

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Alfred Mayo,

Complainant

against

Docket # FIC 2025-0166

Treasurer, State of Connecticut, Office of  
the State Treasurer; and State of  
Connecticut, Office of the State Treasurer,

Respondents

February 25, 2026

The above-captioned matter was heard as a contested case on June 27, 2025, at which time the complainant and the respondents appeared and presented testimony, exhibits, and argument on the complaint. A continued hearing was held on September 15, 2025, at which time the respondents appeared but the complainant did not.

On September 19, 2025, the undersigned hearing officer issued an order permitting the parties to submit after-filed exhibits, if any. On September 25, 2025, the respondents submitted two after-filed exhibits, which the undersigned hearing officer admitted into evidence as full exhibits, absent objection from the complainant.<sup>1</sup> Such exhibits are marked as follows: Respondents' Exhibit 8 (after-filed): "Email and Attachment from Lebron to Berry, 3.5.25 (4 pages)" and Respondents' Exhibit 9 (after-filed): "Email from Berry to Kim, 7.14.25 (1 page)."

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 email on February 13, 2025, the complainant requested from the respondents electronic copies of the following records ("complainant's request"):
  - (a) All records, documents, correspondence, and reports related [sic] Alfred P. Mayo and Account 3264 under [sic] Soldier, Sailor, and Marine Funds [sic] program.<sup>2</sup>

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<sup>1</sup> The Commission notes that, on September 21, 2025 and October 15, 2025, the complainant requested extensions of time to file any objections to the respondents' proffered after-filed exhibits. The undersigned hearing officer granted both such requests, extending the complainant's deadline to file such objections to November 19, 2025. Ultimately, the complainant did not file any such objections.

<sup>2</sup> The Soldiers, Sailors, and Marines Fund ("SSMF") provides temporary income, subsistence items (e.g., food, apparel, and shelter), funeral expenses, and medical relief to Connecticut veterans of any wartime period, as well as to their spouses and minor children. To qualify, veterans must apply with the American Legion and demonstrate a need for assistance. See §27-140, G.S.

- (b) Records of disburse [sic], approvals, or denial tied to this account.
- (c) Policies, procedures, and criteria used in the handling [sic] or decision.
- (d) [M]aking process for this account, specially [sic] as it pertains to Alfred P. Mayo.

3. It is found that, by email later in the day on February 13, 2025, the respondents acknowledged the complainant's request and represented that they would review their records to identify any that might be responsive to such request.

4. By fax, received on March 11, 2025, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information ("FOI") Act by failing to provide records responsive to the complainant's request.

5. 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.

6. 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.

7. 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."

8. Section 27-138(a), G.S., which governs the custody and administration of the SMMF, provides, in relevant part, that "[t]he [SMFF] shall remain as established and shall be in the custody of the Treasurer as trustee of the fund and shall be administered by the American Legion."

9. Section 27-138h, G.S., which governs the disclosure of certain SSMF records, provides the following in relevant part:

(b)(1) Except as provided in subsection (c) of this section, any record of the American Legion related to the administration of the [SSMF...] shall be deemed a public record, as defined in section 1-200, and disclosed to the extent required of any such public record under the Freedom of Information Act, as defined in said section.

(2) The Treasurer, as custodian and trustee of the [SSMF...] may access any such record and shall be the public agency for purposes of any request made for such record pursuant to the [FOI] Act.

(c) The Treasurer shall not disclose the personal information of any individual who [...] (2) is an applicant for, or a recipient of, aid from the fund unless any such disclosure is for the purposes of (A) administering aid from the fund, (B) assisting any such applicant or recipient in obtaining aid from any other government or private program or (C) complying with a court order.

10. Section 27-138h(a)(1), G.S., defines “personal information” as used in subsection (c) of such statute to mean the following:

information capable of being associated with a particular individual through one or more identifiers, including, but not limited to, an individual’s first name or first initial and last name, a Social Security number, a driver’s license number, a state identification card number, an account number, a credit card or debit card number, a financial record, a passport number, an alien registration number, a health insurance identification number or any military identification information, and does not include publicly available information that is lawfully made available to the general public from federal, state or local government or widely distributed media[.]

