

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

David Fuller,

Complainant

against

Docket # FIC 2024-0335

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

Respondents

May 28, 2025

The above-captioned matter was heard as a contested case on November 15, 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 et al., 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 the complainant made several surveillance camera footage preservation requests to the respondents by Inmate Request Forms dated November 10, 2023; December 12, 2023; and May 11, 2024. Specifically, he requested that the respondents preserve camera footage from West Dorm taken on 10/22/23 and the D+H Block Stairwell taken on 12/12/23 at various specified hours of the day.
3. It is found that the complainant made several requests for status updates to his records preservation requests described in paragraph 2, above, by Inmate Request Forms dated December 26, 2023; February 24, 2024; April 23, 2024; and May 9, 2024.
4. It is further found that, by letter to the respondents dated May 13, 2024, the complainant requested to “inquire any and all records” relating to the following:

- (a) surveillance camera footage, specifically footage from October 23, 2023 at West Dorm, medical unit, and chow hall and from December 12, 2023 at D+H stairwell taken at specified hours of the day and
- (b) personnel, specifically “complete employee information” for 12 named and one unnamed DOC staff member.

5. By letter of complaint filed June 10, 2024, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to comply with the requests described in paragraphs 2 through 4, above.

6. 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.

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

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 (1) inspect such records promptly during regular office or business hours ... or (3) receive a copy of such records in accordance with the provisions of section 1-212.

8. Section 1-212(a), G.S., provides in relevant part: “Any 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 requested records, to the extent such records exist, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

10. At the hearing in this matter, the complainant claimed that the respondents violated the FOI Act by denying his requests to preserve the surveillance camera footage described in paragraphs 2 through 4(a), above.<sup>1</sup>

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<sup>1</sup> Regarding the request described in paragraph 4(a), above, the complainant testified at the contested case hearing that he is requesting that the respondents preserve the surveillance camera footage but is not requesting copies of such footage. Regarding the request described in paragraph 4(b), above, the complainant testified at the contested case hearing that he is abandoning such request; accordingly, such request will not be further addressed herein.

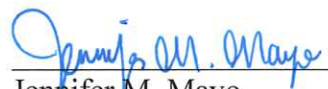
11. It is well-established that this Commission does not have jurisdiction over matters relating to the preservation and destruction of public records. Rather, authority over such matters rests with the Public Records Administrator, pursuant to §§1-18 and 11-8 through 11-8b, G.S., and with the Office of the State's Attorney, pursuant to §1-240, G.S. See, e.g., Cushman v. Director, Central Communications, City of Middletown, et al., Docket #FIC 2019-0719, ¶22 (Nov. 18, 2020). Moreover, this Commission has concluded that the respondents' failure to preserve video footage upon request does not constitute a violation of the FOI Act. See Jose Perez v. Rollin Cook, Commissioner, State of Connecticut, Department of Correction, et al., Docket #FIC 2020-0239, ¶18 (Dec. 15, 2021); Angel Caballero v. Commissioner, State of Connecticut, Department of Correction, et al., Docket #FIC 2018-0475, ¶10 (April 10, 2019).

12. Based on the foregoing, it is 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 May 28, 2025.

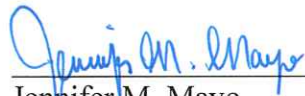
  
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Jennifer M. Mayo  
Acting Clerk of the Commission

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:

**DAVID FULLER, #444478**, MacDougall-Walker Correctional Institute, 1153 East St. S., Suffield, CT 06078

**ANGEL QUIROS, 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



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Jennifer M. Mayo  
Acting Clerk of the Commission