

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Edgardo Perez,
Complainant

FINAL DECISION

against
Commissioner, State of Connecticut,
Department of Correction; and State of
Connecticut, Department of Correction,
Respondents

Docket # FIC 2025-0323

April 22, 2026

The above-captioned matter was heard as a contested case on December 12, 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 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, on December 25, 2024, the complainant requested a copy of a Community Release Manual and a Records Manual.
3. It is found that, by letter dated January 7, 2025, the respondents acknowledged the complainant's December 25, 2024 request.
4. It is found that, on February 3, 2025, the complainant again requested the respondents provide him with copies of the Community Release Manual and Records Manual.
5. It is found that, by letter dated April 23, 2025, the respondents informed the complainant that there is no Community Release Manual and that for "safety and security reasons," the Records Manual is exempt from disclosure.
6. By complaint received and filed May 9, 2025 the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information ("FOI") Act by denying his request specifically for the "time computation material" within the Records Manual referenced in the request described in paragraph 2, above.
7. 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.

8. 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... (3) receive a copy of such records in accordance with the provisions of section 1-212.

9. Section 1-212(a), G.S., provides in relevant part: "[a]ny person applying in writing shall receive, promptly upon request, a plain, facsimile, electronic or certified copy of any public record."

10. It is concluded that the requested records, to the extent such records exist and are maintained by the respondents, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

11. At the hearing on this matter, the complainant contended that the respondents violated the FOI Act by failing to provide the requested records as described in paragraph 2, above. While the complainant did not reference the Community Release Manual in his appeal to the Commission, as described in paragraph 6, above, the complainant testified at the contested case hearing that he still wished to obtain a copy of the Community Release Manual.

12. As it relates to the requested Community Release Manual, the Department of Correction ("DOC") Counselor Supervisor ("CS") Secore testified, and it is found, that no such manual exists and is maintained by the respondents. CS Secore also testified, and it is found, that she asked Steven Lanphear, Director of the Community Release Unit, if there was a Community Release Manual, and Director Lanphear also confirmed to CS Secore that no such manual exists.

13. At the hearing, the respondents also submitted an affidavit from Director Lanphear, dated December 9, 2025, in which Director Lanphear averred that the respondents do not maintain a Community Release Manual.

14. Based on the foregoing, it is found that the respondents do not maintain a Community Release Manual responsive to the request described in paragraph 2, above.

15. It is therefore concluded that with the respect to the request for the Community Release Manual, the respondents did not violate §§1-210(a) or 1-212(a), G.S., by failing to provide the complainant with a copy of such record.

16. With respect to the complainant's request for a copy of the Records Manual, at the hearing, the respondents contended that such record is exempt from disclosure pursuant to §§1-210(b)(18) and 1-210(b)(20), G.S.

17. Section 1-210(b)(18), G.S., provides, in relevant part, that disclosure is not required of "[r]ecords, the disclosure of which the Commissioner of Correction. . . has reasonable grounds to believe may result in a safety risk, including the risk of harm to any person or the risk of an escape from, or a disorder in, a correctional institution or facility under the supervision of the [DOC]. . . . In Commissioner, Department of Correction v. Freedom of Information Commission, Superior Court, Judicial District of New Britain at New Britain, Docket No. CV074015437 and CV084016766 (Nov. 3, 2008) ("Commissioner"), the court reversed the Commission's finding that the DOC failed to prove that disclosure of certain personnel records may result in a safety risk.

18. According to the court:

The commissioner of DOC and his staff certainly have the experience to know when a particular request will result in a safety risk. Having received the reasons given by the DOC for declining to make the record available, the FOIC is not free to reject DOC's reasons because they are "hypothetical" and not based on actual events. The FOIC's role is to determine whether the DOC's reasons were pretextual and not bona fide or irrational.

