



SELECTMAN'S OFFICE
174 Main Street
Deep River, Connecticut 06417

REGARDING SB-847

Chairman Cassano, Chairman Jutila, members of the committee, thank you for the opportunity to submit this written testimony regarding SB-847—AN ACT CREATING A CODE OF ETHICS FOR MUNICIPAL OFFICIALS AND EMPLOYEES. My name is Dick Smith. I have been the First Selectman of Deep River for 26 years and a member of the COST Board of Directors for 18 years.

This is not unexplored territory by any means. Although I could not be with you today, I have testified on ethics legislation at least three times during the past 26 years. Today, consistent with my past position, I join my colleagues in opposing SB-847. Our objection is not a matter of language. As I have stated previously, while we can teach ethical behavior we cannot legislate honesty.

Throughout my tenure as First Selectman I have often shared my experiences with my counterparts from other towns. Many of us have been subject to grievances regarding Freedom of Information or complaints lodged with the Chief State's Attorney's Office. Both avenues help assure government transparency, which is essential to the democratic process. Unfortunately, some allegations are shown to be politically motivated, while others come from citizens who appear to be perennially dissatisfied. Whether they are filed in good faith or bad, all actions entail costs to our towns: attorneys' fees, work time lost, travel expense.

We cannot begrudge the costs of citizens' right to redress, but we should not establish yet another process that duplicates functions already available. The fact is that the mechanics for addressing public misdeeds already exist—though FOI and the Office of the Chief State's Attorney's Office.

The important difference between SB-847 and its predecessors is the responsibility for oversight. Instead of establishing local commissions, the state Ethics Commission would serve as arbiter.

This additional responsibility would without question increase their operating expense. Nevertheless, our experience has demonstrated that towns already bear the costs of legal defense, travel expense and work time lost—yet another unfunded mandate.

We only have to look at FOI, which was instituted with the best of intentions. In my 26 years, based on personal experience and communications with my peers, there are individuals everywhere who will abuse this avenue whose original intention was to serve as a channel for the redress of grievances.

The taxpayers in every one of our communities absorb a considerable amount of the cost generated by such unjustified complaints. But regardless of their validity, all complaints, justified or capricious, levy a cost in dollars and in time spent traveling to Hartford by town officials and volunteers who serve on our boards and commissions, and without whom our towns could not function.

We are proactive where public information is concerned: Town Meetings are legally noticed, posted on our website and announced on our community sign board. For meetings whose agendas concern financial actions or other important decisions we send postcards to every residence and business. Our quarterly newsletter keeps residents up to date on town projects and the many service organizations that enhance our quality of life. I use Deep River only as an example. I know that we are in the company of many of our towns.

I ask on behalf of Connecticut's towns and cities that SB-847 not be supported by your committee. Our towns are faced with budget cuts, and rising expenses. This mandate would add an additional expense to not only the State but to the towns and Cities. Without asking their permission, I feel confident that members and staff of both CCM and COST would be willing to lend their knowledge and expertise as how to address this issue.

Thank you again for your consideration.

Dick Smith

First Selectman