

# Government Oversight Committee

## JOINT FAVORABLE REPORT

**Bill No.:** SB-1408

AN ACT REQUIRING A STUDY OF STATE AGENCY RESPONSE TIMES TO

**Title:** FREEDOM OF INFORMATION ACT REQUESTS.

**Vote Date:** 3/18/2025

**Vote Action:** Joint Favorable

**PH Date:** 3/4/2025

**File No.:**

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### SPONSORS OF BILL:

Sen. Sampson

### REASONS FOR BILL:

To require the Office of Policy and Management to conduct a study of state agency response times to Freedom of Information Act requests. The report will include a summary of average state agency response times, information about when unreasonable response times were the basis of a complaint filed with the Freedom of Information Commission and any recommended legislation to address any findings of such study.

### RESPONSE FROM ADMINISTRATION/AGENCY:

#### **Colleen Murphy: Executive Director, Freedom of Information Commission:**

Supports this bill because of the language, "promptly upon request" that is written into the FOI Act. She believes that there is existing precedent among the courts, citing one judge's words, "An agency's FOIA duty is a statutory duty or command. As such, it is not second class to any other statutory duty or command." [Commissioner, State of CT, Dept. of Emergency Services and Public Protection, et. al. v. FOI, et al.] Therefore, concludes that extensive delays in records requests violates an agency's statutory obligations.

### NATURE AND SOURCES OF SUPPORT:

#### **Linda Dalessio: Doctor:**

Supports this bill because they have experienced numerous hurdles with FOIA requests over the years and feels this would speed up the process.

**Richard Mardoian: Citizen:**

Supports this bill because they feel the current extensive response times to FOIA requests does a disservice to the public by reducing the right to know, and therefore government transparency, which they feel is a bedrock principle of Connecticut.

**Jess Zacagnio: Policy Council, ACLU CT:**

Supports this bill because she believes that transparent government is a cornerstone to our democracy, and that current, extensive wait times for FOIA requests undermines government transparency and keeps the public in the dark.

**Michele Jacklin: Co-President, CT Council on Freedom of Information:**

Supports this bill because they feel that delays in FOI requests are an infringement on our first amendment rights to free speech. They feel that many agencies tend to drag their feet which is problematic because it demonstrates government inefficiency and a lack of accountability. Agencies are obligated to fulfil these requests and should be obligated to do so in a timelier manner.

**NATURE AND SOURCES OF OPPOSITION:**

None Expressed

**Reported by: Greg Wolff, Griffin Olshan**

**Date: 3/21/25**