

October 16, 2013

Testimony of David G. Jacob

- To the Taskforce on Victim Privacy and the Public's Right to Know
- Regarding the Balance Between Victim's Privacy under the Freedom of Information Act and the Public's Right to Know

I am a licensed by the Department of Public Health, in the State of Connecticut, as a Clinical Social Worker and I have been employed in the mental health field since 1982. During my career, I have worked in various treatment setting including in-patient treatment, partial hospitalization programs, intensive outpatient programs, and outpatient programs. I have provided direct treatment as well as functioned as a clinical supervisor and an administrator. Over the years I have treated many individuals who have experienced a traumatic event and have assisted them with putting the pieces of their lives back together. Most recently I was hired by the Newtown Public Schools as the Director of the Recovery Project. This project is intended to help the students, families, teachers, staff, and community recover from the tragedy of last December. I give my background to help you understand my point of reference as I share with you my opinion.

I believe in the rights of the First Amendment. I believe in the Freedom of Information. I know we need checks and balances in our government and that information helps to keep those checks and balances in place. As a citizen I believe I have a right to know about the actions of our government. Using the Freedom of Information Act, journalists have held our government accountable, exposed crime, and help shape American Public Policy in major ways.

The reason we have a 911 system is for the public to able to call for help when they are in danger. Callers are often vulnerable and in a crisis themselves. People who call 911 do not expect their calls to broadcast publicly. If you release the 911 tapes you take away the caller's ability to tell others or not and their ability to control the situation is taken away, this can caused re-victimization. You also can create a climate that victims and witnesses may think twice before making 911 calls due to fear of additional life threat or secondary adversity. For example, a sexual assault victim may not make a 911 call because she may not want her family to know what happened to her for fear of being shamed. A witness may not call in a community violence situation for fear of a gang member retaliating.

There is a true risk involved when releasing 911 tapes. For example, in the Sandy Hook School tragedy that not only with the 911 callers, but the Sandy Hook School staff and first responders more broadly, will be significantly put more at-risk for additional harassment and intimidation. The state's attorney mentioned that this was a key piece of the legislation. We have already seen it in Newtown, as well as other high profile cases that there is a portion of the public that

send offensive emails and letters, show up on doorsteps, and make phone calls, in an effort to criticize, threaten or harass them for words said or actions taken. Connecticut has an obligation to protect its citizens; this includes the Newtown community and other victims. Releasing the tapes does the exact opposite.

The public's right to know should not supersede the need for sensitivity toward the 911 callers, the victim or the victims' families. The victims and their families have a right to privacy. They have a right to heal without being forced to hear 911 tapes or to see a photo and be publicly exposed to explicit details about how their loved ones died. Healing from trauma is a slow process. A trauma trigger is an experience that triggers a traumatic memory in someone who has experienced a trauma. 911 calls are trauma triggers for those involved in the traumatic event. In the electronic age we live in 911 tapes can quickly go viral. Once viral, they can appear anywhere at any time. This can inflict additional emotional pain on 911 callers, victims, and their families at unexpected times. Avoiding the evening news is not sufficient. The trauma trigger will cause the 911 callers, the victims and their families to be re-traumatized and will cause unnecessary pain and suffering. Additionally, releasing the 911 tapes does more than re-traumatize those involved it adds additional information that was not present before. For example, for those who were not in the building at the time of the shooting in Sandy Hook will be exposed to sounds and sights that they have not been exposed to previously. There is research that has consistently shown that this additional layer can significantly impact an individuals'/ families' recovery. There is also research that this additional media coverage for the community can also be distressing and cause harm.

Our society has become accustomed to violence. Our morning and evening news is full of tragic events. We need to remember that compassion for each other is one way of overcoming violence. Compassion will help the victims and their families to heal. I ask that you consider a compassionate move in helping the victims and their families to heal, and to protect their rights to privacy.