

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Justin Barnett,

Complainant

Docket # FIC 2025-0326

against

Chief, Police Department,  
City of Danbury; Police Department,  
City of Danbury; and City of Danbury,

Respondents

February 11, 2026

The above-captioned matter was heard as a contested case on November 3, 2025, at which time the complainant and the 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, by online submission dated January 3, 2025, the complainant requested a copy of a March 2023 police report.
3. It is found that by automated response, dated January 3, 2025, the respondents acknowledged the complainant's request.
4. It is found that by email dated April 24, 2025, the complainant asked for a status update on his request.
5. It is found that by email dated April 25, 2025, the respondents informed the complainant that they were reviewing his request and processing it in the order it was received. The respondents further informed the complainant that they were currently working on requests from April 2024.
6. By letter of complaint dated and filed May 5, 2025, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information ("FOI") Act by denying the request, described in paragraph 2, above.
7. Section 1-200(5), G.S., provides:

“[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.

8. Section 1-210(a), G.S., provides in relevant part that:

[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 (1) inspect such records promptly during regular office or business hours, (2) copy such records in accordance with subsection (g) of section 1-212, or (3) receive a copy of such records in accordance with section 1-212.

9. 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.”

10. It is concluded that the requested police report described in paragraph 2, above, is a public record within the meaning of §§1-200(5) and 1-210(a), G.S.

11. At the conclusion of the hearing on this matter, the respondents submitted the requested record, consisting of a two-page report, for an in camera inspection. On the in camera index accompanying the in camera record, the respondents claimed that such record was exempt from disclosure, pursuant to §§17a-101k(a), 1-216 and 1-210(b)(3)(H), G.S.

12. With respect to the respondents’ claim that the record described in paragraph 2, above, contain “uncorroborated allegations,” §1-210(b)(3)(H), G.S., provides in relevant part that, disclosure is not required of:

[r]ecords of law enforcement agencies not otherwise available to the public which records were compiled in connection with the detection of a crime, if the disclosure of said records would not be in the public interest because it would result in the disclosure of . . . uncorroborated allegations subject to destruction pursuant to section 1-216.

13. Section 1-216, G.S., provides, in relevant part, that:

...records of law enforcement agencies consisting of uncorroborated allegations that an individual has engaged in criminal activity shall

be reviewed by the law enforcement agency one year after the creation of such records. If the existence of the alleged criminal activity cannot be corroborated within ninety days of the commencement of such review, the law enforcement agency shall destroy such records.

14. The Commission has interpreted the term “corroborate” to mean “to strengthen, to add weight or credibility to a thing by additional and confirming facts or evidence”, “to state facts tending to produce confidence in the truth of a statement made by another”, and “to give increased support to; make more sure or evident.” See e.g. Rachel Gottlieb and the Hartford Courant v. State of Connecticut, Department of Public Safety, Docket #FIC 94-291 (May 24, 1995).

15. Upon careful in camera inspection, it is found that the requested record is a record of a law enforcement agency, not otherwise available to the public, which was compiled in connection with the detection or investigation of crime within the meaning of §1-210(b)(3), G.S.

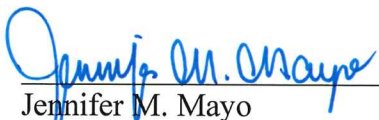
16. It is further found that the in camera record constitutes uncorroborated allegations of criminal activity, subject to destruction, and is permissively exempt from disclosure pursuant to §§1-210(b)(3)(H) and 1-216, G.S.<sup>1</sup>

17. It is therefore concluded that the respondents did not violate the disclosure provisions of §§1-210(a) and 1-212(a), G.S., by withholding the requested record.

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 February 11, 2026.

  
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Jennifer M. Mayo  
Acting Clerk of the Commission

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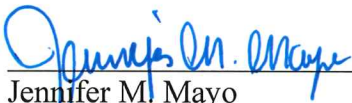
<sup>1</sup> Because the Commission finds that the in camera record is permissively exempt from disclosure pursuant to §§1-210(b)(3)(H) and 1-216, G.S., the Commission will not address the respondents' claim that the in camera record is exempt pursuant to §17a-101k, G.S.

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:

**JUSTIN BARNETT**, 28 Jeffrey Circle, Southwick, MA 01077

**COMMISSIONER, STATE OF CONNECTICUT, DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION; AND STATE OF CONNECTICUT, DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION**, c/o Attorney Jennifer F. Miller, Department of Emergency Services and Public Protection, 111 Country Club Road, Middletown, CT 06457

  
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Jennifer M. Mayo  
Acting Clerk of the Commission