

**Testimony to the Appropriations Committee**  
**Wednesday, February 16, 2012**

Senator Harp, Representative Walker and member of the Appropriations Committee I am Bob Brothers executive director of the Commission on Human Rights and Opportunities.

Thank you for the opportunity to address the governor's proposed budget adjustments to FY 2012 and 2013 as contained in HB 5014.

The budget adjustments cannot be discussed absent a reference to HB 5016, An Act Implementing The Governor's Recommendations Concerning General Government. HB 5016 would merge the Commission on Human Rights with the Office of Protection and Advocacy into a Department on Human Rights, Protection and Advocacy (DHRPA).

As I understand reductions of \$747,811 in Personal Services in the budget of the DHRPA reflect the elimination of unfilled positions pursuant to last year's SEBAC agreement. The reduction in Other Expenses however represents the elimination of \$500,000 in this year's budget which authorized a disparity study.

Yesterday several of you received and emailed letter from the CHRO Commissioners urging that this cut be opposed. Let me read part of that letter to you, "We believe that small and minority businesses desperately need to have their economic well-being protected, especially during this time of the growing divide between the haves and have-nots. Connecticut law has long provided for a set-aside requirement in state contracting. This program was intended to provide minority-owned businesses with access to state government contracts which had previously largely excluded minority-owned businesses.

We believe that minority-owned businesses are drastically underrepresented in the existing set-aside program. We are confident that a disparity study would confirm this belief and result in a dramatic increase in the percentage of work minority-owned businesses would receive from state contracts."

I agree with the Commissioners that if minority owned businesses are to take their rightful place in Connecticut's economy the state government must fulfill its obligation to make the set-aside credible. This can only be done through the completion of the study. We request that the \$500,000 in this year's budget and in next year's be kept in place as we know that such a study will cost far closer to the million dollars appropriated.

I have no idea where this idea of combining, in HB 5016, CHRO and OPA came from. It certainly was not discussed with me or OPA Executive Director Jim McGaughey.

When this concept was rolled out it was reported in the media, specifically the Republican-American on January 28, 2012 that, 'The CHRO and the Board of Protection and Advocacy for Persons with Disabilities would still appoint their respective executive directors in the new consolidated department.

Now that we see the language of HB 5016 it is clear that the appointment of the Commission's, now Department's, executive director is being changed from the Commissioners to the governor. CHRO was structured as an agency insulated from outside political influence. To make such a major change itself would require more thoughtful consideration than this short session probably allows.

CHRO is an independent, unbiased enforcement agency. CHRO handles both discrimination complaints from the public and state employees. If the person who heads the executive branch appoints the executive director of the department there will be a perception that discrimination complaints, especially by state employees, will be subject to outside pressure.

To make such major changes essentially on the fly is simply too much. The Commission and OPA are wholly different creatures with completely different responsibilities, personalities and motivations.

As seen most recently in East Haven, the blending of cultures is often extremely difficult. CHRO is an enforcement agency for the State's interest regarding equality, while OPA is an advocate for individuals and classes. OPA clients often appear before CHRO as complainants. I would ask you to think about whether blend these into a cohesive, effective entity would be possible. Add in that there are no costs savings as the result of the merger and I am left to wonder, along with you, What's the point?

Additionally, neither agency has been given time to look into how such a change would effect its standing with the federal government. There are specific requirements EEOC and HUD have for how CHRO is structured and we could potentially be in a position that would cost us federal reimbursement for investigations. I believe this is true of OPA as well.

While the Commission, under my direction, has tried hard to work with Governor Malloy and his team I cannot support this merger as represented in HB 5014 and HB 5016.

I will be happy to address any question you may have.