

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Jim Haddadin,

Complainant

against

Docket # FIC 2025-0804

Commissioner, State of Connecticut,
Department of Children and Families; and
State of Connecticut, Department of
Children and Families,

Respondents

August 26, 2026

On April 14, 2026, an initial contested case hearing was held in this matter, at which time both the complainant and respondents appeared; stipulated to certain facts; and presented argument on the respondents' Motion to Dismiss and testimony, exhibits, and argument on the complaint.¹

On June 16, 2026, the presiding hearing officer issued a ruling denying the respondents' Motion to Dismiss, and a continued hearing was scheduled.²

On July 21, 2026, a continued contested case hearing was held, at which time both the complainant and respondents appeared, stipulated to certain facts, and presented testimony, exhibits and argument on the complaint.

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 July 29, 2025, through the online GovQA³ portal, the complainant requested that the respondents make available for inspection and provide electronic copies of the following:

[A]ny and all records, such as summary reports, produced pursuant to the review announced by the agency on March 28, 2025[,] of its involvement with members of a Waterbury family accused of holding a child captive.

¹ Following the presiding hearing officer's denial, without prejudice, of their initial Motion to Dismiss on April 13, 2026, the respondents renewed such Motion at the April 14, 2026, hearing.

² On June 30, 2026, the respondents filed a Motion for Reconsideration of the presiding hearing officer's June 16, 2026, denial of their Motion to Dismiss. On July 1, 2026, the presiding hearing officer denied such Motion.

³ GovQA is a web-based public records management system utilized by the respondents.

For reference, the agency announced at that time that it was reviewing records associated with the family from its “Closed Records” archive “for purposes of assessing our work with the family over 20 years ago and to inform any need for current statutory or practice reforms.”

3. It is found that the complainant’s request, described in paragraph 2, above, relates to an adult allegedly held captive for decades in a Waterbury residence who, as a minor, had previously been the subject of the respondents’ child protection activities (hereinafter, “the Waterbury case”).

4. It is found that, by email later in the day on July 29, 2025, the complainant also submitted a copy of his request, described in paragraph 2, above, to the respondents’ director of communications.

5. It is found that, later in the day on July 29, 2025, the respondents acknowledged the complainant’s request, described in paragraph 2, above, by messaging on the online GovQA portal; and the respondents’ director of communications acknowledged such request by email.

6. It is found that, on August 19, 2025, by messaging on the online GovQA portal, the respondents informed the complainant that they did not possess any records responsive to his request. It is further found that the respondents claimed, “to the extent you are referencing case records,” such records are exempt from disclosure pursuant to §§1-210(a) and 17a-28, G.S.

7. By email, received and filed on September 8, 2025, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to provide any records responsive to his request, described in paragraph 2, above.

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

“[p]ublic 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.

9. Section 1-210(a), G.S., provides the following in relevant part:

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

10. 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.”

11. It is concluded that the requested records are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

Scope of the Complainant’s Request

12. It is found that the respondents construed the complainant’s request, described in paragraph 2, above, as seeking reports produced pursuant to the respondents’ Special Qualitative Review (“SQR”) of the Waterbury case, described in paragraph 3, above.

13. It is found that an SQR is a review of the respondent department’s response to a “critical incident” and that such review commences under one of the following three circumstances: after a fatality, after a recently closed case wherein the respondent department was involved in the year leading up to the incident, or upon the respondent Commissioner’s special request.

14. It is found that in March 2025, the then-respondent Commissioner⁴ made a special request to the respondent department’s Bureau of Quality Improvement to conduct an SQR regarding the Waterbury case, described in paragraph 3, above.

15. Based upon the testimony of the respondents’ counsel, who appeared as a witness at the April 14, 2026, hearing in this matter, it is found that, to date, the respondents had provided the complainant with a PowerPoint presentation regarding the Waterbury case. The respondents claimed at such hearing that, based solely upon the face of the complainant’s request, any other responsive records that they maintain would be exempt from disclosure pursuant to §17a-28(b), G.S., and, therefore, a search for further responsive records was not necessary. The complainant disputed this contention.

