

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by)
Waldemar J. Lach, Complainant) Report of Hearing Officer

against) Docket #FIC76-136

Town of Windsor and Windsor) September 22 , 1976
Police Department, Respondents)

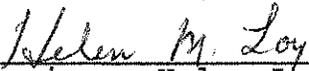
The above captioned matter was heard as a contested case on September 9, 1976, at which times the complainant and the respondents appeared and presented testimony, stipulated to certain facts, and presented argument on the complaint.

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

1. The respondents are public agencies.
2. By letter dated July 7, 1976, the complainant requested copies of certain police records in the custody of respondent police department. This request was denied by letter from the respondent department, dated July 14, 1976. As a result of such denial, the complainant filed the present complaint with this Commission on July 28, 1976.
3. Subsequent to the letter of complaint and prior to the date of hearing respondents made a tender of compliance. It is complainants contention, however, that certain of the arrest records requested did not reflect a number of arrests that had actually occurred on the date in question. Complainant maintains that these arrests would have been recorded in accordance with respondent department's ordinary record keeping and business procedure, and that this omission constituted a denial of access to existing public documents.
4. On the basis of all of the testimony adduced at the hearing on this complaint, it is found that no document exists independent and apart from those records already made available to complainant for inspection and copying.
5. Since no other document exists independent and apart from those already made available to the complainant for inspection and copying, it is found the complainant has no been deprived of any right conferred by P.A. 75-342.

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

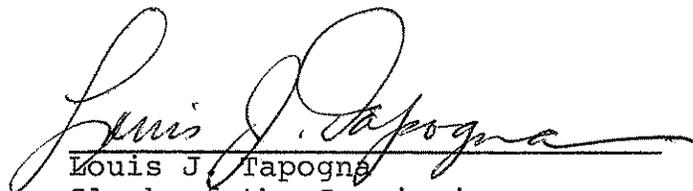
1. The complaint is hereby dismissed.



Commissioner Helen Loy

as Hearing Officer

Approved by order of the Freedom of Information Commission on October 13, 1976.



Louis J. Tapogna
Clerk of the Commission