

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Mark Wozar,

Complainant

against

Docket #FIC 2024-0820

Chief, Police Department, Town of West  
Hartford; Police Department, Town of  
West Hartford; and Town of West  
Hartford,

Respondents

November 19, 2025

The above-captioned matter was scheduled to be heard as a contested case on May 8, 2025, at which time the respondents appeared, with witnesses, but the complainant failed to appear. In a proposed final decision, dated May 14, 2025, the undersigned Hearing Officer recommended that the Commission dismiss the complaint for the complainant's failure to prosecute the matter. At its June 25, 2025 meeting, the Commission ordered that this matter be reopened for an evidentiary hearing.

In accordance with the Commission's order, the above-captioned matter was heard as a contested case on August 1, 2025, and September 18, 2025, at which times the complainant and respondents appeared and presented testimony, exhibits and argument on the complaint.

The following shall be marked as after-filed exhibits in this matter:

The Affidavit of Andrew Glass, dated October 29, 2025, submitted by the respondents pursuant to the undersigned Hearing Officer's order dated October 21, 2025. Such affidavit shall be marked as Respondents' Exhibit 1 (after-filed).

"Exhibit A" of the Respondents' Request to File Post-Hearing Exhibit, dated November 5, 2025, shall be marked as Respondents' Exhibit 2 (after-filed).<sup>1</sup>

---

<sup>1</sup> The complainant submitted two "responses" to the Respondents' Request to File Post-Hearing Exhibit. The complainant referred to both responses as a "a motion to clarify the November 5, 2025, **REQUEST TO FILE POST-HEARING EXHIBIT** . . ." (Emphasis in original). Accordingly, it is unclear whether the complainant objects to the "Exhibit A" of the Respondents' Request to File Post-Hearing Exhibit, being admitted as evidence in this matter. To the extent the complainant so objects, such objection is overruled.

The Affidavit of Andrew Glass, dated November 6, 2025, submitted by the respondents in connection with their submission of records to the Commission for in camera inspection. Such affidavit shall be marked as Respondents' Exhibit 3 (after-filed).<sup>2</sup>

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 on November 21, 2024, the complainant submitted a request seeking the following records:

[C]omplete unedited/raw BWC and 9-1-1/dashcams (unblurred, with audio an/or non-jumping of the requested material) OR notification that the respective officer's 'notifi[ed] their supervisor, in writing, if their camera equipment is lost, damaged, or malfunctioning. [sic]' as officers have to report this or have a duty to intervene. . . .<sup>3</sup>

3. It is found that on November 25, 2024, the respondents replied to the complainant, acknowledging his request and asked him to "[p]lease specify as to what specific case you are seeking body worn camera, dash cam footage and 911 audio." It is also found that the complainant then identified specific file names for the records he was seeking and, shortly thereafter, the respondents acknowledged such clarification.

4. By complaint received and filed December 10, 2024, the complainant appealed to this Commission alleging that the respondents violated the Freedom of Information ("FOI") Act by failing to disclose the records described in paragraph 3, above. The Commission notes that in submitting his complaint, the complainant identified the exact file names, to which he directed the respondents as described in paragraph 3, above.<sup>4</sup>

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

"[p]ublic records or files" means any recorded data or information relating to the conduct of the public's business prepared, owned,

---

<sup>2</sup> Such affidavit was produced by the respondents to comply with the detailed requirements in the Hearing Officer's October 30, 2025 order for the respondents to submit records for in camera inspection.

<sup>3</sup> In his request, the complainant also includes what appears to be language (or paraphrasing thereof) from Public Act 20-1, *An Act Concerning Police Accountability* (2020) which, in part, expanded the requirements for law enforcement's use of body-worn cameras.

<sup>4</sup> It is unclear whether the complainant alleges that the respondents violated the FOI Act by not disclosing other records *in addition* to those identified in his November 25 correspondence described in paragraph 3, above. Nevertheless, the respondents assert that they interpreted the request as being *only* for those files specifically identified in the complainant's November 25 correspondence. It is found that, based on the facts and circumstances of this case, the respondents' interpretation of the complainant's November 21 request, as clarified by his November 25 correspondence, was reasonable. The Commission limits its review of this matter to only those records identified by the complainant in his November 25 correspondence clarifying his request.

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:

[e]xcept 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, (2) copy such records in accordance with subsection (g) of section 1-212, or (3) receive a copy of such records in accordance with 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 as described in paragraphs 2 and 3, above, 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. It is found that prior to the complainant’s November 21 request, the respondents had provided him with redacted versions of the requested records described in paragraphs 2 and 3, above. It is also found that the respondents did not reproduce the same records in response to the complainant’s November 21 request.

