

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Joe Baltas,

Complainant

against

Docket # FIC 2025-0820

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

Respondents

August 26, 2026

The above-captioned matter was heard as a contested case on July 13, 2026 and July 29, 2026, at which times 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 Information Commission*, 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. By letter of complaint dated August 28, 2025, postmarked September 10, 2025, and received September 12, 2025 (the “Complaint”), the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to provide records responsive to twenty separate records requests that originated between August 2021 and June 2025. In addition, the complainant alleged in the Complaint that, in “Aug. 2025 Complainant wrote to [the Commissioner of the Department of Correction (“DOC”) (the “DOC Commissioner”)] and the FOI Administrator [for DOC (“FOI Administrator”)] seeking responses to all pending and outstanding FOI Requests and received no response.” The complainant also requested that the Commission impose civil penalties against the respondents.
3. It is found that, in response to the communication¹ from the Commission, the complainant, on November 12, 2025, filed with the Commission a letter dated August 10, 2025 (the “August 10, 2025 Letter”), which the complainant testified he deposited in the DOC

¹ Upon review of the complaint, the Commission staff did not believe that the Commission had jurisdiction over the complaint and invited the complainant to provide additional information.

interdepartmental mail system and addressed to the DOC Commissioner at 24 Wolcott Hill Rd., Wethersfield, CT 06109 on August 10, 2025. It is found that the August 10, 2025 Letter states as follows:

I write in regards to pending FOI Requests that have gone unresponded [sic.] to for months & years with no legitamit [sic.] purpose or reasoning. I have filed numerous complaints to your various facility FOI Liasons [sic.], your Administration, and your FOI Administrator, all of which you have been copied to and received copies of.

You FOI Officials continue to refuse to produce various requested information in direct violation of the FOI [Act].

I have attached copies of those various requests and receipts of receival, with no subsequent production, again, I have previously forwarded these issues to your office.

I hereby issue final request for responsive documents to my requests, if I do not receive any response within two weeks I will proceed to filing a Complaint with the FOI Commission.

4. On July 10, 2026, the respondents filed a motion to dismiss the Complaint, contending that each of the requests alleged in the Complaint was denied more than thirty days before the complainant filed the Complaint with the Commission and, therefore, the Commission lacks subject matter jurisdiction to consider the claims set forth in the Complaint. In addition, the respondents alleged that they never received the August 10, 2025 Letter until the Commission sent it to them after the Complaint was filed with the Commission and, therefore, at the time of the Complaint, the respondents had not denied the complainant's records requests referred to therein, or denied any other right under the FOI Act, within the meaning of §1-206(b)(1), G.S.

Subject Matter Jurisdiction over Initial 20 Requests between August 2021 and June 2025

5. It is found that the complainant submitted twenty separate records requests to the respondents, as follows:

- a. It is found that, by Application for Freedom of Information Act form dated August 16, 2021, the complainant submitted a request seeking a copy of certain "Admin. Seg. Review" records; "Admin. Seg. Progression" records; and "Admin. Seg. Recommendation" records from July 21, 2021 to August 16, 2021. It is found that the respondents acknowledged this request on August 19, 2021.
- b. It is found that, by Application for Freedom of Information Act form dated September 5, 2021, the complainant filed a request seeking a copy of certain incident reports, which was received on September 13, 2021, and acknowledged on September 14, 2021.

