



**STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES**

**Public Hearing Testimony
Committee on Children
February 16, 2016**



**S.B. No. 72 - AN ACT CONCERNING A NOTIFICATION OF SUPPORT FOR FOSTER PARENTS AND
RELATIVE CAREGIVERS.**

The Department of Children and Families appreciates the intent behind S.B. No. 72, An Act Concerning a Notification of Support for Foster Parents and Relative Caregivers, but **has concerns regarding the bill.**

While most of the provisions of the bill are reasonable expectations of the relationship between the Department and our foster parents and are contained in various DCF Policies, we continue to have concerns that enacting this language in state law could subject the state to litigation in which foster parents could assert that the state is legally responsible to provide the services that support the specific provisions of this legislation.



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S.B. No. 75 - AN ACT CONCERNING DETAINED YOUTH.

The Department of Children and Families offers the following comments regarding S.B. No. 75, An Act Concerning Detained Youth.

Sections 1 and 7 directly relate to DCF programs and we support the provisions of these sections.

Section 1 of the bill establishes a focus on the Connecticut Juvenile Training School (CJTS) to maintain “a therapeutic and rehabilitational setting for children who are placed at the facility.” This section also requires DCF to adopt Performance-based Standards Program (PbS), and moves the statutory requirement for the CJTS to be accredited by the American Correctional Association (ACA) from section 17a-27e to section 17a-3a of the General Statutes.

DCF supports the provisions of this section, including the reintroduction of PbS at CJTS. The Performance-based Standards quality assurance program offered by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) of the Office of Justice Programs in the U.S. Department of Justice, is a program for juvenile justice agencies, facilities and residential care providers to identify, monitor and improve conditions and rehabilitation services provided to youths using national standards and outcome measures. As you know, last year the Department brought in an outside, independent expert in meeting the therapeutic needs of youths to conduct a top-to-bottom evaluation of both CJTS and the Pueblo girls secure unit. Dr. Robert Kinscherff, a clinical and forensic psychologist and an attorney, is a senior associate at the National Center for Mental Health and Juvenile Justice. Dr. Kinscherff appeared before the Committee last fall to discuss his recommendations and he remained under contract with the Department to assist in the implementation of our plan. We are now prepared to add PbS to our array of quality assurance activities.

Section 7 repeals § 17a27e which requires CJTS to “use the Manual of Standards for Juvenile Training Schools published by the American Correctional Association in order to improve safety for staff and residents of the Connecticut Juvenile Training School and to allow the Connecticut Juvenile Training School to be able to be accredited by the American Correctional Association.” This requirement related to accreditation by ACA is moved to section 1 of this bill which amends section 17a-3a of the General Statutes.

Sections 2 through 6 of the bill impact other state agencies. Below is a brief description of these sections:

- Section 2 adds a requirement that the State Department of Education (SDE), the Department of Social Services (DSS), the Department of Developmental Services (DDS), the Office of Early Childhood (OEC), the Department of Public Health (DPH) and the Judicial Branch’s Court Support Services Division (CSSD) submit biennial progress reports regarding their respective implementation under the Plan for the Children’s Mental, Emotional and Behavioral Needs of Children and to make data-driven recommendations to augment implementation. The section also requires DCF, in collaboration with the Judicial Branch and the Department of Correction to submit a plan on or before October 1, 2017 regarding the prevention or reduction of the long-term impact of mental, emotional and behavioral health issues on children and youth twenty years of age or younger who are held in secure detention or correctional confinement.
- Section 3 requires the Child Advocate to issue a biennial report regarding “conditions of confinement.”
- Section 4 includes the Judicial Branch and the Department of Correction (for services to a person under age twenty) under the statutory list of agencies providing care or supervision in an institution or facility for purposes of defining “person at risk” regarding physical restraint, medication and seclusion.

Even though this section does not specifically relate to DCF, we would suggest that if the Committee moves forward with the bill, the following language should be amended:

Line 194 after “Correction” add “or the Judicial Branch” and

Line 217 after “School” add “or in an institution or facility operated by, licensed to operate by or operation pursuant to a contract with the Department of Correction or Judicial Branch”

- Sections 5 and 6 would require the Judicial Branch to comply with DCF licensing requirements for facilities providing temporary detention and for services to juveniles referred by the court.



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**H.B. No. 5140 - AN ACT CONCERNING THE USE OF THERAPY ANIMALS TO COMFORT CHILDREN
TESTIFYING IN CERTAIN CRIMINAL PROSECUTIONS.**

The Department of Children and Families **supports** H.B. No. 5140, An Act Concerning the Use of Therapy Animals to Comfort Children Testifying in Certain Criminal Prosecutions.

This bill would allow the use of therapy animals to provide comfort to children who are testifying in a criminal prosecution of an offense involving the assault, sexual assault or abuse of a child twelve years of age or younger. DCF is often involved in cases which result in a criminal prosecution for these types of offenses and our concern is for the protection of the well-being of the child victim who has already been exposed to severe trauma. We believe that the use of therapy animals in some cases, may provide a sense comfort to the child victim in a stressful courtroom setting.

Last month, the Connecticut Supreme Court heard arguments on an appeal of an Appellate Court decision in the case of *State of Connecticut v. Devon D.*, Conn. App. 150 CA 514 (2014). An issue on appeal in this case involves the use of a therapy animal to assist one of the child victims when she testified at the trial in 2011.