



STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE
505 HUDSON STREET, HARTFORD, CONNECTICUT 06106

Michelle S. Cruz, Esq.
State Victim Advocate

Testimony of Michelle Cruz, Esq., State Victim Advocate
Submitted to the Education Committee
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Good morning Senator Stillman, Representative Fleischmann and distinguished members of the Education Committee. For the record, my name is Michelle Cruz and I am the Victim Advocate for the State of Connecticut. Thank you for the opportunity to provide testimony in **STRONG SUPPORT** of:

Raised House Bill No. 6326, *An Act Concerning the Response of School districts and the Departments of Education and Children and Families to Reports of Child Abuse and Neglect*

The Office of the Victim Advocate (OVA) is an active member of the Governor's Task Force on Justice for Abused Children. Through our membership, the OVA has been apprised of the myriad of training opportunities provided and supported by the Task Force to improve the treatment of one of our most fragile populations, the children, targeted at first responders, law enforcement, mandated reporters and others who work with and around children.

Raised House Bill No. 6326 seeks to improve the reporting and response to incidents of abuse and neglect of children by school employees. The need for this legislation became apparent to the OVA, in part, when working with one family. The OVA asked the family if we could share their story. The OVA assisted this family whose son had alleged he was abused by a school employee. Unfortunately, in large part due to the actions taken by the school's administration during their own investigation, potential evidence and witnesses were compromised. As a result, the ensuing investigation by law enforcement was hampered causing extreme difficulties with future prosecution. Nonetheless, the allegations were substantiated by the Department of Children and Families (DCF) and the offender was placed on the Abuse and Neglect Registry. The alleged offender appealed the substantiation and placement on the Registry, and for reasons unknown, the substantiation was overturned and the offender was subsequently removed from the Registry. Regrettably, justice was not realized for this victim.

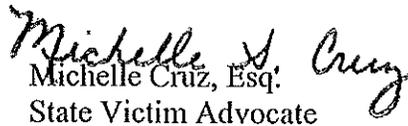
With regards to the responsibility of mandated reporters, the OVA strongly supports accountability. The role and duty of mandated reporters are paramount in keeping our children safe. When the mandated reporter neglects to fulfill their duties, again, the child pays a stiff price and an opportunity to intervene and protect children is forever lost. The OVA has had several cases where it was learned that there was a failure to report abuse and neglect by various law enforcement officials after an incident of domestic violence in the presence of minor children. In response, the OVA met with the previous Commissioner of the DCF with a desire to improve the state's response when a mandated reporter fails to report such incidents. House Bill No. 6326 will require the

DCF to maintain a database of delayed reports and conduct an investigation of delayed reports by mandated reporters.

Finally, the current scheme in our state allows each school system to formulate an individual policy to implement the mandated reporter requirements. The lack of a clearly defined implementation policy for mandated reporters sets our children up for abuse. We as a state need to decide to proactively protect the children in our schools by requiring a consistent and clear response to allegations of abuse. Without clear policies and procedures in hand, an allegation of abuse made by a child at the hands of a school employee, cases like the one previously described will continue for the school's agenda and that of the criminal justice system will collide. The impact is most directly felt by the child who had the courage to report the abuse and yet was let down by the system whose supposed to protect our children. House Bill No. 6326 requires the DCF, in consultation with the Department of Education, to develop a model mandated reporting policy for use by local and regional boards of education. This will undoubtedly provide consistency throughout the educational system in our state and will likely reduce the occurrences of delayed reports of abuse and neglect by mandated reporters.

I strongly urge the Committee's favorable report on House Bill No. 6326. Thank you for consideration of my testimony.

Respectfully submitted,


Michelle Cruz, Esq.
State Victim Advocate