



***Division of Public Defender Services
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**SELECT COMMITTEE ON CHILDREN
FEBRUARY 28, 2012**

RAISED BILL 5185, AN ACT CONCERNING INTERVIEWS IN CHILD ABUSE AND NEGLECT CASES

The Office of Chief Public Defender is concerned that this proposal creates a broad expansion of the Department of Children and Families' (DCF) right to interview children during the investigatory phase of a child welfare case. The Office of the Chief Public Defender believes that our current statutes provide sufficient protections that allow investigation and still keep children safe. Conn. Gen. Stat. Sec. 17a-101h already permits the Department to interview a child without parental consent if they believe the parent is the perpetrator of the abuse. DCF also has extensive powers to protect children where an allegation of abuse has been made. Conn. Gen. Stat. Sec. 46b-129 allows DCF to take temporary custody if they have reasonable cause to believe that a child is in danger. This is a low evidentiary standard and would generally not require a statement from a child.

The Raised Bill infringes on a parent's rights prior to any judicial finding that there is a reason to believe abuse or neglect occurred. The language of the proposal is vague, saying that DCF needs a "documented, compelling reason" to believe that consent would endanger a child but gives no details as to what would constitute a compelling reason or how information would be documented. This state has an absolute obligation to keep its children safe, but family integrity and the rights of parents must also be respected. The Office of Chief Public Defender requests that this Committee not act on this Raised Bill.