

STATE OF CONNECTICUT
OFFICE OF THE CHILD ADVOCATE
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**Testimony by Jamey Bell, Acting Child Advocate
In Support of
Senate Bill 887: AAC the Care 4 Kids Program
HB 6399: AAC Children in the Juvenile Justice System
HB 6400: AAC Mandated Reporters and Requiring Criminal History Records Checks for
Youth Camp Directors and Alternate Directors**

Children's Committee
February 21, 2013

Senator Bartolomeo, Representative Urban, Distinguished Members of the Children's Committee:

The mandate of the Office of the Child Advocate (OCA) includes evaluating the delivery of state funded services to children and advocating for policies and practices that promote their well-being and protect their special rights.

I. The OCA supports House Bill 6399: AAC Children in the Juvenile Justice System.

Shackling and other mechanical restraint of children should be inherently suspect because it is anti-rehabilitative (contrary to the purpose of the juvenile justice system) and traumatic (for children and youth who are shackled, and for observers witnessing it). Therefore all pre-adjudication decisions concerning use of shackles, handcuffs and mechanical restraints for the public's safety should be made based on an *individualized risk assessment* by a judge based on reliable, current evidence. (It should *also* trigger an assessment of and treatment for any underlying psychiatric issues contributing to the child's aggression.)

A child's period of commitment to the Department of Children and Families should be **reduced by the time already spent** in detention or any other pre-adjudication out-of-home setting. This provision will ensure that children and adolescents do not face unnecessarily long punishments as a result of delays in finding suitable placements. This risk is especially salient for girls and young women in Connecticut, where far fewer appropriate rehabilitative and treatment placements exist for them, in comparison to the options available for boys and young men.

Requiring that a youth's parents be present when youth are questioned by police for all crimes is necessary to protect youth from their inherent immaturity, lack of fully developed brain function and legal inability to act and make decisions on their own behalf. These essential

truths about children and youth require prohibiting the admission of statements by juveniles without their parents present *in all cases*, including those where the youth are tried as adults.

The OCA supports automatic **erasure of all juvenile offenders' court records after two years** in cases where the juvenile was convicted of a delinquent act. Automatic erasure, versus requiring a juvenile to know that such erasure is possible and to then request it, will help eliminate additional barriers to success as adults for these young people who, due to dysfunction in and disruption to their adolescent development, are already highly likely to face significant challenges.

II. The OCA supports Senate Bill 887: AAC the Care 4 Kids Program extending up to 12 weeks the Care4Kids payment eligibility period for women who are temporarily absent for work for maternity leave. This provision promotes the well-being of children by both

- ensuring continuity of care and stability for children during critical early development years; and
- encouraging their parents' ability to work and increase their families' economic security, which in turn enhances their children's wellbeing.

III. The OCA supports House Bill 6400: AAC Mandated Reporters and Requiring Criminal History Records Checks for Youth Camp Directors and Alternate Directors. It is self-evident, based upon recent very high profile incidents of child sexual abuse, that coaches and others with ready and intimate access to children must be included in the list of individuals who are mandated to report suspicion of sexual or other abuse of children. Everyone must be enlisted in efforts to appropriately protect children from the serious and lifelong consequences of abuse.

For these same reasons, requiring background checks of camp directors and others entrusted with authority over children's daily lives, especially when they are physically separated from their parents and in settings not in the public arena, is a minimal, common sense strategy for safeguarding children.

Thank you for the opportunity to provide testimony.