16. Our Appellate Court has ruled that an agency is obligated to review the records it claims are exempt from disclosure rather than rely upon “the terms of the request itself.” *Town of Greenwich v. Freedom of Info. Comm’n*, 226 Conn. App. 40, 60 (2024) (“*Greenwich*”).

17. Given the Appellate Court’s ruling in *Greenwich*, and under the facts and circumstances of this case, it is found that it was premature for the respondents to claim that any additional responsive records they may maintain would be exempt pursuant to §17a-28, G.S.

⁴ The Commission notes that Jodi Hill-Lilly was the then-respondent Commissioner at the time of the complainant’s request.

18. Accordingly, on June 16, 2026, the presiding hearing officer ordered the respondents to submit unredacted copies of all responsive records that they claim to be partially or completely exempt from disclosure, including any emails and attachments thereto, for an in camera inspection.⁵

Child Protection Activity Records - §17a-28, G.S.

19. On July 7, 2026, the respondents submitted thirty-six (36) pages of unredacted records for in camera inspection. Along with such records, the respondents submitted a detailed Index to Records Submitted for In Camera Inspection (“Index”). Such in camera records are identified herein as IC-2025-0804-01 through IC-2025-0804-36.

20. It is found that, on the Index, the respondents identified the records submitted for in camera inspection in four batches, using the following descriptions: “SQR Initial Summary (Draft),” “Case Notes,” “SSIT Rating Sheet,” and “SQR Draft.”

21. It is found that the Index reflects that the respondents withheld the records described in paragraphs 19 and 20, above, in whole, pursuant to §17a-28, G.S., which provides, in relevant part, as follows:

(a)(5) “Records” means information created or obtained in connection with the department [of children and families]’ child protection activities or other activities related to a child while in the care or custody of the department, including information in the registry of reports to be maintained by the commissioner pursuant to section 17a-101k[.]

(b) Notwithstanding the provisions of section 1-210, 1-211 or 1-213[, G.S.], records maintained by the department shall be confidential and shall not be disclosed, unless the department receives written consent from the person or as provided in this section, section 17a-101g or section 17a-101k [...].

22. In *State v. Kulmac*, our Supreme Court determined that the language of §17a-28(b), G.S., “constitutes a broad legislative declaration of confidentiality.” 230 Conn. 43, 57 (1994).

23. Accordingly, our courts have declined requests to read the language of §17a-28(b), G.S., in a narrow sense. “[T]he disclosure of information created or obtained in connection with the department’s child protection activities or activities related to a child while in the care or

⁵ On June 30, 2026, the respondents filed an Objection to In Camera Order. On July 1, 2026, the presiding hearing officer overruled such Objection.

custody of the department is permitted only in certain instances specified by statute [...].” *Abreu v. Leone*, 120 Conn. App. 390, 412 (2010), cert denied, 297 Conn. 926 (2010).

24. However, our courts have also held that not all records maintained by the respondents are exempt from the FOI Act under §17a-28(b), G.S. *See Dept. of Children and Families v. Freedom of Info. Comm’n*, 48 Conn. App. 467 (1998) (ordering the respondents to release the names and personnel records of employees disciplined by the respondents as a result of the death of an infant under the respondents’ supervision).

25. With the aforementioned statutory provisions and case law in mind, along with the testimony of the respondents’ Bureau of Quality Improvement chief (hereinafter, “bureau chief”) and director (hereinafter, “bureau director”) (hereinafter, collectively, “the respondents’ witnesses”), the presiding hearing officer conducted a careful in camera review of the four categories of records detailed on the Index.

SQR Initial Summary (Draft)

26. It is found that the respondents described IC-2025-0804-09 through IC-2025-0804-14 on the Index as “SQR Summary (Draft).”

27. It is found that the respondents’ bureau chief began drafting the SQR Initial Summary after receiving the then-respondent Commissioner’s request for an SQR of the Waterbury case, described in paragraph 14, above. It is further found, based on the bureau chief’s testimony, that such record is the initial SQR document that the respondents create, and such document contains an overview of the underlying child protection case.

