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FREEDOM OF INFORMATION
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Connecticut Freedom of Information Commission · 18-20 Trinity Street, Suite 100 · Hartford, CT 06106
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Kevin J. Hackett,
Complainant(s)
against

Chief, Police Department, City of Waterbury;
and Police Department, City of Waterbury,
Respondent(s)

Notice of Meeting

Docket #FIC 2012-176

December 21, 2012

Transmittal of Proposed Final Decision

In accordance with Section 4-179 of the Connecticut General Statutes, the Freedom of Information Commission hereby transmits to you the proposed finding and decision prepared by the hearing officer in the above-captioned matter.

This will notify you that the Commission will consider this matter for disposition at its meeting which will be held in the Freedom of Information Commission Hearing Room, 18-20 Trinity Street, lst floor, Hartford, Connecticut, at **2 p.m. on Wednesday, January 23, 2013.** At that time and place you will be allowed to offer oral argument concerning this proposed finding and order. Oral argument shall be limited to ten (10) minutes. For good cause shown, however, the Commission may increase the period of time for argument. A request for additional time must be made in writing and should be filed with the Commission ***ON OR BEFORE January 11, 2013.*** Such request **MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, and (2) include a notation indicating such notice to all parties or their representatives.**

Although a brief or memorandum of law is not required, if you decide to submit such a document, the Commission requests that an **original and fourteen (14) copies** be filed ***ON OR BEFORE January 11, 2013.*** **PLEASE NOTE: Any correspondence, brief or memorandum directed to the Commissioners by any party or representative of any party MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, (2) include a notation indicating such notice to all parties or their representatives and (3) be limited to argument. NO NEW EVIDENCE MAY BE SUBMITTED.**

If you have already filed a brief or memorandum with the hearing officer and wish to have that document distributed to each member of the Commission, it is requested that **fourteen (14) copies** be filed ***ON OR BEFORE January 11, 2013,*** and that **notice be given to all parties or if the parties are represented, to their representatives, that such previously filed document is being submitted to the Commissioners for review.**

By Order of the Freedom of Information Commission

W. Paradis
Acting Clerk of the Commission

Notice to: Kevin Hackett
Gary S. Roosa, Esq.

12/21/2012/FIC# 2012-176/Trans/wrbp/VRP//TCB

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In The Matter of a Complaint by

Report of Hearing Officer

Kevin Hackett,

Complainant

against

Docket #FIC 2012-176

Chief, Police Department, City of Waterbury; and Police Department, City of Waterbury,

Respondents

December 20, 2012

The above-captioned matter was heard as a contested case on October 1, 2012 at which time the complainant and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found and conclusions of law are reached:

1. The respondents are public agencies within the meaning of §1-200(1), G.S.

2. It is found that by letter dated March 26, 2012 the complainant made a request to the respondents for reports regarding incidents that occurred at his residence on January11, 2012 and March 8, 2012. The complainant subsequently requested a copy of the video surveillance tape related to those incidents by letter dated April 24, 2012.

3. It is found that the respondents complied with the complainant's requests and provided him with two reports on April 12, 2012. The respondents also provided the surveillance tape.

4. However, by letter dated March 26, 2012 and received on March 28, 2012, the complainant appealed to this Commission which appeal did not allege that the respondent failed to comply with his request or allege any other violation of the Freedom of Information ("FOI") Act.

5. At the hearing on this matter, the complainant explained that his complaint was that the two incident reports include accounts of the incident that were not supported by the surveillance tape.

6. It is concluded that the complainant has not alleged a violation of the FOI Act.

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.

Attorney Victor Perpetua
as Hearing Officer

FIC2012-176/hor/vrp/20121219