

STATE OF CONNECTICUT
FREEDOM OF INFORMATION COMMISSION

In the Matter of a Complaint by

FINAL DECISION

Maria Pereira,

Complainant

against

Docket # FIC 2024-0242

Chief Executive Officer, Housing Authority
of the City of Bridgeport; Housing Authority
of the City of Bridgeport; Commissioner,
State of Connecticut, Department of
Emergency Services and Public Protection;
and State of Connecticut, Department of
Emergency Services and Public Protection,

Respondents

April 23, 2025

The above-captioned matter was heard as a contested case on October 29, 2024, December 3, 2024, and March 12, 2025, at which times the complainant and the following respondents appeared, stipulated to certain facts, and presented testimony, exhibits and argument on the complaint: Chief Executive Officer, Housing Authority of the City of Bridgeport; and the Housing Authority of the City of Bridgeport.

Pursuant to §1-210(d), G.S., the following additional parties were named respondents after the first and second hearing dates in this matter, and appeared at the March 12, 2025, hearing and presented testimony, exhibits and argument on the complaint: Commissioner, State of Connecticut, Department of Emergency Services and Public Protection; and State of Connecticut, Department of Emergency Services and Public Protection.

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 or about September 8, 2023, the respondent Chief Executive Officer (“CEO”) emailed the Chief of Police of the Bridgeport Police Department, alleging that the complainant in this matter made an unauthorized entry into the home of a resident of Fireside Apartments and was seen “rummaging through mail items.”¹ It is found that, on behalf of the

¹ The Commission takes administrative notice of the fact that, at all relevant times, the complainant was a member of the City Council for the City of Bridgeport. The Commission also takes administrative notice of the fact that Fireside Apartments provides housing to elderly and disabled persons residing in Bridgeport, CT, and is operated by Park City Communities (“PCC”), the respondent Housing Authority for the City of Bridgeport (“Housing Authority”).

respondent Housing Authority, the respondent CEO requested that the Bridgeport Police Department investigate the matter. It is also found that the respondent CEO explained to the Chief of Police that the respondent Housing Authority had received “multiple complaints from residents about intimidation tactics, signature forgery, and much more,” and that they intended to hold a “town hall to ask other victims to come forward.”

3. It is found that the town hall referenced in paragraph 2, above, took place on September 11, 2023, at which time residents of Fireside Apartments made accusations against the complainant in this matter. It is also found that on or about October 17, 2023, the respondent Housing Authority issued a “no trespass letter” to the complainant, instructing her not to enter Fireside Apartments or any property operated by the Housing Authority.

4. It is found that, by email dated October 19, 2023, a journalist contacted the complainant to notify her of a series of statements made by the respondent CEO about the events described in paragraphs 2 and 3, above. It is found that, by email dated October 19, 2023, the complainant contacted the respondent CEO, refuting all allegations, calling them politically motivated in relation to the upcoming election, and warning of the potential for litigation.

5. It is found that the aforementioned events spurred the complainant’s requests that are the subject of this matter.

6. It is found that by email dated February 24, 2024, the complainant requested that the respondent CEO provide her with a copy of the following:

- (a) All PCC Trespass Letters issued by you and/or PCC during your tenure;
- (b) Any correspondence/trespass letters issued [sic] city employee/vice chair of the Bridgeport Democratic Party Wanda-Geter Pataky, candidate/councilwoman Eneida Martinez, candidate/councilwoman Samia Suliman and/or former Bridgeport Housing Authority employee/councilman Alfredo Castillo [sic] they have been Trespassed from ALL PCC properties due to in part the highly publicized police videos showing all four of these individuals engaged in absentee ballot fraud/ballot box stuffing which was introduced as evidence of absentee ballot fraud committed by the Ganim Campaign, was introduced at trial before Judge Clark as evidence without objection from the attorneys representing the City of Bridgeport, and was specifically referenced by Judge Clark in his decision to invalidate the September 12th Democratic Primary where he proceeded to order a Special Primary on January 23rd. In addition, former PCC employee and current 136th district councilman Alfredo Castillo & City employee and vice-chair of the Democratic Party were both referred to the CT Chief State's Attorney by the state Elections Enforcement Commission in June 2023 for substantial absentee ballot fraud in the 2019 mayoral election after an almost four year

investigation. All of these police videos have been referred to the Chief State's Attorney & SEEC for criminal prosecution.