- c. It is found that, by Application for Freedom of Information Act form dated September 13, 2021, the complainant submitted a request seeking a copy of certain emails of various individuals from July 1, 2021 to September 13, 2021, as well as other emails from different individuals from August 16, 2021 to September 13, 2021. It is further found that the respondents received and acknowledged this request on September 21, 2021.
- d. It is found that, by Application for Freedom of Information Act form dated November 8, 2021, the complainant submitted a request seeking a copy of certain incident reports from September 1, 2021 to November 8, 2021, which the respondents received and acknowledged on November 15, 2021.
- e. It is found that, by Application for Freedom of Information Act form dated November 28, 2021, the complainant filed a request seeking a copy of a certain Security Division Report regarding allegations of an inappropriate relationship with himself and a staff member, which request the respondents denied on December 8, 2021, January 3, 2022, January 6, 2022, February 28, 2022, and May 5, 2022.
- f. It is found that, by written request dated July 12, 2022, the complainant sent a request for a copy of certain emails, which the respondents acknowledged on August 17, 2022.
- g. It is found that, by Application for Freedom of Information Act form dated August 8, 2022, the complainant submitted a request seeking a copy of certain incident reports. It is found that the respondents received the request on August 23, 2022, and acknowledged it on August 30, 2022.
- h. It is found that, by Application for Freedom of Information Act form dated January 10, 2023, the complainant filed a request seeking a copy of certain emails of various individuals from August 1, 2022 to January 10, 2023, which was received and acknowledged on January 18, 2023.
- i. It is found that, by Application for Freedom of Information Act form dated January 7, 2023, the complainant submitted a request seeking a copy of an incident report from October 6, 2022, which the respondents received and acknowledged on January 24, 2023. It is further found that, on January 23, 2023, the respondents also informed the complainant that once the investigation related to the October 6, 2022 incident was closed, the records would be available for release. It is also found that, thereafter, on February 3, 2023, the respondents denied the request. It is found that, on March 8, 2023, the respondents again informed the complainant that once the investigation was closed, he would be allowed to receive a copy.
- j. It is found that, by Inmate Request form dated March 2, 2023, the complainant requested a copy of certain documents identified during his review of his Master

File, but such request was denied on March 2, 2023.

- k. It is found that, by Application for Freedom of Information Act form dated November 15, 2023, the complainant requested a copy of certain mittimus as well as emails from August 20, 2023 to November 15, 2023, which the respondents received and acknowledged on November 20, 2023.
- l. It is found that, by Application for Freedom of Information Act form dated February 4, 2023, the complainant requested a copy of "Admin. Seg. Documents," regarding a certain Special Needs Management Plan from 2021-2022, and certain emails of various individuals. It is further found that the respondents received such request on March 9, 2023, and acknowledged the request on March 10, 2023. It is also found that, by Inmate Request form dated November 15, 2023, the complainant followed up on his request dated February 4, 2023 and that, on November 20, 2023, the respondents acknowledged such renewed request.
- m. It is found that, by Application for Freedom of Information Act form dated February 2025, the complainant sought a copy of emails of various individuals from August 2023 to February 2025 concerning the complainant. It is further found that the respondents received such request on February 21, 2025, and acknowledged it on February 24, 2025.
- n. It is found that, by Application for Freedom of Information Act form dated May 26, 2025, the complainant filed a request seeking a copy of certain memos and emails of various individuals from April 1, 2025 to May 26, 2025, regarding the complainant. It is further found that the respondents received and acknowledged such request on May 29, 2025.
- o. It is found that, by Application for Freedom of Information Act form dated May 28, 2025, the complainant submitted a request seeking certain operating procedures and facility policies, as well as a cable service contract. It is further found that the respondents received such request on June 3, 2025, and acknowledged it on June 4, 2025.
- p. It is found that, by Application for Freedom of Information Act form dated June 9, 2025, the complainant filed a request seeking a copy of a certain "Special Needs package for himself," which the respondents received and acknowledged on June 23, 2025.
- q. It is found that, by Application for Freedom of Information Act form dated June 9, 2025, the complainant filed a request seeking a copy of certain emails relating to the complainant from February 1, 2025 to June 9, 2025, which the respondents received and acknowledged on June 23, 2025.
- r. It is found that, by Application for Freedom of Information Act form dated June 6, 2025, the complainant filed a request seeking a copy of a certain television

service provider contract, the annual budget for 2024 fiscal reporting for a certain facility, the recreational funding budget for the DOC and certain other records. It is found that, on June 23, 2025, the respondents received and acknowledged such request.

- s. It is found that, by Application for Freedom of Information Act form dated June 11, 2025, the complainant submitted a request seeking a copy of emails of certain individuals regarding the complainant from May 1, 2025 to June 11, 2025, which the respondents received and acknowledged on June 26, 2025.
- t. It is found that, by Application for Freedom of Information Act form dated August 16, 2021, the complainant filed a request seeking copies of certain emails of certain individuals from July 1, 2021 to August 16, 2021, regarding the complainant. It is further found that the respondents acknowledged the request on August 19, 2021.

