

# Committee on Children JOINT FAVORABLE REPORT

**Bill No.:** HB-5336

AN ACT REQUIRING BACKGROUND CHECKS FOR CERTAIN EMPLOYEES

**Title:** OF LICENSED YOUTH CAMPS.

**Vote Date:** 3/10/2020

**Vote Action:** Joint Favorable Substitute

**PH Date:** 3/3/2020

**File No.:**

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## **SPONSORS OF BILL:**

Committee on Children

## **REASONS FOR BILL:**

For camp employees who are eighteen years of age and older be required to submit to a comprehensive background check.

## **RESPONSE FROM ADMINISTRATION/AGENCY:**

### **Beth Bye, Commissioner, Office of Early Childhood**

This bill is supported. Background checks help to protect the health and safety of children. This requirement would align background check policy with that which is currently applied universally to all licensed family child care homes, group child care homes, and child care centers. Current federal Child Care Development Fund (CCDF) law requires that any youth camp - licensed or license-exempt - that receives Care 4 Kids child care subsidy must have staff undergo comprehensive fingerprint-based background checks. The OEC has concerns that if background checks do not apply to all licensed youth camps, camps that have a long history of accepting Care 4 Kids will stop doing so, leaving hundreds of lower-income households with no care for their children during the summer months. This would potentially leave young children in unsafe conditions without access to licensed youth camp care.

### **Vanessa Dorantes, Commissioner, Department of Children and Families**

This bill is supported. It is long overdue that the state requires youth camp employees age eighteen and older to obtain a full background check, including a check of the Department's Child Abuse and Neglect Registry. The Department recognizes that there have been delays in conducting background checks for youth camp employees, but the Department is committed to working with other agencies on continual improvements.

## **NATURE AND SOURCES OF SUPPORT:**

### **John Cattelan, Executive Director, Connecticut Alliance of YMCAs**

This bill is supported, but the following concerns are as follows. The Office of Early Childhood (OEC) is currently taking six to eight weeks to conduct a background check. If a background check is completed in eight weeks, camp is completed for the summer. Therefore, the results would be received once the camp counselors have returned to school. It is recommended that there should also be legislative language that will allow camp staff to work while the background check is being conducted. It is important to note that Y camps already do everything required of a background check except for the fingerprinting. Another area of concern is that the Governor's Budget does not call for any additional staff for the Office of Early Childhood and neither does this bill. Camps have thousands of counselors and it was expressed that the OEC purchasing two portable fingerprint machines will still not solve the problem. Lastly, the provision is going to cost the Y residential and day camps over \$250,000 (\$88.25 for each background check). The cost will result in many children receiving less financial aid to attend camp. It was expressed that the OEC or the Department of Education provide the funds to pay for the background checks.

### **Aly Molina and Jane Hussey, Center for Youth Leadership**

This bill is supported. The following recommendations were made for the bill. It is recommended to include in line 22 "or volunteer" so that the only person who does not have to complete a background check is the adult who provides the camp with a one-time paid or volunteer service in the presence of a camp administrator and/or licensed camp counselor. It is also noted that the Department of Children and Families (DCF) did not have a field for "reports of abuse at summer camps" in its data collection system. If this remains true, it is recommended that DCF to revise its data system to include such a field. It is suggested HB 5336 include a statement about who will pay for the state and national criminal background checks. There are a few options: the prospective employee/volunteer pays; the camp pays; or the camp and the prospective employee/volunteer split the cost. Another suggestion is that the Office of Early Childhood update its website to include the number of confirmed abuse cases by camp.

### **Rev. Ryan Gackenheimer, Silver Lake Conference Center, United Church of Christ (SLCC)**

This bill is supported. The safety of campers is of the utmost importance to Silver Lake Conference Center. Silver Lake is not opposed to background checks, as most youth camps currently do them; especially those that are American Camp Association (ACA) Accredited Camps, such as: YMCA Camps, Boy and Girl Scout Camps, and United Church of Christ camps, as well as many others. The following concerns have been brought up. They feel the process of the fingerprint background check is unrealistic with the hiring manner seasonal summer camps tend to follow. Most camps are hiring staff almost up until the first day of staff training and under the proposed legislation that staff member would not be able to work until the background check is 100% complete. With the rollout of fingerprinting for youth camps that participate in the Care 4 Kids program, there have been circumstances in which fingerprint background check processing has taken upwards of two months. In addition, many are being returned with "smudging" or other problems experienced during the fingerprint