10. “A public agency is not absolved of its obligations to provide a requester with public records simply because the requester previously requested and/or received the same records.” See Docket #FIC 2024-0301, Nina Pirrotti v. Michael J. Kuzzi, Town Attorney, Office of the Town Attorney, Town of East Haven et al. (April 23, 2025). It is found, however, as described in paragraph 2, above, that the complainant’s November 21 request specifically sought complete and unedited (i.e., unredacted) records. Accordingly, it is found that providing the redacted version of the records would not be responsive to the complainant’s November 21 request. Moreover, at the hearings in this matter the complainant indicated that he was not interested in receiving the same redacted version of the records that he had previously received.

11. It is found that the records identified in the complainant’s November 21 request relate to the complainant’s interaction with the respondents’ police officers on three different occasions: (i) January 19, 2024; (ii) February 9, 2024; and (iii) February 15, 2024. It is found that the interaction between the complainant and the respondents’ police officers that occurred on February 15, 2024, resulted in the complainant’s arrest.

12. It is further found that the complainant’s criminal case resulting from his arrest described in paragraph 11, above, was ultimately dismissed on April 26, 2024.

13. Section 54-142a, G.S., known as “the erasure statute,” generally requires nondisclosure of all police, court, and prosecutorial records “pertaining to a criminal charge” whenever a person charged with a crime is acquitted or pardoned, or the charge is dismissed or nolle.

14. In Comm’r, State of Connecticut Dept. of Emergency Services and Public Protection v. Freedom of Info Comm’n, HHB-CV14-602708-S, 2019 WL 4201551, (Aug. 20, 2019), the court concluded that, when a charge is subject to erasure pursuant to §54-142a, G.S., that does not necessarily mean that all law enforcement records from the underlying incident or investigation are barred from disclosure. Instead, only records “pertaining to [a] charge” that results in a dismissal, nolle, or acquittal are deemed erased pursuant to §§54-142a(a) and (c), G.S. The court analyzed the phrase “pertaining to [an erased] charge” and concluded that §54-142a, G.S., prohibits disclosure of transcripts, police reports, charging documents and records that disclose “when or where a person was arrested, the nature of or circumstances surrounding the crime charged or the names of witnesses from whom further information may be obtained.” (quoting State v. West, 192 Conn. 488, 496 (1984)).

15. In several of the complainant’s motions following the undersigned Hearing Officer’s October 30, 2025 in camera order, he cites to Boyles v. Preston, 68 Conn. App. 596 (2002) (“Boyles”), for the premise that “the term ‘records’ in § 54-142a does not include evidence obtained by the police in the course of an investigation, and it does not preclude the testimony of witnesses as to their personal recollection of events.”

16. In Boyles, however, a defendant appealed a lower court’s decision to allow “an investigator from the office of the state’s attorney to testify about information in a previous criminal case against the defendant, the records of which had been erased pursuant to §54-142a.” Id., at 608-610. Additionally, the court denied the defendant’s motion in limine to exclude as evidence a videotape that the police had seized during an unlawful search of his house. Id.

17. The Court in Boyles upheld the lower court’s rulings and noted that “the videotape is not a police record or court records subject to erasure pursuant to §54-142a(b). ***The videotape simply is a piece of evidence demonstrating how far the defendant went to irritate the plaintiff because she had rejected his sexual advances.***” (Emphasis added). Id., at 610. It is clear, therefore, that such videotape was not a record created to document the defendant’s arrest or the nature of the charges. Rather, the videotape was created (presumably by the defendant) independently of his arrest and the subsequent charges filed against him.

18. It is found, however, that the records pertaining to the complainant’s interaction with the respondents’ police officers on February 15, 2024, related to the events leading up to his arrest (e.g., dispatch call logs, police radio transmissions, and body camera footage), as well as his actual arrest and booking. Such records depict *when or where a person was arrested and the nature of or circumstances surrounding the crime charged*. See Id.<sup>5</sup>

---

<sup>5</sup> Moreover, it appears to be undisputed that the February 15, 2024 records depict the nature and circumstances of the complainant’s arrest and the charges filed against him, which were ultimately dismissed. In fact, the complainant appears to acknowledge that such records are subject to erasure in his “Motion to Amend 24-820’s Testimony.”

19. Accordingly, it is found that the records pertaining to the February 15, 2024 interaction between the complainant and the respondents' police officers, are records subject to erasure pursuant to §54-142a, G.S.

