

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Kristie Farrington,

Complainant

against

Docket #FIC 2025-0506

Commissioner, State of Connecticut,
Department of Correction; and State
of Connecticut, Department of Correction,

Respondents

June 10, 2026

The above-captioned matter was heard as a contested case on February 2, 2026, March 16, 2026, and April 30, 2026, at which times the complainant and respondents appeared,¹ stipulated to certain facts, and presented testimony, exhibits, and argument on the complaint.

Subsequent to the hearings and pursuant to a May 18, 2026 order of the hearing officer, the respondents submitted an after-filed exhibit, which has been marked and admitted as: Respondents' Exhibit 1 (after-filed); the complainant's request, dated June 18, 2025.²

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 June 18, 2025, the complainant, who is an employee of the Division of Public Defender Services, requested “the current number of videos actively recording in each housing unit” at Garner Correctional Institution.
3. By email dated June 24, 2025, the respondents denied the request described in paragraph 2, above, contending that the record that is responsive to such request is exempt from disclosure pursuant to §1-210(b)(18)(C), G.S.
4. By complaint filed June 24, 2025, the complainant appealed to this Commission, alleging the respondents violated the Freedom of Information (“FOI”) Act by denying her request.

¹ The Commission notes that the respondents did not attend the February 2, 2026 hearing, and the complainant did not attend the March 16, 2026 hearing. However, both parties attended the April 30, 2026 hearing.

² The Commission notes that the hearing officer also ordered the complainant to file the request described in paragraph 2, above, with the Commission, but the complainant represented that she could not locate the request.

5. Section 1-200(5), G.S., provides, in relevant part:

“[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 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, 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: [a]ny person applying in writing shall receive, promptly upon request, a plain, facsimile, electronic or certified copy of any public record.”

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

9. In their acknowledgement letter and at the hearings on this matter, the respondents indicated that there is one record that contains information that is responsive to the request described in paragraph 2, above (hereinafter, “the responsive record”). The respondents provided testimony that the responsive record contains a detailed list of the security cameras in the entire facility, including the quantity, where the security cameras are located and the viewpoint that they capture.

10. At the hearings on this matter, the complainant contended that her request is “not for specific video”, is narrowly tailored to avoid safety and security concerns, and that she is solely seeking the quantity of security cameras in certain housing units. Therefore, the complainant argued, the responsive record is disclosable under the exception set forth in §1-210(b)(18)(C), G.S. The complainant also argued that the respondents should take into consideration her status as the requester, as described in paragraph 2, above. The complainant also argued that some portion of the responsive record should be provided to her in a redacted form. The respondents disputed these contentions, and each is addressed herein accordingly, below.

11. Section 1-210(b)(18), G.S., provides, in relevant part, that disclosure is not required of:

[r]ecords, the disclosure of which the Commissioner of Correction...has reasonable grounds to believe may result in a safety risk, including the risk of harm to any person or the risk of an escape from, or a disorder in, a correctional institution.... Such records shall include, but are not limited to ... (C) [o]perational specifications of security systems utilized by the Department of Correction at any correctional institution..., except that a general description of any such security system and the cost and quality of such system may be disclosed.

12. The respondents' Director of Training and External Affairs appeared and testified at the March 16, 2026, and April 30, 2026 hearings on this matter. The Director testified that disclosure of the requested record may reveal vulnerabilities within the correctional facility. It is found that disclosure of such vulnerabilities may result in a safety risk, including risk of injury to guards or inmates within the facility. In support of this claim, the Director testified, and it is found, that disclosing information about the quantity of security cameras in certain areas may inform someone "exactly how much surveillance is happening within any area or in any facility [and one] can determine...what areas, or spots, or parts of the facility would be blind spots..." to carry out assaults on guards and/or inmates.

13. In addition, the FOI Administrator testified, and it is found, that the responsive record cannot be provided in redacted form because disclosure of the responsive information alone may result in a safety risk, as described in paragraph 12, above.

