



OLR RESEARCH REPORT

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QUESTIONS FOR HUMAN RIGHTS REFEREE NOMINEE

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HUMAN RIGHTS REFEREES (CGS § 46A-57)

- There are three human rights referees.
- They are appointed by the governor, with the advice and consent of both houses of the General Assembly, to serve for a term of three years.
- They conduct settlement negotiations and hearings concerning discrimination complaints filed with the Commission on Human Rights and Opportunities (CHRO).
- At hearings they may subpoena witnesses and compel their attendance, administer oaths, take the testimony of any person under oath, require the production for examination of any books and papers relating to any matter under investigation or in question, and determine a reasonable fee to be paid to an expert witness.

QUESTIONS FOR THE NOMINEE

1. What background do you have in civil rights or related areas that make you qualified to become a human rights referee?
2. This session, one of the governor's bills (HB 5016, §§ 74-82) would consolidate CHRO and the Office of Protection and Advocacy for Persons with Disabilities into a new Department of Human Rights, Protection, and Advocacy. Are you aware of this proposal, and if so, how do you think it would impact human rights referees?
3. The number of referees was reduced from five to three effective July 1, 2011. Is there a backlog of cases in light of this reduction? If so, what can be done to eliminate it?
4. How many settlement negotiations and hearings have you conducted as a human rights referee?
5. What types of remedies are available to victims of discrimination? How should a referee determine and calculate damages?
6. How much control, influence, or authority should CHRO have over referees?
7. In what ways have recent referee decisions shaped civil rights law in Connecticut?
8. What types of discrimination cases have you been involved in? From your experience with these cases, do you have any recommendations for changes in our laws or procedures?
9. Should referees treat CHRO the same as everyone else when it is a party in a proceeding or should they give CHRO preferential treatment in any way?
10. Is there tension between affirmative action and the laws prohibiting discrimination? If so, how is this tension reconciled?

11. Last session, an act passed by the General Assembly (PA 11-55) explicitly added discrimination based on gender identity or expression to the types of discrimination prohibited by state law. Have you seen an increase in claims alleging this type of discrimination? Are there other types of discrimination not currently addressed by the law that should also be prohibited?

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