



Eugene S. Pulliam National Journalism Center
3909 N. Meridian St., Indianapolis, IN 46208

May 23, 2013

Gov. Dannel Malloy
Connecticut State Capitol
210 Capitol Ave.
Hartford, CT 06106

Re: Draft legislation creating exemptions to public records law regarding the tragedy at Newtown

Dear Gov. Malloy,

The Society of Professional Journalists is alarmed by reports that Connecticut's top elected officials have developed in secret a plan to withhold public information connected to the school shootings in Newtown, Conn.

The Society condemns the creation of this legislation outside the normal, transparent process of public hearings and debate. And we deplore the attempt to use the tragic events of Dec. 14 as an excuse to close off access to records that are otherwise available to the public.

The Hartford Courant reported May 22 that the governor's office has been working secretly with legislative leaders and the state's top prosecutor to deny access to documents related to the massacre at Sandy Hook Elementary School, where 20 children and six women died.

According to the Courant, state lawmakers could vote on this legislation as early as this week. We urge them to delay such a vote until members of the public can air their views during a public hearing, as is typically done during the legislative process

We also urge legislators to defeat any bill that would close off documents – such as death certificates, emergency 911 recordings and other records connected to crimes – that have been routinely provided to the public under existing law.

It is our understanding that this legislation would bar all government agencies from releasing photographs, videotapes and digital recordings as well as audio recordings that depict the physical condition of any victim without the victim's consent or the consent of a family member. It would also allow public agencies to remove from public records the names of witnesses younger than 18 and ban the release of the audio recordings or transmissions of any 911 or emergency assistance calls.

Under the legislation, municipal officials could withhold death certificates of anyone who died at the school, unless the request is made by a member of the victim's spouse, adult child, parent, adult sibling or legal guardian.

We have seen similar efforts in other states to close access to routinely available information about crime and victims of crime in the misplaced belief that secrecy protects victims and witnesses.

This legislation does not honor the victims of the Newtown shooting, and the tragedy should not be used as an excuse to close access to public documents, the release of which does not change the circumstances surrounding the Newtown massacre. In fact, their release could debunk conspiracy theories and provide lessons worth learning.

Chief State's Attorney Kevin Kane has said he wants some of the proposed limitations on the release of records to apply to general police investigations and not just the Newtown case. We do not believe such a broad exemption to Connecticut's public records law would benefit the public, law enforcement or the state.

A coalition of news and freedom-of-information organizations wrote a letter to the governor on Wednesday, raising concern about shutting out the public. We raise those same concerns and ask the Connecticut Legislature to delay action and ultimately defeat this bill in the interest of protecting open government and the public's right to be informed about its public servants.

Respectfully submitted,

Sonny Albarado
President, Society of Professional Journalists



Jodie Mozdzer Gil
President, Connecticut Pro Chapter, SPJ