

March 13, 2026

Esteemed Chairs Flexer and Blumenthal,  
Members of the Government Administrations and Elections Committee:

The Western Connecticut Council of Governments (WestCOG) appreciates the opportunity to comment on Raised Bill 466, *An Act Concerning Vexatious Requesters under the Freedom of Information Act* (FOIA), which addresses abusive or harassing conduct directed at public agencies through the FOIA.

In considering this legislation, WestCOG encourages your Committee also to examine a related and rapidly emerging challenge: the use of automated systems and synthetic identities to generate submissions to public agencies, including Freedom of Information requests. Connecticut's FOIA was enacted in an era when requests were assumed to originate from individual human requesters. Advances in generative artificial intelligence and automated scripting tools now make it possible to generate very large numbers of requests, public comments, complaints, or other submissions using automated systems. These systems can produce communications that appear to come from distinct individuals but in fact originate from a single automated process.

Because current law does not distinguish between natural persons and automated systems, agencies may be required to process these submissions in the same manner as requests made by real humans. This creates the potential for large numbers of automated or synthetic requests that absorb significant public staff time while providing little meaningful public participation, disrupt agency operations, and misuse transparency laws in ways that were not contemplated when the statute was enacted. As AI tools evolve, these risks will only grow. A single AI can generate dozens or hundreds of requests in seconds. This is not merely a theoretical concern but reflects a shift in how digital communications are generated and transmitted. Recognizing these emerging risks, WestCOG's 2026 Policy Priorities include the following recommendation:

***Authority to confirm human status and discard synthetic submissions***

*Municipalities increasingly receive FOIA requests, public comments, complaints, and other formal submissions generated by bots or synthetic identities. Because current law does not distinguish between natural persons and automated systems, towns must process these submissions, creating administrative strain and opportunities for misinformation or manipulation. The state should clarify that "person" means a natural person or their authorized representative and allow municipalities to request reasonable verification of personhood—such as email confirmation links, CAPTCHA checks, or mailed verification postcards. Verification would not require disclosure of identity, and anonymous participation would remain fully protected. Municipalities should have authority to pause processing until verification is received and enjoy safe harbor when following a consistent verification process.*

WestCOG emphasizes that such a policy would not limit anonymous participation in the FOIA process and would not require requesters to disclose their identity. Rather, it would simply allow

public agencies to confirm that submissions originate from a human participant rather than from automated systems. Many common online processes already use similar mechanisms to distinguish human users from automated scripts.

The issues addressed in Raised Bill No. 466—protecting public agencies from abusive uses of the FOIA process—are closely related to the emerging challenges posed by automated submissions. While the bill focuses on vexatious requesters, the Committee may wish to consider whether the statutory framework should also be modernized to acknowledge the possibility of non-human or automated request generation, which did not exist when the law was first enacted.

Updating the statute in this way would help ensure that Connecticut’s Freedom of Information framework continues to protect transparency and public participation while maintaining the ability of public agencies to operate effectively.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Francis Pickering". The signature is written in a cursive style with a long horizontal stroke at the end.

Francis R. Pickering  
Executive Director