

The Connecticut chapter of the Society of Professional Journalists submits testimony on the following proposed legislation:

CT SPJ strongly opposed **HB 5501**, AN ACT CONCERNING EXECUTIVE SESSIONS OF PUBLIC AGENCIES. This proposal would give public officials tremendous leeway in deciding when to hold public policy discussions behind closed doors. The legislature has narrowly tailored executive session so that it can be used only in situations where the harm of disclosure of certain information could outweigh the public's interest in gaining access. Public officials also already have the right to seek privileged opinions in writing. Any discussion beyond this should be held in public, because the public has the right to witness and participate in conversations that drive policies made on their behalf.

Expanding the ability to call executive session also greatly increases the chance that public officials will make public policy decisions in private. The North Haven Zoning Board of Appeals did just that in 1982, using attorney-client privilege to go into an executive session to discuss an application by a condominium developer for a zoning variance. While the board held its vote in public, it essentially decided the application in private. The legislature then banned the practice of executive session for attorney-client privilege in 1986.

CT SPJ also opposes **HB 5512**, AN ACT AUTHORIZING ADDITIONAL FEES FOR MUNICIPAL PUBLIC RECORDS REQUESTED FOR COMMERCIAL PURPOSES. The state's Freedom of Information Act gives no authority for any public agency or employee to question or judge the intent of a member of the public requesting information. Additionally, the legislature has previously stated its view on excessive charges for FOI requests by saying, under CGS 1-212, that fees must be reasonable and cannot exceed the cost to the public agency. Excessive charges can be a major obstacle to members of the public requesting access to public documents. This bill would set a dangerous precedent by allowing municipal officials to both judge the intent of a request and to calculate a cost based on the suspected use.

We do, on the other hand, support **HB 5499**, AN ACT CONCERNING THE PRESERVATION OF HISTORICAL RECORDS AND ACCESS TO RESTRICTED RECORDS IN THE STATE ARCHIVES. If approved, this bill would allow the public to review documents that can provide insight into historical events and the way of life during different times in our state's history. This can include important, thoughtful analysis of the way various mental or physical conditions have been treated through history. Having this information can provide a better understanding of how treatments have evolved, or how conditions contributed to the actions of important historical figures. Furthermore, the 75-year wait period for public access to medical records helps protect privacy.

- Paul Singley, president of the Connecticut Pro Chapter of the Society of Professional Journalists