



State of Connecticut

SENATOR JOHN MCKINNEY

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The Honorable Dannel P. Malloy
Governor, State of Connecticut
Executive Chambers
State Capitol Hartford, CT 06106

Dear Governor Malloy:

I was surprised and deeply concerned to read that Commissioner Katz has directed the Department of Children and Families (DCF) to allow the names of child abusers to be removed from the state's Child Abuse and Neglect Registry. I believe her actions may put Connecticut children at risk. I also believe her actions exceed her authority as Commissioner and intrude upon the policy making authority of the legislative branch.

Individuals are placed on the registry for good reason and only after a claim of abuse or neglect has been made, investigated and substantiated. Not only have such individuals committed acts of abuse and neglect, but they have also been found to pose an ongoing risk to the health and safety of children.

The registry is used to ensure that people who regularly come into contact with children through their jobs do not pose a risk of harm to those very children. When parents send their children to school, put them on a bus, or drop them off at day care, they assume that the people they are entrusting with their children will protect and care for them, not cause them harm. The registry is an important tool for maintaining this degree of safety.

The general assembly established the registry, including the standards and procedures for placing individuals on the registry, in statute. It reflects the policy judgment of the legislature and the importance it places on proactively protecting children from known abusers. Once a claim of abuse or neglect has been substantiated, the individual has been determined to pose an ongoing risk to children, and all administrative and legal appeals have been exhausted, the statutes do not provide a mechanism for removing a name from the list. This reflects a reasonable policy determination by the legislature that a record of such cases is relevant and valuable when determining who should be allowed to work with children.

Had the legislature wished to create a process for removing names from the list, it could and would have done so. Indeed, when DCF proposed legislation this year creating a removal process, it essentially acknowledged that the matter was one of legislative policy and prerogative. Even with the detailed process proposed in the bill, which required individuals to wait ten years before applying for removal and required a detailed showing of good cause together with personal references, there was bipartisan opposition to the proposal, and the Senate chose not to adopt the measure.

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Attorney Michael Agronoff, a paid defense attorney representing child abusers and others before DCF, has suggested that legislators who voted against the removal procedure were simply confused and believed the Abuse and Neglect Registry was the same thing as our Sex Offender Registry. Not only is such a gross assumption insulting to many legislators, but it seems to trivialize non sexually based abuse. While nothing may shock the conscience quite as much as the sexual abuse of a child, other physical and mental abuse can also be devastating. Those who beat children with belts, put cigarettes out on their bodies, lock them in closets or otherwise abuse and torment children should not be appeased. Furthermore, DCF should not do an end run around the legislature and draft important policy affecting the safety of children in consultation with a paid defense attorney.

Nevertheless, it appears the Commissioner has chosen to simply make up her own policy. On a matter of such serious public concern, her precipitous, unilateral and unauthorized action is a slap in the face to the legislature and the public. I would also argue that, as an improper abuse of her authority and usurpation of legislative power, her actions are null and void.

Aside from the legal issues, it is frankly dumbfounding to me that the Commissioner would choose to exercise her authority in a way that seems to put the interests of abusers ahead of the interests of our children. As the Commissioner of the Department of Children and Families, it is her primary duty to protect the health and safety of Connecticut's children, not to make it easier for past abusers to get jobs working with children.

In light of the above, I am calling on you to direct Commissioner Katz to cease and desist her implementation of any policy that would allow individuals to remove their names from the state's Abuse and Neglect Registry. As your appointed Commissioner, it is incumbent upon you to ensure that she implements the law as enacted by the legislature and, more importantly, does not jeopardize the health and safety of our children through the adoption of an ill-advised, unauthorized policy that was apparently adopted without prior public notice and input. Surely her actions do not reflect the transparent and accountable government that you promised the people of this state.

Thank you for your time and attention to this matter.

Sincerely yours,



John McKinney
Senate Minority Leader
State Senator – 28th District

cc: Joette Katz, Commissioner, CT Department of Children and Families