

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Jan Gawlik,

FINAL DECISION

Complainant

against

Docket # FIC 2024-0655

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

Respondents

September 10, 2025

The above-captioned matter was heard as a contested case on March 31, 2025, 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 Application for Freedom of Information Act Form dated October 24, 2024, mailed by regular, first-class mail and addressed to the Director of the Dental Department of the respondent Department of Correction ("DOC") at 24 Wolcott Hill Road, Wethersfield, CT 06109, the complainant requested that the respondents provide him copies of the following records:

ENTIRE DEPT. OF CORRECTIONS DENTAL DEPT.,
CRITERIA IN WHICH ARTICULATES ALL DENTAL
TREATMENTS IN ALL FACILITIES PERTAINING TO: ROOT
CANALS, FILLINGS, XRAYs, DENTURES, IMPLANTS,
TREATMENTS/PROCEDURES, ETC, THAT THE
CONNECTICUT DEPT. OF CORRECTIONS IS OBLIGATED &
NOT OBLIGATED DENTAL TREATMENTS OF INMATES.
ALL .DOCUMENTS THAT ARE PROMULGATED OF
PROCEDURES DENTAL TREATMENT TO
INMATES/CRITERIA.

3. It is found that the respondents did not acknowledge the complainant's October 24, 2024 request.

4. By letter of complaint dated and filed November 1, 2024, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information ("FOI") Act by failing to provide him with copies of the records described in paragraph 2, above. The complainant also requested that the Commission impose civil penalties against the respondents.

5. At the hearing on this matter, the FOI Administrator for the DOC (the "FOI Administrator") testified, and it is found, that she never received a copy of the October 24, 2024 Request until she received letters, dated November 21, 2024, from the Commission informing the respondents of the complaint in this matter, which included copies of the complaint described in paragraph 4, above, and the October 24, 2024 request. The FOI Administrator also testified, and it is found, that upon receiving such letters, she contacted the DOC Director of the Dental Department, who stated that he never received the October 24, 2024 request, although he had received correspondence from inmates in the past. The FOI Administrator testified further, and it is found, that the respondents received a copy of the October 24, 2024 request for the first time when they received a copy of the complaint from the Commission.

6. The FOI Administrator testified, and it is found, that the complainant did not follow the DOC's recommended procedures when he sent his October 24, 2024 request, via regular mail, to the DOC Director of the Dental Department at 24 Wolcott Hill Road, Wethersfield, CT 06109, which is the address for DOC central headquarters. She also testified, and it is found, that pursuant to DOC procedures, the complainant should have submitted his request to the FOI Liaison of the correctional facility at which he was housed and that the purpose of such procedures is to ensure that each FOI request is promptly logged and closely tracked as well as to allow for more efficient responses to such requests.

7. It is found that the respondents did not receive the October 24, 2024 request, described in paragraph 2, above, from the complainant.

8. Section 1-206(b)(1), G.S., provides in relevant part: "[a]ny person denied the right to inspect or copy records under 1-210... or denied any other right conferred by the Freedom of Information Act may appeal therefrom to the Freedom of Information Commission, by filing a notice of appeal with said commission...." For purposes of determining whether a request sent by mail has been deemed denied pursuant to §1-206(a), G.S., the operative date is the date that the request was received by the public agency. *City of Bridgeport v. Freedom of Info. Comm'n*, 222 Conn. App. 17, 57 (2023), cert. denied, 348 Conn. 936 (2024).

9. It is found that, at the time of the complaint, the respondents had not received the October 24, 2024 request and therefore had not denied the complainant's request for records, nor denied any other right under the FOI Act within the meaning of §1-206(b)(1), G.S. It is concluded therefore, under the facts of this case, that the complainant had no right to appeal under §1-206(b)(1), G.S., and that the respondents did not violate the FOI Act.

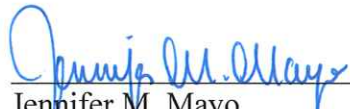
10. The Commission notes, however, that upon receiving notice of the complaint from the Commission, the respondents searched for responsive records, and on March 28, 2025, the respondents delivered all of the responsive records to the complainant.

11. Because the respondents did not violate the FOI Act under the facts of this case, consideration of the complainant's request for the imposition of civil penalties is not warranted.

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

1. The complaint is hereby dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of September 10, 2025.



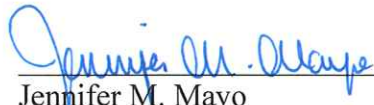
Jennifer M. Mayo
Acting Clerk of the Commission

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:

JAN GAWLIK, #138888, Cheshire Correctional Institution, 900 Highland Avenue, Cheshire, CT 06410

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


Jennifer M. Mayo
Acting Clerk of the Commission