

CONNECTICUT LEGAL RIGHTS PROJECT, INC.

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**STATEMENT OF JAN VANTASSEL, ESQ.  
GAE COMMITTEE  
February 20, 2014**

**RE: HB 5124 AN ACT CONCERNING THE PRESERVATION OF HISTORICAL  
RECORDS AND ACCESS TO RESTRICTED RECORDS IN THE STATE ARCHIVES**

I am the Executive Director of the Connecticut Legal Rights Project, Inc., a statewide non-profit organization which provides legal services to low income adults with psychiatric disabilities on matters related to their treatment, recovery and civil rights. CLRP was established by the State specifically to protect the rights of persons eligible for services from the Department of Mental Health and Addiction Service. We have offices at hospitals, outpatient clinics and other community sites throughout Connecticut.

I am writing to oppose the provision in Section 2(c) of HB 5124 which would eliminate the confidentiality protection of persons served by DMHAS, thereby allowing disclosure of their identity, fifty years after their death. It is my understanding that this change is intended to promote the interests of historical research. As someone with a Master's Degree in History from Tufts University, I am inclined to support such a laudable goal. However, I must question the need to disclose private information, which would not be disclosed for others receiving mental health services through private sources.

In my opinion, a balancing test must be applied to this set of circumstances, taking into consideration the importance of the information to historical research and the interests of individuals served by DMHAS and their families in confidentiality. It seems that the goals of historical research can be achieved utilizing materials that redact the individual names of persons receiving state services without jeopardizing their validity, while the potential harm that would be caused by disclosure is potentially serious and immeasurable. Therefore, the goal of protecting the identity of persons served by DMHAS should be protected.

I appreciate that this legislation may seem on its surface to be a reasonable compromise to those who do not believe they would be affected by its enactment. However, I believe it is an unreasonable and unnecessary violation of the rights of vulnerable persons who have found it necessary to seek mental health services from the state. They have trusted the State to protect their identities and we should respect that trust.