

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Christopher Crayton,

Complainant

against

Docket #FIC 2025-0664

Commissioner, State of Connecticut,  
Department of Administrative Services;  
and State of Connecticut, Department  
of Administrative Services,

Respondents

July 22, 2026

The above-captioned matter was heard as a contested case on April 2, 2026, 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 on June 18, 2025, the complainant requested the following from the respondents:

video footage from cameras located at the State Office Building at 165 Capitol Avenue in Hartford. Specifically, I would like to request video from the camera inside Conference Room H for the period of 1:04 p.m. to 3:00 p.m. on June 12, 2025. Docket #2025-0096.
3. It is found that over three weeks after receiving the complainant's request described in paragraph 2, above, the respondents forwarded such request to the Director of Statewide Security and Safety Management ("State Security Director") to search for records responsive thereto.
4. It is found that on July 28, 2025, the respondents were informed by the State Security Director's office that records responsive to the complainant's request no longer existed as security surveillance recordings (i.e., recordings from security cameras) are automatically overwritten after thirty days. It is found that the respondents informed the complainant that day that the requested security camera footage had been overwritten.

5. By complaint received and filed on July 28, 2025, the complainant appealed to this Commission alleging that the respondents violated the Freedom of Information (“FOI”) Act, by failing to provide all records responsive to his request described in paragraph 2, above. The complainant also requested that the Commission consider the imposition of a civil penalty against the respondents for such alleged violation.

6. 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.

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

8. 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.”

9. It is concluded that the records described in paragraph 2, above, to the extent they exist and are maintained by the respondents, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

10. As found in paragraphs 2 and 3, above, the complainant made his June 18, 2025 request seeking video recorded on June 12, 2025; however, the respondents did not forward such request to the State Security Director’s office until over three weeks after the request was received.

11. It is found that the complainant made his request for the June 12, 2025 video well within the respondents’ thirty-day retention period. It is found, however, that due to the respondents’ delay in forwarding the request to the State Security Director’s office, any responsive video footage had been overwritten.

12. The respondents assert that any video footage that existed at the time of the complainant's request described in paragraph 2, above, was exempt from disclosure pursuant to §4b-131(b), G.S., which provides, as follows:<sup>1</sup>

No provision of the Freedom of Information Act, as defined in section 1-200, shall be construed to require the disclosure of records in any form concerning (1) security measures in government-owned or leased facilities, (2) security audit recommendations for government-owned or leased facilities, or (3) future security measures to be implemented in government-owned or leased facilities.

13. Section 4b-130(2), G.S., defines "security" as "reasonable measures required to: (A) [p]rotect state employees from bodily harm in the workplace and state employee parking areas; and (B) protect the state's physical assets." Moreover, "security measure" is defined as "the level of qualifications and the deployment of security personnel, a security strategy, or a security device." See §4b-130(4), G.S.

14. Section 4b-130(4), G.S., does not expressly identify what constitutes a "security device;" however, the term "device" is commonly understood to mean "a piece of equipment or a mechanism designed to serve a special purpose or perform a special function."<sup>2</sup> It is found that a camera is a "device."<sup>3</sup>

15. It is found, that the purpose of the camera inside Conference Room H at 165 Capitol Avenue, Hartford, CT 06106, ("Conference Room H") pertains to security of the room (including the equipment kept therein) and its occupants. The Commission takes administrative notice of the fact that Conference Room H is the room designated for Freedom of Information Commission meetings and hearings.

16. It is found that the video feed from the camera in Conference Room H is monitored by security personnel so that they may intervene if an individual appears to pose a threat to the safety of others.

17. It is found that the camera in Conference Room H is a security camera, and therefore a security device within the meaning of §4b-130(4), G.S., because it is used to protect state employees from bodily harm in the workplace and to protect the state's physical assets. Moreover, it is found that such camera is not used for any other purpose besides to provide security.

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<sup>1</sup> The respondents also assert that such records are exempt from disclosure pursuant to §1-210(b)(19), G.S. As §4b-131, G.S., is dispositive in this matter, the Commission need not consider such claim.

<sup>2</sup> DEVICE, Merriam-Webster, <https://www.merriam-webster.com/dictionary/device> (last accessed July 2, 2026).

