

The Office of Governor M. Jodi Rell

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M. JODI RELL
GOVERNOR

STATE OF CONNECTICUT
EXECUTIVE CHAMBERS
HARTFORD, CONNECTICUT 06106

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Contact:
Rich Harris
860-524-7313
rich.harris@ct.gov

Governor Rell Says AG Opinion on Legislative Requests for Tax Returns ‘Extremely Troublesome’

*Opinion, Requested by House Leadership,
Risks ‘Unwarranted’ Intrusion on Privacy*

Governor M. Jodi Rell today wrote Department of Revenue Services (DRS) Commissioner Pamela Law expressing grave concerns about a formal opinion by the Attorney General permitting the disclosure of actual tax returns and other data to members and staff of the General Assembly’s Legislative Program Review and Investigations Committee and to an outside consultant hired by the Committee.

“This precedent-setting opinion is extremely troublesome,” Governor Rell wrote Commissioner Law. “Tax returns are one of the most personal documents any of us possess. It would rightfully anger the people and businesses of Connecticut to know that the Department of Revenue Services had shared their most intimate financial data with anyone – let alone the members of a legislative committee, their staff and an outside consultant.

“As government officials, our job is to serve the people of Connecticut and protect their interests, not willingly jeopardize their privacy and personal financial data,” the Governor wrote. “Apart from the appalling consequences of a breach of confidentiality – consequences that no penalties under law could fully recompense – I can see no justification for such a comprehensive and unwarranted government intrusion into the privacy of every taxpayer in the state of Connecticut.

“What DRS must do, what I know the Department has done to date and what I am confident it will continue to do in the future, is respond promptly and efficiently to any lawful request the Committee may make for information about tax collections, tax credits, numbers of returns filed, and any other statistical or numeric information that may be of assistance as the Committee conducts its study of the state’s tax system.”

The letter seeking the Attorney General's opinion was sent by leaders of the House of Representatives. It states, "Of immediate interest to the Committee is all DRS data from the personal income tax and the corporate income tax filings in electronic format for the most recent completed year."

The letter also asked whether it was permissible to turn the information over to an outside contractor for analysis.

The Attorney General's formal opinion is available on-line at <http://www.ct.gov/ag/cwp/view.asp?A=1770&Q=304620>. The Governor said she was surprised that the opinion was requested by the House leadership, rather than by the leadership of the Committee, particularly given that no formal, written request for the tax information had been made to DRS. In fact, state Senator Cathy Cook (R-18), Co-Chair of the Committee, said she had pointedly refused to support such a request, or to sign a Committee letter seeking an opinion from the Attorney General.

"I believe there is adequate information available to the Committee by categories of taxes to assist us in our review," Senator Cook said. "Furthermore, I specifically directed the staff of the Committee to use other sources rather than individual returns for our study.

"I do not believe that the Program Review and Investigations Committee should have access to state citizens' personal income tax information, nor do I believe that the Committee needs that information to complete a fair, useful and comprehensive study of the tax system," Senator Cook said. "Connecticut residents would be furious, and rightfully so, to find out that legislators, staff or outside consultants could be looking at their personal tax returns."

Governor Rell said the issue is simply one of privacy.

"The chilling effect of such intrusion would be unimaginable," the Governor said. "Even if highly personal information such as names, addresses, Social Security numbers, employers, bank account numbers (supplied for automatic deposit of refunds) and other details were removed, no amount of redaction can fully conceal the identities of taxpayers.

"Taxpayers must provide this information on their returns. They do so with the expectation that DRS will use it for lawful and necessary purposes. They certainly do not expect that it will be shared with legislators, their staff or outside consultants. I intend to see that it is not."

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