

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
The Bridgeport Guardians, Inc.

Complainant

against

City and Town of Bridgeport;
Civil Service Commission of
the City and Town of Bridge-
port; and Personnel Director
of the City and Town of Bridge-
port,

Respondents

Report of Hearing Officer

Docket #FIC79-110

October 24, 1979

The above captioned matter was scheduled for hearing October 9, 1979 at which time both parties appeared and presented evidence on the complaint.

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

1. The respondents are public agencies within the meaning of Sec. 1-18a(a), G.S.

2. By letter dated February 26, 1979, the complainant, by counsel requested access to "the validation study for the next civil service examination for the rank of police sergeant" and "all documents concerning the studies performed to determine whether this examination can be expected to produce a lower pass rate for minority examiners, i.e. 'disparate impact' studies."

3. By letter dated March 5, 1979 the respondent by counsel responded that the requested documents would be forwarded to the complainants counsel if it is determined that they do not fall within the privileged category under the Freedom of Information Act.

4. The respondent has contracted with McCann Associates to produce the validation study which was requested by the complainant.

5. Although the respondent expects to receive the requested records within the next week, he does not yet have possession of those documents.

6. It is therefore concluded that the Commission lacks jurisdiction over the complaint.

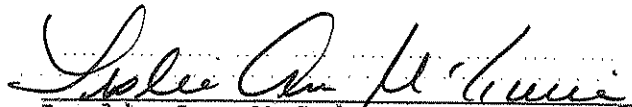
The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. The complaint is hereby dismissed without prejudice to the complainant's right to file a similar complaint if the requested records are not provided after being received by the respondents.



Commissioner Donald Friedman
as Hearing Officer

Approved by Order of the Freedom of Information Commission at its meeting of November 14, 1979.



Leslie Ann McGuire
Clerk of the Commission