



*Division of Public Defender Services  
State of Connecticut*

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**Testimony of  
Christine Rapillo  
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**DIVISION OF PUBLIC DEFENDER SERVICES**

**COMMITTEE ON CHILDREN  
FEBRUARY 7, 2017**

**PROPOSED BILL 397  
AN ACT ESTABLISHING AN INDEPENDENT DEPARTMENT OF CHILDREN AND FAMILIES  
OMBUDSMAN.**

The Division of Public Defender Services strongly supports passage of *Proposed Senate Bill 397, An Act Establishing an Independent Department of Children and Families Ombudsman.* For many years, this agency has voiced concerns that the Department of Children and Families is essentially a self policing agency. Children in DCF care often have no family to speak for them and deserve to have an independent body review their complaints and concerns. Young people committed to DCF must present all their grievances to DCF staff. Allegations that children are abused or neglected while in DCF care are investigated by DCF staff. This includes complaints made against contracted providers, foster care providers and DCF facilities like the Connecticut Juvenile Training School and the two Solnit facilities. It makes no sense to have the agency allegedly responsible for the aggrieved behaviors investigate itself.

The concept of transparency in state government requires that an unbiased review of complaints be conducted. DCF appears to collect no aggregate data on the nature of the complaints, the results of the investigation or how the results were communicated back to the youth. Without a way to monitor the number and nature of complaints and the Department's response to the issues, there is no way to ensure that problems are resolved in an expedient and fair manner. The establishment of an independent ombudsman would allow for the collection of data that could be reported, studied and would allow for trends to develop and data on complaints to be available for quality assurance purposes.



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The Office of Chief Public Defender represents almost all the youth currently held at CJST or committed as delinquent to DCF. The current grievance procedures are not providing the youth with an adequate mechanism to address their complaints. When asked, the youth indicate either that they did not know there was a grievance process or that they had no faith in it. A common complaint was that the youth get no feedback on whether their complaint was reviewed, rejected or acted upon. It is critical that children committed to juvenile justice facilities be taught to resolve differences and interact with others in a civil manner that respects rules and procedures. A genuine process for resolving disputes they raise while in custody could be a first step in teaching respect for community and the value in following rules.

OCPD also provides representation to all children who are involved with DCF because of alleged abuse or neglect. While these children, and the committed delinquent children have lawyers, there is still no meaningful way for their issues to be addressed. The court has no authority to investigate allegations of mistreatment or abuse and does not provide a forum for children to bring individual issues of concern. Lawyers for the children are bound by the internal DCF administrative procedures, where all issues are adjudicated by DCF employees.

An independent ombudsman could be created without a large influx of state funding. The Judicial Branch's Court Support Services Division (CSSD) currently runs two state-operated pretrial detention centers and several privately contracted community detention facilities. CSSD contracts with an independent ombudsman who visits all the facilities and collects written grievances. The contractor meets not only with the youth who file grievances but with random detained youth to get a general sense of the climate in the facility. The contracted ombudsman keeps records of the grievances and is able to report to CSSD on individual results as well as trends that need to be addressed. There have been opportunities in the past for DCF to work with CSSD to replicate this model. Since DCF has been unwilling to voluntarily arrange for independent oversight of youth grievances, it is appropriate for the General Assembly to mandate that an autonomous ombudsman be created.