

STATE OF CONNECTICUT
FREEDOM OF INFORMATION COMMISSION

In the Matter of a Complaint by

FINAL DECISION

John Kaminski,

Complainant

against

Docket # FIC 2024-0390

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 December 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 *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 letter dated June 14, 2024, the complainant requested that the respondents provide him with copies of the following records: “[t]he numerous emails from/to Colleen Gallagher regarding feedback¹ before and after 9/14/23...”
3. It is found that, by letter dated June 17, 2024, the Freedom of Information (“FOI”) Administrator for the respondents (the “FOI Administrator”) acknowledged the complainant’s request described in paragraph 2, above, and stated that in order to conduct the search for emails the respondents required additional information, including “a clear timeframe to be used for the [email] extraction.”

¹ Based upon the complainant’s testimony, it is found that “feedback” refers to a system where meals are delivered to inmates’ units, rather than requiring them to attend a communal dining hall, often to accommodate inmates with physical disabilities, among other reasons.

4. It is found that, by letter dated June 24, 2024, the complainant responded to the FOI Administrator's June 17, 2024 letter, described in paragraph 3, above, stating that the time frame for the email search was June 1, 2023 through November 1, 2023.

5. By letter of complaint, filed and received July 5, 2024, the complainant appealed to the Commission, alleging that the respondents violated the FOI Act by failing to provide him with copies of the records described in paragraph 2, 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 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.

8. 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."

9. 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.

10. At the hearing on this matter, the complainant contended that he was seeking all emails to and from Colleen Gallagher regarding feedback between June 1, 2023 through November 1, 2023, but that he did not receive any records responsive to his request.

11. At the hearing on this matter, the FOI Administrator testified, and it is found, that she requested that the information technology department within the Connecticut Department of Correction ("IT Department") conduct a search for responsive emails. It is further found that the FOI Administrator specifically requested that the IT Department search the electronic mailbox of

Colleen Gallagher, using the time frame provided by the complainant and the search term "feedback."² It is found that such search resulted in five pages of responsive emails.

12. The FOI Administrator testified, and it is found, that she requested that Colleen Gallagher also search her own records for responsive emails, that Ms. Gallagher informed her that she had done so, and that Ms. Gallagher provided the FOI Administrator with emails that were the same ones that the IT Department had located.

13. Additionally, the FOI Administrator testified, and it is found, that the respondents provided the complainant with copies of the five pages of responsive emails on July 9, 2024, free of charge,³ and that the complainant signed a form acknowledging receipt of such records.⁴

14. It is found, under the facts and circumstances of this case, that the respondents conducted a reasonable and thorough search for the requested emails.

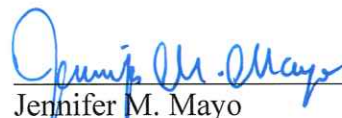
15. It is found that the respondents provided the complainant with all records responsive to the request described in paragraph 2, above.

16. Based on the foregoing, it is concluded that the respondents did not violate §§1-210(a) and 1-212(a), G.S.

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.


Jennifer M. Mayo
Acting Clerk of the Commission

² After the hearing on this matter, the respondents submitted to the Commission and the complainant on December 23, 2024, a copy of the search request/ticket that the FOI Administrator submitted to the IT Department. A copy of such ticket was admitted as respondents' Exhibit D, after-filed.

³ At the hearing on this matter, the respondents agreed to again provide the complainant with the five pages of responsive emails. In that regard, the respondents emailed the Commission stating that they had provided another copy of the five pages of emails to the complainant on December 23, 2024; a copy of such records was admitted as respondents' Exhibit C, after-filed. It is found that the respondents redacted from such records the first names of DOC employees and information related to other inmates for safety reasons; however, at the hearing on this matter, the complainant stated that he was not contesting such redactions. Therefore, the redactions will not be further addressed herein.

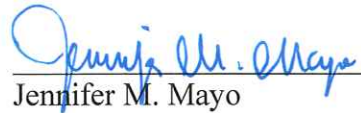
⁴ During the hearing on this matter, the complainant testified that he did not recall receiving responsive records on July 9, 2024 and, as a result, the respondents agreed to submit a copy of the acknowledgement form to the Commission and to the complainant. The acknowledgement form was admitted on December 23, 2024, as respondents' Exhibit B, after-filed.

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:

JOHN KAMINSKI, #241124, Osborn Correctional Institution, 335 Bilton Road, PO Box 100, Somers, CT 06071

**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