

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Ian Wright,

Complainant

against

Docket #FIC 2020-0443

Angel Quiros, Commissioner,  
State of Connecticut,  
Department of Correction; and  
State of Connecticut,  
Department of Correction,

Respondents

January 12, 2022

The above-captioned matter was heard as a contested case on October 26, 2021, at which time the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint. The hearing was conducted remotely through the use of electronic equipment, pursuant to §149 of Public Act 21-2 (June Special Session). The complainant was incarcerated at the time of the hearing.

After consideration of the entire record, the following facts are found and conclusions of law are reached:

1. The respondents are public agencies within the meaning of §1-200(1), G.S.
2. It is found that on an Inmate Request Form, dated August 23, 2020, the complainant requested from the respondents a copy of all records “created by the correctional officer assigned to F-Pod at Corrigan-Radgowski pertaining to Inmate Ian Wright...hunger strike and/or refusing meals during May 20, 2020 through July 10, 2020.”
3. It is found that, by letter dated September 9, 2020, the respondents acknowledged the request and informed the complainant that no responsive records were located.
4. By letter filed September 16, 2020,<sup>1</sup> the complainant appealed to this Commission, alleging the respondents violated the Freedom of Information (“FOI”) Act by denying his

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<sup>1</sup> Executive Orders 7M and 12B, suspended the provisions of Conn. Gen. Stat. §1-206(b)(1), which requires the Freedom of Information Commission to hear and decide an appeal within one year after the filing of such appeal. Executive Orders 7M and 12B are applicable to any appeal pending with the Commission on March 25, 2020 and to any appeal filed after such date, but prior to July 1, 2021. Accordingly, the Commission retains jurisdiction over this appeal.

request. The complainant also requested that the Commission impose a civil penalty against the respondents.

5. At the time of the request, §1-200(5), G.S., provided:

“[p]ublic records or files” means any recorded data or information relating to the conduct of the public’s business prepared, owned, used, received or retained by a public agency, or to which a public agency is entitled to receive a copy by law or contract under 1-218, whether such data or information be handwritten, typed, tape-recorded, printed, photostated, photographed or recorded by any other method.<sup>2</sup>

6. Section 1-210(a), G.S., provides, in relevant part:

[e]xcept as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation, shall be public records and every person shall have the right to (1) inspect such records promptly during regular office or business hours . . . or (3) receive a copy of such records in accordance with section 1-212....

7. Section 1-212(a), G.S., provides, in relevant part: [a]ny person applying in writing shall receive, promptly upon request, a plain, facsimile, electronic or certified copy of any public record.”

8. It is found that the requested records, described in paragraph 2, above, to the extent they exist and are maintained by the respondents, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

9. At the hearing in this matter, the complainant contended that the respondents should maintain records responsive to his request.

10. However, based on the credible testimony of Counselor Supervisor Campanelli, it is found that the respondents conducted a thorough search for responsive records, and that no such records were located.

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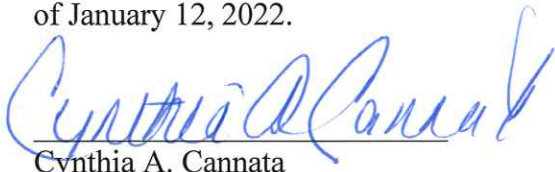
<sup>2</sup> Public Act 21-2 (June Sp. Sess.) amended the definition of “public records or files” to also include data or information that is “videotaped.”

11. It is therefore concluded that the respondents did not violate the FOI Act as alleged by the complainant. Accordingly, the Commission declines to consider the imposition of a civil penalty.

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.

Approved by Order of the Freedom of Information Commission at its regular meeting of January 12, 2022.



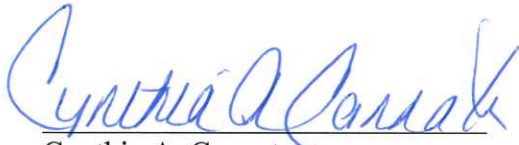
Cynthia A. Cannata  
Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

**IAN WRIGHT, #286236**, Osborn Correctional Institution, 335 Bilton Road, P.O. Box 100, Somers, CT 06071

**ANGEL QUIROS, COMMISSIONER, STATE OF CONNECTICUT, DEPARTMENT OF CORRECTION; AND STATE OF CONNECTICUT, DEPARTMENT OF CORRECTION**, c/o Attorney Lori McCurdy, State of Connecticut, Department of Correction, 24 Wolcott Hill Road, Wethersfield, CT 06109



Cynthia A. Cannata  
Acting Clerk of the Commission