20. Finally, the Commission acknowledges that the erasure statute prohibits the disclosure of erased records to anyone except the subject of such records. However, it is clear that the right of a person who is a subject of an erased record to access such record is pursuant to an individual right to access such information. See §54-142a(g)(1), G.S. (only permitting disclosure to such person upon submission of 'satisfactory proof of the subject's identity.)

21. The courts and this Commission have recognized that the FOI Act only vindicates the public's right to access public records, and not a private right specific to any individual. See Groton Police Dept. v. Freedom of Info. Comm'n, 104 Conn. App. 150, 165-66 (2007) ("It is clear . . . that [the requestor's] status as the parent of the alleged victim is immaterial to the request for the police records under the act. . . .By *invoking the act to request the records, [the requestor] is not seeking the records as a parent but, rather, as a member of the public.*" (Emphasis added); see also, Docket #FIC 2022-0069, Michael Iezzi v. John Sullivan, Chief, Police Dept., Town of Hamden et al (January 13, 2023) ("[i]t is concluded, therefore, that this Commission lacks jurisdiction to enforce a private right of access to the requested records, should one exist."))

22. Accordingly, the Commission does not have jurisdiction to order the disclosure of the erased records described in paragraph 18, above. The Commission now turns to the records pertaining to the complainant's interactions with the respondents' police officers occurring on January 19, 2024, and February 9, 2024.

23. Pursuant to the undersigned Hearing Officer's October 30, 2025, order to produce records for in camera inspection, the respondents produced a USB flash-drive containing redacted and unredacted versions of the dispatch/911 call audio and body camera footage for the records described in paragraph 22, above. Specifically, the respondents submitted to the Commission complete and unredacted copies of all of the records they had provided to the complainant, which are named as follows:

Pertaining to January 19, 2024

(Extraction\_1.1)\_Axon\_Body\_3\_Video\_2024-01-19\_1650\_X60A3727A  
0\_911\_POS\_3\_2024\_01\_19\_16\_07\_20\_by\_Start\_Time\_desc.wav

---

received and filed on October 22, 2025, wherein he includes a portion of the records from the respondents indicating that his criminal case was dismissed on April 26, 2024, with an erasure date of May 16, 2024.

In any event, the administrative record supports the finding that the records at issue exclusively pertained to the complainant's arrest and the subsequent charges that were filed against him, but ultimately dismissed. See Complainant's Exhibit J (respondents' internal email communications indicating that they received a records request from the complainant "regarding his arrest on February 15, 2024. . . . [The complainant] is requesting all body cam footage and the video from his booking, as well as all audio, including radio transmission and all 911 calls relating to this incident.")

Axon\_Body\_3\_Video\_2024-01-19\_1617\_X60A39328

Axon\_Body\_3\_Video\_2024-01-19\_1622\_X60A3269C

Axon\_Body\_3\_Video\_2024-01-19\_1643\_X60A3298B

Extraction\_1\_1\_Extraction\_1\_1\_Axon\_Body\_3\_video\_2024-01-19\_1616\_X60A3727A

Pertaining to February 9, 2024

(Extraction\_1.1)\_Axon\_Body\_3\_Video\_2024-02-09\_1026\_X60A3226D.mp4

(Extraction\_1.1)\_Axon\_Body\_3\_Video\_2024-02-09\_1034\_X60A32469.mp4

\_Extraction\_1\_1\_Extraction\_1\_1\_Axon\_Body\_3\_Video\_2024-02-09\_1031\_X60A35469.mp4

\_Extraction\_1\_1\_Extraction\_1\_1\_Axon\_Body\_3\_Video\_2024-02-09\_1040\_X60A3226D\_(1).mp4

0\_911\_POS\_1\_2024\_02\_09\_10\_24\_28\_by\_Start\_Time\_desc.wav

0\_PD\_Dispatch\_2024\_02\_09\_10\_25\_11\_by\_Start\_Time\_asc.wav

1\_PD\_Dispatch\_2024\_02\_09\_10\_29\_41\_by\_Start\_Time\_asc.wav

2\_PD\_Dispatch\_2024\_02\_09\_10\_31\_26\_by\_Start\_Time\_asc.wav

3\_PD\_Dispatch\_2024\_02\_09\_10\_33\_41\_by\_Start\_Time\_asc.wav

4\_PD\_Dispatch\_2024\_02\_09\_11\_12\_30\_by\_Start\_Time\_asc.wav

5\_PD\_Dispatch\_2024\_02\_09\_11\_40\_15\_by\_Start\_Time\_asc.wav

24\_6342\_911-CDR<sup>6</sup>

24\_6342\_PD\_dispatch-CDR<sup>7</sup>

Axon\_Body\_3\_Video\_2024-02-09\_1058\_X60A35469.mp4

24. The respondents have also represented that no redactions were made to many of the files listed in paragraph 23, above, when they were provided to the complainant. However, because the complainant expressed his belief that portions of such files were cut out in the versions the respondents provided to him, the Commission reviewed each file provided for in camera inspection, and each file is addressed, below.

