

CONNECTICUT GENERAL ASSEMBLY

February Session, 2012

Raised Bill No. 310

An Act Concerning the Removal of Individuals from the State

Child Abuse and Neglect Registry

Referred to Committee on Judiciary

REMARKS OF ATTY. MICHAEL H. AGRANOFF

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Distinguished Senators and Representatives:

Thank you for the opportunity to testify. I have been a DCF defense lawyer since 1991. At present, ours is the only law firm in the State of Connecticut providing full-service DCF defense to private-paying adults on a full-time basis.

or judicial review. As such, it is anomalous to Connecticut justice; to the point that even DCF itself supports a facility for registry removal.

The claim has been made that dangerous sex offenders who appear on public registries may now apply to be removed from the private DCF registry. However, that is not accurate. The two registries are different. Further, the DCF registry removal process may inquire if the person is in fact on a public sex offender registry. If he or she were, then the DCF registry removal would be automatically denied. Subsection (b) of the proposed bill may be amended by revising sub-subsection 1 to read: "Rehabilitation of the applicant, provided that he or she is not legally required to register as a sex offender in any jurisdiction."

The claim has been made that DCF will not have adequate guidelines for determining registry removal. However, that is not accurate. The same DCF that initially determined, based upon its stated criteria, that a person belonged on the registry, could also determine using those very criteria that the person no longer belonged on the registry, as not being a danger to children.

The individual petitioning for removal has the burden of waiting at least five years, and then proving through letters and testimony that he or she no longer belongs on the registry. The individual must additionally show that he or she has accepted personal responsibility for the prior incident, and that his or her continued placement on the registry would no longer be required to protect Connecticut's children.

If DCF denies the application, then the individual has the opportunity for an administrative hearing, in accordance with the Uniform Administrative Procedures Act. Failing that, the individual could appeal to the Superior Court. In other words, the individual has the

Respectfully Submitted,

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mha.LOB.testimony.310.registry