

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Kim Novak,

Complainant

against

Docket # FIC 2025-0703

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

Respondents

July 8, 2026

The above-captioned matter was heard as a contested case on March 9, 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, by email dated July 8, 2025, the complainant requested that the respondents provide her with a copy of certain records, for the time period of January 1, 2022 to July 7, 2025, which she described as follows:

I am making a FOIA request for information **between** the Secretary of State [, State of Connecticut, (“SOTS”)] Information Technology and X,¹ the social media company. I am requesting any and all records **related to communication** related to misinformation, identified profiles, identified Connectic[u]t citizens, censoring activities, key words, issues, topics, themes to be banned, algorithm labeling, limited, shadow banning or related censoring strategies, and any and all written docume[n]ts, emails, texts, correspondence and reports. I am also specifically requesting any and all rec[o]rds **between** Anthony Pollicito and X[/Twitter]. Additional key word search for request to include Murphy, Tong, Lamont, Proto, Flynn, UN, WEF, globalist,

¹ The Commission takes administrative notice of Wikipedia’s definition of X, which states “X, formerly known as Twitter, is an American microblogging and social networking service....” See [https://en.wikipedia.org/wiki/X_\(social_network\)](https://en.wikipedia.org/wiki/X_(social_network)). As such, X will herein be referred to as “X/Twitter.”

MAGA, Trump, Communist, election, fraud, Corruption.

(“July 8, 2025 request”). (Emphasis added.)

3. It is found that the respondents acknowledged the July 8, 2025 request via their “GovQA”² portal on the same date, and informed the complainant that, given the nature and scope of documents requested, they required additional time to respond to her request.

4. It is found that, on July 21, 2025, the respondents provided responsive records to the complainant via GovQA, which included email correspondence between the respondents and X/Twitter from the year 2022.

5. It is found that, on July 26, 2025, the complainant emailed the respondents indicating that she received the records described in paragraph 4, above, and asked that they provide her with “the data for the remaining years of 2023, 2024 and 2025 as requested.”

6. It is found that, by email dated July 28, 2025, the respondents replied as follows: “[t]he search that was conducted for communications between [SOTS] and X/Twitter covered the time period requested - between 1/1/2022 and 7/7/2025. Those are the responsive emails within that time period.”

7. It is found that, by email dated August 3, 2025, the complainant sent a renewed request (the “Renewed Request”) to the respondents requesting that they provide her with a copy of the following:

public records as described in my first FOIA request on July 8, 2025 for all documents **related to communication between your office and X/Twitter**. I request all records from 2022 to present date of August 2, 2025. As you have hired someone to specifically [sic.] monitor social media for misinformation, I request **all records of communication** done in their or any other employee's work responsibility [sic.] for this purpose. You only provided records from 2022. Given we had a Presidential election in 2024, there must have been **communication** during the period requested regarding this event.

(Emphasis added.)

8. It is found that, by email dated August 5, 2025, the respondents acknowledged the complainant’s Renewed Request and informed the complainant that they again reviewed their files and determined that they had “no additional responsive records other than what was previously disclosed.”

9. By email dated and filed August 6, 2025, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by

² GovQA is a web based public records request management system.

failing to provide her with a copy of all the requested records.

10. 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.

11. 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.

12. 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.”

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

14. The complainant contended, at the hearing on this matter, that the respondents failed to provide her with all records responsive to the July 8, 2025 request and the Renewed Request because: (1) the respondents solely provided her with communications between SOTS and X/Twitter and failed to provide her with additional records such as reports, notes, strategies, and other types of records related to identifying misinformation on social media; and (2) the respondents only provided her with communications for 2022, whereas the request was for records from 2022 through 2025.

15. At the hearing on this matter, the Chief of Staff and General Counsel for SOTS (“SOTS General Counsel”) appeared and testified on behalf of the respondents.

Scope of the Requests

16. With respect to the complainant’s first claim, the respondents contended that they interpreted the language of the complainant’s requests to be solely seeking communications between the respondents and X/Twitter, and no other types of records. Therefore, the respondents claim that they properly responded to her requests by providing records of their communications with X/Twitter.

17. The Connecticut Supreme Court has held that public agencies should interpret records requests reasonably and pragmatically, and should not rely on “distinctions that are overly formal and legalistic” to avoid complying with public records requests. *Perkins v. Freedom of Info. Comm’n*, 228 Conn. 158, 166-67 (1993) (“*Perkins*”). According to *Perkins*, “[i]t would be unreasonable to deny a member of the public access to [FOI Act] simply because of arguable imperfections in the form in which a request for public records is couched.” *Id.*, at 167. To that end, the court also recognized that it is appropriate to look at the actions of the agency in responding to a request to ascertain whether it truly understood the nature or scope of the request. *See Perkins* (rejecting claim that request for “information” concerning sick days used by public employee was not a request for “public records,” in part because 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”).

