



STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE
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Testimony of Michelle Cruz, Esq., State Victim Advocate
Government, Administration and Elections Committee
Monday, March 8, 2010

Good morning Senator Slossberg, Representative Spallone and distinguished members of the Government, Administration and Elections Committee. For the record, my name is Michelle Cruz and I am the Victim Advocate for the State of Connecticut. Thank you for the opportunity to submit testimony in **SUPPORT** of:

Raised House Bill No. 5404, *An Act Concerning the Nondisclosure of Certain Information Regarding Department of Correction Employees to Inmates Under the Freedom of Information Act*

The Office of the Victim Advocate (OVA) has heard from many corrections officers of the Department of Correction (DOC) who have been assaulted by inmates while in the performance of their duties. Incidents range from serious physical assaults, such as the recently reported violent assaults, to inmates spitting on DOC staff, as well as other unacceptable behaviors. Some inmates face criminal charges while others face consequences internally. These are often the almost daily occurrences that are not reported widely. Unfortunately there are some inmates that look for retaliation against the DOC staff and attempt to use the Freedom of Information Act to obtain personal information about the staff. I think we can agree that providing personal information contained in the personnel files of DOC staff to disgruntled inmates is not a legitimate use of the FOIA; after all, the FOIA was created as a means for the public to gauge the inner workings of government. This abuse of FOIA can only be interpreted as a mechanism for inmates to continue to harass and intimidate correction officers.

Regardless of the disciplinary action taken after there is an assault on a staff person, the DOC staff person is a crime victim. Crime victims have a constitutional right to be reasonably protected from the accused. Releasing sensitive information about a DOC staff not only jeopardizes the safety of the victim but additionally hampers the DOC staff to effectively supervise the inmate population.

Raised House Bill No. 5404 will provide the necessary protection to DOC staff, and his or her family, from abuse of the FOIA, and at the same time, avoids further victimization to the crime victim. Unfortunately, at times, there are requests for information submitted by inmates to an agency, pursuant to the FOIA, that should not be available to the inmate, such as the information contained in "a personnel or medical file or similar file" of an employee of DOC or the Department of Mental Health and Addiction Services.

I urge the committee to support this important proposal. Thank you for considering my testimony.

Respectfully submitted,

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