
OLR Bill Analysis

sSB 308

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. establishes a reappointment process and compensation for the child advocate;
2. 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;
3. requires the child advocate to biannually report to the OCA advisory committee on the office's goals and projects, within available appropriations, that are consistent with the child advocate's responsibilities, and
4. extends whistleblower protections in existing law that prohibit municipal agencies from discharging, discriminating, or retaliating against employees who make good faith complaints to OCA or cooperate with OCA investigations to 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 they are 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 the abuse or neglect of a child. Under current law, the child advocate may only disclose this information to the appropriate agency responsible for the welfare of such child.

EFFECTIVE DATE: July 1, 2022

CHILD ADVOCATE REAPPOINTMENT AND COMPENSATION

The bill allows the child advocate to submit a request for reappointment to the OCA advisory committee at the end of her four-year term. The advisory committee must meet to consider the request and may submit a recommendation for reappointment to the governor within sixty days of receiving it. The governor may reappoint the child advocate within eight weeks of receiving the recommendation for reappointment, and if he fails to reappoint the child advocate within this time the child advocate will be referred to the General Assembly for confirmation. If the General Assembly is not in session, the child advocate will serve as acting child advocate and is entitled to the compensation, privileges, and powers of the child advocate until the General Assembly meets to act on the reappointment.

Under the bill, the child advocate receives a salary equal to the executive pay plan salary group three established by the Commissioner of Administrative Services. The bill specifies that the Child Advocate cannot receive a salary less than that of a family support magistrate (which statute sets at \$143,060).

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 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)