

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Jason Goode,

Complainant

against

Docket #FIC 2024-0162

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

Respondents

January 8, 2025

The above-captioned matter was heard as a contested case on August 23, 2024, 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, by letter dated January 30, 2024, the complainant requested a copy of the contract between the respondent Department of Correction (“DOC”) and the DirectTV Company (“DirectTV”).
3. It is found that, by form dated February 23, 2024, the respondents informed the complainant that “there are no responsive documents to [his] request.”
4. By letter of complaint, dated March 20, 2024, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to provide copies of the records, described in paragraph 2, above.
5. 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.

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 records, 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.

9. At the hearing on this matter, the respondents’ witness, Counselor Supervisor Stephanie Secore (“CS Secore”), testified, and it is found, that upon receipt of the complainant’s request, she conducted an initial search for records and determined that no responsive records exist. CS Secore also testified that the requested contract would not be maintained by the DOC, but rather the state Department of Administrative Services. CS Secore further testified, and it is found, that, upon receipt of the complainant’s complaint, she conducted a supplemental search for responsive records (“supplemental search”).

10. It is found that, as a result of the respondents’ supplemental search, CS Secore located the following records, which the respondents did not consider responsive to the complainant’s request: (i) a single purchase order; (ii) a single requisition form; and (iii) three invoices related to DirectTV. It is found that, although the respondents did not believe such records to be responsive to the complainant’s request, they still disclosed such records to the complainant in late-June or early-July of 2024.

11. At the hearing on this matter, the complainant testified that he wanted a document listing all of the television channels included in the package of channels provided to incarcerated individuals through DirectTV.

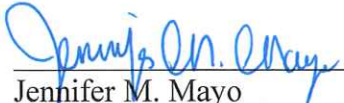
12. The respondents testified, and it is found, that a list of available television channels is not maintained by the DOC, but that DirectTV has such listing posted on its website.

13. It is therefore concluded that the respondents did not violate the FOI Act, as alleged by the complainant.

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 January 8, 2025.



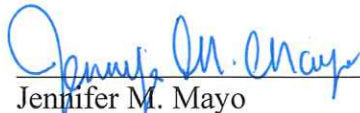
Jennifer M. Mayo
Acting Clerk of the Commission

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:

JASON GOODE, #228240, Corrigan Correctional Center, 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