



## Agency Legislative Proposal - 2021 Session

**Document Name:** DOC 2021 Legislative Proposals Submission

(If submitting electronically, please label with date, agency, and title of proposal – 092621\_SDE\_TechRevisions)

State Agency: CT Department of Correction

**Liaison:** David McCluskey

**Phone:** 860-692-7510

**E-mail:** David.Mccluskey@ct.gov

Lead agency division requesting this proposal: Commissioner's Office

Agency Analyst/Drafter of Proposal: David McCluskey

**Title of Proposal:** An Act Concerning the Department of Correction Director of Reentry

**Statutory Reference:** C.G.S. 18-82

**Proposal Summary:**

This proposal codifies a Deputy Warden appointment for Reentry Services.

### PROPOSAL BACKGROUND

◇ **Reason for Proposal**

*Please consider the following, if applicable:*

- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Are other states considering something similar this year?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

This proposal adds a Director of Reentry Services as a Commissioner's appointment to reflect current practice and to dedicate 1 DOC leadership position to be responsible for reentry programs for returning citizens.

◇ **Origin of Proposal**

**New Proposal**

**Resubmission**



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

The reason this resubmitted proposal did not pass was due to the premature ending of the 2020 legislative session. This proposal was in Section 6 of the Governor's 2020 House Bill 5019.

### **PROPOSAL IMPACT**

◇ **AGENCIES AFFECTED** (please list for each affected agency)

<b>Agency Name:</b> <b>Agency Contact (name, title, phone):</b> <b>Date Contacted:</b>
Approve of Proposal <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Talks Ongoing
<b>Summary of Affected Agency's Comments</b>
Will there need to be further negotiation? <input type="checkbox"/> YES <input type="checkbox"/> NO

◇ **FISCAL IMPACT** (please include the proposal section that causes the fiscal impact and the anticipated impact)

<b>Municipal</b> (please include any municipal mandate that can be found within legislation) N/A
<b>State</b> This proposal has marginal revenue impact as it reflects current practice.
<b>Federal</b> N/A
<b>Additional notes on fiscal impact</b>



◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

This proposal provides more prominence and focus to DOC's Reentry efforts.

◇ **EVIDENCE BASE**

*What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.*

N/A

**Insert fully drafted bill here**

Sec. 1. Section 18-82 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*): The Commissioner of Correction shall appoint and may remove the following administrators, all of whom shall serve at the pleasure of the commissioner and shall be exempt from the classified service: All correctional wardens, including any warden with oversight of a district, a correctional institution, parole and community services, population management, programs and treatment, security and academy training or staff development. Such wardens shall possess skill and experience in correctional administration. The commissioner may designate a deputy warden to serve as director of reentry services.



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State Agency: CT Department of Correction

**Liaison:** David McCluskey

**Phone:** 860-692-7510

**E-mail:** David.Mccluskey@ct.gov

Lead agency division requesting this proposal: Commissioner’s Office

Agency Analyst/Drafter of Proposal: David McCluskey

**Title of Proposal:** An Act Establishing a Reentry Employment Advisory Committee

**Statutory Reference:** None. New Language.

**Proposal Summary:**

This proposal creates a Reentry Employment Advisory Committee for the Department of Correction.

### PROPOSAL BACKGROUND

◇ **Reason for Proposal**

*Please consider the following, if applicable:*

- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Are other states considering something similar this year?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

This proposal establishes a reentry employment advisory committee to assist DOC’s Vocational Education and Correctional Enterprises operations.

◇ **Origin of Proposal**

**New Proposal**

**Resubmission**

*If this is a resubmission, please share:*

- (1) *What was the reason this proposal did not pass, or if applicable, was not included in the Administration’s package?*
- (2) *Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?*
- (3) *Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?*
- (4) *What was the last action taken during the past legislative session?*

The reason this resubmitted proposal did not pass was due to the premature ending of the 2020 legislative session. It was contained in section 7 of the Governor’s 2020 House Bill 5019.



## PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

<b>Agency Name:</b> <b>Agency Contact</b> <i>(name, title, phone)</i> <b>Date Contacted:</b>
Approve of Proposal <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Talks Ongoing
<b>Summary of Affected Agency's Comments</b>
Will there need to be further negotiation? <input type="checkbox"/> YES <input type="checkbox"/> NO

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

<b>Municipal</b> <i>(please include any municipal mandate that can be found within legislation)</i> N/A
<b>State</b> N/A
<b>Federal</b> N/A
<b>Additional notes on fiscal impact</b>

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

This proposal provides more focus to DOC's Reentry Employment efforts including: enhancing the curricula/course offerings of DOC's vocational education programming; improving the viability/usefulness of DOC's correctional enterprises; and increasing the number of occupational certificates and employment opportunities for inmates.
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## ◇ EVIDENCE BASE

*What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.*

This proposal doesn't have any measurable data impact.