<sup>3</sup> A camera is "*a device* that consists of a lightproof chamber with an aperture fitted with a lens and a shutter through which the image of an object is projected onto a surface for recording (as on a photosensitive film or and electronic sensor) or for translation into electrical impulses (as for television broadcasts). (Emphasis added). CAMERA, Merriam-Webster, <https://www.merriam-webster.com/dictionary/camera> (last accessed July 7, 2026)

18. The respondents failed to preserve the requested security camera footage from Conference Room H and, therefore, the Commission is unable to review such footage *in camera*. Nevertheless, the content of the footage (i.e., the specific event captured, in this case, a FOI contested case hearing), is not dispositive under §4b-131, G.S. Rather, the Commission must determine whether the footage, as footage from a security device constitutes a record “concerning . . . security measures in government-owned or leased facilities” within the meaning of §4b-131, G.S.

19. As noted in paragraph 13, above, the term “security measure” includes the deployment of a security device. Deployment is commonly understood as the “placement or arrangement . . . in position for a particular purpose.”<sup>4</sup>

20. It is found that disclosure of the footage from the security camera in Conference Room H would have revealed information about that camera’s deployment, including its coverage, field of view, capabilities, and limitations.

21. It is found, therefore, that the video from such camera would constitute a “record . . . concerning security measures in government-owned or leased facilities” within the meaning of §4b-131, G.S.

22. It is well established that the respondents bear the burden of proving the applicability of an exemption. See Wilson v. Freedom of Info. Comm’n, 181 Conn. 324, 363 (1980).

23. While the respondents’ failure to preserve the requested footage hinders the Commission’s ability to determine the applicability of potential exemptions, it is found that the respondents presented sufficient evidence that the footage from the security camera in Conference Room H, had such footage been preserved, concerns “security measures in [a] government-owned or leased facilit[y]” within the meaning of §4b-131, G.S.

24. Accordingly, it is found that video from the security camera in Conference Room H is exempt from disclosure pursuant to §4b-131, G.S., not because the event captured by the footage is itself exempt from disclosure, but because disclosure of the footage would reveal information concerning the deployment of a security device in a government-owned or leased facility.

25. It is concluded, therefore, that despite their failure to preserve the requested records after receiving the request described in paragraph 2, above, the respondents did not violate the FOI Act as alleged by the complainant, as such records are exempt from disclosure under §4b-131, G.S.<sup>5</sup>

26. Due to the nature of the records at issue in this matter, the Commission cannot conclude that the respondents violated the FOI Act. Nevertheless, it is clear that the respondents’

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<sup>4</sup> DEPLOYMENT, Merriam-Webster, <https://www.merriam-webster.com/dictionary/deployment> (last accessed July 2, 2026).

<sup>5</sup> Although the complainant is unable to access the video recording of the events relevant to his request described in paragraph 2, above, the Commission notes that he may access the audio recording of any Commission hearing or meeting via the Commission’s website. Moreover, the complainant is able to record video of any hearing or meeting of the Commission via a personal device within the confines of §1-226, G.S.

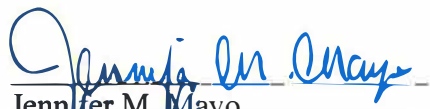
failure to timely process the complainant's request led to the requested records being overwritten. The respondents are cautioned that, in the future, they should ensure that requested records are preserved promptly after receiving such a request. This is especially true where, as here, the records are automatically overwritten after a specific period. In the future, the failure to preserve responsive records after a request is received may warrant the Commission's consideration of the imposition of a civil penalty if the respondents fail to prove that such records were exempt from disclosure.

27. Given that the respondents did not violate the complainant's "right to inspect or copy records under section 1-210[,]" however, the Commission is unable to consider the imposition of a civil penalty in the instant matter. See §§1-206(b)(1) and (2), 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 hereby dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of July 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:

**CHRISTOPHER CRAYTON**, 29 Jonathan Lane, Storrs-Mansfield, CT 06268

**COMMISSIONER, STATE OF CONNECTICUT, DEPARTMENT OF ADMINISTRATIVE SERVICES; AND STATE OF CONNECTICUT, DEPARTMENT OF ADMINISTRATIVE SERVICES**, c/o Attorney Ernestine Weaver, State of CT Department of Administrative Services, 450 Columbus Blvd, Suite 1501, Hartford, CT 06103



Jennifer M. Mayo  
Acting Clerk of the Commission