



Legislative Testimony  
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**Written Testimony Supporting Senate Bill 1133, An Act Limiting a Finding of Neglect or Risk of Injury to a Child in Certain Circumstances**

Senator Winfield, Representative Stafstrom, Ranking Members Kissel and Fishbein, and distinguished members of the Judiciary Committee:

My name is Jess Zaccagnino, and I am the policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am writing to testify in support of Senate Bill 1133, An Act Limiting a Finding of Neglect or Risk of Injury to a Child in Certain Circumstances.

The ACLU-CT believes in eliminating racism and in advancing racial justice. Because of systemic racism, Connecticut's incarceration and policing systems most harm Black and brown people. Women and children who are Indigenous, Black, or experiencing poverty are disproportionately placed under child welfare scrutiny.<sup>1</sup> Once there, Indigenous and Black families fare worse than their white counterparts at nearly every critical step.<sup>2</sup> These disparities are partly the legacy of past social practices and government policies that sought to tear apart Indigenous and Black families. But the disparities are also the result of the increased policing of women in recent years through child welfare practices, public benefits laws, the failed war on

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<sup>1</sup> See, e.g., *Time for Reform: A Matter of Justice for American Indian and Alaskan Native Children*, NAT'L INDIAN CHILD WELFARE ASS'N (accessed Mar. 23, 2023), [https://www.pewtrusts.org/-/media/legacy/uploadedfiles/wwwpewtrustsorg/reports/foster\\_care\\_reform/nicwareportpdf.pdf](https://www.pewtrusts.org/-/media/legacy/uploadedfiles/wwwpewtrustsorg/reports/foster_care_reform/nicwareportpdf.pdf); Alan J. Dettlaff & Reiko Boyd, *Racial Disproportionality and Disparities in the Child Welfare System: Why Do They Exist, and What Can Be Done to Address Them?*, ANNALS AM. ACADEMY POL. & SOC. SCI (Jan. 29, 2021),

<https://journals.sagepub.com/doi/abs/10.1177/0002716220980329>; Jerry Milner & David Kelly, *It's Time to Stop Confusing Poverty With Neglect*, IMPRINT (Jan. 17, 2020), <https://imprintnews.org/child-welfare-2/time-for-child-welfare-system-to-stop-confusing-poverty-with-neglect/40222>; Elizabeth Brico, *In the Child Welfare System, Somebody's Always Watching You*, TALKPOVERTY (Nov. 1, 2019), <https://talkpoverty.org/2019/11/01/child-welfare-somebodys-watching/>.

<sup>2</sup> *Disproportionality in Child Welfare*, NAT'L INDIAN CHILD WELFARE ASS'N (2019), <https://www.nicwa.org/wp-content/uploads/2019/10/2019-AIAN-Disproportionality-in-Child-Welfare-FINAL.pdf>; Dorothy Roberts & Lisa Sangoi, *Black Families Matter: How the Child Welfare System Punishes Poor Families of Color*, APPEAL (Mar. 26, 2018), <https://theappeal.org/black-families-matter-how-the-child-welfare-system-punishes-poor-families-of-color-33ad20e2882e/>.

drugs, and other criminal legal policies that punish women who fail to conform to certain conceptions of “fit mothers.”<sup>3</sup>

Senate Bill 1133 erects reasonable guardrails on DCF’s ability to interfere with parents’ reasonable exercise of discretion in terms of independence and autonomy granted to their children. These decisions are unique to each child. Current Connecticut law broadly and vaguely defines child neglect and has not been updated for nearly fifty years. Senate Bill 1133 begins to address this flaw and is a good beginning step to reverse course against the overpolicing of children, mothers, and families. As such, the ACLU-CT supports Senate Bill 1133, and urges this Committee to do the same.

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<sup>3</sup> Gene Demby, *The Mothers Who Fought to Radically Reimagine Welfare*, NPR (June 9, 2019), <https://www.npr.org/sections/codeswitch/2019/06/09/730684320/the-mothers-who-fought-to-radically-reimagine-welfare>; *Movement for Family Power* (accessed Mar. 23, 2023) <https://www.movementforfamilypower.org/ground-zero>; “*You Miss So Much When You’re Gone*”: *The Lasting Harm of Jailing Mothers Before Trial in Oklahoma*, ACLU (2018), <https://www.aclu.org/report/you-miss-so-much-when-youre-gone>; Debbie Nathan, *The Long, Dark History of Family Separations*, REASON (Nov. 2020), <https://reason.com/2020/10/13/the-long-dark-history-of-family-separations/>.