

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Ellis A. Perlswig and Citizens
for Humanizing Criminal Justice,
Complainants

Report of Hearing Officer

against

Docket #FIC79-143

Chief Bail Commissioner,
Respondent

February 27, 1980

The above captioned matter was heard as a contested case on February 14, 1980, at which time the complainants and the respondent appeared, stipulated to certain facts, and presented testimony and argument on the complaint.

After consideration of the entire record, the following facts are found:

1. The respondent is a public agency within the meaning of §1-18a(a), G.S.
2. On June 13, 1979, the complainants made a written request to the respondent commissioner for certain information.
3. By letter filed with this Commission on July 6, 1979, the complainants complained of a denial of all of the information requested.
4. Thereafter, on July 19, 1979, the complainants asked that this Commission modify their complaint in accordance with a partial tender of compliance received from the respondent commissioner.
5. The complainants' complaint therefore concerned the alleged denial of access to the following information:
 - a) the current job description for the offices of bail commissioner and assistant bail commissioner;
 - b) the current list of qualifications for the offices of bail commissioner and assistant bail commissioner, or any information concerning the qualifications necessary to hold such offices;
 - c) copies of any evaluative procedures, or current evaluation forms, which are used in evaluating and monitoring the performance of bail commissioners throughout the state; and
 - d) any formal evaluations made of the bail commissioner in G.A. #6.

6. The respondent commissioner does not keep and maintain the requested information.

7. The only job description exists in advertisements placed in local newspapers by the respondent commissioner, which are not retained by his office.


8. The judicial department has prepared a form which describes an evaluation of bail commissioners during the period in which they are on probation. Such forms, including blanks thereof, have also not been retained by the respondent commissioner.

9. The respondent commissioner has promised to attempt to retrieve from the judicial department and from a local newspaper a sample advertisement and the evaluation form pertinent to the complainants' request.

10. The complainants are fully satisfied with the respondent commissioner's aforesaid offer at hearing.

The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. The complaint is hereby dismissed.



Commissioner Donald Friedman
as Hearing Officer

Approved by order of the Freedom of Information Commission on March 12, 1980.



Leslie Ann McGuire
Clerk of the Commission