

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Katherine Camara,

Complainant

against

Docket # FIC 2021-0180

Chairman, State of Connecticut, State
Marshal Commission; and State of
Connecticut, State Marshal Commission,

Respondents

March 23, 2022

The above-captioned matter was heard as a contested case on December 17, 2021, at which time the complainant and the respondents appeared, stipulated to certain facts, and presented testimony, exhibits and argument on the complaint. Due to the COVID-19 pandemic and the state's response to it, the hearing was conducted through use of electronic equipment (remotely) pursuant to §149 of Public Act 21-2 (June Special Session).

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 the respondents held a regular meeting on March 25, 2021 (hereinafter "the meeting"), which was conducted remotely due to the COVID-19 pandemic.
3. By e-mail dated April 5, 2021, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information Act by failing to post the agenda for the meeting on their web site prior thereto, and by denying her the right to attend the meeting.
4. Section 1-225(a), G.S., provides, in relevant part, that "[t]he meetings of all public agencies . . . shall be open to the public."
5. At the time of the meeting as well as the filing of the complaint in this matter, §1-225(c), G.S., provided, in relevant part, that "[t]he agenda of the regular meetings of every public agency . . . shall be available to the public and shall be filed, not less than twenty-four hours before the meetings to which they refer, (1) in such agency's regular office or place of business, and (2) in the office of the Secretary of the State for any such public agency of the state For any such

public agency of the state, such agenda shall be posted on the public agency's and the Secretary of the State's web sites."¹

6. It is found that, on March 25, 2021, the complainant contacted the respondents by telephone and was informed that their remote meeting, which was scheduled to be held that evening, was going forward, and that the agenda for such meeting would be posted on the respondents' web site prior to the meeting. That agenda was to include the remote access information for the meeting.

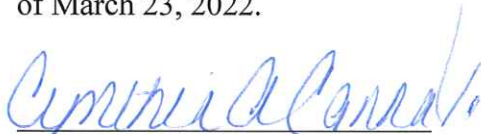
7. At the hearing on the above-captioned matter, the respondents stipulated that they did not post the agenda on their web site at any time prior to the meeting.

8. In light of the foregoing, it is concluded that the respondents violated §1-225(c), G.S., by failing to timely post the agenda for the meeting, and thereby also violated §1-225(a), G.S., by denying the public the ability to attend the meeting.

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

1. Henceforth, the respondents shall strictly comply with the requirements of §1-225, G.S.

Approved by Order of the Freedom of Information Commission at its regular meeting of March 23, 2022.



Cynthia A. Cannata
Acting Clerk of the Commission

¹The Commission notes that §149 of Public Act 21-2 (June Special Session) added certain requirements related to conducting electronic public meetings, effective from July 1, 2021 through April 30, 2022. Because the meeting at issue was conducted in March of 2021, such added requirements do not apply herein.

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:

KATHERINE CAMARA, 31 Cottage Place, Oakville, CT 06779

**CHAIRMAN, STATE OF CONNECTICUT, STATE MARSHAL COMMISSION;
AND STATE OF CONNECTICUT, STATE MARSHAL COMMISSION**, c/o State of Connecticut, Department of Administrative Services, 450 Columbus Blvd., Hartford, CT 06103



Cynthia A. Cannata
Acting Clerk of the Commission