

TO: Freedom of Information Commission
FROM: Thomas A. Hennick
RE: Minutes of the Commission's regular meeting of October 10, 2019

A regular meeting of the Freedom of Information Commission was held on October 10, 2019, in the Freedom of Information Hearing Room, 18-20 Trinity Street, Hartford, Connecticut. The meeting convened at 2:21 p.m. with the following Commissioners present:

Commissioner Owen P. Eagan, presiding
Commissioner Jay Shaw (participated via speakerphone)
Commissioner Jonathan J. Einhorn
Commissioner Matthew Streeter
Commissioner Christopher P. Hankins

Also present were staff members, Colleen M. Murphy, Mary E. Schwind, Victor R. Perpetua, Valicia D. Harmon, Kathleen K. Ross, Paula S. Pearlman, Matthew D. Reed, Danielle L. McGee, Cindy Cannata, and Thomas A. Hennick.

The Commissioners unanimously voted to approve the Commission's regular meeting minutes of September 25, 2019.

Those in attendance were informed that the Commission does not ordinarily record the remarks made at its meetings, but will do so on request.

Docket #FIC 2019-0342 Roderick Lewis v. John Karajanis, Chief, Police Department, City of West Haven; Police Department, City of West Haven; and City of West Haven

Roderick Lewis appeared on his own behalf. Attorney Lee Tiernan appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were recorded digitally.

Docket #FIC 2018-0648 William Rousseau v. Chief, Police Department, Town of Windsor Locks; Police Department, Town of Windsor Locks; and Town of Windsor Locks

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

Docket #FIC 2018-0669 Nancy Burton v. Director, Radiation Bureau, State of Connecticut, Department of Energy and Environmental Protection; and State of Connecticut, Department of Energy and Environmental Protection

Nancy Burton appeared on her own behalf. Attorney Kenneth Collette appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were recorded digitally.

Docket #FIC 2018-0680 Thedress Campbell v. Chairman, State of Connecticut, Public Utilities Regulatory Authority; and State of Connecticut, Public Utilities Regulatory Authority

Thedress Campbell appeared on his own behalf. Assistant Attorney General Robert Marconi appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were recorded digitally.

Docket #FIC 2018-0692 Joao Godoy v. Chief, Police Department, Town of Avon; Police Department, Town of Avon; and Town of Avon

Attorney Michael Harrington appeared on behalf of the respondents. The Commissioners unanimously voted twice to amend the Hearing Officer's Report. The Commissioners unanimously voted to adopt the Hearing Officer's Report as amended.* The proceedings were recorded digitally.

Docket #FIC 2018-0696 Barbara Godejohn v. Commissioner, State of Connecticut, Department of Agriculture; and State of Connecticut, Department of Agriculture

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

Docket #FIC 2018-0757 Michele Kulis v. Chairman, Teaching and Learning Committee, Board of Education, Stamford Public Schools; and Teaching and Learning Committee, Board of Education, Stamford Public Schools

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

Docket #FIC 2019-0274

Nancy Rossi v. Chairman, Ethics Commission, City of West Haven; Ethics Commission, City of West Haven; and City of West Haven

Nancy Rossi appeared on her own behalf. Attorney Alfred Bruno appeared on behalf of the Ethics Commission respondents. Attorney Lee Tiernan appeared on behalf of the City of West Haven. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were recorded digitally.

Docket #FIC 2019-0375

Nancy Rossi v. Chairman, Ethics Commission, City of West Haven; Ethics Commission, City of West Haven; and City of West Haven

Nancy Rossi appeared on her own behalf. Attorney Alfred Bruno appeared on behalf of the Ethics Commission respondents. Attorney Lee Tiernan appeared on behalf of the City of West Haven. The Commissioners unanimously voted to remand the Hearing Officer's Report to the Hearing Officer for further review.

Docket #FIC 2019-0301

Sean O'Keefe v. Superintendent of Schools, Bridgeport Public Schools; and Bridgeport Public Schools

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

Docket #FIC 2019-0352

Michael Cheffetz v. Chief, Police Department, Town of West Hartford; Police Department, Town of West Hartford; and Town of West Hartford

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

Attorney Matthew D. Reed reported on the Superior Court, Judicial District of New Britain J.D., Memorandum of Decision dated September 23, 2019 in *Godbout, David v. Freedom of Information Commission*, Docket No. HHB-CV-19-5025125-S.

Attorney Danielle L. McGee reported on pending appeals.

Colleen M. Murphy reported that Human Resources Specialist Lateisha Rainey had accepted a position with another state agency and that the process of searching for a replacement had begun.

The meeting was adjourned at 4:16 p.m.

Thomas A. Hennick
MINREGmeeting 10102019/tah/10112019

* See attached for amendments

AMENDMENTS

Docket #FIC 2018-0692

Joao Godoy v. Chief, Police Department, Town of Avon;
Police Department, Town of Avon; and Town of Avon

The Hearing Officer's Report is amended as follows:

41. Based upon a careful in camera review, it is found that the following records contain information described publically by the respondents as "activity as a juvenile", "juvenile conduct" and "dismissed ticket", respectively: IC-2018-0692-2 (lines 3-5, 33-36), IC-2018-0692-7 lines 26-27), IC-2018-0692-10 (lines 12-16), IC-2018-0692-13 (lines 4-9, 32-36), and IC-2018-0692-14 (lines 29-33), IC-2018-0692-51 (line 7), IC-2018-0692-55 (line 15), IC-2018-0692-61 (lines 25-27), and IC-2018-0692-62 (lines 22-30). It is found that such information does not pertain to legitimate matters of public concern and disclosure of such information would be highly offensive to a reasonable person. (*Footnotes 5, 6, 7 remain in the report but are not included here.*)

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

1. The respondents shall forthwith provide copies of the in camera records to the complainants, free of charge.

2. In complying with paragraph 1 of this order, the respondents may withhold the in camera records identified as exempt from disclosure in paragraphs 40, 41, 42, 43 and 48 of the findings, above.

3. Henceforth, the respondents shall strictly comply with the disclosure provisions in §§1-210(a) and 1-212(a), G.S.

4. HENCEFORTH, THE RESPONDENTS SHALL NOT REQUIRE REQUESTERS TO SIGN A FORM AS A CONDITION PRECEDENT TO THE RECEIPT OF PUBLIC RECORDS.