

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Louis D'Onofrio,

FINAL DECISION

Complainant

Docket #FIC84-75

against

Department of Finance, City
of West Haven,

March 20, 1985

Respondent

The above captioned matter was heard as a contested case on July 5, 1984 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 within the meaning of §1-18a(a), G.S.
2. By letter dated April 30, 1984 the complainant alleged that the respondent refused to provide him with copies of records.
3. By letter dated April 2, 1984 the complainant requested a copy of the record of expenditures of the office of the Corporation Counsel.
4. By letter dated April 12, 1984 the complainant was provided with copies of the records requested by him, however, certain items were blocked out.
5. Section 1-19(a), G.S. provides in relevant part that "[e]xcept as otherwise provided by any federal law or state statute all records maintained or kept on file by any public agency . . . shall be public records" and that any person shall have the right to inspect or copy such records.
6. The respondent claimed that the items which were blocked out were exempt from disclosure by court order and that in order to obtain the information the complainant would have to apply to the United States District Court.

8. The two legal matters which were blacked out on the budget records concerned police brutality cases in federal court which were settled and the cases ordered sealed by Judges Haight and Zampano.

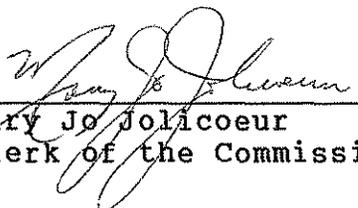
8. The respondent submitted no evidence that the federal court judges had ordered the parties to the settlement or the respondent herein not to disclose the financial records of the settlements.

9. It is found that the respondent failed to prove that the information it withheld was exempt from disclosure under §1-19(a), 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 provide the complainant with a complete copy of the record requested by him.

Approved by order of the Freedom of Information Commission at its special meeting of March 20, 1985.



Mary Jo Jolicoeur
Clerk of the Commission