significantly increase the Department of Children and Families' ability to release records without the consent of the family or child. **Raised Bill 5421, An Act Concerning Proceedings**

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Testimony of Office of Chief Public Defender, Christine Rapillo,
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and Operations of the Department of Children and Families would open all juvenile proceedings, delinquency and child protection to the public. This would be devastating to the children and families that receive services from the Juvenile Courts and could result in a chilling effect on voluntary referrals, both for child protection and delinquency. Families will choose not to seek helpful programs offered by the court if they fear that their neighbors can get access to their case records.

Opening juvenile court record and proceedings to the public is not in the best interest of children. Delinquency matters are kept confidential because we recognize that children make mistakes and should benefit from accountability and rehabilitation provided by a closed proceeding. This leaves them without the stain of a criminal record and allows for full integration into the community. Likewise, a private child protection session allows families to try and resolve their most upsetting and traumatic situations without public scrutiny or comment. Juvenile Matters courts have traditionally been kept closed to protect the children. System reform must be accomplished without exposing children to the trauma of having intimate details of their lives aired in the public eye.