



# Senate

General Assembly

**File No. 48**

January Session, 2013

Senate Bill No. 822

*Senate, March 18, 2013*

The Committee on Children reported through SEN. BARTOLOMEO of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

***AN ACT CONCERNING INTERVIEWS OF CHILDREN BY THE DEPARTMENT OF CHILDREN AND FAMILIES DURING INVESTIGATIONS OF CHILD ABUSE AND NEGLECT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-101h of the general statutes is repealed and  
2 the following is substituted in lieu thereof (*Effective October 1, 2013*):

3 Notwithstanding any provision of the general statutes, any person  
4 authorized to conduct an investigation of abuse or neglect shall  
5 coordinate investigatory activities in order to minimize the number of  
6 interviews of any child and share information with other persons  
7 authorized to conduct an investigation of child abuse or neglect, as  
8 appropriate. A person reporting child abuse or neglect shall provide  
9 any person authorized to conduct an investigation of child abuse or  
10 neglect with all information related to the investigation that is in the  
11 possession or control of the person reporting child abuse or neglect,  
12 except as expressly prohibited by state or federal law. The  
13 commissioner shall obtain the consent of parents or guardians or other

14 persons responsible for the care of the child to any interview with a  
 15 child, except that such consent shall not be required when the  
 16 department has a documented compelling reason to believe [such  
 17 parent or guardian or other person responsible for the care of the child  
 18 or member of the child's household is the perpetrator of the alleged  
 19 abuse] that seeking such consent would place the child at imminent  
 20 risk of physical harm. If consent is not required to conduct the  
 21 interview, such interview shall be conducted in the presence of a  
 22 disinterested adult unless immediate access to the child is necessary to  
 23 protect the child from imminent risk of physical harm and a  
 24 disinterested adult is not available after reasonable search. For  
 25 purposes of this section, a "documented compelling reason" includes,  
 26 but is not limited to, criminal conviction information concerning the  
 27 person or persons alleged to be responsible for such abuse or neglect  
 28 and previous allegations of abuse or neglect relating to the child or  
 29 other children residing in the household or relating to family violence.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	17a-101h

**KID**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

There is no fiscal impact to the Department of Children and Families (DCF) associated with allowing DCF to interview a child without parental consent if there is a documented compelling reason from them to do so.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis****SB 822*****AN ACT CONCERNING INTERVIEWS OF CHILDREN BY THE DEPARTMENT OF CHILDREN AND FAMILIES DURING INVESTIGATIONS OF CHILD ABUSE AND NEGLECT.*****SUMMARY:**

By law, the Department of Children and Families (DCF) commissioner generally must obtain the consent of parents, guardians, or other individuals responsible for the care of children DCF wishes to interview when it is investigating child abuse or neglect allegations. Currently, DCF does not need the adult caretaker's consent when it has reason to believe that such adult or a member of the child's household is the perpetrator of the abuse or neglect. This bill instead allows DCF to conduct the interview without that consent if it has a "documented compelling reason" to believe that seeking consent would place the child at imminent risk of physical harm.

Under the bill, a "documented compelling reason" includes (1) criminal conviction information concerning the adult and (2) previous abuse or neglect allegations relating to (a) the child or other children in the household or (b) family violence.

EFFECTIVE DATE: October 1, 2013

**COMMITTEE ACTION**

Children Committee

Joint Favorable

Yea 12 Nay 0 (02/28/2013)