
OLR Bill Analysis

sSB 308 (File 152, as amended by Senate "A")*

AN ACT CONCERNING THE RECOMMENDATIONS OF THE OFFICE OF THE CHILD ADVOCATE.

SUMMARY

This bill makes several changes in laws related to the Office of the Child Advocate (OCA). It:

1. expands the age range, from children age 20 or younger to children age 21 and under, for which the child advocate must report confinement conditions;
2. requires the child advocate to report at least three times each year to the OCA advisory committee on the office's goals and projects, within available appropriations, that are consistent with the child advocate's responsibilities;
3. requires the OCA advisory committee to (a) meet at least three times each year with the child advocate and her staff to receive her reports and (b) annually evaluate OCA's effectiveness; and
4. extends existing law's whistleblower protections that prohibit municipal agencies from discharging, discriminating, or retaliating against employees who make good faith complaints to OCA, or cooperate with OCA investigations, to cover employees of any agency or entity providing publicly funded services.

Under existing law, the child advocate has the right to inspect and copy any records necessary to carry out her responsibilities. The bill specifies that the child advocate has the right to request and promptly inspect and copy these records. Additionally, the bill requires requested records to be provided to her within 14 days of the request. By law, the child advocate may issue a subpoena for records she is denied access to.

The bill also allows the child advocate to disclose confidential information to a child's legal representative if the disclosure is necessary to enable the child advocate to perform her responsibilities or to identify, prevent, or treat a child's abuse or neglect. Under current law, the child advocate may only disclose this information to the appropriate agency responsible for the child's welfare.

*Senate Amendment "A" (1) eliminates provisions establishing a reappointment process and compensation for the child advocate; (2) requires the child advocate to report on office goals and projects three times a year, rather than biannually, to the OCA advisory committee; and (3) requires the OCA advisory committee to meet with the child advocate at least three times a year and annually evaluate OCA's effectiveness.

EFFECTIVE DATE: July 1, 2022

REPORTING ON YOUTH CONFINEMENT CONDITIONS

Under current law, the child advocate must prepare an in-depth report on the conditions of confinement for children age 20 or younger held in secure detention or correctional confinement in any state-operated facility, including the facilities' compliance with the law limiting the use of restraint and seclusion. The bill expands the age range of children for which the child advocate must report on to include children age 21 and under. Under existing law, the child advocate must submit the report biennially to the Children's Committee.

COMMITTEE ACTION

Committee on Children

Joint Favorable

Yea 10 Nay 3 (03/10/2022)