### **Insert fully drafted bill here**

Sec. 1. (NEW) (Effective July 1, 2021) (a) There is established a reentry employment advisory committee that shall advise the Commissioner of Correction on alignment of education and job training programs offered by the Department of Correction with the needs of employers in the community, including, but not limited to (1) the vocational education curricula used by Unified School District #1, established under section 18-99a of the general statutes, (2) the types of licenses and certifications that employers are looking for in job applicants, (3) the availability of apprenticeships for incarcerated and formerly incarcerated individuals in the community, and (4) the types of products and services that should be offered by institution industries established and maintained pursuant to section 18-88 of the general statutes.

(b) (1) The reentry employment advisory committee shall consist of:

(A) The Commissioner of Correction, or the commissioner's designee;

(B) The superintendent of Unified School District #1;

(C) The superintendent of institution industries within the Department of Correction; and

(D) One representative appointed by the Commissioner of Correction from each of the following:

(i) An association representing businesses and industries in this state;

(ii) An association representing construction industries in this state;

(iii) The state affiliate of a national organization representing human resource professionals;

(iv) A state council of building and construction trades;

(v) The Technical Education and Career System established pursuant to section 10-95 of the general statutes; and

(vi) A regional workforce development board established pursuant to section 31-3k of the general statutes.

(2) In addition to the membership provided for under subdivision (1) of this subsection, the Commissioner of Correction may appoint up to three additional members representing employers or employer associations..

(c) The Commissioner of Correction shall appoint a chairperson from amongst the membership of the reentry employment advisory committee. The committee shall meet not fewer than two times per year, and at such other times as the committee deems necessary.



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State Agency: CT Department of Correction
<b>Liaison:</b> David McCluskey <b>Phone:</b> 860-692-7510 <b>E-mail:</b> David.Mccluskey@ct.gov
Lead agency division requesting this proposal: Commissioner’s Office
Agency Analyst/Drafter of Proposal: David McCluskey

<b>Title of Proposal:</b> An Act Concerning Public Safety Committees
<b>Statutory Reference:</b> C.G.S. 18-81bb and 18-81h
<b>Proposal Summary:</b> This proposal consolidates & enhances Public Safety Committees into 1 section.

### PROPOSAL BACKGROUND

#### ◇ Reason for Proposal

<p><i>Please consider the following, if applicable:</i></p> <ol style="list-style-type: none"> <li>(1) <i>Have there been changes in federal/state/local laws and regulations that make this legislation necessary?</i></li> <li>(2) <i>Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Are other states considering something similar this year?</i></li> <li>(3) <i>Have certain constituencies called for this action?</i></li> <li>(4) <i>What would happen if this was not enacted in law this session?</i></li> </ol> <p>This proposal is in response to negative State Auditors findings regarding Public Safety committees and improves them.</p>
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#### ◇ Origin of Proposal      New Proposal      Resubmission

<p><i>If this is a resubmission, please share:</i></p> <ol style="list-style-type: none"> <li>(1) <i>What was the reason this proposal did not pass, or if applicable, was not included in the Administration’s package?</i></li> <li>(2) <i>Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?</i></li> <li>(3) <i>Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?</i></li> <li>(4) <i>What was the last action taken during the past legislative session?</i></li> </ol> <p>The reason this resubmitted proposal did not pass was due to the premature ending of the 2020 legislative session. This proposal was contained in Section 1 of DOC’s 2020 House Bill 5509.</p>
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## **PROPOSAL IMPACT**

### ◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

<b>Agency Name:</b> <b>Agency Contact (name, title, phone):</b> <b>Date Contacted:</b>
Approve of Proposal <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Talks Ongoing
<b>Summary of Affected Agency's Comments</b>
Will there need to be further negotiation? <input type="checkbox"/> YES <input type="checkbox"/> NO

### ◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

<b>Municipal</b> <i>(please include any municipal mandate that can be found within legislation)</i> N/A
<b>State</b> This proposal has marginal revenue impact, cost avoidance.
<b>Federal</b> N/A
<b>Additional notes on fiscal impact</b>

### ◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

This proposal does not affect policy/programming directly.
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### ◇ **EVIDENCE BASE**

<i>What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First <a href="#">evidence definitions</a> can</i>
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help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.