19. The Commission has previously held that records concerning the assignment of inmates within a correctional facility are exempt from disclosure pursuant to §1-210(b)(18), G.S. See e.g. Smith v. Commissioner, State of Connecticut, Department of Correction, et al., Docket #FIC 2020-0212 (February 22, 2023); and David Taylor v. Commissioner, State of Connecticut, Department of Correction, et al., Docket #FIC 2021-0093 (February 23, 2022) (finding that criteria used to determine an inmate's risk assessment may result in a safety risk because inmates could use such information to manipulate their housing assignment within the correctional system and thus was exempt under §1-210(b)(18), G.S.). See also Avery Church v. Commissioner, State of Connecticut, Department of Correction, et al., Docket #FIC 2017-0661 (August 22, 2018) (finding that disclosure of prisoner transfer protocols posed a risk of escape and therefore exempt under §1-210(b)(18), G.S.).

20. David Snyder, Director of Offender Classification and Population Management Unit and Director of the Sentence Calculation and Interstate Management Unit, testified for the respondents in this matter. Director Snyder testified, and it is found, that the Records Manual outlines how to enter and process information into the DOC's Record Transaction ("RT") System, and includes information regarding the controls for admitting, releasing and movement of inmates within DOC custody.

21. It is found that Administrative Directive 4.2—Sentence Computation and Timekeeping—is the DOC's directive regarding the specifics of time computation and the Records Manual consists of the instructions for how to input that information into the RT System.

22. Director Synder also testified, and it is found, that the Records Manual has been used to detect and prevent fraudulent paperwork that originated outside of DOC, and that the Records Manual outlines how to process and verify paperwork received by the DOC.

23. Director Synder further testified, and it is found, that release of the Records Manual may result in the unauthorized use of the RT System, resulting in an unauthorized release of an inmate from DOC custody or falsification of sentencing paperwork that may result in shortening a valid sentence.

24. It is further found that a limited number of the respondents' employees are permitted access to such manual in order to limit its distribution to prevent the dissemination of the information described in paragraph 20, above. It is further found that the Records Manual has not previously been provided to the public.

25. It is also found, based on the testimony of CS Secore, that she did not have access to such record until she reviewed it for purposes of responding to the request at issue in this matter. CS Secore further testified, and it is found, that upon her review of the Records Manual, she became concerned that disclosure of such record could compromise the RT System, resulting in an inadvertent, or fraudulent, release of an inmate.

26. At the hearing in this matter, both CS Secore and Director Snyder credibly testified that disclosure of the Records Manual may result in a safety risk within a correctional facility, including risk of escape.

27. Based upon the foregoing, it is found that the respondent DOC Commissioner has reasonable grounds to believe that disclosure of the Records Manual may result in a safety risk, and that the reasons given are bona fide, and not pretextual or irrational. It is therefore found that such record is exempt in its entirety from disclosure pursuant to §1-210(b)(18), G.S.

28. Accordingly, it is concluded that the respondents did not violate §§1-210(a) and 1-212(a), G.S., as alleged by the complainant, by withholding the Records Manual from the complainant.¹

29. Based upon the foregoing, it is concluded that the respondents did not violate §§1-210(a) and 1-212(a), G.S., as alleged in the complainant.

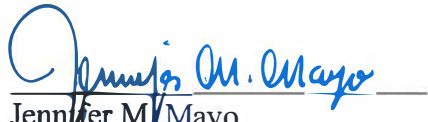
30. Because the respondents did not violate the FOI Act, the Commission need not consider the complainant's request for the imposition of a civil penalty.

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.

¹ In light of the conclusion in paragraph 28, above, the respondents' additional claim of exemption shall not be further addressed herein.

Approved by Order of the Freedom of Information Commission at its regular meeting of April 22, 2026.

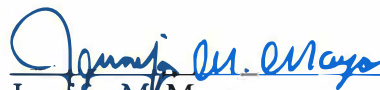

Jennifer M Mayo
Acting Clerk of the Commission

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:

EDGARDO PEREZ, #347724, Carl Robinson Correctional Institute, 285 Shaker Road, P.O. Box 1400, Enfield, CT 06082

**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