

Chris Powell, Managing Editor, Journal Inquirer
On behalf of the Connecticut Council on Freedom of Information

In Opposition to Raised Bill 6670 An Act Concerning the Rights of Crime Victims and the Duties of the Office of the Victim Advocate

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My name is Chris Powell, I live in Manchester, I'm the managing editor of the Journal Inquirer there, and I'm legislative chairman for the Connecticut Council on Freedom of Information, which I represent in opposing Raised Bill 6670, "An Act Concerning the Rights of Crime Victims and the Duties of the Office of the Victim Advocate."

My group's objection arises from this bill's rewriting of the central provision of Connecticut's Freedom of Information Act, Section 1-210 of the Connecticut General Statutes, so that much more information held by government would be exempt from disclosure if there was a claim of invasion of personal privacy. The bill would allow personal privacy claims to be made for files other than the current files that can be withheld under claims of personal privacy -- that is, personnel or medical files. The bill would provide exemption from disclosure not only for these files but also for "other files, documents, materials, photographs, audio or visual recordings, or tangible objects" -- in short, just about anything in government's possession.

Connecticut's Freedom of Information Commission and its courts have adjudicated many years of cases under the current provision involving personal privacy. Broadening this provision as proposed by Raised Bill 6670 would create much uncertainty and require many more years of litigation to determine what constitutes an invasion of personal privacy in regard to the new categories of documents to be subjected to a personal privacy claim.

The need to expand the privacy exemption in regard to victims of crime particularly is not clear to us. Connecticut's Freedom of Information Act already exempts from disclosure information collected by police investigating complaints of crime and information being used in a criminal prosecution. The law already also exempts information collected by police involving uncorroborated allegations.

But when information collected by police becomes evidence in court, it must become public to uphold the right of defendants and the public itself to public trials. Of course the publicity that comes with trials can be painful to defendants and accusers alike, but the alternative is secret trials, which are tyrannical.

Connecticut's Freedom of Information Act already strikes a good balance between the right to know and personal privacy. Please don't upset that balance.

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