- (c) All the "complaints" regarding Maria Pereira/Councilwoman Maria Pereira and any supporting evidence you received from Fireside Senior Apartment residents, staff, contractors, board members, Fireside staff/management etc. that you referenced in your statements to the press that resulted in the Trespass Letter you had a law firm draft and email me on October 16, 2023. I never received the hard copy. You repeatedly stated you received approximately "20 complaints" from the pool of 300 residents residing at Fireside Senior Apts. This request includes the complaints themselves, any evidence that I "forged" voting documents and any evidence that supports your allegations that I was harassing, threatening residents with arrest, threatening forced entry, attempted to climb/climbed in through residents windows, and evidence supporting any additional allegations that were utilized in the decision to issue me a Trespass Letter for EVERY PCC property.
- (d) Please provide ALL correspondence from October 1, 2023² - the date the FOIA request is fulfilled, with ANY member of Mayor Ganim's administration & Ganim's Campaign including the BPD, any residents, Fireside Management staff, PCC staff & the PCC Board regarding me, Maria Pereira/Councilwoman Maria Pereira. Under state law, this would include correspondence utilizing personal email & cellphone accounts. This is to include any press statements/releases to media outlets/reporters. This correspondence is to include all references to Big Sam's Towing /Samuel Saunders.
- (e) ALL PCC board members are required to comply with the FOIA request. I am requesting all correspondence whether utilizing a PCC email/cellphone or a personal email/cellphone regarding me from October 1, 2023- the date the FOIA request is fulfilled. This included any communication with City Council candidates/members, members of the Bridgeport Democratic Party, any elected or appointed official including colleagues on PCC, any PCC staff and/or any members of Mayor Ganim's administration including the BPD. I am specifically focused on PCC board members Cowlis Andrews & Stephen Nelson, therefore please ensure they are in full compliance.

7. It is found that, by email dated April 5, 2024, the respondents provided the complainant with copies of records responsive to the request described in paragraph 2, above.

² It is found that in a subsequent email to the respondents, dated Mach 9, 2024, the complainant clarified that she requested records from October 2022 and not October 2023.

8. It is found that, by email dated April 6, 2024, the complainant replied, disputing that a copy of all responsive records had been provided, and describing the outstanding records as follows:

- (a) In reference to the respondent CEO's email to the Chief of Police, dated September 8, 2023, describing "multiple complaints from residents about intimidation tactics, signature forgery and much more...", the complainant renewed her request for all complaints received by the respondents in August and September 2023.
- (b) In reference to the respondent CEO's email to the journalist, dated October 19, 2023, describing the "20 plus residents," as well as vendors, Board members and staff who have complained about the complainant, the complainant renewed her request for all complaints since June of 2020.
- (c) In reference to an allegation that the complainant "verbally harassed" residents, the complainant requested "evidence" of verbal harassment of residents, that she "left intimidating notes," "hurled insults," and "made defamatory statements about the residents.
- (d) In reference to an allegation that the complainant forged a signature on an absentee ballot, the complainant requested the original, photocopy or photo of the absentee ballot application referenced.
- (e) In reference to an allegation that the complainant left an absentee ballot in her mailbox, the complainant requested the original application, photocopy or photo of such absentee ballot application.
- (f) The complainant also contended that all communications that were responsive to her request were not provided.
- (g) The complainant renewed her request for any written communication from the Chief of Police in response to the CEO's September 8, 2023, email.
- (h) The complainant renewed her request for a copy of the sign-in/attendance sheet at the September 11, 2023 Town Hall Meeting.

9. It is found that, by email dated April 6, 2024, the respondents advised the complainant that her request had been fulfilled, that no additional records were forthcoming, and the respondents had closed the complainant's request.

10. By letter of complaint filed April 30, 2024, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by denying her request for copies of the records described in paragraphs 6 and 8, above.

11. 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 section 1-218, whether such data or information be handwritten, typed, tape-recorded, videotaped, printed, photostated, photographed or recorded by any other method.

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

[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.