process that were submitted way back in November in some cases. With the current backlog based on the Care 4 Kids rollout, Silver Lake anticipate the volume to increase significantly for 2021 should this legislation pass. The cost of background checks each summer would be over \$30,000/year. And even more impactful would be the necessity to have all 300+ volunteers lined up 3 months in advance of the summer. This would require finding nearly 75 more volunteers/year because of the high rate of “smudged” and unreadable fingerprints that occur on a regular basis. It is also recommended to add that if any legislation that does move forward should also address or consider the issue of Municipal Camps and background checks for those that work with campers at those camps. Municipal Camps are not licensed or inspected by the Office of Early Childhood and therefore would not be subject to this legislation.

### **Keith Garbart, Connecticut Camping Association**

This bill is supported. The CCA is in favor of comprehensive background checks for all camp staff. The CCA is not opposed to background checks, as most youth camps currently do them; especially those that are American Camp Association (ACA) Accredited Camps. The following concerns have been brought up regarding the language of the bill. They believe that asking camp staff to submit to an FBI Fingerprint Background check is not necessarily the best way to go about this under the current circumstances of reasonable cost and timely response. The CT Camping Association does feel that the third-party companies that are currently conducting background checks for camps throughout the country are accurate, dependable, and achieve the same result in a timely manner. These third-party companies check state and national databases for criminal convictions based on name, social security number, birthdate, and addresses lived at in the past 7-10 years, in most cases. Also investigated is a thorough review of the National Sex Offender Registry public website.

### **Brian Lanoue, State Representative, 45<sup>th</sup>**

This bill is supported. The testimony sheds light on cases of abuse in camps that went unknown for many years. In December 2018, CBS This Morning did a groundbreaking report where they reported there were more than 500 documented cases of sexual abuse at children’s camps over the past 55 years. From the 1990’s where a Connecticut man after convicted of violating a nine-year- old child went across state lines to Westchester County and got a job at as a children’s camp counselor. Equally disturbing, in 2006, the New York Times had an article that reported on a chat room for “self- proclaimed pedophiles” discussed how camps are one of the ideal places to target kids. In 2018 alone there were 21 cases reported of sexual abuse at overnight camps across the United States. Recently, in 2020, a Connecticut Newspaper did a large expose on a camp counselor from Eastern Connecticut who was convicted of sexually molesting several children as young ten years old. Considering all this data, it is believed time has come for Connecticut to require full and proper background checks on all employees who have direct access to children.

### **Lucy Nolan, Director of Policy and Public Relations, Connecticut Alliance to End Sexual Violence**

This bill is supported. Requiring background checks put organizations such as Boys and Girls Clubs, Churches, and the Boy Scouts on notice that they have to be paying attention and not ignore potential perpetrators in their midst. This will remind them that not all abusers will be

parents, guardians and families send their children to places that they intrinsically trust, and their employees must be properly vetted. It is recommended that the wording of the bill add in that the Sex Offender Registry also be checked.

## **NATURE AND SOURCES OF OPPOSITION:**

### **Stan Soby, Vice President for Public Policy and External Affairs, Oak Hill**

As the safety and well-being of campers is first priority, Oak Hill already conducts comprehensive background checks for all prospective employees, including camp staff, but is opposed to the language in the proposed bill as written that includes FBI Fingerprinting as part of a comprehensive background check. They believe that the third-party companies that are currently conducting background checks for camps throughout the country are accurate, dependable, and achieve the same result in a timely manner. These third-party companies check state and national databases for criminal convictions based on name, social security number, birthdate, and addresses lived at in the past 7-10 years, in most cases. There is a thorough review of the National Sex Offender Registry public website. These companies provide full reports for all potential staff members checked and if anything is listed, a follow up check or in-depth search can be conducted as required. There is also concern about how international staff would be handled, as typically they are not even in the country until a week or two before camp begins and this will lead to a major problem in processing that many applicants in a timely and efficient manner. This is cohort of staff that already go through a rigorous background check through their sponsoring organization and must obtain a J-1 visa prior to even entering the country. Any disruption in the hiring of these staff will lead to a disruption or reduction in the number of campers who can be supported in our camp programs.

**Reported by: Theresa Mazzuca**

**Date: 04/7/2020**