

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Caroline Moretti,

Complainant

against

Docket # FIC 2025-0503

Mayor, City of Shelton; and City
of Shelton,

Respondents

June 10, 2026

The above-captioned matter was heard as a contested case on January 20, 2026, and March 24, 2026, at which times the complainant and the respondents appeared; stipulated to certain facts; and presented testimony, exhibits, and argument on the complaint.

On April 8, 2026, in response to a March 26, 2026, order of the presiding hearing officer, the respondents filed two affidavits. Such affidavits are marked and admitted into evidence as follows: Respondents' Exhibit 3 (after-filed): "April 7, 2026, Affidavit of Kevin Stratton (2 pages);" and Respondents' Exhibit 4 (after-filed): "April 7, 2026, Affidavit of Dan Bednarsky (1 page)."

On April 7, 2026, the complainant submitted an after-filed exhibit, received by the Commission on April 8, 2026. Absent objections from the respondents, such exhibit is marked and admitted into evidence as follows: Complainant's Exhibit J (after-filed): "State Police Records related to Investigation Case No. 2400085609 (113 pages)."

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 letter dated June 5, 2025, addressed to the respondent mayor's administrative assistant and marked "received" on June 6, 2025, the complainant requested access to the following during the respondents' regular business hours:

all records related to an incident occurring on February 22, 2024, involving Caroline Moretti that eventually resulted in a referral to Milford State's Attorney, Peggy Kelly, and from there was referred to the Department of Emergency Services and Public Protection and later investigated under case #2400085609

(hereinafter, "the February 22, 2024, incident"). It is further found that the complainant's request specified that the records should include the following, in relevant part:

- (a) incident reports, both primary and supplemental;
- (b) sworn and non-sworn written statements;
- (c) case notes and written transcripts;
- (d) audio and video recordings and photographs;
- (e) any other information, records, or media produced and/or considered as a result, in any way, of this incident;
- (f) any and all emails, text messages, memorandums, or any other written communications, electronic or otherwise, related to this incident having been authored, received, replied to, faxed, or forwarded by the following representatives, agents, or employees of the City of Shelton, including such text messages that may have been transmitted on personal communication devices:
 - (i) Mark Lauretti[, mayor];
 - (ii) Shawn Sequeria[, chief of police];
 - (iii) Kevin Stratton[, deputy chief of police];
 - (iv) Bob Koslowsky[, retired police lieutenant];
 - (v) Matt Kunkel[, retired police captain];
 - (vi) Mike McPadden;
 - (vii) Carlos Vinhais;
 - (viii) Jamie Millington[, retired police sergeant];
 - (ix) John Kekac[, police sergeant];
 - (x) Rick Bailey;
 - (xi) Fran Teodosio;
 - (xii) Mark Sommaruga;
 - (xiii) John Giordano[, retired police officer];
 - (xiv) John McMahon; and
 - (xv) Chris Brosz;
- (g) any Shelton Police Department internal affairs (“IA”) investigations initiated and/or investigated specifically related to this incident involving Caroline Moretti and a phone call

made by David Moore to Jamie Millington on February 22, 2024, including:

- (i) all records relating to and indicating authorization to conduct such investigation;
- (ii) all notifications and advisements;
- (iii) all investigatory records and communications related to this inquiry; and
- (iv) all conclusionary records indicating the completion of the investigation

(hereinafter, “complainant’s request”).¹

3. By email, received and filed on June 20, 2025, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to respond to her request, described in paragraph 2, above.

4. 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.

5. 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.

6. 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.”

¹ The Commission notes that the complainant also submitted several other requests to the respondents on June 5, 2025; however, they are not addressed herein because the complainant did not allege at the contested case hearings in this matter that such requests remained unfulfilled.

7. 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.

8. It is found that, via email on January 14, 2026, the respondents' counsel provided the complainant with eighteen (18) pages of records that he purported were responsive to the complainant's request ("January 14, 2026, production"). Along with such records, the respondents' counsel represented the following in his email to the complainant:

- (a) neither the police department's active employees nor its retired employees Kozlowsky and Kunkel maintain any emails responsive to the complainant's request; and
- (b) no IA investigation was initiated relating to the February 22, 2024, incident and, therefore, the respondents do not maintain any records responsive to the complainant's request [described in paragraph 2(g), above].

9. At the January 20, 2026, hearing in this matter, the complainant contended that the respondents' counsel's January 14, 2026, production did not provide all records responsive to her request. Specifically, the complainant contended that she believed that records reflecting the following had not been produced by the respondents:

- (a) "group chats" between city employees;
- (b) Chief Sequeira's, Deputy Chief Stratton's, Sergeant Kekac's, and retired Sergeant Millington's emails to Connecticut State Police ("CSP") Detective Derek McGregor; and
- (c) all documents pertaining to the CSP case number for the February 22, 2024, incident, described in paragraph 2, above.

