



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE

IN SUPPORT OF:

H.B. No. 6186 (COMM) AN ACT PROTECTING SCHOOL CHILDREN.

JOINT COMMITTEE ON JUDICIARY

March 4, 2015

The Division of Criminal Justice respectfully recommends the Committee's **Joint Favorable Report** for H.B. No. 6186, An Act Protecting Children. This bill represents a comprehensive approach to address shortcomings and concerns with the existing mandated reporter laws, which require those in certain professions to report to the Department of Children and Families when they suspect a child is the victim or abuse or otherwise at risk of harm.

Concerns with the mandated reporter laws are not new. The Division of Criminal Justice supported legislation to strengthen these laws in past sessions, including a recommendation that training be *required every five years* for those professions designated as mandated reporters.

The latest concerns with the mandated reporter law involve incidents that occurred recently in the City of Stamford and involving students in that city's public school system. Coincidentally sentencing is scheduled today in the Stamford Superior Court for a teacher convicted of having sexual relations with a student. It was that particular matter and the response of Stamford school administrators that generated H.B. No. 6186. While the particular incident(s) occurred in Stamford, we would note that the State's Attorney received many calls and letters from individuals around the state voicing similar concerns with the situation in their school districts.

The Division wishes to express its gratitude to the Committee and, in particular, Chairman Tong for drafting H.B. No. 6186 in response to these concerns. This legislation represents a comprehensive approach to dealing with these concerns:

The bill increases the maximum penalty for non-compliance with mandated reporting from the class A misdemeanor (a term incarceration not to exceed one year) adopted in Public Act 13-297 to a Class E felony (a term not to exceed three years).

The bill clarifies that when dealing with the mandatory reporting of abuse of a student, there is no age limit. It is the position of the Division of Criminal Justice that the existing law already requires reporting for as long as the youth is a student, yet others have interpreted the current law

to not require reporting once the victim reaches age 18. H.B. 6186 makes it clear that the law applies to any student, including those over age 18.

The bill strengthens mandated reporter training for all Board of Education employees. Among other provisions, (a) all training must be done in person, and not online; (b) training is not just for new employees, but must include refresher courses at regular intervals; (c) failure to comply with training requirements can result in the loss of teacher certification; and (d) compliance with training requirements becomes a requirement for every Board of Education to meet for certification.

It is a tragic reality that abuse of students by school employees, although by no means widespread, does occur. We owe a tremendous debt of gratitude to the vast majority of school employees who serve our children and our communities with great distinction. We must, however, be prepared to deal severely with those who violate the special trust that is placed with them. H.B. No. 6186 makes necessary revisions that can potentially limit the length of time that the rare instances of abuse do occur by assuring that mandated reporter obligations are strictly adhered to.

In conclusion, the Division of Criminal Justice recommends the Committee's JOINT FAVORABLE REPORT for H.B. No. 6186. We would also like to thank the Committee for affording this opportunity to provide input on this matter and would be happy to provide any additional information the Committee might require or to answer any questions that you might have.