

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

John Lenti,

Complainant

against

Docket #FIC 2024-0565

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

Respondents

August 13, 2025

The above-captioned matter was heard as a contested case on March 5, 2025, at which time the complainant and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint. 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, Superior Court, J.D. of Hartford at Hartford, Corrected Order dated January 27, 2004 (Sheldon J.).

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 around July 8, 2024, the complainant requested an unmarked copy of a medical mattress requisition form for “Requisition ID 0000092540”.
3. It is found that, on August 20, 2024, the respondents disclosed to the complainant two medical mattress requisition records that relate to Requisition 0000092540 but are not the specific record requested.¹
4. By letter of complaint, dated September 12, 2024, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to provide the record described in paragraph 2, above.
5. Section 1-200(5), G.S., provides:

¹ See paragraphs 12 and 13, below.

“[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.

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 ... (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 concluded that the requested record, to the extent it exists and is maintained by the respondents, is a public record within the meaning of §§1-200(5) and 1-210(a), G.S.

9. At the hearing on this matter, the complainant argued that the respondents failed to disclose the responsive record described in paragraph 2, above, and that the records he did receive, described in paragraph 3, above, were not provided promptly. The complainant testified that he needed the unmarked copy of his medical mattress requisition form for a habeas matter and, because he did not receive such form, his habeas matter was dismissed by the court. The complainant also requested that he be awarded monetary damages.²

10. With regard to the complainant’s allegation that the respondents failed to disclose records promptly, the respondents conceded, and it is concluded, that they violated the promptness requirements in §§1-210(a) and 1-212(a), G.S., with respect to the complainant’s records request.

11. The respondents testified, and it is found, that they have taken corrective action subsequent to the promptness violation at issue here to prevent delays. It is also found that, on September 28, 2024, the respondents underwent training with staff from the FOI Commission for both the respondents’ FOI liaisons and their supervisors. The respondents also testified, and it is

² The Commission notes that it does not have authority to award monetary damages for violations of the FOI Act and such request will not be further addressed herein. See Dept. of Public Safety v. Freedom of Information Commission, 103 Conn. App. 571, 577 (2007) (the Commission is a creature of statute with limited jurisdiction; it can only administer and enforce the provisions set forth in the FOI Act).

found, that the FOI liaison responsible for responding to the complainant's request, described in paragraph 2, above, no longer serves in that role.

12. With regard to the complainant's allegation that the respondents failed to disclose the record described in paragraph 2, above, it is found that while the records described in paragraph 3, above, are substantially similar to, and contain the same information as, the record described in paragraph 2, above, such records are not identical.

13. The respondents' witness, Counselor Supervisor Secore ("CS Secore") testified that she was unfamiliar with the type of form the complainant had requested. CS Secore testified that she could not say with certainty whether the record described in paragraph 2, above, exists or whether a change in the respondents' software or computer systems altered how such information is presented, which would explain why the two records described in paragraph 3, above, are the only records that were provided to the complainant. CS Secore also could not testify with certainty as to whether the medical professional who submitted the original medical mattress requisition had thoroughly and diligently searched her own records for the record described in paragraph 2, above. CS Secore further testified that she did not know whether a thorough and diligent search had been conducted for responsive records at Robinson Correctional Institute ("Robinson CI"), but because that was the facility where the complainant was incarcerated at the time of the medical mattress requisition, if such record exists, it would be located and maintained at Robinson CI.

14. Based upon the foregoing, it is found that the respondents failed to prove that they conducted a thorough and diligent search for the record described in paragraph 2, above.

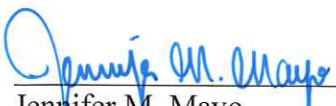
15. Accordingly, it is concluded that the respondents violated §§1-210(a) and 1-212(a), G.S., by failing to prove that they provided all responsive records to the complainant.

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

1. Forthwith, the respondents shall undertake a thorough and diligent search for the record responsive to the request described in paragraph 2 of the findings, above, and if such record exists provide a copy of such record, free of charge, to the complainant within 14 days of the Notice of Final Decision in this matter.

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

Approved by Order of the Freedom of Information Commission at its regular meeting of August 13, 2025.

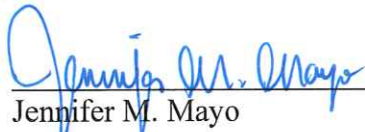

Jennifer M. Mayo
Acting Clerk of the Commission

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:

JOHN LENTI, #224034, Corrigan-Radgowski Correctional Institution, 986 Norwich-New London Turnpike, Uncasville, CT 06382

COMMISSIONER, STATE OF CONNECTICUT, DEPARTMENT OF CORRECTION; AND STATE OF CONNECTICUT, DEPARTMENT OF CORRECTION, c/o Attorney Jennifer Lepore, State of Connecticut, Department of Correction, 24 Wolcott Hill Road, Wethersfield, CT 06109



Jennifer M. Mayo
Acting Clerk of the Commission