This proposal has no measurable data impact.

### **Insert fully drafted bill here**

Section 1. Section 18-81h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*): (a) [The Department of Correction shall establish a public safety committee in each] Each municipality in which a correctional facility is located may establish a public safety committee. Each committee established under this subsection shall be composed of the warden [or superintendent] of the correctional facility that is located in the municipality, or the warden's designee, and representatives appointed by the chief elected official of the municipality. Each committee shall meet not less than [quarterly] annually and at such other times as the committee deems necessary to review correctional safety and security issues and reentry efforts for offenders which affect the host municipality. If a public safety committee is established in accordance with the provisions of this subsection, the warden of the correctional facility located in the municipality shall attend at least one meeting of such committee on an annual basis.

(b) On or before November 1, 1995, and annually thereafter, each public safety committee established under subsection (a) of this section shall submit a report, in accordance with the provisions of section 11-4a, to the chairpersons and ranking members of the joint standing [committee] committees of the General Assembly having cognizance of matters relating to public safety and the judiciary which outlines issues of concern in each municipality in which a correctional facility is located and makes recommendations to mitigate such concerns.

Sec. 2. Section 18-81bb of the general statutes is repealed. (*Effective October 1, 2021*)



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State Agency: CT Department of Correction

**Liaison:** David McCluskey  
**Phone:** 860-692-7510  
**E-mail:** David.Mccluskey@ct.gov

Lead agency division requesting this proposal: Commissioner’s Office

Agency Analyst/Drafter of Proposal: David McCluskey

**Title of Proposal:** An Act Concerning Protection of Department of Correction Data

**Statutory Reference:** C.G.S. 4-190

**Proposal Summary:**  
 This proposal adds the same safety and security exemption contained in the FOI statute to the CT Personal Data Act to protect CT residents and DOC employees.

### PROPOSAL BACKGROUND

#### ◇ Reason for Proposal

*Please consider the following, if applicable:*

- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Are other states considering something similar this year?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

This proposal provides the same safety and security exemption for the CT Personal Data Act as already exists under the Freedom of Information statute.

◇ **Origin of Proposal**       **New Proposal**       **Resubmission**

*If this is a resubmission, please share:*

- (1) *What was the reason this proposal did not pass, or if applicable, was not included in the Administration’s package?*
- (2) *Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?*
- (3) *Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?*
- (4) *What was the last action taken during the past legislative session?*

The reason this resubmitted proposal did not pass was due to the premature ending of the 2020 legislative session. This proposal was Section 2 of DOC’s 2020 House Bill 5509.



## **PROPOSAL IMPACT**

### ◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

<b>Agency Name:</b> <b>Agency Contact (name, title, phone):</b> <b>Date Contacted:</b>
Approve of Proposal <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Talks Ongoing
<b>Summary of Affected Agency's Comments</b>
Will there need to be further negotiation? <input type="checkbox"/> YES <input type="checkbox"/> NO

### ◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

<b>Municipal</b> <i>(please include any municipal mandate that can be found within legislation)</i> N/A
<b>State</b> N/A
<b>Federal</b> N/A
<b>Additional notes on fiscal impact</b>

### ◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

This proposal provides additional safety and security to CT residents, DOC employees and DOC operations.
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### ◇ **EVIDENCE BASE**



What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.

This proposal has no significant measurable data impact.

### **Insert fully drafted bill here**

Sec. 1. Section 4-190 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*): As used in this chapter:

- (1) "Agency" means each state or municipal board, commission, department or officer, other than the legislature, courts, Governor, Lieutenant Governor, Attorney General or town or regional boards of education, which maintains a personal data system.
- (2) "Attorney" means an attorney at law empowered by a person to assert the confidentiality of or right of access to personal data under this chapter.
- (3) "Authorized representative" means a parent, or a guardian or conservator, other than an attorney, appointed to act on behalf of a person and empowered by such person to assert the confidentiality of or right of access to personal data under this chapter.
- (4) "Automated personal data system" means a personal data system in which data is stored, in whole or part, in a computer or in computer accessible files.
- (5) "Computer accessible files" means any personal data which is stored on-line or off-line, which can be identified by use of electronic means, including but not limited to microfilm and microfilm devices, which includes but is not limited to magnetic tape, magnetic film, magnetic disks, magnetic drums, internal memory utilized by any processing device, including computers or telecommunications control units, punched cards, optically scannable paper or film.
- (6) "Maintain" means collect, maintain, use or disseminate.
- (7) "Manual personal data system" means a personal data system other than an automated personal data system.
- (8) "Person" means an individual of any age concerning whom personal data is maintained in a personal data system, or a person's attorney or authorized representative.
- (9) "Personal data" means any information about a person's education, finances, medical or emotional condition or history, employment or business history, family or personal relationships, reputation or character which because of name, identifying number, mark or description can be readily associated with a particular person. "Personal data" shall not be construed to make available to a person any record described in subdivision (3) or (18) of subsection (b) of section 1-210.
- (10) "Personal data system" means a collection of records containing personal data.
- (11) "Record" means any collection of personal data, defined in subdivision (9), which is collected, maintained or disseminated.





