



30 Bank Street
PO Box 350
New Britain
CT 06050-0350
06051 for 30 Bank Street
P: (860) 223-4400
F: (860) 223-4488

**Testimony of Human Rights and Responsibilities Section
of the Connecticut Bar Association**

**House Bill 5018
AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES AND REVENUES FOR
THE FISCAL YEAR ENDING JUNE 30, 2011**

Appropriations Committee
February 9, 2010

Senator Harp, Representative Geragosian, and Members of the Appropriations Committee, thank you for the opportunity to submit written testimony to the Committee in support of the legislature's consideration of the budget funding for the Human Rights Law regulatory enforcement agency: the Commission on Human Rights and Opportunities.

The Connecticut Bar Association Human Rights and Responsibilities Section is comprised of approximately 100 attorneys who are interested in legislation concerning civil rights and discrimination law. Integral to this interest in the existence of this law is the assurance that the people of the State of Connecticut have access to the enforcement of the rights and privileges under the law. Accordingly, the CBA Human Rights and Responsibilities Section respectfully requests that the Appropriations Committee through its funding authority and legislative efforts, ensure that the people of this state retain their protections against unlawful discrimination by providing sufficient funding to the Commission on Human Rights and Opportunities (CHRO) to enable it to perform all of its current existing legislative mandates to identify and to eliminate unlawful discrimination in the State of Connecticut.

In the last legislative session and through the events of this last year, the CHRO lost a substantially large portion of its staff and a large portion of its budget. The CHRO has cooperative work-share agreements with the U.S. Equal Employment Opportunity Commission (EEOC) and the U.S. Department of Housing and Urban Development (HUD). Through these agreements the CHRO processes federal complaints that are companion complaints to complaints filed under state law. The State of Connecticut's Treasury receives from the EEOC and HUD approximately \$1,390,090.00 annually, based upon the numbers of the federal companion cases the CHRO processes. To ensure that these cooperative work agreements continue, it is critical that no further budget reductions occur. It is also critical to restore lost investigator positions, to fund training for the investigative and legal staff who are processing complaints, and to restore funding for expenses that are involved in the complaint processing functions.

H.B. 5018 appears to have restored funding for personnel expenses, but it appears to have cut the budget for non-personnel expenses. The operational expenses are also necessary to perform the CHRO's work (i.e.: operational expenses: rent for the CHRO's locations, utilities, office supplies, computer equipment and software, legal research tools and resources, legal fees for subpoenas, depositions, etc.).

The CHRO is a regulatory enforcement agency engaged in discrimination complaint processing and other nondiscrimination enforcement activity. The CHRO has the legislative mandate, authority and responsibility to receive, investigate, and process complaints of unlawful discrimination. Individuals filing complaints come from everywhere within the state. The CHRO has offices located in Norwich, Waterbury, Bridgeport and Hartford, servicing urban centers and more remote areas of the state. The investigators are located in all of the regional offices and investigate and process the complaints. For those complaints where determinations of reasonable cause have been made, further efforts to resolve the complaints are made, and where such efforts are unsuccessful, the complaints are certified to public hearing.

The office of public hearings is located in Hartford and CHRO's Human Rights Referees adjudicate discrimination cases certified to public hearing. The CHRO's legal division in Hartford prosecutes the cases certified to public hearing and cases prosecuted at court. At Public Hearing, the cases proceed through pretrial orders to prepare trial. Unless the case settles, during the process or is otherwise dispositively processed, an administrative law trial is conducted at which the complaint is prosecuted. Decisions are issued as to whether discrimination has occurred and if so, which damages are to be awarded. It must be remembered that discrimination cases involve complex law which is developing at a rapid rate. The institutional memory and substantive expertise of the CHRO's adjudicators is essential to the effective adjudication of the cases.

In addition to prosecuting the cases certified to public hearing and cases prosecuted at court, the CHRO's legal division in Hartford also represents the CHRO in cases on appeal and in other court cases involving the interpretation of the State's Human Rights law and provides other legal functions within the CHRO. Where the cases involve housing discrimination the parties may elect to have the cases prosecuted at superior court. Approximately 4000 cases are at various stages of process at the CHRO each year.

CHRO also has the statutory mandate to monitor and enforce nondiscrimination requirements in state contracting. This includes the monitoring of state contracts to determine that the contractors are providing opportunities to contract to certified local state contractors (i.e. small business enterprises, minority-owned businesses, women-owned businesses, businesses owned by people with disabilities), for proportional amount of each state contract as required by law. The CHRO also monitors the State's agencies to ensure that State agencies are complying with the affirmative action requirements of the law. In this capacity it performs biennial reviews of 82 state agencies' equal opportunity activity and provides compliance enforcement necessary, and CHRO also provides equal opportunity training to state agencies' equal opportunity/affirmative action officials and staff.

The CHRO plays the central role in enforcing the State's Human Rights Law to ensure that the people of the State are protected from unlawful discrimination. The Human Rights and Responsibilities Section urges the members of the Appropriations committee to provide full funding to maintain all of the CHRO's regional offices and central office for the complaint processing, prosecution and adjudication, the contract compliance monitoring and enforcement functions, affirmative action monitoring and enforcement functions and the CHRO's other statutorily mandated requirements. Providing the funding needed for the agency to function confirms the State's commitment to all of its citizens.

Thank you, again, for allowing the CBA Human Rights and Responsibilities Section the opportunity to comment on the budget for the Commission on Human Rights and Opportunities and certain aspects of House Bill 5018. The CBA Human Rights and Responsibilities Section respectfully requests that the Appropriations Committee provide full funding for all of the CHRO's statutorily mandated activities.