Testimony before the Joint Committee on Public Health of the
Connecticut General Assembly on
Senate Bill 414, An Act Concerning the Department of Public Health's Recommendations Concerning Genealogists' Access to Vital Records.
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Senator Gerratana, Representative Johnson, members of the Public Health Committee. I want to say at the very beginning that citizens everywhere are indebted to registrars of vital records and the Department of Public Health (DPH) for the extraordinary task they are and have been performing through centuries in storing, protecting, preserving and making available the records of the people. Genealogists depend upon them for their sage advice and expert guidance and knowledge when conducting our personal and professional research and we have the utmost respect for their professionalism and personhood.

Today, genealogists are outraged and appalled by Senate Bill 414, which would isolate them and them alone, from all the groups and occupations of working men and women, and target them for adverse treatment at our town halls and Department of Public Health.

This proposed legislation is wrong and should be rejected for at least the following reasons:

1) It would gut the existing provision regarding access for genealogists during "all normal business hours"; that phrase was added 18 years ago to the 1996 statue revising the 1971 legislation (I was one of its authors) because registrars had been unfairly treating genealogists as if our requests were "frivolous," compared to the business of others which was considered "serious." It simply meant that genealogists were not second-class citizens and should be served on an equal basis like everyone else; that our commerce was just as valid as any other citizen's.

2) It would demand that all genealogists contact a town hall first before attempting to conduct research, whether accessing one record or a few books, because we would never know whether an appointment were required before research. If you have ever attempted to telephone the vital records office of a city in Connecticut, you know that this would make research a nightmare. Yesterday I tried to telephone the Hartford Office of Vital Records yesterday morning. I called the number advertised on their Web site, 860-757-9690, and the 2-minute recorded message said to call another number, 860-509-7897. That recorded message stated there was a 3-month waiting period for vital record requests by mail, referred me to the city's Web site and then disconnected me without giving me any option of speaking with a representative or making an appointment at the office!

3) The present proposal would give all registrars the authority to put off for days, weeks or longer any researcher wishing to legally access public records (death. marriage, land, and all others) or birth records under 100 years old of our government until they deem it is "reasonably practicable" to serve us. While Connecticut spends millions of dollars each year trying to attract the tourist trade to our state, this bill would heartily discourage genealogist tourists from coming here, staying in our hotels, eating in our restaurants, going to our attractions and researching in our libraries and especially town halls, as they do now for weeks at a time.

4) The most egregious part of this proposal is that it would single out a particular class of American citizens, genealogists, whether acting from an avocation or conducting a business, and target that group for adverse treatment. This must be legally impermissible. Other individuals and groups who regularly make records requests of registrars are attorneys, funeral directors, title searchers, real estate agents, medical researchers, statisticians, newspaper reporters, television and radio and other media services, authors, biographers, veterans, officials from state and federal agencies and departments including police departments, heads of municipalities, school systems, adoption agencies as well as members of the general public and others.

I am a businessman in Connecticut and I have many colleagues who are in business here and belong to the Connecticut Professional Genealogists Council, Inc. We work for attorneys, television producers, authors, scholars, university professors, state and local courts and municipalities as well as for private citizens. I do a lot of business for very competitive probate court companies settling missing heir accounts who need records very fast to do their work. In addition to discouraging tourists from coming here, this bill would punish Connecticut workers.

In addition, there are nine classes of people already in the statute who are authorized to access birth records under 100 years old, including,

- the chief executive officer of municipalities,
- local directors of health or their authorized agents,
- attorneys-at-law,
- conservators of the person appointed for such person,
- agents of a state or federal agency as approved by the department, and
- researchers approved by the department pursuant to section 19a-25.
- members of genealogical societies incorporated or authorized by the Secretary of the State to do business or conduct affairs in this state;

Not one of these other groups would be adversely affected by this legislation – just genealogists.

I submit to you that this proposed legislation is wrong, that it unfairly targets one group of business men and women and others who pursue genealogy and would enshrine an animus against and suborn discriminatory behavior toward genealogists that is both unwarranted and possibly illegal.

Genealogists for years have been imploring all officials, including individual town clerks and representatives of the Town Clerks Association, Inc., to sit down with us and work out the problems that divide us, coming up with solutions that can be mutually beneficial. We have been and remain the ally of town clerks and all registrars, not their nemesis. But these officials have refused for the past 8 years to meet with us. We have met with the Connecticut Registrar of Vital Records, but there has been no follow-through from her office on issues. The solution to this situation is to have Commissioner Mullen and other officials sit down with genealogists before confrontations such as the present legislative proposal give rise to hurtfulness.