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State Agency: CT Department of Correction

**Liaison:** David McCluskey

**Phone:** 860-692-7510

**E-mail:** David.Mccluskey@ct.gov

Lead agency division requesting this proposal: Commissioner’s Office

Agency Analyst/Drafter of Proposal: David McCluskey

**Title of Proposal:** An Act Concerning the Department of Correction

**Statutory Reference:** 17a-28

**Proposal Summary:**

This proposal allows DOC access to certain DCF Records.

### PROPOSAL BACKGROUND

#### ◇ Reason for Proposal

Please consider the following, if applicable:

- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary?
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Are other states considering something similar this year?
- (3) Have certain constituencies called for this action?
- (4) What would happen if this was not enacted in law this session?

This proposal extends to DOC access to certain DCF records, like thirty other state agencies have, in order to determine the appropriate supervision and treatment needs of children and youth in its custody.

◇ Origin of Proposal

New Proposal

Resubmission

If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration’s package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

This proposal is new.



## PROPOSAL IMPACT

### ◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

<b>Agency Name:</b> Department of Children and Families <b>Agency Contact (<i>name, title, phone</i>):</b> Vinnie Russo , Legislative Liaison 860-461-6689 <b>Date Contacted:</b>
Approve of Proposal <input type="checkbox"/> <b>YES</b> <input type="checkbox"/> <b>NO</b> <input checked="" type="checkbox"/> <b>Talks Ongoing</b>
<b>Summary of Affected Agency's Comments</b> TBD. The proposal extends to DOC access to DCF records given to many other state/federal agencies.
Will there need to be further negotiation? <input checked="" type="checkbox"/> <b>YES</b> <input type="checkbox"/> <b>NO</b>

### ◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

<b>Municipal</b> <i>(please include any municipal mandate that can be found within legislation)</i> N/A
<b>State</b> N/A
<b>Federal</b> N/A
<b>Additional notes on fiscal impact</b>

### ◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

This proposal provides DOC access to certain DCF records for the purpose of providing for the supervision and treatment of children and youth in its custody.
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### ◇ **EVIDENCE BASE**



What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.

This proposal has no significant measurable data impact.

### **Insert fully drafted bill here**

Sec. 1. Section 17a-28 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*): Definitions. Confidentiality and access to records; exceptions. Procedure for aggrieved persons. (a) As used in this section:

(1) "Person" means (A) any individual named in a record, maintained by the department, who (i) is presently or at any prior time was a ward of or committed to the commissioner for any reason; (ii) otherwise received services, voluntarily or involuntarily, from the department; or (iii) is presently or was at any prior time the subject of an investigation by the department; (B) a parent whose parental rights have not been terminated or current guardian of an individual described in subparagraph (A) of this subdivision, if such individual is a minor; or (C) the authorized representative of an individual described in subparagraph (A) of this subdivision, if such individual is deceased;

(2) "Attorney" means the licensed attorney authorized to assert the confidentiality of or right of access to records of a person;

(3) "Authorized representative" means a parent, guardian, guardian ad litem, attorney, conservator or other individual authorized to assert the confidentiality of or right of access to records of a person;

(4) "Consent" means permission given in writing by a person, such person's attorney or authorized representative to disclose specified information, within a limited time period, regarding the person to specifically identified individuals or entities;

(5) "Records" means information created or obtained in connection with the department's child protection activities or other activities related to a child while in the care or custody of the department, including information in the registry of reports to be maintained by the commissioner pursuant to section 17a-101k;

(6) "Disclose" means (A) to provide an oral summary of records maintained by the department to an individual, agency, corporation or organization, or (B) to allow an individual, agency, corporation or organization to review or obtain copies of such records in whole, part or summary form;

(7) "Near fatality" means an act that places a child in serious or critical condition.

