

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
James McCreight/ACORN,

Complainant

against

Office of Development Administration
of the City and Town of Bridgeport,

Respondent

Report of Hearing Officer

Docket #FIC81-116

March 2, 1982

The above captioned matter was heard as a contested case on November 5, 1981, at which time the complainant and the respondent appeared and presented testimony, exhibits and argument on the complaint.

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

1. The respondent is a public agency as defined by §1-18a(a), G.S.
2. By letter dated June 19, 1981, the complainant made a request of the respondent for the opportunity to review information relating to applicants for Rehabilitation Assistance Program (RAP) assistance.
3. More specifically, the complainant requested access to the following:
 - a. Identification of all applicants for assistance from the inception of the RAP program in 1977-78 to the date of the request.
 - b. The reason for each denial of assistance;
 - c. Any system of prioritizing given for applications;
 - d. Information given to applicants who were denied assistance as to the reason for denial and any right to reapply at a later time;
 - e. Any presently existing waiting lists for applicants awaiting assistance; and
 - f. Any information on applications for assistance that were originally approved for assistance only to be subsequently denied, due to failure of the applicant to finish the

rehabilitation work in the prescribed time, failure to secure backing from a bank or financial institution for the overall work contemplated or any other reason.

4. By letter dated June 24, 1981, the respondent indicated that it was awaiting a ruling from the Bridgeport City Attorney on the subject of the complainant's June 19, 1981 request and that it could not grant the complainant's request prior to receiving such ruling.

5. By letter filed with the Commission on July 13, 1981, the complainant alleged that the respondent had failed to grant his June 19, 1981 request for the opportunity to review documents and that the denial of such request constituted a violation of the Freedom of Information Act.

6. The respondent claims that the documents requested are exempt from disclosure under the terms of §1-19(b)(2), G.S.

7. More specifically, the respondent contends that releasing financial data relating to applicants for RAP assistance would constitute an invasion of personal privacy.

8. At the hearing on this matter the complainant clarified his request by indicating that the information he wished to obtain in no way necessitated the release of financial data.

9. It is found that the documents requested by the complainant are not contained in personnel or medical or similar files within the meaning of §1-19(b)(2), G.S.

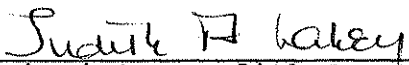
10. It is further found that there is a legitimate public interest in the disclosure of the documents containing the information requested by the complainant and that the respondent failed to prove that such disclosure would constitute an invasion of personal privacy within the meaning of §1-19(b)(2), G.S.

11. It is concluded that the documents requested are not exempt from disclosure under the terms of §1-19(b)(2), G.S.

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


1. The respondent shall forthwith provide the complainant with access to the documents more fully described in paragraph 3 of the findings, above.

2. If the information requested exists only on documents containing information otherwise exempt by statute from disclosure, the respondent may comply with this order by abstracting the requested information from such documents by deleting the exempt information from such documents.



Commissioner Judith A. Lahey
as Hearing Officer

Approved by order of the Freedom of Information Commission
at its regular meeting of April 14, 1982.



Mary Jo Jolicœur
Clerk of the Commission