



# FREEDOM OF INFORMATION



Connecticut Freedom of Information Commission • 18-20 Trinity Street, Suite 100 • Hartford, CT 06106  
Toll free (CT only): (866) 374-3617 Tel: (860) 566-5682 Fax: (860) 566-6474 • www.ct.gov/foi • email: foi@ct.gov

David Taylor  
Complainant(s)  
against

Notice of Meeting

Docket #FIC 2016-0740

Commissioner, State of Connecticut, Department of Public Health; State of Connecticut, Department of Public Health; Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction

Respondent(s)

September 6, 2017

## Transmittal of Proposed Final Decision

In accordance with Section 4-179 of the Connecticut General Statutes, the Freedom of Information Commission hereby transmits to you the proposed finding and decision prepared by the hearing officer in the above-captioned matter.

This will notify you that the Commission will consider this matter for disposition at its meeting which will be held in the Freedom of Information Commission Hearing Room, 18-20 Trinity Street, 1st floor, Hartford, Connecticut, at **2:00 p.m. on Wednesday, September 27, 2017**. At that time and place you will be allowed to offer oral argument concerning this proposed finding and order. Oral argument shall be limited to ten (10) minutes. For good cause shown, however, the Commission may increase the period of time for argument. A request for additional time must be made in writing and should be filed with the Commission **ON OR BEFORE September 15, 2017**. Such request **MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, and (2) include a notation indicating such notice to all parties or their representatives.**

Although a brief or memorandum of law is not required, if you decide to submit such a document, an **original and fourteen (14) copies** must be filed **ON OR BEFORE September 15, 2017**. **PLEASE NOTE: Any correspondence, brief or memorandum directed to the Commissioners by any party or representative of any party MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, (2) include a notation indicating such notice to all parties or their representatives and (3) be limited to argument. NO NEW EVIDENCE MAY BE SUBMITTED.**

If you have already filed a brief or memorandum with the hearing officer and wish to have that document distributed to each member of the Commission, it is requested that **fifteen (15) copies** be filed **ON OR BEFORE September 15, 2017** and that **notice be given to all parties or if the parties are represented, to their representatives, that such previously filed document is being submitted to the Commissioners for review.**

By Order of the Freedom of Information Commission

  
Wendy R.B. Paradis

Acting Clerk of the Commission

Notice to: David Taylor  
Attorney James Neil  
cc: Craig Washington  
cc: Assistant Attorney General Kerry Anne Colson

FIC# 2016-0740/ITRA/VRP/VDH/WRBP/2017-09-6

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer

David Taylor,

Complainant

against

Docket #FIC 2016-0740

Commissioner, State of Connecticut,  
Department of Public Health;  
State of Connecticut, Department of  
Public Health; Commissioner,  
State of Connecticut, Department of  
Correction; and State of Connecticut,  
Department of Correction,

Respondents

September 5, 2017

The above-captioned matter was heard as a contested case on August 14, 2017, at which time the complainant and the respondents appeared and recited an agreement in settlement of the complaint. The case was consolidated for hearing with Docket #FIC 2017-0069, David Taylor v. State of Connecticut, Department of Public Health et al. The complainant, who is incarcerated, appeared via teleconference, pursuant to the January 2004 memorandum of understanding between the Commission and the Department of Correction. See Docket No. CV 03-0826293, Anthony Sinchak v. FOIC et al, Superior Court, J.D. of Hartford at Hartford, Corrected Order dated January 27, 2004 (Sheldon, J.). Prior to the hearing, the complainant had withdrawn his complaint in this case as to Department of Public Health respondents.

The settlement reached by the parties is as follows:

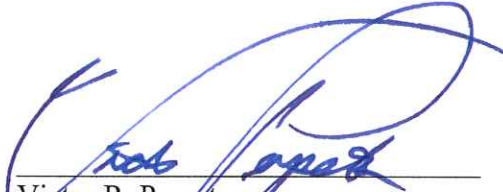
1. The Department of Correction respondents will provide the complainant with a list of the documents that he had requested, pertaining to air quality test results, that were transmitted from the Department of Public Health to the Department of Correction;
2. The Department of Correction respondents will retain possession of the actual documents the complainant had requested that were transmitted from the Department of Public Health to the Department of Correction;
3. The Department of Correction respondents will provide to the complainant a copy of the Commission's final decision in Docket #FIC 2016-0578, David Osuch v. Timothy Carey et al., pertaining to the disclosability of environmental testing at correctional facilities;

4. The Department of Correction respondents will provide to the complainant a copy of a Superior Court case concerning the general application of §1-210(b)(18), G.S.; and

5. In return, the complainant will withdraw his 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 dismissed.



Victor R. Perpetua  
as Hearing Officer