(b) Notwithstanding the provisions of section 1-210, 1-211 or 1-213, records maintained by the department shall be confidential and shall not be disclosed, unless the department receives written consent from the person or as provided in this section, section 17a-101g or section 17a-101k. Any unauthorized disclosure shall be punishable by a fine of not more than one thousand dollars or imprisonment for not more than one year, or both. Any employee of the department who in the ordinary course of such person's employment has reasonable cause to suspect or believe that another employee has engaged in the unauthorized disclosure of records shall report in writing such unauthorized disclosure of records to the





commissioner. The report shall include the name of the person disclosing the information and the nature of the information disclosed and to whom it was disclosed, if known.

(c) Records that (1) contain privileged communications, or (2) are confidential pursuant to any federal law or regulation shall not be disclosed except as authorized by law.

(d) Any information disclosed from a person's record shall not be further disclosed to another individual or entity without the written consent of the person, except (1) pursuant to section 19a-80 or 19a-80f, provided such disclosure is otherwise permitted pursuant to subsections (b) and (c) of this section, (2) pursuant to the order of a court of competent jurisdiction, or (3) as otherwise provided by law.

(e) The commissioner shall, upon written request, disclose the following information concerning agencies licensed by the Department of Children and Families, except foster care parents, relatives of the child who are licensed to provide foster care or prospective adoptive families: (1) The name of the licensee; (2) the date the original license was issued; (3) the current status of the license; (4) whether an agency investigation or review is pending or has been completed; and (5) any licensing action taken by the department at any time during the period such license was issued and the reason for such action, provided disclosure of such information will not jeopardize a pending investigation.

(f) The name of any individual who reports suspected abuse or neglect of a child or youth or cooperates with an investigation of child abuse or neglect shall be kept confidential upon request or upon determination by the department that disclosure of such information may be detrimental to the safety or interests of the individual, except the name of any such individual shall be disclosed pursuant to subparagraph (B) of subdivision (1) of subsection (g) of this section to (1) an employee of the department for reasons reasonably related to the business of the department; (2) a law enforcement officer for purposes of investigating (A) abuse or neglect of a child or youth, or (B) an allegation that such individual falsely reported the suspected abuse or neglect of a child or youth; (3) a state's attorney for purposes of investigating or prosecuting (A) abuse or neglect of a child or youth, or (B) an allegation that such individual falsely reported the suspected abuse or neglect of a child or youth; (4) an assistant attorney general or other legal counsel representing the department; (5) a judge of the Superior Court and all necessary parties in a court proceeding pursuant to section 17a-112 or 46b-129, or a criminal prosecution involving child abuse or neglect; (6) a state child care licensing agency; or (7) the executive director of any institution, school or facility or superintendent of schools pursuant to section 17a-101i.

(g) The department shall disclose records, subject to subsections (b) and (c) of this section, without the consent of the person who is the subject of the record, to:

(1) The person named in the record or such person's authorized representative, provided such disclosure shall be limited to information (A) contained in the record about such person or about such person's biological or adoptive minor child, if such person's parental rights to such child have not been terminated; and (B) identifying an individual who reported abuse or neglect of the person, including any tape recording of an oral report pursuant to section 17a-103, if a court determines that there is reasonable cause to believe the reporter knowingly made a false report or that the interests of justice require disclosure;

(2) An employee of the department for any purpose reasonably related to the performance of such employee's duties;

(3) A guardian ad litem or attorney appointed to represent a child or youth in litigation affecting the best interests of the child or youth;

(4) An attorney representing a parent, guardian or child in a petition filed in the Superior Court pursuant to section 17a-112 or 46b-129, provided (A) if such records do not pertain to such attorney's client or such client's child, such records shall not be further disclosed to another individual or entity by such attorney except pursuant to the order of a court of competent



jurisdiction, (B) if such records are confidential pursuant to federal law, such records shall not be disclosed to such attorney or such attorney's client unless such attorney or such attorney's client is otherwise entitled to such records, and (C) nothing in this subdivision shall limit the disclosure of records under subdivision (3) of this subsection;

(5) The Attorney General, any assistant attorney general or any other legal counsel retained to represent the department during the course of a legal proceeding involving the department or an employee of the department;

(6) The Child Advocate or the Child Advocate's designee;

(7) The Chief Public Defender or the Chief Public Defender's designee for purposes of ensuring competent representation by the attorneys with whom the Chief Public Defender contracts to provide legal and guardian ad litem services to the subjects of such records and for ensuring accurate payments for services rendered by such attorneys;