11. Therefore, it is concluded, based on the statutory scheme set forth in paragraphs 8 through 10, above, that the requested records are public records within the meaning of §§1-200(5), 1-210(a), and 27-138h(b)(1), G.S.

12. It is concluded that the American Legion, in its capacity as the statutorily prescribed administrator of the SSMF under §27-138h(b)(1), G.S., maintains the records responsive to the complainant’s request but is not itself a public agency within the meaning of §1-200(1), G.S. It is further concluded that the respondents may access the SSMF records maintained by the

American Legion, and that the respondents are the proper recipients of the complainant's request pursuant to §27-138h(b)(2), G.S.

13. It is found that, by email on March 5, 2025, the respondents forwarded the complainant's request to Charles Berry, SSMF administrator at the American Legion ("SSMF administrator"). It is further found that in such email, the respondents requested that the SSMF administrator provide any responsive records to them so that they may forward such records to the complainant.

14. It is found that, by email on March 26, 2025, the respondents provided electronic PDF files of records in response to the complainant's request and indicated which file responded to each component of such request. It is found that such PDF files totaled 164 pages. It is further found that, in such email the respondents noted that certain PDF files contained redactions of "personal information" pursuant to §27-138h, G.S., because they determined that the purpose for the complainant's request "is not one of the purposes listed in the statute." However, it is found that, in an effort to accommodate the complainant's wishes to receive the requested records without redactions, the respondents represented that they redacted "only the most sensitive personal information: your full SSN [Social Security Number], your CT DMV [Connecticut Department of Motor Vehicles] number, your child's DOB [date of birth] and name and your military service number." (Emphasis in original.)

15. It is found that, by email later in the day on March 26, 2025, the complainant requested that the respondents provide him with the responsive records described in paragraph 14, above, on a USB drive. It is further found that, by email on April 17, 2025, the complainant requested that the respondents allow him to inspect hard copies of the responsive records described in paragraph 14, above. It is found that such records requests are outside the scope of the March 11, 2025 complaint that is the subject of this matter, as described in paragraph 4, above. Accordingly, such requests shall not be further addressed herein.

16. At the initial June 27, 2025 contested case hearing, the complainant represented that he was not satisfied with the records provided to him by the respondents. Specifically, the complainant contended that he did not believe that the respondents provided all records maintained by the American Legion relating to any denial of his application for SSMF benefits.

17. It is found that, at the June 27, 2025 contested case hearing, the respondents did not proffer testimony or documentary exhibits relating to the scope of the search conducted by the American Legion's SSMF administrator for responsive records.

18. It is found that, on July 14, 2025, after the close of the June 27, 2025 contested case hearing, the respondents emailed the SSMF administrator and requested that he conduct an additional search based upon representations made by the complainant at such hearing. Specifically, it is found that the respondents requested that the SSMF administrator search for and provide copies of every document that the American Legion had received from third parties pursuant to releases signed by the complainant that had not yet been provided to the respondents. Such records from third parties included the complainant's military records, including discharge records, and financial or banking records.

19. On July 29, 2025, the undersigned hearing officer ordered the respondents to produce, at a future reopened contested case hearing, a witness or witnesses with the requisite knowledge to testify regarding the American Legion's search for records responsive to the request at issue in this matter.

20. On August 20, 2025, the complainant filed with the Commission a Motion to Release Responsive Records ("Motion to Release"). Such motion requested "the release of all public records pertaining to my prior requests and to matters involving [...] [u]nequal or disparate treatment of veterans, [r]acial bias and discrimination in benefit determinations, [i]nternal handling of complaints and investigations, [m]y own benefit application and the decisions rendered therein, [a]nd any CHRO complaint records, internal audits, or correspondence referencing those claims."

