

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Philip McGourn

FINAL DECISION

Complainant

against

Docket #FIC 85-222

State Department of Motor
Vehicles

Respondent

July 9, 1986

The above captioned matter was heard as a contested case on December 27, 1985 at which time the complainant and the respondent appeared, stipulated to certain facts and presented testimony 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 received by the respondent on September 20, 1985, the complainant requested a copy of all complaints relied on by the respondent in making the determination that the complainant should be re-examined in order to continue his driving privileges.
3. Having failed to receive a response to his request, the complainant appealed to the Commission by letter filed October 22, 1985.
4. Thereafter, the respondent notified the complainant that it was providing him with a copy of all records from the state police that are in his file and, at the hearing, so provided him with a copy.
5. Also at the hearing, the respondent provided the complainant with a copy of the medical report submitted by his physician.
6. Although the respondent asserts that it is unaware of any other records in its file on the complainant, the complainant claims that the respondent has a record from Massachusetts indicating that he was arrested for driving while under the influence of drugs or alcohol.

7. The respondent is willing to provide the complainant with a copy of such a record if it discovers one in its files.


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 conduct a diligent search of its records to determine whether it has a copy of the document more fully described in paragraph 6 of the findings above.

2. If the respondent locates the document more fully described in paragraph 6 of the findings above, it shall forthwith provide the complainant with a copy of such document.

3. Once the respondent has completed parts one and two of the order, it should notify the complainant and the Commission that it has complied with the order.

Approved by order of the Freedom of Information Commission at its regular meeting of July 9, 1986


Catherine Hostetter
Acting Clerk of the Commission