(8) The Chief State's Attorney or the Chief State's Attorney's designee for purposes of investigating or prosecuting (A) an allegation related to child abuse or neglect, (B) an allegation that an individual made a false report of suspected child abuse or neglect, (C) an allegation that a mandated reporter failed to report suspected child abuse or neglect in accordance with section 17a-101a, provided such prosecuting authority shall have access to records of a child charged with the commission of a delinquent act, who is not being charged with an offense related to child abuse, only while the case is being prosecuted and after obtaining a release, or (D) an allegation of fraud in the receipt of public or private benefits, provided no information identifying the subject of the record is disclosed unless such information is essential to such investigation or prosecution;

(9) A state or federal law enforcement officer, including a military law enforcement authority under the United States Department of Defense, for purposes of investigating (A) an allegation related to child abuse or neglect, (B) an allegation that an individual made a false report of suspected child abuse or neglect, or (C) an allegation that a mandated reporter failed to report suspected child abuse or neglect in accordance with section 17a-101a;

(10) A foster or prospective adoptive parent, if the records pertain to a child or youth currently placed with the foster or prospective adoptive parent, or a child or youth being considered for placement with the foster or prospective adoptive parent, and the records are necessary to address the social, medical, psychological or educational needs of the child or youth, provided no information identifying a biological parent is disclosed without the permission of such biological parent;

(11) The Governor, when requested in writing in the course of the Governor's official functions, the joint standing committee of the General Assembly having cognizance of matters relating to human services, the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary or the joint standing committee of the General Assembly having cognizance of matters relating to children, when requested in writing by any of such committees in the course of such committee's official functions, and upon a majority vote of such committee, provided no name or other identifying information is disclosed unless such information is essential to the gubernatorial or legislative purpose;

(12) The Office of Early Childhood for the purpose of (A) determining the suitability of a person to care for children in a facility licensed pursuant to section 19a-77, 19a-80 or 19a-87b; (B) determining the suitability of such person for licensure; (C) an investigation conducted pursuant to section 19a-80f; (D) notifying the office when the Department of Children and Families places an individual licensed or certified by the office on the child abuse and neglect registry pursuant to section 17a-101k; or (E) notifying the office when the Department of Children and Families possesses information regarding an office regulatory violation committed by an individual licensed or certified by the office;

(13) The Department of Developmental Services, to allow said department to determine eligibility, facilitate enrollment and plan for the provision of services to a child who is a client of said department and who is applying to enroll in or is enrolled in said department's behavioral services program. At the time that a parent or guardian completes an application for



enrollment of a child in the Department of Developmental Services' behavioral services program, or at the time that said department updates a child's annual individualized plan of care, said department shall notify such parent or guardian that the Department of Children and Families may provide records to the Department of Developmental Services for the purposes specified in this subdivision without the consent of such parent or guardian;

- (14) Any individual or entity for the purposes of identifying resources that will promote the permanency plan of a child or youth approved by the court pursuant to sections 17a-11, 17a-111b and 46b-129;
- (15) A state agency that licenses or certifies a person to educate, care for or provide services to children or youths;
- (16) A judge or employee of a Probate Court who requires access to such records in order to perform such judge's or employee's official duties;
- (17) A judge of the Superior Court for purposes of determining the appropriate disposition of a child adjudicated as delinquent or a child who is a member of a family with service needs;
- (18) A judge of the Superior Court in a criminal prosecution for purposes of in camera inspection whenever (A) the court has ordered that the record be provided to the court; or (B) a party to the proceeding has issued a subpoena for the record;
- (19) A judge of the Superior Court and all necessary parties in a family violence proceeding when such records concern family violence with respect to the child who is the subject of the proceeding or the parent of such child who is the subject of the proceeding;
- (20) The Auditors of Public Accounts, or their representative, provided no information identifying the subject of the record is disclosed unless such information is essential to an audit conducted pursuant to section 2-90;
- (21) A local or regional board of education, provided the records are limited to educational records created or obtained by the state or Connecticut Unified School District #2, established pursuant to section 17a-37;
- (22) The superintendent of schools for any school district for the purpose of determining the suitability of a person to be employed by the local or regional board of education for such school district pursuant to subsection (a) of section 10-221d;
- (23) The Department of Motor Vehicles for the purpose of criminal history records checks pursuant to subsection (e) of section 14-44, provided information disclosed pursuant to this subdivision shall be limited to information included on the Department of Children and Families child abuse and neglect registry established pursuant to section 17a-101k, subject to the provisions of sections 17a-101g and 17a-101k concerning the nondisclosure of findings of responsibility for abuse and neglect;
- (24) The Department of Mental Health and Addiction Services for the purpose of treatment planning for young adults who have transitioned from the care of the Department of Children and Families;
- (25) The superintendent of a public school district or the executive director or other head of a public or private institution for children providing care for children or a private school (A) pursuant to sections 17a-11, 17a-101b, 17a-101c, 17a-101i, 17a-111b and 46b-129, or (B) when the Department of Children and Families places an individual employed by such institution or school on the child abuse and neglect registry pursuant to section 17a-101k;
- (26) The Department of Social Services for the purpose of (A) determining the suitability of a person for payment from the Department of Social Services for providing child care; (B) promoting the health, safety and welfare of a child or youth receiving services from either department; or (C) investigating allegations of fraud provided no information identifying the subject of the record is disclosed unless such information is essential to any such investigation;