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

14. It is found that the records described in paragraphs 6 and 8, above, to the extent that they exist and are maintained by the respondents, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

15. Notwithstanding the complainant’s contention that the accusations against her are false, at the hearings, the complainant argued that the respondents failed to provide her with copies of all records responsive to the requests described in paragraphs 6, and 8, above.³

16. The respondents contended that copies of all non-exempt responsive records that exist and are maintained by the respondents were provided to the complainant. The respondents contend that the only withheld information consists of names and/or addresses of individuals who filed complaints with the respondent Housing Authority about the complainant, and that

³ Throughout the hearings and in the requests described in paragraphs 6 and 8, above, the complainant repeatedly demanded that the respondents provide her with “evidence” to support the allegations made against her. The complainant is cautioned that there is nothing in the FOI Act that requires a public agency to conduct research in order to comply with a records request. See *Boster v. Freedom of Info. Commission*, Superior Court, judicial district of New Britain, No. HHBCV196052569, 2021 WL 6426774, at *3 (Dec. 13, 2021) (concluding that plaintiff’s request that UConn provide “evidence” that it was the union that inserted certain language into a collective bargaining agreement “goes beyond the reach of FOIA” because it would require legal analysis or evaluation of the records to comply with the request).

such information is permissively exempt from disclosure pursuant to §1-210(b)(19), G.S., in that disclosure may constitute a safety risk to such persons.

17. The respondent CEO and Chief Legal Officer of the respondent Housing Authority testified in this matter. Based on their credible testimony, it is found that the respondents conducted a reasonable and diligent search and that all records responsive to the requests described in paragraphs 6 and 8, above, which exist and are maintained by the respondents, were provided to the complainant, with the exception of the names and/or addresses referenced in paragraph 16, above.

18. With respect to the contention that the names and/or addresses of individuals who filed complaints about the complainant with the Housing Authority are exempt from disclosure pursuant to §1-210(b)(19), G.S., on December 3, 2024, the respondents filed with the Commission 11 pages of records responsive to the request, along with an Index to Records Submitted for In Camera Inspection (“Index”). The records are described on the Index as affidavits and exhibits with names and/or addresses of the affiants redacted. Such records shall hereinafter be described as IC-2024-0242-001 through IC-2024-0242-011, or “the in camera records.”⁴

19. Section 1-210(b)(19), G.S., provides, in relevant part, that disclosure is not required of:

[r]ecords when there are reasonable grounds to believe disclosure may result in a safety risk, including the risk of harm to any person, any government-owned or leased institution or facility or any fixture or appurtenance and equipment attached to, or contained in, such institution or facility ... Such reasonable grounds shall be determined ... by the Commissioner of Emergency Services and Public Protection, after consultation with the chief executive officer of a municipal, district or regional agency, with respect to records concerning such agency ... As used in this section, “chief executive officer” includes, but is not limited to, an agency head, department head, executive director or chief executive officer....⁵

20. Our Supreme Court has held that “when the [FOI] Act provides that an agency other than the [FOI] Commission must determine whether records fall within a particular exemption...the agency has broad discretion to make that determination, and the [FOI] Commission must give deference to that determination...unless [it] is frivolous or patently

⁴ The Commission notes that the respondents provided the complainant with unredacted copies of IC-2024-0242-005 and IC-2024-0242-009, and therefore, such portions of the in camera records need not be considered further herein.

⁵ At the hearings, the complainant argued that the respondent Housing Authority is not a municipality, apparently questioning whether the respondents CEO and Housing Authority may assert §1-210(b)(19), G.S. Section 1-210(b)(19), G.S. permits a “municipal agency” to pursue a safety risk determination from the Commissioner of the Department of Emergency Services and Public Protection (“DESPP”). The respondent Housing Authority is a municipal agency for purposes of §1-210(b)(19), G.S.

unfounded, or not arrived at in good faith.” *People for the Ethical Treatment of Animals, Inc. v. Freedom of Information Commission*, 321 Conn. 805, 817-820 (2016) (“PETA”).

21. It is found that, during the September 11, 2023, town hall, referenced in paragraph 3, above, residents of Fireside Apartments expressed various concerns about the complainant’s conduct; such concerns were described by the respondent CEO as threatening, intimidating, and aggressive. It is found that residents were instructed that they could put their concerns in writing and that they should contact the respondent Housing Authority’s Chief Legal Officer. It is found that the respondent CEO fielded concerns from the residents about the potential for disclosure of their identities to the complainant if they decided to lodge written complaints. Notwithstanding such concerns, it is found that some residents lodged written complaints about the complainant with the respondent Housing Authority. It is found that, after receiving the complainant’s request, described in paragraph 6, above, the respondent CEO determined that disclosure of the names and/or addresses of the individuals who filed complaints about the complainant with the respondent Housing Authority may result in a safety risk to such persons.