6. The complainant testified, and it is found, that the respondents provided him with no records responsive to the requests described in paragraphs 4.a. through 4.t., above.

7. Section 1-206(a), G.S., provides in relevant part:

Any denial of the right to inspect or copy records provided for under section 1-210 shall be made to the person requesting such right by the public agency official who has custody or control of the public record, **in writing**, within **four business days of such request Failure to comply with a request to so inspect or copy such public record within the applicable number of business days shall be deemed to be a denial.**

(Emphasis Added.)

8. Section 1-206(b)(1), G.S., provides in relevant part:

Any person denied the right to inspect or copy records under section 1-210 ... or denied any other right conferred by the [FOI] Act may appeal therefrom to the [FOI] Commission, by filing a notice of appeal with said commission. **A notice of appeal shall be filed not later than thirty days after such denial....** For purposes of this subsection, such notice of appeal shall be deemed to be filed on the date it is received by said commission or **on the date it is postmarked, if received more than thirty days after the date of the denial from which such appeal is taken.**

(Emphasis Added.)

9. The Connecticut Supreme Court has held that "the thirty-day period for filing a notice of appeal with the [Commission] . . . relates to the subject matter jurisdiction of the [Commission]." *Town of West Hartford v. Freedom of Info. Comm'n*, 218 Conn. 256, 262 n.5 (1991).

10. A complaint that is filed more than thirty days after the date it is deemed denied is untimely and the Commission lacks jurisdiction to consider it. *Elijah El-Hajj-Bey v. Department Head, Procurement, City of Hartford*, Docket #FIC 2023-0334 (2024) (Commission lacked jurisdiction because the complaint was filed 33 days after the request was deemed denied); *Michael Aronow v. Executive Vice President, UConn Health Center*, Docket #FIC 2014-156 and #FIC 2014-157 (2015) (deemed denied four business days after the agency's acknowledgment); *Anthony Santaniello v. Commissioner, Department of Correction*, Docket #FIC 2021-0166 (2022) (inmate's records appeal dismissed where the complaint was not filed within thirty days of the alleged denial).

11. With respect to the requests described in paragraphs 4.a. through 4.d., 4.f. through 4.h., 4.k. through 4.t., above, it is found that the respondents never denied such records requests in writing, pursuant to §1-206(a), G.S. Thus, it is found that such requests for purposes of §§1-206(a) and 1-206(b)(1), G.S., were deemed to have been denied four business days from the date the respondents received such requests. It is found that the requests described in paragraphs 4.a. through 4.d., 4.f. through 4.h., 4.k. through 4.t., above, were deemed denied on July 2, 2025, or earlier.

12. With respect to the requests described in paragraphs 4.e., 4.i., and 4.j., above, and as found in such paragraphs, the respondents denied such requests on May 5, 2022, March 8, 2023, and March 2, 2023, respectively.

13. It is found that the Commission received the Complaint on September 12, 2025, more than thirty days after the denials of the requests described in paragraphs 4.a. through 4.t., above. Therefore, the Complaint is deemed to have been filed with the Commission on the date it is postmarked pursuant to §1-206(b)(1), G.S.

14. It is found that the Complaint in this case is postmarked September 10, 2025, which is more than thirty days after the denials of the requests described in paragraphs 4.a. through 4.t., above.

15. Based on the foregoing, it is found that the complainant did not file his appeal within thirty days of the denials of the requests described in paragraphs 4.a. through 4.t., above, as required by §1-206(b)(1), G.S.

16. It is therefore concluded that the Commission lacks jurisdiction over the requests described in paragraphs 4.a. through 4.t., above.

The August 10, 2025 Letter

17. It is found that the purpose of the August 10, 2025 Letter was to renew his prior requests. See paragraph 3, above.

18. At the hearings on this matter, the respondents' witnesses testified that the DOC Commissioner and the DOC FOI Administrator did not receive the August 10, 2025 Letter until they received notice from the Commission of the Complaint, and after the Complaint was filed with the Commission.

