

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Jim Haddadin and the Connecticut  
Public,

Complainant

against

Docket #FIC 2022-0129

Mayor, City of Bridgeport;  
and City of Bridgeport,

Respondents

February 8, 2023

The above-captioned matter was heard as a contested case on July 18, 2022, at which time the complainants and the respondents appeared 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 remotely through the use of electronic equipment, pursuant to §149 of Public Act 21-2 (June Special Session), as amended by §1 of Public Act 22-3.

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, by letter dated January 31, 2022, the complainants requested that the respondents provide them with copies of the following records:

[T]he five most recent annual reports created pursuant to section O of Bridgeport Police Department General Order 4.02 (Investigation of Misconduct and Citizen Complaints).

3. It is found that, by email dated February 1, 2022, the respondents acknowledged the request.
4. It is found that, by separate emails dated February 22, 2022 and March 10, 2022, respectively, the complainants inquired as to the status of their request.
5. By letter of complaint, dated and filed March 23, 2022, the complainants appealed to this Commission, alleging that the respondents violated the Freedom of Information ("FOI") Act by failing to provide them with copies of the records referenced in paragraph 2, above.

6. Section 1-200(5), G.S., provides:

“[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, videotaped, printed, photostated, photographed or recorded by any other method.

7. 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 ... (3) receive a copy of such records in accordance with section 1-212.

8. 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.”

9. It is found that the requested records are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

10. It is found that, by email dated July 14, 2022, the respondents disclosed approximately 55 pages of records to the complainants, free of charge. It is found that only one of the requested annual reports was disclosed. See ¶ 2, above.

11. At the contested case hearing, the complainants contended that they should have received four additional annual reports. The complainants further contended that the respondents failed to disclose the records to them promptly.

12. Edward Adams, Aide to the Mayor of Bridgeport and the FOI Liaison within the Office of the Mayor, and Lt. Adam Rosum, the Officer in Charge of the Office of Internal Affairs (“OIA”), appeared and testified at the contested case hearing on behalf of the respondents.

13. It is found that the respondent department’s Policy and Procedure, General Order, Section IV.O, entitled, “Annual Reports,” provides as follows:

1. The Officer-In-Charge of the Office of Internal Affairs will prepare an annual summary based upon the records of investigations for distribution to the Mayor and

Board of Police Commissioners.

2. Such Summary may be released to the public at the discretion of the Mayor, Board of Police Commissioners or the Chief of Police, if such release is required by the Freedom of Information Act and has been reviewed and approved by the Office of the City Attorney.

14. It is found that, upon receiving the request for records in this case, the FOI Liaison in the Office of the Mayor sent an email summarizing the request to ten staff members<sup>1</sup>, including the Mayor's Executive Assistant. It is further found that the FOI Liaison instructed these staff members to search both their electronic and hardcopy records for the requested annual reports and report back to him.

15. It is found that each staff member conducted a thorough search for records in this case, and each reported back to the FOI Liaison that none of the annual reports were located.

16. It is found that, after the searches referred to in paragraph 15, above, had been conducted, the respondents forwarded the request to the Officer in Charge of the OIA and asked that he conduct a search for the requested annual reports.

17. It is found that the Officer in Charge, as well as all five of his sergeant investigators, conducted searches for the responsive records. It is found that, as a result of their efforts, the 2017 annual report was located and disclosed to the complainants.

18. In addition, the respondents agreed that, after the contested case hearing, they would have an IT professional conduct a search of the email account of the previous Officer in Charge of the OIA (who is now retired) for any additional annual reports.

19. By email dated August 17, 2022, the respondents reported to the hearing officer that they had conducted the search described in paragraph 17, above, but did not locate any additional annual reports. The August 17 email has been marked as respondents Post-Hearing Exhibit 4.

20. The Commission notes that the request for records in this case was directed to the Mayor and not to the OIA; as such, the OIA was not obligated to conduct a search for the requested records. Nonetheless, it is found that the staff of the OIA conducted multiple searches as a courtesy to the complainants.

21. It is found that the respondents conducted a reasonable and thorough search for the requested records.

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<sup>1</sup> The FOI Liaison testified that he believed that when the instant request was received the Office of the Mayor was comprised of ten staff members. As such, the FOI Liaison believed that each and every staff member with the Office of the Mayor searched for the requested annual reports.

22. It is concluded that the respondents did not violate the FOI Act as alleged in the 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.

Approved by Order of the Freedom of Information Commission at its regular meeting of February 8, 2023.



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:

**JIM HADDADIN AND THE CONNECTICUT PUBLIC**, 1049 Asylum Avenue, Hartford, CT 06105

**MAYOR, CITY OF BRIDGEPORT; AND CITY OF BRIDGEPORT**, c/o Attorney Dina A. Scalo, Office of the City Attorney, 999 Broad Street, 2nd Floor, Bridgeport, CT 06604



Cynthia A. Cannata  
Acting Clerk of the Commission