22. Notwithstanding the aforementioned concerns and determination, it is found that the respondent CEO did not pursue a safety risk determination in accordance with §§1-210(b)(19) and 1-210(d), G.S., upon receipt of the complainant’s request, described in paragraph 6, above. Instead, the respondents delayed in doing so until after the second hearing in this matter, when they contended that they first learned that the complainant objected to the respondents’ withholding of the names and/or addresses of the individuals who filed complaints about the complainant with the respondent Housing Authority.⁶

23. Section 1-210(d), G.S., provides, in relevant part, that whenever a public agency receives a request from any person for disclosure of any records described in §1-210(b)(19), G.S., *the public agency shall promptly notify* the Commissioner of Administrative Services or the Commissioner of Emergency Services and Public Protection, as applicable, of such request, in the manner prescribed by such commissioner, *before complying with the request* as required by the FOI Act.

24. Based on the foregoing requirements, it is concluded that the respondents violated §1-210(d), G.S.

25. It is found that, on December 16, 2024, the respondent Department of Emergency Services and Public Protection (“DESPP”) received a request from the respondent CEO for a safety risk determination concerning the complainant’s requests for “the names of six individual witnesses who had attested to affidavits that were filed with the State Elections Enforcement

⁶ At the hearings, the respondents CEO and Housing Authority not only argued that they did not know that the complainant sought the identities of the individuals who complained about the complainant, but they also argued that such claim was outside the scope of the complaint in this matter. Such contention is unavailing. See *City of Bridgeport v. Freedom of Info. Commission*, 222 Conn. App. 17, 304 A.3d 481 (2023), *cert. denied*, 348 Conn. 936, 306 A.3d 1072 (2024) (Concluding that requester was not required to amend his complaint to include an allegation that the public agency violated the FOI Act by redacting portions of responsive records. The claim that a redaction was not warranted was encompassed in the complaint that the public agency failed to comply with the request for all responsive records).

Commission (“SEEC”) and the Chief State’s Attorney in connection with an ongoing SEEC and criminal investigations.”

26. It is found that, in a sworn affidavit, dated December 30, 2024, and provided to the respondent Commissioner, State of Connecticut, Department of Emergency Services and Public Protection (“Commissioner”), the respondent CEO described threatening and intimidating conduct by the complainant against the residents of Fireside Apartments, explained that the complainant had caused disturbances, and that she forged absentee ballots. It is found that the respondent CEO also described that the residents expressed that they feared retaliation from the complainant if they put their concerns in writing. It is also found that the respondent CEO believed that the residents who filed complaints about the complainant with the respondent Housing Authority would be subject to further harassment and intimidation if their identities were disclosed to the complainant.

27. It is found that, by letter dated March 11, 2025, the respondent Commissioner notified the respondent CEO that he had determined that there are reasonable grounds to believe that disclosure of the names and/or addresses of the six affiants who filed affidavits with the respondent Housing Authority may result in a safety risk, particularly a risk of harm to such persons, within the meaning of §1-210(b)(19), G.S.

28. It is found that, in reaching this determination, the respondent Commissioner reviewed the affidavits of each affiant, noting that the affiants alleged that they have witnessed aggression and coercion by the complainant as it relates to Fireside Apartments residents and their absentee ballots and voting, and the subsequent issuance of the trespass order by the respondent Housing Authority.

29. It is found that the respondent Commissioner also considered that the residents of Fireside Apartments are elderly and disabled and that the complainant is their representative as a member of the City Council, and therefore, that the residents of Fireside Apartments, including the affiants, “are arguably more vulnerable” than the average person.

30. The respondent Commissioner also noted that “[o]n February 21, 2025, the Chief State’s Attorney’s Office arrested [the complainant] and others for allegations related to forgery, disorderly conduct, and absentee ballot fraud in Bridgeport,” and that the complainant “was ordered to have no contact with anyone who is a potential witness in these [pending criminal] cases, including the individuals who authored the six affidavits.”