(27) The Court Support Services Division of the Judicial Branch, to allow the division to determine the supervision and treatment needs of a child or youth, and provide appropriate supervision and treatment services to such child or youth, provided such disclosure shall be limited to information that identifies the child or youth, or a member of such child's or youth's immediate family, as being or having been (A) committed to the custody of the Commissioner of Children and Families as delinquent, (B) under the supervision of the Commissioner of Children and Families, or (C) enrolled in the voluntary services program operated by the Department of Children and Families;

(28) The Court Support Services Division of the Judicial Branch for the purpose of sharing common case records to track recidivism of juvenile offenders;

(29) The birth-to-three program's referral intake office for the purpose of (A) determining eligibility of, (B) facilitating enrollment for, and (C) providing services to (i) substantiated victims of child abuse and neglect with suspected developmental delays, and (ii) newborns impacted by withdrawal symptoms resulting from prenatal drug exposure;

(30) The Department of Public Health for the purpose of notification when the Commissioner of Children and Families places an individual licensed or certified by the Department of Public Health on the child abuse and neglect registry established pursuant to section 17a-101k [.] ; and

(31) The Department of Correction, to allow the department to determine the supervision and treatment needs of a child or youth, and provide appropriate supervision and treatment services to such child or youth.

(h) The department may, subject to subsections (b) and (c) of this section, disclose records without the consent of the person who is the subject of the record, to:

(1) An employee or former employee of the department or such employee or former employee's authorized representative for purposes of participating in any court, administrative or disciplinary proceeding, provided such disclosure shall be limited to records that are necessary to the proceeding, as determined by the department;

(2) Multidisciplinary teams, as described in section 17a-106a;

(3) A provider of professional services for a child, youth or parent referred to such provider, provided such disclosure is limited to information necessary to provide services to the child, youth or parent;

(4) An individual or agency under contract with the department for the purposes of identifying and assessing a potential foster or adoptive home or visiting resource for a child or youth, provided no information identifying a biological parent of a child or youth is disclosed without the permission of such biological parent;

(5) A physician examining a child with respect to whom abuse or neglect is suspected and who is authorized pursuant to section 17a-101f to keep the child in the custody of a hospital when such physician requires the information in a record of the department to determine whether to keep the child in protective custody;

(6) An individual who reports child abuse or neglect pursuant to sections 17a-101a to 17a-101c, inclusive, or section 17a-103, who made a report of abuse or neglect, provided the information disclosed is limited to (A) the status of the investigation conducted pursuant to section 17a-101g resulting from the individual's report; and (B) in general terms, the action taken by the department as a result of such investigation;

(7) An individual or organization engaged in the business of medical, psychological or psychiatric diagnosis and treatment and who is treating a person, provided the commissioner, or the commissioner's designee, determines that the disclosure is necessary to accomplish the objectives of diagnosis or treatment;



(8) A court or public agency in another state or a federally recognized Indian tribe, that is responsible for investigating child abuse or neglect, preventing child abuse and neglect or providing services to families at risk for child abuse or neglect, for the purpose of such investigation, prevention or providing services to such families;

(9) An individual conducting bona fide research, provided no information identifying the subject of the record is disclosed unless (A) such information is essential to the purpose of the research; and (B) the department has given written approval for the use of such information;

(10) An individual or agency involved in the collection of fees for services, provided such information is limited to the name and address of the person who received the services and the fees for services, except as provided in section 17b-225. In cases where a dispute arises over such fees or claims or where additional information is needed to substantiate the fee or claim, the Department of Children and Families may disclose the following: (A) That the person was, in fact, provided services by the department; (B) the dates and duration of such services; and (C) a general description of the types of services, including evidence that a service or treatment plan exists and has been carried out and evidence to substantiate the necessity for admission and length of stay in an institution or facility;

