

The Arts Council of Greater New Haven

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Testimony for Committee on Government Administration and Elections

March 7, 2011

Re: Bill 148

My name is Cynthia Clair. I am Executive Director of the Arts Council of Greater New Haven and President of the Connecticut Arts Alliance, a statewide arts advocacy organization.

I urge you to **OPPOSE proposed Bill 148** which calls for an end of Connecticut's percent for art program.

Connecticut's Art in Public Spaces program was established by the General Assembly in 1978. The Art in Public Spaces program requires that not less than 1% of the cost of construction or renovation of publicly accessible state buildings be allocated for the commission or purchase of artwork for that building. Over 300 works have been commissioned since the program's inception. The works represent a wide variety of media, including sculpture, wall relief, environmental installation, painting, and photography; and range in scale from works on paper to monumental murals.

The purpose of the Art in Public Spaces program is to provide the citizens of Connecticut with an improved public environment by investing in creative works of high quality for public buildings. The program adds visibility to the cultural heritage of the state and its people. **To date, the Connecticut program has resulted in 318 projects created by 199 artists in 61 towns.**

Why public art? Public art makes sense of communities by creating landmarks and defining neighborhoods and districts. Public art transforms a government building into a source of pride for a community. Public art's "placemaking" builds livable communities and contributes to the distinctiveness of a place.

The Art in Public Spaces program has employed 90 Connecticut artists. In addition to employing artists, the commissioned artist frequently contract additional employees hiring fabricators, studio assistants, structural engineers, electricians, architects, installers etc. Artists who receive commissions purchase project materials from Connecticut businesses. They buy paint, granite, glass, stone, steel, light fixtures and more.

I realize that the economy and jobs are top priorities. The state's public art program is good for the economy, generating employment and commerce. It represents a tiny fraction of the state budget, for a return that is long lasting. This expenditure enhances public buildings from police stations and courthouses to community colleges. Unlike most government expenses, this program creates **permanent** art work to be enjoyed by generations of Connecticut citizens. Please preserve Connecticut's cultural heritage.

Statement by Claude Albert, Legislative Chair, Connecticut Council on Freedom of Information

In Opposition to Proposed Senate Bill 38, An Act Concerning the Freedom of Information Act and the Division of Public Defender Services.

Monday, March 7, 2011

Sen. Slossberg, Rep. Morin and members of the Government Administration and Elections Committee:

My name is Claude Albert, and I am the legislative chair of the Connecticut Council on Freedom of Information, an organization committed to furthering government transparency and accountability. We oppose the sweeping exemptions that this bill would provide to public defenders and the Division of Public Defender Services for a number of reasons.

1. They would frustrate public oversight of the performance of individual public defenders and the public defenders' office.

We see no reason why this agency or this group of public employees should get special protection from scrutiny. The public has a compelling right to see financial and other administrative records of the agencies that work in their name, including this one. Complaints of misconduct or poor performance by public employees are also rightly open to inspection. Those regarding public defenders should be too. If such complaints lead to discipline or other action, the public should know that. If complaints are unfounded or frivolous, the agency must rely on competent responses to such complaints to assure the public that it is performing its duties to a proper standard.

Public defenders play a critical role in the criminal justice system. It is only proper that their office be open to inspection by those they work for – both the public at large and the indigent defendants in criminal cases who are their clients.

2. Legitimate claims the public defenders have to secrecy for their records are already provided for in the law.

Material that is covered by the attorney-client privilege is currently protected from disclosure, as is personnel, medical and other information that would constitute an invasion of personal privacy.

3. The broad wording of this bill could allow the public defenders to deny virtually any request for documents related to their core function.

This bill would exempt from disclosure “any documents retained by a public defender or special public defender pertaining to the legal representation of an indigent client.” That

seems to cover a lot of ground. In fact, we are concerned that it could be interpreted to mean almost anything a public defender does.

This proposal represents a well-worn sleight-of-hand: trying to leverage a specific need for confidentiality, such as the attorney-client privilege, into a sweeping and generalized exemption for the agency. It also falls into a long pattern of agencies and interest groups that come to the legislature seeking exemptions from the FOI Act for records which could contain troubling information about the conduct of the public's business.

We ask that the committee decline to endorse this bill.