

STATE OF CONNECTICUT
FREEDOM OF INFORMATION COMMISSION

In the Matter of a Complaint by

FINAL DECISION

James Raynor,

Complainant

against

Docket # FIC 2024-0256

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

Respondents

March 26, 2025

The above-captioned matter was heard as a contested case on December 2, 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 *Anthony Sinchak v. Freedom of Info. Comm'n*, Docket No. CV 03-0826293, 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 Inmate Request Form dated April 11, 2024 and received April 17, 2024, the complainant requested that the respondents provide him with copies of the following records:

[a.] any and all documents, warrants submitted by and from any outside agencies including but not limited to the Hartford Police [D]epartment any state[']s attorney[s'] offices regarding any mail correspondence, telephone records video request or preservation concerning me, James Raynor from Department of Corrections [sic.] to be turned over or preserved for these agencies and any documents that state why [; and]

[b.] ... documents/copies of the phone recording policy pertaining to [the Department of Correction, State of Connecticut "DOC"].

3. It is found that, by letter dated April 19, 2024, a Freedom of Information ("FOI") Liaison for the respondents (the "FOI Liaison") acknowledged the complainant's request described in paragraph 2, above, and stated the following:

Your attached FOI request for records was received on 4/17/2024, at which time clarification was needed in order to further your request. Per our in person conversation with Lt. Armstrong on 4/18/2024, you stated that you were looking to obtain any requests sent to the Department of Correction for information or records pertaining to you and who requested it and what was sent to outside law enforcement agencies. Or any warrants provided by outside law enforcement agencies to DOC. As well as inmate recorded phone calls and DOC preserved video provided to outside law enforcement agencies.

The FOI Act does not require us to do research and the information you are seeking is not tracked and therefore cannot be searched for. You will need to request the records you are seeking directly from the outside law enforcement agency you are wishing to obtain records from.

Please note: Inmate recorded phone calls are exempt from disclosure per 18-81-45 and DOC preserved video is exempt from disclosure per CGS 1-210(b18) [sic].

In addition, as we discussed, along with this response letter I have provided a copy of administrative directive 10.7.

This completes and fulfills this request.

4. By letter of complaint, dated April 20, 2024 and filed May 6, 2024, the complainant appealed to the Commission, alleging that the respondents violated the FOI Act by failing to provide him copies of the records described in paragraph 2, above.

5. Section 1-200(5), G.S., provides:

"Public 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.

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

Except 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 the provisions of section 1-212.

7. 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.”

8. It is concluded that the requested records, 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.

9. At the hearing on this matter, the complainant testified, and it is found, that the respondents provided him with no records responsive to his request described in paragraph 2.a., above. The complainant also testified, and it is found, that the respondents had instructed him to request his inmate master file. With respect to the request described in paragraph 2.b., above, the complainant claimed that he was seeking DOC policies and procedures governing requests made to the DOC by outside entities and law enforcement agencies seeking communications and information regarding inmates and whether a warrant, court order, or a subpoena is required for the DOC to disclose such information.

10. The FOI Administrator for the DOC (the “FOI Administrator”) testified on behalf of the respondents and, with respect to the request described in paragraph 2.a., above, she testified, and it is found, as follows:

- a. the DOC does not systematically track requests for information from law enforcement agencies and state’s attorneys nor warrants, court orders and subpoenas received by the DOC;
- b. the DOC does not save such requests, warrants, court orders or subpoenas in one central location;
- c. despite certain of the respondents’ statements made in the letter dated April 19, 2024, described in paragraph 3, above, the FOI Liaison sought assistance from the FOI Administrator in responding to the complainant’s request and the FOI Administrator conducted her own search for responsive records;
- d. beginning in April 2024, the FOI Administrator contacted all of the DOC employees she believed might receive such requests for information, warrants, court orders or subpoenas, including the FOI Liaisons and administrative assistants of the correctional facilities at which the complainant was housed during his sentence and a number of staff members at the DOC security division;

- e. the individuals the FOI Administrator contacted informed her that they searched their files, including certain mail logs, and that none of them located any responsive records;
- f. the FOI Administrator searched her own records and FOI tracking system as well as GovQA¹ and found no responsive records;
- g. the FOI Administrator had the complainant's master file reviewed and no responsive records were contained therein; and
- h. the FOI Administrator contacted the DOC legal unit, which also had no responsive records.

11. Based upon the Administrative Record in this case, it is found that the respondents conducted a reasonably thorough search for records responsive to the request set forth in paragraph 2.a., above. It is further found that no such responsive records exist.

12. With respect to the request described in paragraph 2.b., above, it is found that the FOI Liaison provided the complainant with a copy of DOC Administrative Directive 10.7,² which includes the DOC's phone recording policy.

13. With respect to the complainant's claim that he was seeking the policies and procedures relating to an outside agency requesting communications and information regarding inmates and whether a warrant, subpoena, or court order is required for such information to be distributed to law enforcement agencies, it is found that the request described in paragraph 2.b., above, did not specifically seek such information, but rather sought the DOC phone recording policy, which the respondents provided to the complainant.

14. It is found that that the respondents provided the complainant with all records responsive to the request described in paragraph 2.b., above, free of charge.

15. It is concluded therefore that the respondents did not violate the disclosure provisions set forth in §§1-210(a) and 1-212(a), G.S., as alleged by the complainant.

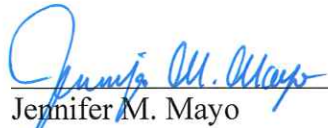
The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. The complaint is dismissed.

¹ GovQA is a web based public records management system.

² The Commission takes administrative notice of DOC Administrative Directive 10.7, which was posted on the DOC website at <https://portal.ct.gov/-/media/doc/pdf/ad/ad1007pdf.pdf?rev=efbcefd06ef426cb66acbe5d31c81ea&hash=F6B7F5C8D2F283ECF517329930E66C23> (accessed February 27, 2025).

Approved by Order of the Freedom of Information Commission at its regular meeting of March 26, 2025.

A handwritten signature in blue ink, appearing to read "Jennifer M. Mayo", is written over a horizontal line.

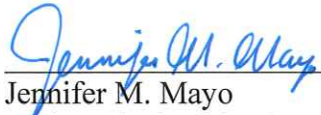
Jennifer M. Mayo
Acting Clerk of the Commission

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:

JAMES RAYNOR, #318905, Cheshire Correctional Institution, 900 Highland Avenue,
Cheshire, CT 06410

**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