31. The respondent Commissioner further noted, however, that the identities of the individual affiants “will be shared with [the complainant] during the course of the criminal discovery process pursuant to the rules of the Practice Book.”

32. It is found that, in his letter, dated March 11, 2025, the respondent Commissioner determined that there are reasonable grounds to believe that disclosure of the names and/or addresses of the six affiants, may result in a safety risk, within the meaning of §1-210(b)(19), G.S., and directed the respondent CEO to withhold such information from the complainant.

33. At the March 12, 2025, hearing in this matter, the complainant contested the respondent Commissioner's determination. The complainant contended that the identities of all of the affiants have already been made known by virtue of the pending criminal matter referenced in paragraphs 30 and 31, above. In support of this contention, the complainant submitted a copy of arrest warrant applications, dated August 20, 2024, and February 10, 2025, contending that the witnesses identified therein are the affiants whose identities are at issue in this matter. The complainant also submitted an obituary, contending that one of the affiants died on February 6, 2024, and therefore, that she poses no safety risk to him.

34. Based on all of the foregoing, and a careful in camera inspection, it is found that the determination made by the Commissioner regarding the names and/or addresses of the affiants *whose identities are not already known to the complainant* as a result of the circumstances described in paragraphs 30 through 31, or 33, above, as set forth in IC-2024-0242-001 lines 1, 2, 5; IC-2024-0242-002 lines 5, 6; IC-2024-0242-007 lines 1, 2, 4, 19, 20; IC-2024-0242-011 lines 1, 2, 5, 19, 20, was not frivolous or patently unfounded, nor was it not arrived at in good faith. Therefore, the Commission must defer to the Commissioner's determination that there are reasonable grounds to believe that disclosure of such names and/or addresses may result in a safety risk, particularly a risk of harm to such persons, within the meaning of §1-210(b)(19), G.S.

35. It is found, however, that the Commissioner's determination regarding the affiants identified in IC-2024-0242-003 lines 1, 2, 5, 18, 19; IC-2024-0242-004 lines 1, 2, 3; IC-2024-0242-006 lines 1, 2, 3; IC-2024-0242-008 lines 1, 2, 5, 21, 22; and IC-2024-0242-010 lines 1, 2, 5, 16, 17, *whose identities have been made known to the complainant*, as a result of the circumstances described in paragraphs 30 through 31, or 33, above, was patently unfounded. Therefore, the Commission need not defer to the Commissioner's determination that there are reasonable grounds to believe that disclosure of the names and/or addresses of such affiants may result in a safety risk to such persons, within the meaning of §1-210(b)(19), G.S.

36. Accordingly, it is concluded that, with respect to the in camera records described in paragraph 35, above, the respondents violated the disclosure and promptness provisions of §§1-210(a) and 1-212(a), G.S.

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

1. Within fifteen (15) days of the date of the Notice of Final Decision in this matter, the respondents shall provide unredacted copies of the portion of the in camera records described in paragraph 35, above, to the complainant, free of charge.

2. Henceforth, the respondents shall strictly comply with the promptness and disclosure provisions of §§1-210(a) and 1-212(a), G.S., and notification requirements of §1-210(d), G.S.

Approved by Order of the Freedom of Information Commission at its regular meeting of April 23, 2025.

/s/ Jennifer M. Mayo

Jennifer M. Mayo

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:

MARIA PEREIRA, 80 Granfield Avenue, #A1, Bridgeport, CT 06610

CHIEF EXECUTIVE OFFICER, HOUSING AUTHORITY OF THE CITY OF BRIDGEPORT; HOUSING AUTHORITY OF THE CITY OF BRIDGEPORT, c/o Attorney David S. Hoopes and Attorney Jay R. Lawlor, Hoopes, Morganthaler & Scaramozza LLC, City Place II, 185 Asylum Street, Hartford, CT 06103; **COMMISSIONER, STATE OF CONNECTICUT, DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION; AND STATE OF CONNECTICUT, DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION**, c/o Attorney Kim Zigich, Department of Emergency Services and Public Protection, 1111 Country Club Road, Middletown, CT 06457

/s/ Jennifer M. Mayo

Jennifer M. Mayo

Acting Clerk of the Commission