

CONFIDENTIALITY SUBCOMMITTEE MEETING JANUARY 27, 2010 MINUTES

In attendance: Honorable Christine Keller, Sarah Harvey, Carolyn Signorelli, Barbara Claire, Julia O'Leary, Roger Bunker, Anne McIntyre-Lahner, Chris Rapillo, Amy D'Amaddio

- The minutes from the last meeting were voted on and passed. Motion to accept minutes made by Carolyn Signorelli and seconded by Julia O'Leary.

- A handout of CGS section 17a-28, with the DCF proposed changes to "The Act Concerning Access to DCF Records", was distributed and discussed. Barbara Claire was present to clarify remaining questions and accept feedback from the group.
 - Specifically, there was concern with the language that appeared to allow the GAL to further disclose confidential DCF records of both the parent and child. It was determined that an authorization of release or an order from the court would be required for the GAL to further disclose any confidential DCF information.

 - Language in the draft provided FSWN Liaisons with the ability to share information pursuant to the FWSN MOA.

Goals of the JJSP Confidentiality Subcommittee

- Review statutes and make recommendations for change as it relates to information exchanges/confidentiality issues.

- Establish a uniform state agency release.

- Review JJSP FWSN recommendations as it relates to confidentiality.

Confidentiality/Information Sharing Workgroup

- "Models for Change Information Sharing Toolkit" is to be used to guide workgroup to develop information sharing guide.

- Information sharing examples from the States of Arizona and Wisconsin as well as the OJJDP Information Sharing Guide were distributed.

- Possible workgroup members include: Elizabeth Duryea from Court Operations, Nancy Porter from Judicial Legal Services, Amy D'Amaddio from CSSD and a representative from CTJJA.

Other Business

- JPO's are not currently allowed to notify adult probation officers (APO) if an individual on adult probation has been arrested. JPO's will be asking the court to release the arrest information to CSSD departments that are currently supervising individual (Bail, APO).
- Pilot Program- Open Court- Judge Keller presented that the open court is being piloted for one year on the Child Protection trial docket. During that time the process will be evaluated to see the "cost" to the system (judges time spent, time taken to address open court issues at start of trial, etc.) The only standard that must be met is to establish that "good cause" was shown to close court. Court must make determination of what are in the best interest of the child/parents in deciding whether to close court. If determined is made that it is in the best interest of the involved parties the court may then explore other options.
 - The Open Court started on 2/16/10.
 - The public can call External Affairs and get the general nature of the cases, including the first name of the involved parties.
 - Only cases to be subject to the Open Court Pilot will be on for trial
 - An emergency meeting with the Superior Court Judges is being convened on 3/26/10 to vote to make the pilot "Open Court" standing order a court rule.
- Attorney Generals opinion regarding juvenile and youthful offender records to the Board of Pardons and Parole
 - All sentencing transcripts must be sent to the Board of Pardons and Parole
 - The AG's opinion stated that because the statute did not specifically say which records to release, all records, including erased records, must be sent.
 - Current practice is that when the juvenile's turn 25, all records are "gone".
- Next meeting on March 31, 2010 (2 p.m.) at CSSD Central Office, 936 Silas Deane Highway, Wethersfield.