---

<sup>6</sup> This file is a .txt document for which the respondents also submitted a paper copy.

<sup>7</sup> This file is a .txt document for which the respondents also submitted a paper copy.

25. On the index submitted to the Commission along with the in camera records (“in camera index”), the respondents cite only two exemptions under the FOI Act - §§1-210(b)(3)(A) and 1-210(b)(3)(E), G.S.

26. Section 1-210(b)(3), G.S., provides, in relevant part, that nothing in the FOI Act shall be construed to require the disclosure of:

(3) Records of law enforcement agencies not otherwise available to the public which records were compiled with the detection or investigation of crime, if the disclosure of such records would not be in the public interest because it would result in the disclosure of (A) the identity of informants or mandated reporters. . . . not otherwise known or the identity of witnesses not otherwise known whose safety would be endangered or who would be subject to threat or intimidation if their identity was made known. . . .[and] (E) investigatory techniques not otherwise known to the general public.  
...

27. It is found that the records identified in paragraph 23, above, are records of law enforcement compiled with the detection or investigation of crime, within the meaning of §1-210(b)(3), G.S.

28. It is found that the following records are body camera video depicting the interaction between the complainant and the respondents’ police officers occurring on January 19, 2024:

- a. **(Extraction\_1.1)\_Axon\_Body\_3\_Video\_2024-01-19\_1650\_X60A3727A.** The following facts are found with respect to this record:
  - i. Both the redacted and unredacted versions of this record are 00:02:12 in duration.
  - ii. The redactions made to this record occur between 00:00:00 and 00:00:56 and consist solely of blurred out license plate numbers of vehicles (including police vehicles) in a parking lot.
  - iii. The respondents cite §1-210(b)(3)(A), G.S., as the basis of such redactions. It is found, however, that the redactions were made to all license plate numbers visible to the officer’s body camera.
  - iv. The respondents did not present any evidence as to whether a blurred license plate belonged to an individual who witnessed the events for which the police were called.
  - v. It is found that the respondents failed to prove that such redactions were made to prevent the disclosure of “the identity of witnesses not otherwise known. . . .” pursuant to §1-210(b)(3)(A), G.S.

- vi. Accordingly, it is found that the respondents failed to prove that the redacted license plates at 00:00:00 and 00:00:56 are permissively exempt from disclosure pursuant to §1-210(b)(3)(A), G.S.

b. **Extraction\_1\_1\_Extraction\_1\_1\_Axon\_Body\_3\_video\_2024-01-19\_1616\_X60A3727A.** The following facts are found with respect to this record:

- i. Both the redacted and unredacted versions of this record are 00:14:58 in duration.

- ii. Redactions to this file occur at the following time stamps:

00:00:01 through 00:00:20 – blurred footage of a mobile data terminal (computer screen) in the police officer's cruiser.

00:00:21 through 00:00:30 and 00:04:36 through 00:04:54 – blurred license plates of vehicles in a parking lot.

00:10:33 through 00:12:48 – blurred officer's notebook and postal worker's ID.

00:11:20 through 00:11:30 – muted audio of postal worker's phone number.

- iii. The respondents assert that the blurred footage of a mobile data terminal (computer screen) in the police officer's cruiser at the timestamp 00:00:01 through 00:00:20, is exempt pursuant to §1-210(b)(3)(E), G.S., as "investigatory techniques not otherwise known to the general public."
- iv. The respondents did not provide any evidence as to the contents of the mobile data terminal, nor did they present any evidence with respect to whether any investigatory techniques employed by the respondents' police officers during their interaction with the complainant on January 19, 2024, were not otherwise known to the public. Accordingly, the respondents failed to prove that the mobile data terminal displayed at the timestamp 00:00:01 through 00:00:20 is permissively exempt from disclosure pursuant to §1-210(b)(3)(E), G.S.
- v. The respondents assert that the license plates blurred at timestamps 00:00:21 through 00:00:30 and 00:04:36 through 00:04:54 are exempt pursuant to §1-210(b)(3)(A), G.S. For the reasons set forth in paragraphs 28.a.iv through vi., above, the respondents failed to prove that such portions of the in camera records are permissively exempt pursuant to §1-210(b)(3)(A), G.S.
- vi. The respondents assert that the blurred notebook and postal worker's ID at timestamps 00:10:33 through 00:12:48 are exempt pursuant to both §1-210(b)(3)(A) and (E), G.S. With respect to the identification of the postal



