

Judiciary Committee
Public Hearing

March 3, 2008

Testimony of Theresa C. Lantz
Commissioner, Department of Correction

House Bill 5528 An Act Concerning the Freedom of Information Act

Good afternoon, Senator McDonald, Representative Lawlor and members of the Judiciary Committee. I appear before you today to express the Department of Correction's grave concerns about the provisions of section four of Raised Bill 5528, An Act Concerning the Freedom of Information Act. The purpose of section four appears to extend to all governmental employees the limitation on disclosure of their residential addresses under the Freedom of Information Act that is currently granted only to those employees in identified high-risk positions. In fact, it has just the opposite result. It would actually remove the protection currently afforded these employees. The bill, as it is written, limits protection of this information to employees' own agencies. However, another public agency holding the same information would not be prohibited from releasing it. Residential addresses of state employees are held by a variety of other state agencies, i.e., the Department of Administrative Services, the Office of the Comptroller, the Office of State Ethics and the Department of Public Health, if the employee holds a state-issued professional license or certificate. This bill also specifically allows disclosure of personal information to include residential addresses of elected officials, or residential addresses of officials and employees that appear on grand lists, tax delinquency lists, voter registrations, enrollment lists or application forms, or "in any other record that is otherwise required by law to be disclosed to the public."

The legislature passed the residential address protection law (*Connecticut General Statute §1-217*) in 1995. When first passed, the law was known as 'the hazardous duty statute' because the officials and employees whose addresses

were protected were viewed as the most "at risk" for harm if their residential addresses were made available to the public. At that time, protected officials and employees were judges, magistrates, police officers, Department of Correction employees, and past and present state prosecutors and public defenders. To this list were added Division of Criminal Justice inspectors (1996), firefighters (1997), employees of the Department of Children and Families (1999), employees of the Board of Pardons and Parole (1999), Judicial employees and Public Defender Services Division social workers (2001), and members and employees of the Commission on Human Rights and Opportunities (2002).

These concerns have not been reduced. They have actually increased. The majority of DOC's employees and parole officers are classified as hazardous duty. They work with accused and sentenced offenders in correctional institutions and those under community supervision. The work is dangerous and the risks high. Even those employees who do not work directly with the offender population have exposure to and can be effected by those who are incarcerated through their work in facilities and by decisions they may make in the course of their employment.

Here today with me is Mike Lajoie, DOC's Director of Security. He can offer concrete examples of pertinent safety and security issues that our employees have faced, including one that involved him personally. Here with us today are other employees from the Department who are happy to offer their personal testimonies.

C.S.G. §1-217 and its amendments exempting the residential addresses of hazardous duty employees from disclosure were passed for good reasons. If passed, HB 5528 will render these exemptions non-existent. It fails to consider and analyze the legislative history of the passage of the C.G.S. 1-217 and its amendments. And, it fails to employ a balancing test between the public policy

favoring disclosure of government records and public policy favoring the safety and security of certain classes of employees.

The DOC mission statement clearly states my commitment to protecting staff, I ask that you also state your commitment to staff safety by voting against the provisions of section four of House Bill 5528.

My staff and I are happy to elaborate on our concerns and answer any questions you may have. Thank you for your attention to our concerns.