19. Section 1-206(a), G.S., provides that:

Any denial of the right to inspect or copy records provided for under section 1-210 shall be made to the person requesting such right ***by the public agency official who has custody or control of the public record, in writing, within four business days of such request. . . .***

(Emphasis added).

20. In *City of Bridgeport v. Freedom of Info. Comm'n*, 222 Conn. App. 17, 53-55 (2023) ("*City of Bridgeport*"), the Appellate Court held that "[b]ecause an agency can neither deny nor comply with a request it has not received, construing §1-206(a) as requiring that an agency receive a request before the four day period commences is consistent with the statute's emphasis on the agency's response or lack thereof, to a request for public records." Moreover, with respect to physical mail, the Court noted that "the mailing of a properly addressed letter creates a presumption of timely notice ***unless contrary evidence is presented.***" *Id.*, at 55, citing *Daniels v. Statewide Grievance Committee*, 72 Conn. App. 203, 211 (2002).

21. In the present matter, the complainant testified that he mailed the August 10, 2025 Letter, described in paragraph 3, above, to 24 Wolcott Hill Road, Wethersfield, CT 06109 ("Central Office").

22. At the second hearing on this matter, the FOI Administrator testified, and it is found, that she never received a copy of the August 10, 2025 Letter until the respondents received letters, dated June 2, 2026, from the Commission informing the respondents of the Complaint in this matter, which included copies of the Complaint and the August 10, 2025 Letter. The FOI Administrator also testified, and it is found, that after receiving a copy of the August 10, 2025 Letter, she and the FOI Liaison in Central Office searched their office's records of incoming Freedom of Information correspondence and found no record of having received the August 10, 2025 Letter. In addition, she testified, and it is found, that she searched GovQA for the August 10, 2025 Letter, and found no record of receiving the August 10, 2025 Letter.

23. The FOI Administrator also testified, and it is found, that she contacted the staff at Central Office, who process and log the mail for the DOC Commissioner, and asked that they search their records for the August 10, 2025 Letter. She testified, and it is found, that such staff informed her that they reviewed their records and confirmed that they had no record of receiving the August 10, 2025 Letter.

24. It is found that the respondents did not receive the August 10, 2025 Letter from the complainant.

25. The FOI Administrator testified, and it is found, that she did, however, receive a letter dated August 1, 2025 (the “August 1, 2025 Letter”) from the complainant, that it was addressed solely to her, and that it was not a request for records, but rather merely provided notice that the complainant intended to file a complaint with the Commission.

26. It is found that, in the August 1, 2025 Letter, the complainant stated as follows:

Please let this serve as NOTICE that I shall bring an FOI Complaint within the near future based on you/your offices continuing refusal to produce documents that have been FOI'd &/or respond to FOI requests in any form as statutorily required, to include refusing to produce documents that were responsive to FOI requests that have been pending from 3 years to 2 months. Sanctions will be sought for each individual request consecutively.

27. It is found that the August 1, 2025 Letter did not specifically identify any prior records requests and did not attach copies of any prior requests. Accordingly, the August 1, 2025 Letter did not constitute a request for records. Rather, the August 1, 2025 Letter, solely informed the respondents that the complainant intended to file a complaint with the Commission.² Additionally, the complainant did not specifically contend that the August 1, 2025 Letter was a renewal of his twenty prior requests.

28. It is found that, at the time the Complaint was filed with the Commission, the respondents had not received the August 10, 2025 Letter, and therefore had not denied the complainant's request for records alleged to be set forth therein, nor denied any other right under the FOI Act with respect to such letter, within the meaning of §1-206(b)(1), G.S.

29. With respect to the August 10, 2025 Letter, it is concluded that the respondents did not violate the FOI Act under the facts of this case because there was no denial at the time of the Complaint.

30. 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.

² The Commission notes that, even if such letter were to be construed as a request for records, such request for purposes of §§1-206(a) and 1-206(b)(1), G.S., would be deemed to have been denied more than thirty days prior to the Complaint's postmark date of September 10, 2025. Therefore, any appeal from such request would not be timely and the Commission would lack jurisdiction over such request.

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 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:

JOE BALTAS, #339650, MacDougall-Walker Correctional Institution, 1153 East Street, South, Suffield, CT 06080

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