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Written Testimony Opposing House Bill 5494, An Act Prohibiting the Disclosure of Certain Contact Information Under the Freedom of Information Act

Senator Flexer, Representative Fox, Ranking Members Sampson and Mastrofrancesco, and distinguished members of the Government Administration and Elections Committee:

My name is Jess Zaccagnino, and I am the policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in opposition to House Bill 5494, An Act Prohibiting the Disclosure of Certain Contact Information Under the Freedom of Information Act.

The ACLU-CT is an organization committed to open government. Few things ensure that a government effectively serves its people as much as transparency. The ACLU-CT believes deeply in making and keeping governmental records open and available to all people in the widest possible range of circumstances. The Freedom of Information Act (FOIA) is a key tool for ensuring that government is open for, and thus accountable to, the public. Carveouts and exceptions from FOIA should be considered seriously, with the understanding that a transparent government is the only way to keep and expand democratic freedoms for all of us.

House Bill 5879 seeks to ensure that lists with contact information for constituents created or possessed by state legislators are not disclosable. This bill as drafted excludes entirely too much information that the public has a right to from disclosure. As written, lists of lobbyists or government officials could be exempt from disclosure, even though such information is certainly something that the public has a right to see. Even if the bill were clarified to include only constituents, it would be contrary

to open government principles to exclude the information covered in this bill. The contact information the bill seeks to shield reveals important and relevant information about whether a person in contact with a legislator about legislation or public duties is a constituent or not. Past decisions from the Freedom of Information Commission confirm that some of the information covered by this bill is a matter of public record.¹ Because the ACLU-CT believes in open government for the good of democracy, we must oppose House Bill 5494, and we urge this Committee to do the same.

¹ See, e.g., *David Godbout v. Andres Ayala, Member, State of Connecticut, Connecticut State Senate, et al.* FIC 2013-783.