18. In this matter, it is found that, not only do the respondents’ actions demonstrate that they understood the scope of the complainant’s requests to be limited to records of communications, but the language of the requests and the complainant’s communications with the respondents support such an interpretation as well.

19. It is found that, in the July 8, 2025 request, the complainant, at the outset, states that she is seeking information **between** SOTS and X/Twitter, and goes on to state that she is seeking records related to **communications** and that she was also requesting records “**between** Anthony Pollicito and X[/Twitter].” (Emphasis added.) *See* ¶ 2, above. It is found that Anthony Pollicito is employed by SOTS as an information technology analyst 3 (the “IT Analyst 3”), and one of his primary functions includes identifying disinformation and misinformation related to Connecticut election administration.

20. It is found that, in the Renewed Request, the complainant sought records “related to **communication between**” SOTS and X/Twitter as well as other specified “**records of communication.**” *See* ¶ 7, above.

21. It is found that, in her email to the respondents, described in paragraph 5, above, the complainant objected to not receiving responsive records for the years 2023 through 2025 but did not specifically object to solely receiving email communications.

22. As found in paragraph 6, above, the respondents informed the complainant that their search was conducted for **communications** and that they provided the only responsive **emails** they located.

23. Based on the facts and circumstances of this case, it is found that the respondents’ interpretation of the requests as seeking communication records between the respondents and X/Twitter was reasonable.

Thoroughness of the Respondents’ Search for Records

24. The respondents contended that they conducted a diligent and thorough search for responsive records and that they provided all responsive records that existed and that no

responsive records for the years 2023, 2024 and 2025 existed.

25. It is found that, commencing on July 11, 2025, the Connecticut Department of Administrative Services Bureau of Information Technology Solutions (“BITS”) conducted a search, on the mainframe database, of the SOTS General Counsel’s email for responsive emails using the ESI keyword filter/search query as follows: “(misinformation@cisecurity.org AND (gov@twitter.com OR toboyle@twitter.com OR Iroman@twitter.com))” for records created between January 1, 2022 through July 7, 2025.

26. At the hearing on this matter, the SOTS General Counsel testified, and it is found, that, at SOTS, only he and the IT Analyst 3 were responsible for monitoring and reporting misinformation on social media related to election administration and Connecticut’s election laws, that the SOTS General Counsel was the sole SOTS employee who communicated with X/Twitter regarding such misinformation, and that the IT Analyst 3 had no direct communications with X/Twitter. The SOTS General Counsel testified, and it is found, that BITS, therefore, limited its search to his email mailbox.

27. Based upon the SOTS General Counsel’s credible testimony, it is found that the email addresses included in the BITS search query, described in paragraph 25, above, were the only email addresses that the SOTS General Counsel used with respect to his communications with X/Twitter regarding misinformation on X/Twitter and that every such communication he had with X/Twitter was copied to “misinformation@cisecurity.org.” He testified, and it is found, that a search for such email addresses would yield the totality of the records responsive to the complainant’s requests.

28. It is found that the respondents’ search generated 120 records, all of which were provided to the complainant, without redactions.

29. It is found that all of the responsive records were created in 2022. It is further found that, based upon on the SOTS General Counsel’s credible testimony, no responsive emails existed for the years 2023 through 2025 because all communications between SOTS and X/Twitter ceased after 2022 and there were no such communications between SOTS and X/Twitter in 2023 through 2025. The SOTS General Counsel testified, and it is found, that the X/Twitter government team ceased responding to emails at the end of 2022 and, therefore, the respondents ceased sending such emails.

30. Based upon the foregoing, it is found that the respondents conducted a reasonably thorough and diligent search for responsive records.

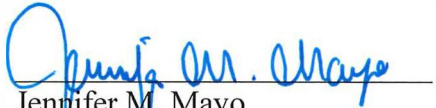
31. In addition, it is found that the respondents disclosed all responsive records, without redactions, to the complainant, free of charge.

32. It is therefore concluded that the respondents did not violate the FOI Act, as alleged by the complainant.

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 8, 2026.

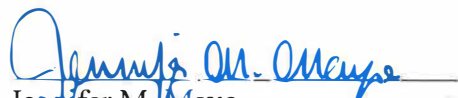

Jennifer M. Mayo
Acting Clerk of the Commission

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:

KIM NOVAK, 205 Skinner Lane, Hebron, CT 06248

SECRETARY OF STATE, STATE OF CONNECTICUT, OFFICE OF THE SECRETARY OF THE STATE; AND STATE OF CONNECTICUT, OFFICE OF THE SECRETARY OF THE STATE, c/o Attorney Christopher Gelino, Office of the Secretary of the State, Staff Attorney-Business Services Division, 165 Capitol Avenue, Hartford, CT 06106


Jennifer M. Mayo
Acting Clerk of the Commission