

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Matthew McCluster,

Complainant

against

Docket #FIC 2024-0821

Keith Mello, Chief, Police Department,  
City of Milford; Police Department,  
City of Milford; and City of Milford,

Respondents

September 25, 2025

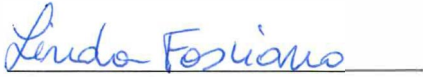
The above-captioned matter was scheduled to be heard as a contested case on May 5, 2025, at 11:00 am, at which time the respondents appeared, but the complainant did not appear to prosecute the case.

The hearing officer notes that Attorney Jonathan D. Berchem, counsel for the respondents, appeared at the hearing with one witness. Specifically, it is noted that Attorney Berchem appeared with Captain Luke Holder of the Milford Police Department. Attorney Berchem represented that he had spent approximately six hours preparing the responsive records for disclosure, meeting with his witness and preparing for the hearing. Attorney Berchem further represented that the respondents had gathered and prepared the requested records and then informed the complainant that such records were ready for pickup. Attorney Berchem further represented that the complainant then requested that the responsive electronic records be placed on a thumb drive instead of on DVD. While the respondents accommodated the request, as of the date of the hearing, the complainant had not yet retrieved the records. Captain Holder represented that he had spent approximately six hours working on the request and preparing for the hearing. The hearing officer further notes that both Attorney Berchem and Captain Holder traveled forty-five minutes to arrive at the hearing on time, only to have a nine-minute hearing and then travel back to Milford.

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.
2. The complainant is admonished for his failure to appear at the hearing in this matter, which failure resulted in a waste of scarce state and local resources.

Approved by Order of the Freedom of Information Commission at its regular meeting of September 25, 2025.

A handwritten signature in blue ink, reading "Linda Fasciano", is written over a horizontal line.

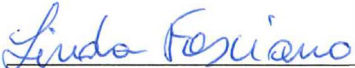
Linda Fasciano  
Acting Clerk of the Commission

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:

**MATTHEW MCCLUSTER**, 9 Elm Street, Ansonia, CT 06401

**KEITH MELLO, CHIEF, POLICE DEPARTMENT, CITY OF MILFORD; POLICE DEPARTMENT, CITY OF MILFORD; AND CITY OF MILFORD**, c/o Attorney Jonathan D. Berchem, Office of the City Attorney, City Hall, 110 River Street, Milford, CT 06460

  
Linda Fasciano  
Acting Clerk of the Commission