

# Government Administration and Elections Committee

## Testimony re: Raised Bill No. 5404

*An Act Concerning the Nondisclosure of Certain Information Regarding Department of Correction Employees to Inmates Under the Freedom of Information Act*

Submitted by Robert Farr, Chairman - Board of Pardons and Paroles  
March, 8<sup>th</sup>, 2010

Good morning, Senator Slossberg, Representative Spallone and honorable members of the Government Administration and Elections Committee. I am Robert Farr, Chairman of the Board of Pardons and Paroles. I am here this morning to support the concept contained in Raised Bill No. 5404, *An Act Prohibiting the Disclosure of Employee Files to Inmates An Act Concerning the Nondisclosure of Certain Information Regarding Department of Correction Employees to inmates Under the Freedom of Information Act*.

Inmate abuse of the Freedom of Information (FOI) process is a new and growing issue for the Department of Correction and other systems across the country. Eleven states have amended their FOI statutes in order to limit inmates' access to records. Washington State most recently amended their laws in March 2009 to limit inmate access.

I concur with the Commissioner Murphy's testimony where he states that Inmates that are seeking personal information about the DOC staff through the FOIA, are doing so as a means of retaliation and intimidation.

For that reason, I would request that this legislation be amended to mirror the substitute language in SB 221 as reported out by the judiciary committee, which would protect members and employees of the Board of Pardons and Paroles.

Whereas Freedom of Information Requests have been levied against correctional staff, they can also be directed toward members and/or officers of the Board of Pardons and Paroles. Many inmates who are not happy with the Board and its decision-making authority or officers who present cases to the Board can seek to retaliate against my fellow members and staff as well.

Given that the Department of Corrections has seen an increase in usage of the FOIC by the inmate population in our correctional facilities, I fear that is only a matter of time before many of these requests are levied against our agency. I do not believe that this is what the Freedom of Information was established for.

Thank you for your attention. I would be happy to any questions you may have.

Sincerely,

*Robert Farr*

Robert Farr, Chairman