

STATE OF CONNECTICUT
FREEDOM OF INFORMATION COMMISSION

In the Matter of a Complaint by

FINAL DECISION

Dana Ravenberg,

Complainant

against

Docket # FIC 2024-0633

Adjutant General, State of Connecticut,
Connecticut Military Department; and State
of Connecticut, Connecticut Military
Department,

Respondents

August 27, 2025

The above-captioned matter was heard as a contested case on April 16, 2025, at which time the complainant and the respondents appeared, stipulated to certain facts, and presented testimony, exhibits and argument on the complaint.

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 email dated September 23, 2024, the complainant requested that the respondents provide him with a copy of all audio and visual recordings of the “Monthly Commander Update Briefings” from January 2021 through December 2023.
3. It is found that, by letter dated October 4, 2024, the respondents provided the complainant with records responsive to his request for the following dates: September 15, 2021; November 17, 2021; December 8, 2021; January 12, 2022; February 9, 2022; April 13, 2022; May 11, 2022; and June 15, 2022 (the “eight responsive recordings”). It is found that the respondents also notified the complainant that they do not maintain any other records responsive to the request.
4. It is found that, by email dated October 7, 2024, the complainant acknowledged receipt of the records described in paragraph 3, above. It is found that the complainant also asked for clarification regarding whether the records provided were audio or video files and whether, for the months not provided, such records had been destroyed. It is found that the respondents did not respond to the complainant’s October 7, 2024, email.
5. By complaint filed October 23, 2024, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by denying his

request for the records described 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 section 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 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.

8. 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.”

9. It is concluded that the 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.

10. At the hearing, the respondents contended that they have provided the complainant with a copy of all records responsive to his request that exist and were maintained. The complainant disputed this contention.

11. It is found that the complainant has made at least two prior requests for the records described in paragraph 2, above, and that the respondents have consistently provided the complainant with a copy of the eight responsive recordings described in paragraph 3, above.

12. It is found that, by letter dated August 19, 2022 the complainant requested copies of audio and video recordings of the briefings described in paragraph 2, above, for the period of March 2021 through August 2022. It is found that on or about September 20, 2022, the respondents provided copies of the same eight responsive recordings described in paragraph 3, above, to the complainant.

13. It is also found that, on December 18, 2023, the complainant made a request for the records described in paragraph 2, above. It is found that on February 26, 2024, the respondents

again provided the complainant with a copy of the eight responsive recordings described in paragraph 3, above, albeit in a different file format.

14. It is found that, by email dated March 11, 2024, the complainant notified the respondents that he did not receive all of the records described in paragraph 13, above. It is found that the respondents replied, disputing that the complainant had not received copies of all of the records.¹

15. It is found that six months later, on September 23, 2024, the complainant made the request described in paragraph 2, above, that is the subject of the instant appeal. As already found in paragraph 3, above, by email dated October 4, 2024, the respondents acknowledged the complainant's request, and again provided the complainant with copies of the eight responsive recordings reords described in paragraphs 12 and 13, above.²

16. At the hearing on this matter, the respondents submitted an affidavit from Russell J. Bonaccorso, Military Administrative & Programs Officer for the Military Department, which was admitted without objection. It is found that at the time of the hearing, the affiant was on a military leave of absence and performing duties at Fort Meade, Maryland.

17. It is found that the affiant referenced in paragraph 16, above, was responsible for organizing the monthly Militia Commanders' Update Briefings, which enabled the militia unit commanders to brief the Military Department's Adjutant General about unit operations, to provide status updates, and to receive command guidance for planned militia operations. It is found that during the relevant time period, such briefings were conducted remotely via Microsoft Teams, and the affiant elected to record the briefings for his personal use utilizing the Microsoft Teams recording option. It is found that all recordings were stored in the affiant's Microsoft Teams profile.

18. It is found that the respondents requested that the affiant search for the records and provide copies in order to respond to the complainant's request. It is found that the affiant conducted a search and turned over a copy of all recordings located in his Microsoft Teams profile.

¹ At the hearing, the respondents' witness testified that the complainant may have had difficulties accessing the records because they were located on a singular digital file. The complainant did not dispute this testimony.

² At the hearing, the respondents contended that the complaint should be dismissed as untimely because the complainant waited six months to respond to the respondents' March 11, 2024 reply, and seven months to file an appeal to the Commission. The respondents are incorrect. The complainant's September 23, 2024, request at issue in this matter constitutes a renewed request for the records previously sought. Section 1-206(a), G.S., enables a requester to file an appeal with the Commission after four business days have transpired following the public agency's receipt of a request or successive request. See *City of Bridgeport v. Freedom of Info. Comm'n*, 222 Conn. App. 17 (2023), *cert. denied*, 348 Conn. 936 (2024)(public agency's failure to comply with a request within four business days receipt is deemed a denial and the requester may file an appeal with the Commission); and *Town of W. Hartford v. Freedom of Info. Comm'n*, 218 Conn. 256, 260 (1991)("Because the [FOI] Act does not bar successive requests or successive denials, there is no requirement that an appeal to the FOIC, pursuant to § 1-206(a), G.S., be taken from the denial of the first request or any particular request.")

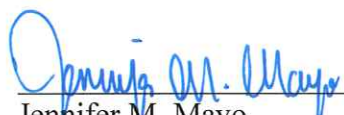
19. Based on all of the foregoing, it is found that the respondents conducted a reasonable and diligent search for the records referenced in paragraph 2, above, and that a copy of all responsive records that exist and were maintained by the respondents were provided to the complainant.

20. Accordingly, it is concluded that the respondents did not violate the disclosure provisions of 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 hereby dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of August 27, 2025.



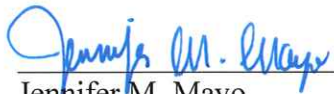
Jennifer M. Mayo
Acting Clerk of the Commission

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:

DANA RAVENBERG, 39 Nathan Hale Court, Cheshire, CT 06410

ADJUTANT GENERAL, STATE OF CONNECTICUT, CONNECTICUT MILITARY DEPARTMENT; AND STATE OF CONNECTICUT, CONNECTICUT MILITARY DEPARTMENT, c/o State Judge Advocate Timothy J. Tomcho, Military Department, Governor William A. O'Neill Armory, 360 Broad Street, Hartford, CT 06105



Jennifer M. Mayo
Acting Clerk of the Commission