

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by  
Theodore Augustynowski,  
Complainant

Report of Hearing Officer

against

Docket #FIC78-138

State of Connecticut; and  
the State's Attorney of the  
State of Connecticut,  
Respondents

November 3, 1978

The above captioned matter was heard as a contested case on September 25, 1978, at which time the complainant and the respondent state's attorney appeared and presented testimony and argument on the complaint.

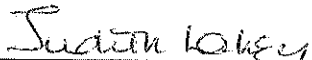
After consideration of the entire record, the following facts are found:

1. The information that is sought is a final investigative report of a certain state policeman regarding certain unspecified charges against the town of Griswold.
2. Such information was requested by the complainant from the respondent state's attorney by letter dated June 24, 1978.
3. Such information was denied by the respondent state's attorney by letter dated June 28, 1978.
4. From such denial, the complainant filed the present appeal with this Commission by letter dated July 3, 1978.
5. The respondent state's attorney contended that as a judicial office, official or body he was not a public agency within the meaning of §1-18a(a), G.S. which limits the jurisdiction of this Commission to its or their administrative function.
6. The respondent state's attorney is found to constitute a judicial office, official or body pursuant to §51-276, G.S.
7. The question of jurisdiction therefore turns on a determination of the function of the respondent state's attorney's office with respect to the records in question.
8. Investigatory reports in the files of the state's attorney do not relate to an administrative function of the courts.
9. It is further found that the respondent chief state's attorney is not a public agency for purposes of this appeal within the meaning of §1-18a(a), G.S.

10. This Commission is therefore found to be without jurisdiction over the denial of access to such records under §1-19, G.S.


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.

  
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Commissioner Judith Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission on November 29, 1978.

  
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Charlene G. Arnold  
Clerk of the Commission