worker, to the extent that individual was a witness, the respondents did not provide any evidence as to how they established that their identity was not otherwise known. Moreover, the respondents failed to provide any evidence concerning how asking for a witness's ID is "an investigatory technique not otherwise known to the general public." Similarly, the respondents did not present any evidence as to the contents of what was written in the police officer's notebook and the writing, as captured by the body camera, is not legible.

- vii. Accordingly, the respondents failed to prove that either the postal worker's ID or the officer's notebook were permissively exempt from disclosure pursuant to §§1-210(b)(3)(A) or (E), G.S.
- viii. The respondents assert that the audio at the timestamp 00:11:20 through 00:11:30 containing a witness's phone number is exempt pursuant to §1-210(b)(3)(A), G.S. It is clear, however, from the rest of the body camera video (that was previously disclosed to the complainant) that the complainant interacted with this individual and that this interaction, at least in part, formed the basis for the police to be called to respond to the location.<sup>8</sup>
- ix. It is found that the respondents failed to prove that the audio at 00:11:20 through 00:11:30 disclosed the identity of a witness not otherwise known. Accordingly, the respondents failed to prove that such portions of the in camera records are permissively exempt from disclosure pursuant to §1-210(b)(3)(A), G.S.

c. **Axon\_Body\_3\_Video\_2024-01-19\_1617\_X60A39328, Axon\_Body\_3\_Video\_2024-01-19\_1622\_X60A3269C, and Axon\_Body\_3\_Video\_2024-01-19\_1643\_X60A3298B.** The following facts are found with respect to these records:

- i. The respondents indicated that no redactions were made to these records.
- ii. The versions of these records provided to the complainant are identical to the unredacted copies provided to the Commission for in camera inspection.
- iii. Accordingly, it is found that the respondents provided the complainant with a complete and unredacted version of such records pursuant to his November 21 request, described in paragraphs 2 and 3, above.

29. It is found that "0\_911\_POS\_3\_2024\_01\_19\_16\_07\_20\_by\_Start\_Time\_desc.wav" is an audio recording of a call made to the West Hartford Police and Fire dispatch placed on January 19, 2024. The respondents indicated that no redactions were made to this record. It is found that the version of this record provided to the complainant is identical to the copy provided to the Commission for in camera inspection. Accordingly, it is found that the respondents

---

<sup>8</sup> The complainant also recorded his interaction with this individual on his cellphone.

provided “0\_911\_POS\_3\_2024\_01\_19\_16\_07\_20\_by\_Start\_Time\_desc.wav” to the complainant in a complete and unredacted form, as requested in his November 21 request, described in paragraphs 2 and 3, above.

30. It is found that the following records consist of body camera footage depicting the interaction between the complainant and the respondents’ police officers occurring on February 9, 2024:

a. **(Extraction\_1.1)\_Axon\_Body\_3\_Video\_2024-02-09\_1026\_X60A3226D.mp4.**

The following facts are found with respect to this record:

- i. Both the redacted and unredacted copies of this record are 00:13:06 in duration.
- ii. The respondents claim that timestamps 00:00:01 through 00:00:17<sup>9</sup> and 00:00:55 through 00:01:31 depict the mobile data terminal (computer screen) in the police officer’s cruiser and are exempt from disclosure pursuant to §1-210(b)(3)(E), G.S.
- iii. For the reasons set forth in paragraph 28.b.iv., above, the respondents failed to prove that such portions of this record are permissively exempt from disclosure pursuant to §1-210(b)(3)(E), G.S.<sup>10</sup>

b. **(Extraction\_1.1)\_Axon\_Body\_3\_Video\_2024-02-09\_1034\_X60A32469.mp4.**

The following facts are found with respect to this record:

- i. Both the redacted and unredacted copies of this record are 00:13:24 in duration.
- ii. This record is redacted at the following timestamps<sup>11</sup>:

00:00:00 through 00:00:30 – blurred footage of mobile data terminal (computer screen) in the police officer’s cruiser.

