

STATE OF CONNECTICUT
FREEDOM OF INFORMATION COMMISSION

In the Matter of a Complaint by

FINAL DECISION
UPON REMAND

Attorney Paul Testa,

Complainant

against

Docket # FIC 2023-0468

Executive Director, State of Connecticut,
Commission on Human Rights and
Opportunities; and State of Connecticut,
Commission on Human Rights and
Opportunities,

Respondents

July 9, 2025

The above-captioned matter was heard as a contested case on April 19, 2024, at which time the complainant¹ and the respondents appeared, stipulated to certain facts, and presented testimony, exhibits, and argument on the complaint.

At the April 19, 2024 hearing, pursuant to the order of the hearing officer, Attorney Paul Testa was substituted as complainant in place of the City of Bridgeport ("City").

Pursuant to the order of the hearing officer, the matter was reopened for the purpose of taking additional evidence. The reopened hearing was held on July 26, 2024, at which time the complainant and the respondents appeared and presented additional testimony, exhibits, and argument on the complaint.

By Notice of Final Decision dated August 30, 2024, the Commission issued a final decision in this matter. The principal issue in the case was whether the CHRO was required to submit to the Commission for in camera inspection certain responsive records that it claimed were exempt from disclosure. In fact, even after the hearing officer ordered the CHRO to submit such records to the Commission for in camera inspection, the CHRO refused to do so. Accordingly, the Commission found that the CHRO failed to prove their claims of exemption and ordered the CHRO to provide the requested records to the complainant.

On October 10, 2024, the CHRO appealed the Commission's final decision to the Superior Court.

¹ As explained below, by order of the hearing officer dated April 19, 2024, Attorney Testa was substituted as complainant in place of the City of Bridgeport. All references in this decision to "the complainant" refer to Attorney Testa.

However, in Docket #FIC 2024-0383, Chandler Holcomb v. Exec. Director, State of CT, CHRO, et al., which is currently pending before the Commission and involves a request for copies of the same records, the CHRO conceded that it was required to submit the records at issue to the Commission for in camera inspection and did so on April 15, 2025. Thus, the principal issue on appeal in the instant matter was rendered moot.

By email dated May 13, 2025, the complainant informed the Commission that he wished to withdraw his complaint in this matter.

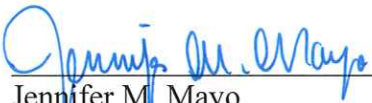
Thereafter, the CHRO moved the Superior Court to remand the case back to the Commission and, by order dated May 20, 2025, the court granted the motion.

At its June 11, 2025 regular meeting, the Commission considered the complainant's May 13, 2025 email. After deliberation, the Commission unanimously voted to reopen the final decision in this matter, take administrative notice of the May 13, 2025 email and construe such email as a withdrawal of the complaint.

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

1. Based on the withdrawal of the complaint, the case is hereby dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of July 9, 2025.

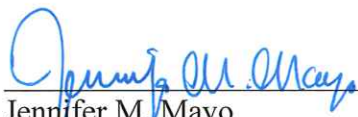

Jennifer M. Mayo
Acting Clerk of the Commission

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:

ATTORNEY PAUL TESTA, c/o Attorney Bryan L. LeClerc, Berchem Moses PC, 75 Broad Street, Milford, CT 06460

EXECUTIVE DIRECTOR, STATE OF CONNECTICUT, COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES; AND STATE OF CONNECTICUT, COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES, c/o Attorney Michael Roberts, Commission on Human Rights and Opportunities, 450 Columbus Boulevard, Hartford, CT 06103



Jennifer M. Mayo
Acting Clerk of the Commission