

Judiciary Committee JOINT FAVORABLE REPORT

Bill No.: SB-363

AN ACT CONCERNING THE DUTIES OF THE OFFICE OF THE ATTORNEY

Title: GENERAL.

Vote Date: 3/29/2021

Vote Action: Joint Favorable

PH Date: 3/8/2021

File No.: 443

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SPONSORS OF BILL:

The Judiciary Committee

Sen. Derek Slap, 5th Dist.,
Sen. Saud Anwar, 3rd Dist.,
Rep. Steven J. Stafstrom, 129th Dist.

REASONS FOR BILL:

Under current Connecticut law, the Office of the Attorney General has the authority to employ litigation against civil rights violations but does not have the large-scale ability to investigate allegations that an individual's civil rights are being violated nor initiate legal proceedings in response to such allegations. At least 22 states -including New York, Massachusetts, and Rhode Island- have authorized Attorneys General to have jurisdiction to use civil litigation in various ways. This bill would update current statutes to better equip the Office of the Attorney General to handle civil rights violations. Over the past years, there has been an escalation in civil rights violations stemming from an array of political and economic factors.

Office of the Attorney General, Attorney General, William Tong; supports this bill stating that its ability to protect the civil rights of Connecticut residents is constrained because Connecticut lacks a statute explicitly recognizing the Attorney General's role in civil rights enforcement. It is stated that the Office of the Attorney General can already enforce civil rights within existing appropriations but believes that the measures of the bill improve its ability to protect civil rights, thereby formalizing the AGO's ability to investigate & where warranted, bring civil rights lawsuits to stop large-scale, systemic violations of existing constitutional and statutory rights.

NATURE AND SOURCES OF SUPPORT:

American Civil Liberties Union of Connecticut (ACLU-CT), Interim Senior Policy Counsel, Kelly McConney Moore; supports this bill stating that it would give the Attorney General the power to protect and strengthen civil rights in Connecticut. It is stated that the Attorney General's efforts could complement to the work of the existing civil rights agencies and organizations. It was also stated that around half of the states in across the nation have formally authorized their Attorneys General to protect the civil rights of their residents by combatting discrimination.

Anti-Defamation League Connecticut (ADL-CT), Regional Director, Steve Ginsburg; supports this bill stating that current Connecticut law already permits hate crime victims to bring a civil action for damages, including equitable relief and attorney's fees. It is also stated that the provisions of this bill are important because it enables the Attorney General to investigate and protect those hate crime victims who do not have the resources or capacity to seek justice on their own, and/or where civil remedies are otherwise inadequate to deter the wrongful conduct.

Jewish Federation Association of Connecticut (JFACT), Executive Director, Michael Bloom; supports this bill stating that this bill complements but not duplicates important ongoing civil rights enforcement efforts – including the work of the Commission on Human Rights and Opportunities.

Municipal Employees Union Independent, SEIU Local 506 & Connecticut Employees Union Independent, SEIU Local 511, President, Carl Chisem; supports this bill stating that it would authorize the Attorney General to protect existing rights against severe and systemic violations. It is stated that it is imperative that aggressive behavior is halted, and systems of enforcement should be implemented to limit the pattern of aggressive behavior [and it would] allow for greater enforcement of civil rights laws.

SEIU 32BJ, District Director, Rochelle Palache; supports this bill stating that it would not expand civil rights law or interfere with existing civil rights enforcement, instead it would allow the Attorney General to play a complimentary role that will strengthen the overall enforcement of existing law.

Connecticut AFL-CIO, President, Sal Luciano; supports this bill stating that disparities still exist within society and states that the provisions of this bill will enable the Attorney General to address large-scale, systemic violations of civil rights. It is stated that the deaths of George Floyd, Breonna Taylor, and Ahmaud Arbery and the uptick in violence and discrimination against Asian Americans are examples of why this bill is necessary.

Connecticut Working Families Organization, State Director, Carlos Moreno; supports this bill stating that it improves the ability of the Attorney General to address civil rights violations as well as hate crimes.

United Brotherhood of Carpenters and Joiners of America, President, Matthew Capece; supports this bill stating that the provisions of this bill are needed in order to better address workers' rights violations in Connecticut which financially burden the state and taxpayers. It is stated that there is significant fraud in the construction industry by citing a national study published which shows that 1.3 to 2.2 million construction workers were paid off the books or

mischaracterized as independent contractors in 2017. It is also stated that workers would be protected if this bill was passed.

NATURE AND SOURCES OF OPPOSITION:

Ward Law LLC, Attorney, DeVaughn Ward; opposes this bill stating that the power given to the Attorney General in this bill therein could be used in ways adverse to the intent of protecting civil rights. This bill would provide the Office of the AG with authority that is contradictory to their role in defending state employees and officials who at times are alleged of civil rights violations. If the bill passes, Attorney Ward recommends placing a firewall between the Division of Public Safety and the office charged with investigating and litigating civil rights abuses.

Reported by: John Gerke, Intern

Date: 4/8/2021