---

<sup>9</sup> The blurred portion of the footage at 00:00:01 through 00:00:17 covers the officer’s cellphone, not the mobile data terminal. The content of the cellphone is largely illegible, and, in any event, the respondents did not present any evidence with respect to whether the contents displayed on the officer’s cellphone constitute “investigatory techniques not otherwise known to the general public” pursuant to §1-210(b)(3)(E), G.S.

<sup>10</sup> Although not listed on the in camera index, it appears that the respondents have redacted the mobile data terminal (computer screen) at the end of this record (i.e., 00:13:02 through 00:13:06). For the reasons set forth in paragraph 28.b.iv., above, the respondents have failed to prove that such portion of this record is permissively exempt from disclosure pursuant to §1-210(b)(3)(E), G.S.

<sup>11</sup> The Commission notes that several parts of this record contain blurred portions not identified on the in camera index (e.g., the complainant’s cell phone at 00:01:23). The Commission finds that such blurring is likely inadvertent. Nevertheless, such blurred portions should be removed prior to disclosure to the complainant in accordance with the Commission’s orders, below.

00:00:56 through 00:01:14 and 00:04:57 through 00:13:24 – blurred license plates of vehicles in a parking lot.

- iii. The respondents assert that the mobile data terminal (computer screen) depicted at 00:00:00 through 00:00:30 is exempt from disclosure pursuant to §1-210(b)(3)(E), G.S. For the reasons set forth in paragraph 28.b.iv, above, the respondents failed to prove the applicability of §1-210(b)(3)(E), G.S., to this portion of the in camera records.
  - iv. The respondents also assert that the license plates depicted at 00:00:56 through 00:01:104 and 00:04:57 through 00:13:24 are exempt from disclosure pursuant to §1-210(b)(3)(A), G.S. For the reasons set forth in paragraphs 28.a.iv through .vi, above, the respondents failed to prove the applicability of §1-210(b)(3)(A), G.S., to this portion of the in camera records.
  - v. Accordingly, it is found that the respondents failed to prove that any portion of this record was permissively exempt from disclosure pursuant to either §§1-210(b)(3)(A) or (E), G.S., respectively.
- c. **Extraction\_1\_1\_Extraction\_1\_1\_Axon\_Body\_3\_Video\_2024-02-09\_1040\_X60A3226D\_(1)**. The following facts are found with respect to this record:
- i. Both the redacted and unredacted copies of this record are 00:06:58 in duration.
  - ii. The respondents assert that the mobile data terminal (computer screen) in the police officer's cruiser depicted at 00:00:01 through 00:00:57<sup>12</sup> is exempt from disclosure pursuant to §1-210(b)(3)(E), G.S.
  - iii. For the reasons set forth in paragraph 28.b.iv., the respondents failed to prove that such portions of this record are permissively exempt from disclosure pursuant to §1-210(b)(3)(E), G.S.
- d. **Extraction\_1\_1\_Extraction\_1\_1\_Axon\_Body\_3\_Video\_2024-02-09\_1031\_X60A35469**. The following facts are found with respect to this record:
- i. Both the redacted and unredacted copies of this record are 00:22:24 in duration.

---

<sup>12</sup> The respondents also blurred the officer's cellphone at 00:00:23 through 00:00:35. It is found that the respondents did not provide any evidence regarding the officer's use of his cellphone to support a finding that he was employing "an investigatory technique not otherwise know to the general public," and thus failed to prove that such portion of the in camera records was exempt from disclosure pursuant to §1-210(b)(3)(E), G.S. Nevertheless, the Commission, in its discretion, declines to order the disclosure of the blurred cellphone at 00:00:23 through 00:00:28, as it depicts the police officer entering in a username and password.

- ii. This record is redacted at the following timestamps<sup>13</sup>:

00:00:00 through 00:01:28 – blurred footage of a mobile data terminal (computer screen) in the police officer’s cruiser.

00:13:24 through 00:13:31 – muted audio of postal employee’s phone number.

00:14:15 through 00:14:28 – muted audio of the contact information and birth date of postal supervisor.

00:22:03 and 00:22:15 through 00:22:17 - blurred license plates of vehicles in a parking lot.

