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## **Testimony Opposing House Bills No. 6353, An Act Concerning State Budget Reform, and 6354, An Act Implementing the Governor's Budget Recommendations Concerning General Government**

Senator Harp, Representative Walker and distinguished members of the Appropriations Committee, thank you for the opportunity to testify in opposition to House Bills No. 6353, An Act Concerning State Budget Reform, and No. 6354, An Act Implementing the Governor's Budget Recommendations Concerning General Government. I am David McGuire, staff attorney for the American Civil Liberties Union of Connecticut (ACLU-CT), and we are deeply concerned about the damage these bills would do to the independence of the state's government watchdog agencies and thus to the interests of all the citizens of Connecticut. The ACLU-CT is a member of Advocates for Accountable Government- a coalition of non-profits dedicated to improving the openness and accountability of state and local government in Connecticut.

The ACLU-CT works to protect individual constitutional rights from government infringement. Our ability to carry out this mission frequently requires ready access to government records and the ability to appeal to the governmental watchdog agencies that are charged and equipped to review and overturn the government's mistakes and missteps. These agencies – including the Freedom of Information Commission, the State Elections Enforcement Commission and the Office of State Ethics – can mediate and resolve issues in ways that protect citizens' rights. Any action that weakens them injures the public, impairs justice and, in some cases, threatens civil rights.

The bills now under consideration would weaken the state's watchdog agencies in at least two ways: by allowing the governor's office to cut their budgets and by giving a manager appointed by the governor control of the staff who investigate government wrongdoing. The ability to hire, reassign or discipline the people charged with an investigation, or to reduce the budget of the investigating agency, must not rest in the hands of the office or office holder under investigation. Nor should that office holder be able to impede the release of information under the Freedom of Information Act. These proposals will take away the watchdog agencies' financial independence and effectively eliminates their ability to investigate other state agencies.

These bills would give not only the current governor but any subsequent governor the power, through an appointee, to effectively stop an investigation in its tracks. It is inevitable that we will one day have a dishonest governor, or simply one who has made a mistake. Without budgetary and operational independence, the Freedom of Information, Ethics and Elections Enforcement commissions and the other watchdog agencies, will not be able to restrain executive power and help correct those mistakes

or misdeeds. Checks and balances are essential to democracy and eliminating them is inevitably a bad idea.

In the past two years, the ACLU-CT has used the Connecticut's Freedom of Information Act to obtain information about the way police collect and store license plate scans and the way they track people's locations with cell phones, about the deaths of people who have been Tasered and about patterns of racial profiling, to name a few issues. We have seen the Freedom of Information Commission, weakened by budget cuts and a problematic consolidation, struggling to keep up with the requests of journalists, advocacy groups and individual citizens who are trying to keep government accountable but have been denied access to public documents, meetings and decisions. These requests sometimes uncover government waste that might otherwise go unchallenged and that the commission often settles issues without costly litigation. Cutting the budget might therefore be a false economy.

We respectfully ask you to reject House Bills 6353 and 6354 because they subject the state's watchdog agencies to unwarranted and dangerous oversight and control by the executive branch.