28. Upon careful in camera inspection, it is found that the SQR Initial Summary (Draft), identified on the Index as IC-2025-0804-09 through IC-2025-0804-14, contains, in its entirety, “information created or obtained in connection with the [respondent] department’s child protection activities” within the meaning of §17a-28(a)(5), G.S.

29. Accordingly, it is concluded that the in camera records identified in paragraph 28, above, are exempt from disclosure pursuant to §17a-28(b), G.S., and that the respondents did not violate the FOI Act in declining to provide such records to the complainant.

Case Notes

30. It is found that the respondents described IC-2025-0804-01 through IC-2025-0804-06 on the Index as “Case Notes.”

31. Based upon the testimony of the respondents’ bureau director, it is found that the case notes were created after the SQR Initial Summary. It is found that the respondents’ bureau director drafted such case notes during her initial review of the underlying Waterbury case file. It is further found that the respondents’ bureau director created such case notes to organize her

thoughts and prepare to conduct interviews with staff members, which is the next step in the SQR.

32. Upon careful in camera inspection, it is found that the case notes, identified on the Index as IC-2025-0804-01 through IC-2025-0804-06, contain, in their entirety, “information created or obtained in connection with the [respondent] department’s child protection activities” within the meaning of §17a-28(a)(5), G.S.

33. Accordingly, it is concluded that the in camera records identified in paragraph 32, above, are exempt from disclosure pursuant to §17a-28(b), G.S., and that the respondents did not violate the FOI Act in declining to provide such records to the complainant.

SSIT Rating Sheet

34. It is found that the respondents described IC-2025-0804-07 and IC-2025-0804-08 on the Index as “SSIT Rating Sheet.”

35. Based upon the testimony of the respondents’ bureau director, it is found that the acronym “SSIT” stands for “Safe System Improvement Tool.” It is further found, based upon such testimony, that the SSIT Rating Sheet is a standardized form used by forty-seven (47) other jurisdictions to conduct interviews on critical incidents and fatalities in child welfare.

36. It is found that the respondents’ bureau director used the SSIT Rating Sheet to conduct staff interviews as part of the SQR of the Waterbury case, described in paragraph 3, above.

37. Upon careful in camera inspection, it is found that IC-2025-0804-07 and IC-2025-0804-08 contain, in their entirety, “information created or obtained in connection with the [respondent] department’s child protection activities” within the meaning of §17a-28(a)(5), G.S.

38. Accordingly, it is concluded that the in camera records identified in paragraph 37, above, are exempt from disclosure pursuant to §17a-28(b), G.S., and that the respondents did not violate the FOI Act in declining to provide such records to the complainant.

SQR (Draft)

39. It is found that the respondents described IC-2025-0804-15 through IC-2025-0804-36 on the Index as “SQR (Draft).”

40. Based upon the testimony of the respondents’ bureau director, it is found that the SQR (Draft) is a report comprised of an overview of the underlying case demographic and history, SSIT findings, and an outline of areas of strengths and system opportunities. It is further found, based upon such testimony, that the SQR (Draft) is submitted upon its completion to an executive team comprised of the respondent Commissioner, Deputy Commissioner, bureau chiefs, and legal counsel.

41. Upon careful in camera inspection, it is found that IC-2025-0804-15 through IC-2025-0804-36 contain, in their entirety, “information created or obtained in connection with the [respondent] department’s child protection activities” within the meaning of §17a-28(a)(5), G.S.

42. Accordingly, it is concluded that the in camera records identified in paragraph 41, above, are exempt from disclosure pursuant to §17a-28(b), G.S., and that the respondents did not violate the FOI Act in declining to provide such records to the complainant.

