

NEW HAVEN REGISTER

Mom wants public access to Connecticut DCF abuse records

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08/25/13, 9:32 PM

After her 23-month-old son was dehydrated by his babysitter until he died in 2008, Sara Hicks knew she didn't want revenge. Over the years, Hicks grew to learn all she wanted was justice.

As part of that goal, Hicks now is determined to work until Connecticut enacts a measure to further protect children, called Amari's Law for her son, Amari Jackson. The measure would require the state Department of Children and Families to allow greater access to their records, she said.

She has started an online petition she called "State Of Connecticut: Registry for Child Abusers Amari's Law." Under such a law, people searching for a babysitter, or seeking to learn more about anyone who would interact with their children, would be able to find out whether the person has been reported to DCF for abusing a child at any time, not just those convicted of child abuse.

In Amari's case, if there had been such a measure in place, Hicks would have been able to find out that her babysitter, Sharon Patterson, had had children removed from her care prior to 2008 because of drug addiction. "What I can do is ensure, or try my best to ensure, it doesn't happen to another family and they don't have to endure what my family did," Hicks said.

FIX IT: Should DCF records on reports of child abuse be public?

Hicks had left her son with then-friend Patterson for eight days in 2008 when Hicks was sick. Without Hicks' knowledge, Patterson fed Amari hot sauce as a disciplinary action, and withheld liquids, police said. Amari became dehydrated and died, and Patterson was charged by Hamden police.

She was found guilty of criminally negligent homicide, risk of injury to a child, intentional cruelty to persons and intentional cruelty to a child younger than 19. Patterson had faced up to 31 years in jail. Her sentence, imposed in 2009, was five years in prison, due to her cognitive disabilities. State records show Patterson is no longer in prison.

State Department of Children and Families Commissioner Joette Katz and Michael Lawlor, state undersecretary for criminal justice policy and planning for Gov. Dannel P. Malloy, said child abuse conviction records already are available, and noted there would be privacy issues with making all DCF records and interactions public.

Lawlor said people can go to the state's website, ct.gov, and search the judicial records to find out if someone has been convicted of a crime. "People can look it up in the comfort of their own home," Lawlor said. "I do it all the time." Lawlor also noted that in order to make all records, and not just convictions, public, federal laws requiring confidentiality of these records would have to be repealed.

Edwin Colon, attorney at the Center for Children's Advocacy, said making these records open to the public without regulation would unduly penalize families who may have been found neglectful in the past. The person in question should have to consent to their records being released to a person or family.

Katz, too, said she would still be concerned about privacy issues with making these records public.

Now, almost six years after her son's death, Hicks said she feels she is "trying to turn a personal tragedy into a legacy for my son, to protect the defenseless, which are the children."

"Throughout, I have learned the true meaning of justice is not revenge; the true meaning is to ensure that whatever the crime or action that was committed never happen again. That is justice," she said.

Hicks started her plan for the law on the anniversary of her son's death, Feb. 26. She researched whether anyone had ever tried to enact such a bill, but found no results. "This goes unseen, unheard of," Hicks said.

Hicks put her plan into action this summer and created the petition on Change.org. Emailing the link to family and friends, the petition slowly gained signatures, and sat at 240 signatures for about a short time. Hicks continued to push the idea, and had friends and family share the link.

Hicks said signatures shot up to just over 6,000, but Change.org states the petition still needs approximately 1,300 additional signatures to reach its goal. The petition was signed by people from all over the state and country, and responses have been very positive.

"It touched me that, in a world where such negativity and chaos are going on, that there are still some people who see that we cannot just talk about change," Hicks said.

Katz said the proposal would have to be reviewed on many levels before it could become law.

"A holistic approach would best be served through the legislature and, specifically, the children's committee holding hearings and taking testimony on the larger spectrum of issues," Katz said. "The fiscal impact of such a proposal also needs to be examined."

Mickey Kramer, acting child advocate at the state Office of Child Advocate, said the proposal is complex. "That is a very complicated bill (Hicks) is proposing, and we are just beginning to talk with people about it," Kramer said. "We understand what her desire is and what she wants to accomplish."

Hicks is concerned laws and procedures to prevent those with a history of abusing children from again interacting with children are not being upheld. She alleged this was the case for the situation resulting in her son's death.

"No one was monitoring (Patterson) although she had lost custody previously of several children," Hicks said. "I don't want any children to face consequences or be harmed while we are sitting around waiting for everyone to make up their mind."