- iii. The respondents assert that the mobile data terminal (computer screen) depicted at 00:00:00 through 00:01:28 is exempt from disclosure pursuant to §1-210(b)(3)(E), G.S. For the reasons set forth in paragraph 28.b.iv., above, the respondents failed to prove that such portions of this record are permissively exempt from disclosure pursuant to §1-210(b)(3)(E), G.S.
- iv. The respondents assert that the muted audio of the postal employee’s phone number at 00:13:24 through 00:13:31 and the contact information and birth date of the postal supervisor at 00:14:15 through 00:14:28 are exempt pursuant to §1-210(b)(3)(A), G.S.
- v. It is found, however, that the complainant interacted with the individual depicted at 00:13:24 through 00:13:31 (which, at least in part, was the basis for the police being called to the location).<sup>14</sup> Accordingly, it is found that the respondents failed to prove that the muted audio at 00:13:24 through 00:13:31 disclosed the identity of a witness not otherwise known, pursuant to §1-210(b)(3)(A), G.S.
- vi. It is found that the contact and birth date of the postal supervisor at 00:14:15 through 00:14:28 was unmuted in the version of “\_Extraction\_1\_1\_Extraction\_1\_1\_Axon\_Body\_3\_Video\_2024-02-09\_1040\_X60A3226D\_(1)” (i.e., the record discussed in paragraph 30.c., above) provided to the complainant. Moreover, it is found that the respondents failed to prove that the identity of the individual depicted at 00:14:15 through 00:14:28 was not otherwise known, pursuant to §1-210(b)(3)(A), G.S.
- vii. The respondents also assert that the license plates depicted at 00:22:03 and 00:22:15 through 00:22:17 are exempt from disclosure pursuant to §1-210(b)(3)(A), G.S. For the reasons set forth in paragraphs 28.a.iv through .vi,

---

<sup>13</sup> The Commission notes that several parts of this record contain blurred portions not identified on the in camera index. The Commission finds that such blurring is likely inadvertent. Nevertheless, such blurred portions should be removed prior to disclosure to the complainant in accordance with the Commission’s orders, below.

<sup>14</sup> This is apparent from the unredacted portions of the video which were provided to the complainant.

above, the respondents failed to prove the applicability of §1-210(b)(3)(A), G.S., to this portion of the in camera records.

- e. **Axon\_Body\_3\_Video\_2024-02-09\_1058\_X60A35469.mp4**. The following facts are found with respect to this record:
- i. The respondents indicated that no redactions were made to this record.
  - ii. The version of this record provided to the complainant is identical to the unredacted copy provided to the Commission for in camera inspection.
  - iii. Accordingly, it is found that the respondents provided the complainant with a complete and unredacted version of such record pursuant to his November 21 request, described in paragraphs 2 and 3, above.

31. It is found that “0\_911\_POS\_1\_2024\_02\_09\_10\_24\_28\_by\_Start\_Time\_desc.wav” is an audio recording of a call made to the West Hartford Police and Fire dispatch placed on February 9, 2024. The respondents assert that 00:02:54 through 00:03:46 is exempt pursuant to §1-210(b)(3)(A), G.S., because it contains the name and phone number of the caller. It is found, however, that the complainant interacted with this individual and that interaction, at least in part, formed the basis for the police being called to the location.<sup>15</sup> Accordingly, it is found that the respondents failed to prove that the audio at 00:02:54 through 00:03:46 is permissively exempt from disclosure pursuant to §1-210(b)(3)(A), G.S.

32. It is found that complete and unredacted versions of the following records were provided to the complainant, as requested in his November 21 request described in paragraphs 2 and 3, above:

“0\_PD\_Dispatch\_2024\_02\_09\_10\_25\_11\_by\_Start\_Time\_asc.wav”

“1\_PD\_Dispatch\_2024\_02\_09\_10\_29\_41\_by\_Start\_Time\_asc.wav”

“2\_PD\_Dispatch\_2024\_02\_09\_10\_31\_26\_by\_Start\_Time\_asc.wav”

“3\_PD\_Dispatch\_2024\_02\_09\_10\_33\_41\_by\_Start\_Time\_asc.wav”

“4\_PD\_Dispatch\_2024\_02\_09\_11\_12\_30\_by\_Start\_Time\_asc.wav”

“5\_PD\_Dispatch\_2024\_02\_09\_11\_40\_15\_by\_Start\_Time\_asc.wav”

“24\_6342\_PD\_dispatch-CDR”

“24\_6342\_911-CDR”<sup>16</sup>

<sup>15</sup> This is clear from the unredacted portions of the in camera records provided to the complainant.

<sup>16</sup> The version of this record is listed in Complainant’s Exhibit A as “24\_6342\_911\_w\_redactions-CDR.” The versions submitted to the Commission for in camera inspection, however, show no redactions. Moreover, the respondents did not claim any portion of such record as exempt on their in camera index.

