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**Testimony of Benedict R. Daigle, Deputy Assistant Public Defender**  
**Office of Chief Public Defender**

**Committee on Judiciary - March 31, 2021**

***Raised S.B. 1084 - AAC the Collection of Certain Data Relating to  
Parents who have their Parental Rights Terminated***

The Office of Chief Public Defender (OCPD) supports S.B. 1084, An Act Concerning the Collection of Certain Data Relating to Parents who have their Parental Rights Terminated, insofar as the proposed data collection and publication would help to illuminate the extent to which incarceration is a factor in terminations of parental rights.

The fact that someone is incarcerated, without more, should not be grounds for the termination of parental rights. While every relationship is unique, research shows the benefits of ensuring that children maintain strong bonds with their parents who are incarcerated on unrelated charges or convictions.<sup>1</sup>

Connecticut has not yet joined other states in passing legislation to counteract the unintended consequences of the federal Adoption and Safe Families Act (ASFA) of 1997 as applied to incarcerated parents. As a result, current law requires the Department of Children and Families (DCF) to initiate termination proceedings whenever a child has been in foster care for 15 out of the last 22 months, with some limited exceptions. This requirement can disproportionately impact incarcerated parents despite their efforts to maintain a strong, healthy relationship with their children.

While S.B. 1084 would not change Connecticut law in that regard, the proposal would shed light on the issue and inform future efforts to avoid disparate and disproportional impacts on parents who are incarcerated - and on such individuals' children, families, and communities.

Thank you for considering OCPD's perspective in support of this legislation.

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<sup>1</sup> See, e.g., the work of the Connecticut Children with Incarcerated Parents (CTCIP) Initiative, <http://ctcip.org/>.