

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

CORRECTED FINAL
DECISION

Torrey Townsend,

Complainants

against

Docket #FIC 2015-787

Commissioner, State of Connecticut,
Department of Public Health; and State
of Connecticut, Department of Public
Health,

Respondents

October 13, 2016

The above-captioned matter was heard as a contested case on September 19, 2016, 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 November 2, 2015, the complainant requested “information pertaining to the paramedic [roster] found on the Department of Public Health website. The additional information I would like is the gender of all the active paramedic[s] in the state of Connecticut.”
3. By letter filed November 17, 2015, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to provide the records she requested.

4. Section 1-200(5), G.S., provides:

Public records or files means any recorded data or information relating to the conduct of the public's business prepared, owned, used, received or retained by a public agency, ... whether such data or information be handwritten, typed, tape-recorded, printed, photostated, photographed or recorded by any other method.

5. Section 1-210(a), G.S., provides, in relevant part:

Except as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation, shall be public records and every person shall have the right to (1) inspect such records promptly during regular office or business hours, ... or (3) receive a copy of such records in accordance with section 1-212.

6. Section 1-212(a), G.S., provides in relevant part: "Any person applying in writing shall receive, promptly upon request, a plain, facsimile, electronic or certified copy of any public record.

7. It is found that the records requested by the complainant are public records within the meaning of §§1-200(5), 1-210(a), and 1-212(a), G.S.


8. Following the hearing in this matter, the respondents informed the complainant by letter dated October 6, 2016, that they maintain the records she requested in electronic format. The Commission makes administrative notice of such letter. It is also found, based on the October 6, 2016 letter, that the respondents have provided to the complainant a spreadsheet containing the gender information she requested.

9. It is found that the respondents failed to provide such records promptly to the complainant; and it is concluded, therefore, that the respondents violated §§1-210(a) and 1-212(a), G.S.

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

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

Approved by Order of the Freedom of Information Commission at its regular meeting of October 13, 2016.


Cynthia A. Cannata


Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

Torrey Townsend
39 Orchard Place
New Haven, CT 06511

Commissioner, State of Connecticut, Department of Public Health;
and State of Connecticut, Department of Public Health
c/o Kerry Anne Colson, Esq.
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Cynthia A. Cannata
Acting Clerk of the Commission