33. The complainant takes issue with the fact that audio appears to be missing from the body camera footage provided to him by the respondents. The respondents testified, and it is found, that their body cameras passively record in one-minute increments without audio, such that when a body camera is activated, the resulting footage includes the prior minute. Accordingly, it is found that the respondents did not withhold any audio from the body camera footage (not otherwise referenced above).

34. As the respondents failed to prove that the in camera records described in paragraphs 28.a. and .b., 30.a, b., c., and .d., and 31, above, were permissively exempt pursuant to §§1-210(b)(3)(A) or (E), G.S., it is concluded that they violated the disclosure provisions of §§1-210(a) and 1-212(a), G.S., by failing to provide such records or portions thereof, to the complainant.

35. At several points throughout the hearings in this matter, the complainant indicated that he was also alleging that the respondents *should have* created certain records (e.g., body camera footage or a statement explaining the absence of body camera footage) but did not. The Commission has no authority to compel the respondents to answer the complainant's questions, and nothing in the FOI Act requires the respondents to create records. Albright-Lazzari v. Murphy, No. CV105014984S, 2011 WL 1886878, at \*3 (Super. Ct. Apr. 21, 2011). As the respondents' disclosure obligations under the FOI Act extend only to those records which they maintained at the time of the complainant's request, the Commission lacks jurisdiction to consider whether the respondents acted properly with respect to the creation of a public record. See Docket #FIC 2022-0598, Jon Schoenhorn v. Commissioner, State of Connecticut, Department of Emergency Services and Public Protection et al. (“[N]othing in the FOI Act . . . suggests that the respondents' failure to comply with such policy constitutes a violation of the FOI Act.”). Accordingly, the Commission declines to consider such claims herein.

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

1. Within fourteen (14) days of the Notice of Final Decision in this matter the respondents shall provide the complainant with complete and unredacted copies of the following records:

(Extraction\_1.1)\_Axon\_Body\_3\_Video\_2024-01-19\_1650\_X60A3727A;

Extraction\_1\_1\_Extraction\_1\_1\_Axon\_Body\_3\_video\_2024-01-19\_1616\_X60A3727A;

(Extraction\_1.1)\_Axon\_Body\_3\_Video\_2024-02-09\_1026\_X60A3226D.mp4;

(Extraction\_1.1)\_Axon\_Body\_3\_Video\_2024-02-09\_1034\_X60A32469.mp4;

\_Extraction\_1\_1\_Extraction\_1\_1\_Axon\_Body\_3\_Video\_2024-02-09\_1040\_X60A3226D\_(1) (except for the portion noted in fn. 12 of the findings, above);

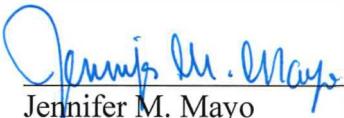
\_Extraction\_1\_1\_Extraction\_1\_1\_Axon\_Body\_3\_Video\_2024-02-09\_1031\_X60A35469; and

0\_911\_POS\_1\_2024\_02\_09\_10\_24\_28\_by\_Start\_Time\_desc.wav.

2. Henceforth, the respondents shall strictly comply with the disclosure provisions of §§1-210(a) and 1-212(a), G.S.

3. The Commission notes that the complainant's behavior throughout the proceedings in this matter was disrespectful and lacked decorum. The complainant's outbursts and erratic behavior caused significant delays in the adjudication of his complaint. The complainant is cautioned that in accordance with §§1-206(b)(3)(C) and 1-206(b)(3)(D), G.S., the Commission may consider the nature, content and language of verbal communications made to any official of any agency by the person(s) taking an appeal to the Commission and/or a history of disruption of the Commission's administrative process in declining to schedule a future contested case hearing.

Approved by Order of the Freedom of Information Commission at its regular meeting of November 19, 2025.

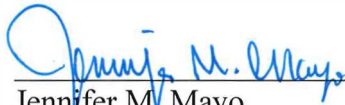
  
Jennifer M. Mayo  
Acting Clerk of the Commission

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:

**MARK WOZAR**, 1250 Farmington Avenue A17, West Hartford, CT 06107

**CHIEF, POLICE DEPARTMENT, TOWN OF WEST HARTFORD; POLICE DEPARTMENT, TOWN OF WEST HARTFORD; AND TOWN OF WEST HARTFORD**,  
c/o Attorney Andrew J. Glass, Karsten & Tallberg, LLC, 500 Enterprise Dr., Suite 4B, Rocky Hill, CT 06067



Jennifer M. Mayo  
Acting Clerk of the Commission