Adequacy of the Respondents’ Search

43. At the July 21, 2026, continued hearing, the complainant asserted that the respondents misconstrued his request and conducted a search for responsive records that yielded unreasonably narrow results. Specifically, the complainant alleged that the respondents failed to consider the statutory definition of “public records” in the FOI Act, described in paragraph 8, above, when interpreting his request, described in paragraph 2, above. He further contended that the respondents’ search should have included electronic communications produced as a result of the SQR. The complainant also clarified that his request sought only self-evaluating records maintained by the respondents and not the underlying case records pertaining to the Waterbury case.

44. Conversely, the respondents insisted that their interpretation of the complainant’s request and the scope of their search was appropriate. They represented that they utilized the statutory definition of “records” in §17a-28(a)(5), G.S., described in paragraph 21, above, to inform their search for responsive records.

45. As found in paragraph 17, above, the respondents’ use of “records,” as defined in §17a-28(a)(5), G.S., to guide their search in this case was premature.

46. The respondents further contended that the complainant did not state in his request, described in paragraph 2, above, that he was seeking copies of “electronic communications” regarding the SQR of the Waterbury case; therefore, he would have to make a new request for such records.

47. The Connecticut Supreme Court held in *Perkins v. Freedom of Info. Comm’n*, 228 Conn. 158, 167 (1993), that members of the public should not be denied access to public records “simply because of arguable imperfections in the form in which a request for public records is couched.” In *Perkins*, the complainant requested sick leave records from the respondent agency, and the respondent denied the request on the basis that such records were exempt from disclosure. On appeal, the Court rejected the belated claim that the complainant’s request did not sufficiently identify the records sought, noting that the respondent agency “treated the request as one for ... sick leave records,” and “[n]ever asked for any clarification regarding the specific information that [the complainant] sought.” *Id.* at 164, 166. The Court recognized that interpreting records requests in an “overly formal and legalistic” manner would contradict “[t]he overarching legislative policy of the [FOI Act] ... that favors the open conduct of government and free public access to government records.” *Id.* at 166.

48. It is found that the complainant's request, described in paragraph 2, above, sought "*any and all records*, such as summary reports, produced pursuant to the review announced by the agency on March 28, 2025" (emphasis added). It is further found that the second paragraph of such request provided additional detail, describing the respondents' March 28, 2025, announced review of "records associated with the [Waterbury] family from its 'Closed Records' archive '*for purposes of assessing our work with the family over 20 years ago and to inform any need for current statutory or practice reforms*' " (emphasis added). It is found that the respondents omitted such second paragraph in their denial of the complainant's request, described in paragraph 6, above.

49. It is found that, as in *Perkins*, the respondents in the instant matter never asked the complainant to clarify his request; rather, the respondents chose to interpret the complainant's request so narrowly that, on August 19, 2025, they initially claimed to have maintained no responsive records, as described in paragraph 6, above. It is further found that, as part of such claim, the respondents raised an exemption to disclosure based purely upon speculation, stating that, "to the extent you are referencing case records," such records are exempt from disclosure pursuant to §§1-210(a) and 17a-28, G.S.

50. It is found that the complainant's request for "any and all records," when interpreted using the definition of "public records" within the meaning of §1-200(5), G.S., would encompass the following: "any recorded data or information relating to the conduct of the public's business prepared, owned, used, received or retained by a public agency [...] whether such data or information be handwritten, typed, tape-recorded, videotaped, printed, photostated, photographed or recorded by any other method." Therefore, it is found that electronic communications are "records" within the meaning of §1-200(5), G.S.

51. Based on the foregoing, it is found that the request described in paragraph 2, above, adequately described the scope of the records requested by the complainant. It is further found that the complainant need not include the words "electronic communications," verbatim, as part of his request to ensure that the respondents conduct a search of their electronic communications.

52. It is found that, because the respondents searched for responsive records using the definition of "records" contained within the statutory exemption in §17a-28(a)(5), G.S., as described in paragraph 21, above, rather than using the definition in §1-200(5), G.S., their interpretation of the complainant's request yielded unreasonably narrow results.