10. The respondents' counsel represented at the January 20, 2026, hearing, that the respondents had not produced records responsive to paragraph 9(b), above, because the complainant had never before provided the name "Detective McGregor" to the respondents as a search term. It is found that such argument is unavailing, as the names "Sequeira," "Stratton," "Kekac," and "Millington" were included in the complainant's request and, furthermore, Detective McGregor was participating in CSP's investigation of the February 22, 2024, incident. (See paragraph 24, below.) Accordingly, it is found that a thorough and diligent search for records responsive to the complainant's request should have yielded records responsive to paragraph 9(b), above.

11. By email, on February 4, 2026, after the close of the first hearing, the complainant sent the respondents' counsel a list of records reiterating what she believed to be missing from the January 14, 2026, production.

12. It is found that, via email on March 18, 2026, the respondents' counsel provided an additional sixteen (16) pages of records that he purported were responsive to the complainant's request ("March 18, 2026, production"). It is found that such production consisted of three emails between Deputy Chief Stratton and Detective McGregor, dated March 14, 2024, and March 20, 2024; one email between Chief Sequeira and Detective McGregor, dated May 7, 2024; and one email between Deputy Chief Stratton and Chief Sequeira, dated March 15, 2024. Along with such records, the respondents' counsel represented the following to the complainant:

- (a) no other responsive records exist;
- (b) a "request was made" for Sergeant Kekac to search his email for any correspondence sent to Detective McGregor, "to which he had none"; and
- (c) the respondent city's police department's information technology ("IT") director checked the emails for retired Sergeant Millington, and "nothing was found for him either."

13. At the March 24, 2026, continued hearing in this matter, the complainant contended that respondents' counsel still had not produced all records responsive to her request. She based this contention upon her review of records that she purported had been provided to her by the CSP regarding the February 22, 2024, incident and Investigation Case #2400085609.

14. Prior to the close of the March 24, 2026, continued hearing, the presiding hearing officer announced that he would permit all parties to submit after-filed exhibits for consideration, including the CSP records that the complainant referenced. Accordingly, on March 26, 2026, an order was issued instructing the parties to submit after-filed exhibits, if any.

Scope and Sufficiency of Search

15. It is found that the respondents' counsel appeared at both the January 20, 2026, and March 24, 2026, hearings without a single witness to testify as to the nature of the respondents' search for and provision of records responsive to the complainant's request.

16. It is further found that the respondents' counsel failed to provide documentary evidence regarding the nature of the respondents' search for responsive records. Rather, it is found that the only documentary exhibits proffered by the respondents consisted of the January 14, 2025, and March 18, 2026, productions provided to the complainant by respondents' counsel and various written representations made by respondents' counsel to the complainant.

17. Based upon the respondents' failure to put on sufficient evidence, as described in paragraphs 15 and 16, above, on March 26, 2026, the hearing officer in this matter issued an order to the respondents to produce an affidavit from an individual with the requisite knowledge of the nature of the respondents' search for records responsive to the complainant's request for "emails and text messages related to the February 22, 2024 incident involving the complainant, stored on any respondent-owned computers, cellular phones, or other electronic devices -- and on any personal computers, cellular phones, or other electronic devices." (Emphasis added.) It is found that the respondents purported to comply with such order by submitting two affidavits.

18. In one affidavit, the respondent city's deputy chief of police averred that he had searched his own work email using the search term "Moretti" within that time frame of the request. It is found that the deputy chief did not specify the exact timeframe he used for such search. He also averred that he "would not have" records related to the complainant's request on any of his personal emails, but it is found that he did not aver to conducting a search of his personal emails. He further averred that he did not have any text messages on his personal cellular phone relating to the complainant's request. The deputy chief also averred that he did not have any emails, text messages, or "group chats" relating to his February 28, 2024, email to Peggy Kelly.

19. The deputy chief also averred in his affidavit that he "advised" the following employees of the respondent city's police department to check for records responsive to the complainant's request: Mike McPadden, Carlos Vinhais, John Kekac, Rick Bailey, John McMahon, and Chis Brosz ("employees"), and "all replied they did not have any records." It is found that the deputy chief did not address the scope or nature of his employees' search, and did not address whether such employees searched their personal emails and text messages for responsive records. It is further found that the deputy chief also averred that he instructed the respondent city's IT director to search the email addresses of the following retired employees, which yielded no responsive records: Bob Kozlowsky, Matt Kunkel, Jamie Millington, and John Giordano ("retired police employees").

20. In a separate affidavit, the respondent city's IT director averred that he had searched the email accounts of the respondent city's retired police employees. It is found that the IT director's affidavit did not describe the search terms used to conduct such search. He further averred that he searched for responsive records from "approximately 30 days prior and 30 days after [the February 22, 2024,] incident date" and that such search did not yield any responsive records. Based upon the IT director's affidavit, it is found that the time period used for his search was "approximately" January 23, 2024, through March 23, 2024. It is further found that the IT director did not provide a rationale in his affidavit as to why he chose such dates.

21. It is found that the complainant's request did not specify dates for which the respondents should search for responsive records. Therefore, it is found that the proper time period for the respondents to search is from February 22, 2024, the date of the precipitating incident, through June 5, 2025, the date of the complainant's request.

