

STATE OF CONNECTICUT
FREEDOM OF INFORMATION COMMISSION

In the Matter of a Complaint by

FINAL DECISION

Basil Smith,

Complainant

against

Docket # FIC 2024-0346

Fernando Spagnolo, Chief, Police
Department, City of Waterbury; Police
Department, City of Waterbury; and City of
Waterbury,

Respondents

March 26, 2025

The above-captioned matter was heard as a contested case on November 4, 2024, at which time the complainant and the respondents appeared. Counsel for the intervenor also appeared at the hearing, along with the intervenor's witness, a Senior Assistant State's Attorney. 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 Information Commission*, Docket No. CV 03-0826293, Superior Court, J.D. of Hartford at Hartford, Corrected Order dated January 27, 2004 (Sheldon, J.).

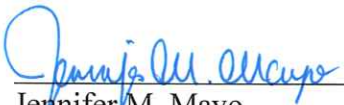
On October 10, 2024, the State of Connecticut Division of Criminal Justice moved to intervene in this matter. On October 17, 2024, the hearing officer granted such motion.

After the hearing on this matter was opened, the complainant withdrew his complaint on the record.

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.
2. The Commission commends all parties for their review of the merits of the case and for having reached a resolution without full adjudication.

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

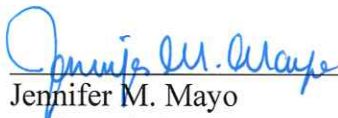
THE PARTIES TO THIS CONTESTED CASE ARE:

BASIL SMITH, #386170, Corrigan Correctional Institution, 986 Norwich New London Tpke., Uncasville, CT 06382

FERNANDO SPAGNOLO, CHIEF, POLICE DEPARTMENT, CITY OF WATERBURY; POLICE DEPARTMENT, CITY OF WATERBURY; AND CITY OF WATERBURY, c/o Attorney Richard J. Scappini, City of Waterbury Office of Corporation Counsel, 235 Grand Street, Waterbury, CT 06702

TO INTERVENOR(S)

STATE OF CONNECTICUT DIVISION OF CRIMINAL JUSTICE, c/o David M. Kutzner, Supervisory Assistant State's Attorney, Office of The Chief State's Attorney, 300 Corporate Place, Rocky Hill, CT 06067



Jennifer M. Mayo
Acting Clerk of the Commission