21. It is found that the complainant's Motion to Release also requested the following six additional categories of documents, including various subcategories, that expanded the complainant's request beyond his February 11, 2025 request at issue in the instant matter:

- (a) My full benefit application file, including internal notes, assessments, communications, determinations, denials, appeal handling, case closure information.
- (b) All internal emails, memos, and meeting notes concerning:
  - (i) My case;
  - (ii) Any decisions or communications made by SSMF personnel;
  - (iii) Internal or external investigations into racial bias, discrimination, or unfair benefit determinations involving SSMF staff.
- (c) Policy and training materials relating to:
  - (i) Criteria used to determine eligibility and amount of benefits.
  - (ii) Racial bias or cultural sensitivity training for fund administrators.
  - (iii) Any internal nondiscrimination policies adopted or enforced by your agency.
- (d) Audit reports, compliance reviews, or internal investigations into complaints made against the fund or its staff regarding:
  - (i) Racial or unequal treatment of Veterans

- (ii) Improper denials or delay of benefits;
  - (iii) CHRO findings or proceedings related to such conduct.
- (e) Aggregate benefit approval/denial statistics (2018-2025) disaggregated by race, gender, branch of service, and category of benefits applied for or awarded.
- (f) Records and correspondence involving the Commission on Human Rights and Opportunities (CHRO) or the Office of the Attorney General relating to any complaint filed by me or others alleging discrimination by the fund.

22. On September 3, 2025, the undersigned hearing officer denied the complainant's Motion to Release and noted in such ruling that a reopened contested case hearing would proceed as scheduled on September 15, 2025.

23. With respect to the additional records requested by the complainant, described in paragraph 21, above, it is found that such records are outside the scope of the March 11, 2025 complaint, as described in paragraph 4, above. Accordingly, such records shall not be further addressed herein.

24. At the reopened contested case hearing on September 15, 2025, the SSMF administrator appeared as a witness for the respondents to offer testimony in response to the Commission's July 29, 2025 order.

25. Based on the SSMF administrator's credible testimony, it is found that the scope of the search conducted of the American Legion's records was thorough and sufficient. Specifically, it is found that the SSMF administrator searched the American Legion's Hartford office for responsive records in the complainant's physical paper file, as well as the computer database maintained by the American Legion for SSMF administration. It is further found that the SSMF administrator contacted the American Legion's satellite volunteer office in Plainville, which the complainant frequents, and instructed such office to copy and send him all records it maintained pertaining to the complainant. It is found that the SSMF administrator reviewed and compared the records from the Plainville office and to those in his own office and determined that they were the same.

26. It is found that the SSMF administrator provided to the respondents, without redactions, the entirety of the responsive records produced by his search of the American Legion's records. It is found that such production consisted of the complainant's entire file maintained by the American Legion for the SSMF. It is further found that the SSMF administrator retrieved a total of 287 pages of responsive records for the complainant, comprised of 164 pages initially provided to the complainant on March 26, 2025, and 123 additional pages located after the initial June 27, 2025 contested case hearing.<sup>3</sup>

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<sup>3</sup> Counsel for the respondents represented at the September 15, 2025 contested case hearing that such additional pages were sent via Fed-Ex to the complainant after the June 27, 2025 hearing.

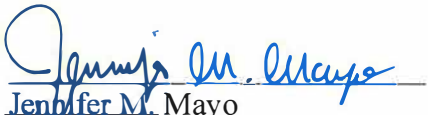
27. It is found that the respondents provided to the complainant the entirety of the responsive records found by the SSMF administrator, described in paragraph 26, above, with the exception of personal information that is mandatorily exempt from disclosure pursuant to §27-138h(c)(2), G.S., and as described in paragraph 14, above.

28. Accordingly, it is concluded that the respondents did not violate the disclosure provisions of §§1-210(a) and 1-212(a), G.S.

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

1. The complaint is dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of February 25, 2026.

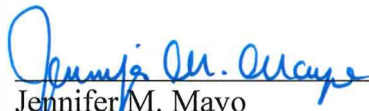
  
Jennifer M. Mayo  
Acting Clerk of the Commission

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:

**ALFRED P. MAYO**, 228 Bond Street, New Britain, CT 06053

**TREASURER, STATE OF CONNECTICUT, OFFICE OF THE STATE  
TREASURER; AND STATE OF CONNECTICUT, OFFICE OF THE STATE  
TREASURER**, c/o Attorney Ginny Kim, Office of the State Treasurer, 165 Capitol Avenue,  
2nd Floor, Hartford, CT 06106

  
Jennifer M. Mayo  
Acting Clerk of the Commission