



**Testimony of Kendall Wiggin  
State Librarian  
Concerning Raised Bill 5616,  
"An Act Concerning Notices and Public Information"  
Committee on Government Administration and Elections - Public Hearing  
March 18, 2016**

Good afternoon, Senator Cassano, Representative Jutila and distinguished members of the Government Administration and Elections Committee. My name is Kendall Wiggin and I am the State Librarian. I am here to speak in opposition to section one of Raised Bill 5616.

Since 1855, the Connecticut State Library has acquired historical records from the three branches of State government. In 1909, the General Assembly designated the State Library as the official State Archives charging it with the preservation of permanent public records which includes municipal records. It is the policy of the State Library to make information, including historical materials, accessible to the public while respecting the privacy rights of living individuals and adhering to the confidential requirements set by statute.

Because reference requests to the State Library are requests for information from an agency covered by the FOI statute, the first section of this bill, as written would require us to redact a registered voter's birth day and month prior to providing copies of any historical voting records. For the State Archives, this consists of approximately 365 cubic feet of election records from the Office of the Secretary of the State dating back to 1789 and approximately 54 towns dating back to 1775. Election records that could be interpreted as lists or contain date of birth include, but are not limited to nominating petitions for state office, lists of electors, voter registration cards, registry lists, electors' certificates, and elector's admitted. The bulk of these records are from the 19th century through the first quarter of the 20th century. I have with me copies of some these records which I can share with the Committee, off the record, if you would like. All of the individuals in these early records have long since died and are not at any risk of having their identity stolen.

The redaction process is very time consuming. The information is never concealed on the original record. A photocopy is made of each page of the item, then the information on the photocopy is blackened out using a permanent black marker, and finally a photocopy is made from the redacted copy which is then given to the researcher. This is necessary because the lettering on the initially redacted copy can often show through the permanent marker when held at certain angle to light. The initially redacted photocopies are securely shredded after the

final redacted photocopy is created. Depending on the document, it may be nearly impossible to redact the date and month without also redacting the year. Volumes of early election records are often bound so tight that it would be nearly impossible to capture the complete image in the final photocopy which reduces the first column(s) legibility. In addition, the staff would need to review all election records, update hard copy or online finding aids to restrict election records exempt from disclosure, and update labels on boxes, foldering the redacted use copies, and restricting the exempt election records.

It would require significant State Archives staff time to go through all 54 towns records. For example, staff would need to redact a roughly estimated 20,132 dates of birth in the 3 volumes of East Windsor voters admitted record books that we have in the collection in order to make the records accessible to researchers if this bill passes. The burden on the staff would be enormous.

The second part of section one of this bill is especially concerning because it would prohibit not just lists but all records under CGS Title 9 from being published on the internet. I understand this is directed towards individuals and companies who have requested the voter lists and put them up online. However, this is very concerning as there is no definition of "publish" included in the bill. Does this mean the State Library would not be able to digitize any election records from any point in time and put them online for researchers to access?

It is important to remember that government records are primary sources. The records kept by the State Archives, including election records, help to protect individual rights and entitlements, safeguard the public interest, and contribute to the historical record of Connecticut citizens' personal and collective experience. This bill would close access to election records in our collections that have been available to researchers for more than a century.

The solution to the problem that these two parts of section one of the bill attempts to fix cannot be solved by closing off access to public records either in part or in full. Birth dates are found in many more records than addressed in this bill. This bill is a very small finger in a very large leaking dam. At a minimum, I ask that the bill be amended to include a provision to exempt records that are 75 years or older from the redaction requirement and the prohibition against publication.

My office welcomes the opportunity to work with the GAE to craft legislation that enables the State Library to carry out its mission to preserve and make accessible Connecticut's history and heritage while protecting the privacy of its citizens.