(11) A law enforcement officer or state's attorney if there is reasonable cause to believe that (A) a child or youth is being abused or neglected or at risk of being abused or neglected as a result of any suspected criminal activity by any individual, or (B) an employee of the department is being threatened or harassed or has been assaulted by a client or coworker;

(12) Any individual interviewed as part of an investigation conducted pursuant to section 17a-101g, who is not otherwise entitled to such information, provided such disclosure is limited to: (A) The general nature of the allegations contained in the reports; (B) the identity of the child or youth alleged to have been abused or neglected; and (C) information necessary to effectively conduct the investigation;

(13) Any individual, when information concerning an incident of child abuse or neglect has been made public or the commissioner reasonably believes publication of such information is likely, provided such disclosure is limited to: (A) Whether the department has received any report in accordance with sections 17a-101a to 17a-101c, inclusive, or section 17a-103; (B) in general terms, any action taken by the department, provided: (i) Names or other individually identifiable information of the child or other family members is not disclosed, regardless of whether such individually identifiable information is otherwise available, and (ii) the name or other individually identifiable information of the person suspected to be responsible for the abuse or neglect is not disclosed unless such person has been arrested for a crime due to such abuse or neglect; (C) confirmation or denial of the accuracy of information that has been made public; and (D) notwithstanding the provisions of section 46b-124, in general terms, the legal status of the case;

(14) Any individual for the purpose of locating such individual's missing parent, child, sibling, aunt, uncle, first cousin or grandparent, provided such disclosure is limited to information that assists in locating such missing parent, child, sibling, aunt, uncle, first cousin or grandparent;

(15) Any individual, when the information concerns an incident of abuse or neglect that resulted in a child or youth fatality or near fatality of a child or youth, provided disclosure of such information is in general terms and does not jeopardize a pending investigation;

(16) A judge of a court of competent jurisdiction whenever an employee of the department is subpoenaed and ordered to testify about such records for purposes of in camera inspection to determine if such records may be disclosed pursuant to this section if (A) the court has ordered that such records be provided to the court; or (B) a party to the proceeding has issued a subpoena for such records;



(17) An individual who is not employed by the department who arranges, performs or assists in performing functions or activities on behalf of the department, including, but not limited to, data analysis, processing or administration, utilization reviews, quality assurance, practice management, consultation, data aggregation and accreditation services.

(i) Notwithstanding the provisions of subsections (e) to (h), inclusive, of this section, the department may refuse to disclose records to any individual, provided the department gives such individual notice (1) that records are being withheld; (2) of the general nature of the records being withheld; (3) of the department's reason for refusing to disclose the records; and (4) of the individual's right to judicial relief pursuant to subsection (j) of this section.

(j) (1) Any person or individual aggrieved by a violation of subsection (b) or (d), subsections (f) to (h), inclusive, or subsection (k) of this section, or a person's authorized representative, may seek judicial relief in the manner prescribed in section 52-146j.

(2) Any person, individual or authorized representative denied access to records by the commissioner under subdivision (i) of this section may petition the superior court for the venue district provided in section 46b-142 in which the person resides for an order requiring the commissioner to permit access to those records, and the court, after a hearing and an in camera review of the records in question, shall issue such an order unless it determines that permitting disclosure of all or any portion of the record (A) would be contrary to the best interests of the person or the person's authorized representative; (B) could reasonably result in the risk of harm to any individual; or (C) would contravene the public policy of the state.

(k) All written records disclosed to an individual who is not the subject of the record, an agency, an entity or an organization shall bear a stamp requiring confidentiality in accordance with the provisions of this section. Such records shall not be disclosed to another individual, agency, entity or an organization without the written consent of the person who is the subject of the record or as provided by this section. A copy of the consent form, specifying to whom and for what specific use the record is disclosed or a statement setting forth any other statutory authorization for disclosure and the limitations imposed on such disclosure, shall accompany the record. In cases where the disclosure is made orally, the individual disclosing the information shall inform the recipient that such information is governed by the provisions of this section.

(l) Whenever any person, attorney or authorized representative, having obtained access to any record, believes there are factually inaccurate entries or materials contained in such record, such person, attorney or authorized representative may add a statement to the record setting forth what such person, attorney or authorized representative believes to be an accurate statement of those facts and such statement shall become a permanent part of the record.

(m) The Department of Children and Families may charge a reasonable fee for any record disclosed pursuant to this section that exceeds one hundred pages in length. Such fee shall be waived if the individual requesting such record is indigent.