22. Given the above-described findings, it is found that the respondents failed to prove that they used a reasonable time period when searching for records responsive to the complainant's request. It is further found that the respondents failed to prove that they used search terms that would yield records responsive to the complainant's request.

23. It is found that the following records provided by the respondents to the complainant contain statements that contradict representations made by the respondents' counsel to both the complainant and the presiding hearing officer:

- (a) A February 28, 2024, email from Deputy Chief Stratton to State's Attorney Peggy Kelly, provided to the complainant in the respondents' January 14, 2026, production, indicates that an IA investigation had, in fact, been initiated due to the February 22, 2024, incident. It is found that such email directly contradicts the representations made by respondents' counsel, described in paragraph 8(b), above, that no IA investigation had been initiated.
- (b) A series of February 23, 2024, internal memos from Captain McPadden of the respondent city's police department to Kozlowsky, Giordano, and Brosz, provided to the complainant in the respondents' January 14, 2026, production, indicates that the respondent city's police department referred to the February 22, 2024, incident as "the incident of Dave Moore, Sergeant Millington, and Caroline Moretti." Accordingly, it is found that the respondents clearly considered the complainant to be an involved party in such incident and, therefore, any records relating to an IA investigation of Sergeant Millington are responsive to the complainant's request.

24. It is found that the after-filed exhibit submitted on April 7, 2026, by the complainant contains the following records maintained by the CSP that are responsive to the complainant's request at issue in this matter, yet were not provided to the complainant by the respondents:

- (a) one (1) email sent by Deputy Chief Stratton, using his Shelton Police Department email address, to CSP Detective Michael Vance, dated March 4, 2024;
- (b) six (6) emails sent between CSP Detective McGregor and Sergeant Millington using a Gmail address belonging to Millington, dated March 18, 2024, through March 30, 2024; and

- (c) five (5) emails sent between CSP Detective McGregor and Sergeant Kekac using a Gmail address belonging to Kekac, dated March 18, 2024, through April 2, 2024.

25. It is further found that the respondents failed to prove that any records maintained by the respondent mayor had been searched in any manner.

26. Based upon the above-described findings, it is found that the respondents failed to prove that they conducted a thorough and diligent search for records responsive to the complainant's request. It is also found, based on the above-described findings, that the respondents' counsel and affiant Deputy Chief Stratton made representations that are contradicted by documentary evidence submitted by the complainant. Accordingly, it is found that the respondents failed to prove that they provided the complainant with a copy of all records responsive to the complainant's request.

27. Therefore, it is concluded that the respondents violated 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. Within forty-five (45) days of the date of the Notice of Final Decision in this matter, the respondents shall conduct and complete a diligent and thorough search for all records responsive to the complainant's request, as described in paragraph 2 of the findings, above. Such search shall include, but not be limited to, the following records and locations associated with each of the individuals identified in paragraph 2(f) of the findings, above:

- (a) a search of personal (i.e., non-employer issued) email accounts (e.g., Gmail, Yahoo) and text messages stored on personal electronic devices, performed by each individual who maintains the respective accounts;
- (b) a search of the text messages stored on personal (i.e., non-employment issued) cellular phones, performed by each individual who maintains the respective accounts; and
- (c) a search of each individual's employer-provided email accounts and electronic group chats (e.g., Microsoft Teams, Slack), performed by the respondents' IT director.

2. Within thirty (30) days of the completion of the search ordered in paragraph 1, above, the respondents shall provide an affidavit to the complainant and the Commission from each of the following individuals: the respondent mayor, the respondent city's chief of police, and the

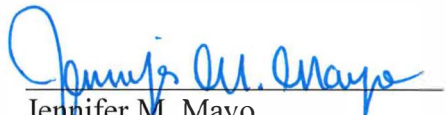
respondents' IT director. Such affidavits must detail the methodology and results of each respective affiant's search for records described in paragraph 1 of this order, above. The respondents' counsel may not serve as the affiant for such affidavits.

3. Within thirty (30) days of the completion of the search ordered in paragraph 1, above, the respondents shall provide to the complainant, free of charge, copies of any additional responsive records that were located as a result of the search described in paragraph 1 of this order, above.

4. In the event that the complainant is not satisfied with the respondents' compliance with paragraphs 1, 2, or 3 of the instant order, she may file a noncompliance complaint with the Commission, which may be afforded expedited treatment upon request.

5. Henceforth, the respondents shall strictly comply with the disclosure provisions of §§1-210(a) and 1-212(a), G.S.

Approved by Order of the Freedom of Information Commission at its regular meeting of June 10, 2026.

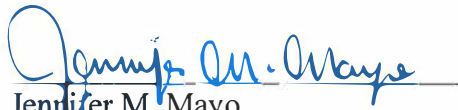

Jennifer M. Mayo
Acting Clerk of the Commission

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:

CAROLINE MORETTI, 22 Whispering Pines Lane, Shelton, CT 06484

MAYOR, CITY OF SHELTON; AND CITY OF SHELTON, c/o Attorney Thomas G. Cotter,
The Cotter Law Firm LLC, 80 Ferry Boulevard, Suite 216, Stratford, CT 06615



Jennifer M. Mayo
Acting Clerk of the Commission