53. Furthermore, it is found that the respondents failed to submit for in camera inspection additional records responsive to the complainant's request that their witnesses testified to maintaining. Based upon the testimony of the respondents' witnesses, it is found that, at the time of the complainant's request, both the bureau chief and bureau director maintained emails containing communications about the SQR. It is further found that the respondents' bureau director maintained handwritten notes regarding staff interviews she conducted as part of the SQR.

54. It is also found that the respondents limited their search to records maintained by only two individuals in the entire respondent department: the bureau chief and the bureau director who performed the SQR.

55. It is found that several other individuals employed by the respondents may conceivably possess records responsive to the complainant's request, described in paragraph 2, above: namely, the individuals who comprise the SQR executive team, described in paragraph 40, above.

56. It is further found that, at the April 14, 2026, hearing in this matter, respondents' counsel admitted to having communications regarding the SQR of the Waterbury case with the respondents' chief of external affairs; legislative, regulations, and policy director; and legal director.

57. It is found that the respondents failed to prove that they performed a search for any responsive records maintained by the individuals described in paragraphs 55 and 56, above.

58. Given the foregoing, it is concluded that the respondents violated the disclosure provisions of §§1-210(a) and 1-212(a), G.S., by failing to (a) provide to the complainant *all* the responsive records they maintain or, in the alternative, submitting such records for in camera inspection as ordered by the presiding hearing officer and described in paragraph 18, above; and (b) conduct a thorough and adequate search for records responsive to the complainant's request beyond the respondents' bureau chief and bureau director.

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

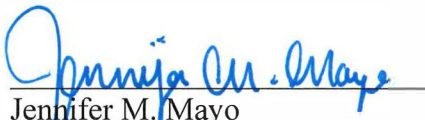
1. Within forty-five (45) days of the date of the Notice of Final Decision in this matter, the respondents shall (a) conduct a diligent and thorough search for all "records," as defined in §1-200(5), G.S., responsive to the complainant's request in paragraph 2 of the findings, above, and (b) provide copies of any records located as a result of such search to the complainant, free of charge. The respondents shall also provide to the complainant a detailed exemption log identifying the specific statutory provision(s) claimed for any partial or complete redaction(s) made to any such responsive records located.

2. Within forty-five (45) days of the date of the Notice of Final Decision in this matter, the respondents shall submit to the Commission an affidavit detailing the exact nature and scope of the search conducted in response to paragraph 1 of this order, above. Such details include, but not be limited to, the specific individuals participating in such search; the specific locations searched; the specific keywords and methodologies used to conduct such search; and the exact number of responsive records located as a result of such search. If, as a result of such search, no records responsive to the complainant's request are located, the respondents shall so aver in the affidavit. Such affidavit shall be submitted to the Commission, via email, at foi@ct.gov, with a copy to the complainant.

3. In the event that the complainant (a) wishes to challenge any redactions made by the respondents to records provided in compliance with paragraph 1 of this order or (b) is not satisfied with the respondents' compliance with paragraphs 1 or 2 of such order, he may file a noncompliance complaint with the Commission, which may be afforded expedited treatment upon request.

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

Approved by Order of the Freedom of Information Commission at its regular meeting of August 26, 2026.

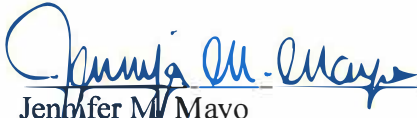

Jennifer M. Mayo
Acting Clerk of the Commission

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:

JIM HADDADIN, Investigative Editor, Connecticut Public, 1049 Asylum Avenue, Hartford, CT 06105-2411

COMMISSIONER, STATE OF CONNECTICUT, CONNECTICUT DEPARTMENT OF CHILDREN AND FAMILIES; AND STATE OF CONNECTICUT, CONNECTICUT DEPARTMENT OF CHILDREN AND FAMILIES, c/o Attorney Lynn M. Hebert and Assistant Legal Director Charlotte Shea, Department of Children & Families, Office of Legal Affairs, 505 Hudson Street, Hartford, CT 06106


Jennifer M. Mayo
Acting Clerk of the Commission