



Legislative Testimony
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**Written Testimony Opposing Freedom of Information Act Exceptions:
House Bill 5879, An Act Exempting Constituent Contact Information from
Disclosure under the Freedom of Information Act**

and

**House Bill 6576, An Act Concerning the Nondisclosure of Residential
Addresses of Certain Employers 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 Kelly McConney Moore, and I am the interim senior policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in opposition to various proposed exceptions to the Freedom of Information Act, specifically those set forth in House Bill 5879, An Act Exempting Constituent Contact Information from Disclosure under the Freedom of Information Act and House Bill 6576, An Act Concerning the Nondisclosure of Residential Addresses of Certain Employers 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. Unfortunately, two bills before the Committee seek to erode FOIA with insufficient justification. Each bill is discussed separately below.

House Bill 5879, An Act Exempting Certain Contact Information from Disclosure under the Freedom of Information Act

House Bill 5879 seeks to ensure that lists with contact information for constituents created or possessed by state legislators are not disclosable under FOIA. This bill as drafted includes 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

House Bill 6576, An Act Concerning the Nondisclosure of Residential Addresses of Certain Employees under the Freedom of Information Act

We believe House Bill 6576 would stifle people's access to information they have a right to obtain while creating unequal privacy protections for some people based solely on their occupation. By prohibiting public agencies from disclosing addresses of employees of the office of the attorney general, the bill creates special protection for those people based on where they work – a protection that is not available to others. Absent specific and compelling evidence that FOIA is being used to wrongfully access this information, the Committee should prioritize the free flow of information in support of open government.

Because the ACLU-CT believes in open government for the good of democracy, we must oppose House Bill 5879 and House Bill 6576. 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.