

## **Statement to the Government Administration and Elections Committee**

**By Chris Powell, Managing Editor, Journal Inquirer**

**On behalf of the Connecticut Council on Freedom of Information**

**Monday, February 5, 2007**

My name is Chris Powell. I'm the managing editor of the Journal Inquirer in Manchester and legislative chairman for the Connecticut Council on Freedom of Information, on whose behalf I speak today.

The Connecticut Council on Freedom of Information supports Raised Bill 7001, "An Act Concerning the Definition of Administrative Functions Under the Freedom of Information Act"; Raised Bill 1065, "An Act Revising Certain Provisions of the Freedom of Information Act"; and Senate Bill 884, "An Act Establishing Penalties for Violating the Freedom of Information Act."

Raised Bill 7001, the definitions bill, is another in a series of bills that seeks to correct our judiciary's pathological hatred of freedom of information, especially freedom of information about the judiciary itself, a hatred reflected most recently in our Supreme Court's decision that the rules of open government should not apply to court dockets.

Connecticut's Constitution proclaims, "All courts shall be open" -- without qualification. And yet our courts are always struggling to create exceptions for themselves and others.

The Connecticut Council on Freedom of Information believes that this struggle can be resolved in democracy's favor only by a state constitutional amendment restoring the separation of the powers of government, returning the legislative power to the General Assembly and the governor -- the power to make the rules of government, including the rules of the courts. We hope that this committee and the Judiciary Committee will hold a hearing on a proposal for a constitutional amendment during this session. But in the meantime, Raised Bill 7001 is a worthy attempt to correct the judiciary's most recent overreaching.

Raised Bill 1065, "An Act Revising Certain Provisions of the Freedom of Information Act," would give the Freedom of Information Commission a little more independence from the political administration of our government. Since the Freedom of Information Commission is an adjudicative agency that weighs the rights of litigants, including the rights of many individual citizens challenging the power of government, more independence for the commission is appropriate and desirable. The commission will continue to answer to the governor and the legislature through the appointment of its members.

Senate Bill 884, the bill establishing penalties for repeated violations of the Freedom of

Information Act, is a moderate effort to get the attention of scofflaws in government who don't think that the General Assembly means open government to be taken seriously. Please pass this bill and prove them wrong.

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