



***Division of Public Defender Services
State of Connecticut***

ATTORNEY CHRISTINE PERRA RAPILLO
DIRECTOR OF DELINQUENCY DEFENSE & CHILD PROTECTION

**Testimony of
Christine Rapillo
Director of Delinquency Defense and Child Protection**

OFFICE OF CHIEF PUBLIC DEFENDER

**COMMITTEE ON CHILDREN
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**Proposed Senate Bill 306
AN ACT ESTABLISHING AN INDEPENDENT DEPARTMENT OF CHILDREN AND
FAMILIES OMBUDSMAN**

The Office of Chief Public Defender strongly supports passage of Proposed Senate Bill 306, An Act Establishing an Independent Department of Children and Families Ombudsman. For many years, this Agency has voiced concerns that the Department of Children and Families (DCF) is essentially a self policing agency and that no meaningful method of redress of grievances for complaints existed for the children in the care of DCF. Allegations that children are abused or neglected while in DCF care are investigated by DCF staff. This includes complaints made against contracted providers, and DCF facilities such as the Connecticut Juvenile Training School, the Pueblo Unit and the two Solnit facilities. It makes no sense to have the agency allegedly responsible for the aggrieved behaviors investigate itself. Children in DCF care often have no family to speak for them. And even where there is family, the child's family is not made aware of the complaints and grievances brought by their children. DCF's current internal review process excludes not only a child's family members, but also the child's attorney and child advocacy agencies and advocates. As a result, children deserve to have an independent body review their complaints. The concept of transparency in state government requires that an unbiased review of complaints be conducted. This would allow for trends to develop and data on complaints to be available for quality assurance purposes.

This issue has also been raised as a concern at the Connecticut Juvenile Training School Advisory Board, which in the past has asked for data on youth grievances. Children in congregate care, particularly the Connecticut Juvenile Training School (CJTS) and the Pueblo Girls Unit have no independent grievance procedure. The current grievance procedure at CJTS provides for someone from the DCF central office to visit the facility once a week, collect



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grievances and speak to some of the youth. DCF appears to collect no aggregate data on the nature of the complaints, the results of the investigation or how the results were communicated back to the youth.

The Juvenile Post Conviction and Reentry Unit of the Office of Chief Public Defender represents almost all the youth currently held at CJTS and Pueblo. When asked, the youth indicate either that they did not know there was a grievance process or that they had no faith in it. A common complaint was that the youth receive no feedback on whether their complaint was reviewed, rejected or acted upon. It is critical that children committed to juvenile justice facilities be taught to resolve differences and interact with others in a civil manner that respects rules and procedures. A genuine process for resolving disputes they raise while in custody could be an important first step in teaching respect for community and the value in following rules.

An independent ombudsman could be created without a large influx of state funding. The Judicial Branch's Court Support Services Division (CSSD) currently runs two state-operated pretrial detention centers and several privately contracted community detention facilities. CSSD contracts with an independent ombudsman who visits all the facilities and collects written grievances. The contractor meets not only with the youth who file grievances but with random detained youth to get a general sense of the climate in the facility. The contracted ombudsman keeps records of the grievances and is able to report to CSSD on individual results as well as trends that need to be addressed. The CJTS Advisory Board has, in the past, suggested that DCF work with CSSD to replicate this model for an independent ombudsman. Since DCF has been unwilling to voluntarily arrange for independent oversight of youth grievances, it is appropriate for the General Assembly to mandate that an autonomous ombudsman be created.