14. The Commission's role in reviewing the Commissioner's safety risk determination under §1-210(b)(18), G.S., is to determine "whether the [commissioner's] reasons were pretextual and not bona fide, or irrational." Comm'r v. Freedom of Info. Comm'n, 46 Conn. L. Rptr. 533, 2008 WL 4926910, at *5 (Conn. Sup. Ct. Nov. 3, 2008). As the court explained, "the commissioner of [the Department of Correction] and his staff certainly have experience to know when a particular request will result in a safety risk. Having received the reasons given by the DOC for declining to make the record available, the [FOI Commission] is not free to reject DOC's reasons because they are 'hypothetical' and not based on actual events." *Id.*

15. In addition, although the responsive record is not security footage itself, the Commission notes that it has consistently held that the Commissioner of Correction has reasonable grounds to believe that the disclosure of video recordings of the interior of correctional facilities may result in a safety risk within the meaning of §1-210(b)(18), G.S. See e.g., Robin Elliot v. Warden, State of Connecticut, Department of Correction, et. al., Docket #FIC 2008-733 (July 1, 2009); Brandon Holloway v. State of Connecticut, Department of Correction, et. al., Docket #FIC 2011-066 (January 11, 2012); Ira Alston v. Commissioner, State of Connecticut, Department of Correction, et. al., Docket #FIC 2015-882 (September 14, 2016); Charles Fonck, III v. Scott Semple, Commissioner, State of Connecticut, Department of Correction, et. al., Docket #FIC 2018-0155 (December 19, 2018); Seth Kerschner v. Commissioner, State of Connecticut, Department of Correction, et. al., Docket #FIC 2018-0106 (December 19, 2018); Arron McLaughlin v. Commissioner, State of Connecticut, Department of Correction, et. al., Docket #FIC 2018-0311 (January 23, 2019); Victor Velasco v. Commissioner,

State of Connecticut, Department of Correction, et. al., Docket #FIC 2018-0705 (September 25, 2019); Albert Farah v. Commissioner, State of Connecticut, Department of Correction, et. al., Docket #FIC 2020-0287 (July 28, 2021); and Victor Velasco v. Rollin Cook, Commissioner, State of Connecticut, Department of Correction, et. al., Docket #FIC 2020-0294 (September 8, 2021) (each finding that disclosure of video captured within a correctional facility poses a safety risk and that such video is permissibly exempt from disclosure pursuant to §1-210(b)(18), G.S.).

16. In the line of cases, described in paragraph 15, above, the common thread is clear – disclosure of video captured within a correctional facility, and information relating to both where security cameras are located, and the footage they capture, may pose a safety risk. The Commission finds that the reasoning applied in those cases, applies in the instant case, that is, disclosure of the number of security cameras actively recording in a correctional facility’s housing units may, according to the credible testimony of the respondents’ witnesses, pose the same safety risks.

17. It is also found that the responsive record, based on the credible testimony of the respondents’ witnesses, does not fall within the scope of any of the exceptions set forth in §1-210(b)(18)(C), G.S., that permits (but also does not require) disclosure.

18. Therefore, it is found that the respondents have reasonable grounds to believe that disclosure of the responsive record may result in a safety risk and that the reasons provided were bona fide, and not pretextual or irrational. Accordingly, it is found that such record is exempt from disclosure pursuant to §1-210(b)(18), G.S., and §1-210(b)(18)(C), G.S.

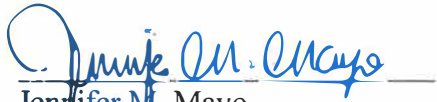
19. With respect to the complainant’s contention that she should, nonetheless, have access to the responsive record because of her status as an employee of the Division of Public Defender Services, it is found that the complainant is asking the Commission to enforce an individual right to access such records. However, this is of no consequence under the FOI Act, as the Act vindicates the public’s right to access public records, rather than a particular person’s specific rights. See Chief of Police v. Freedom of Info. Comm’n, 252 Conn. 337, 387 (2000) (“[W]hether records are disclosable under the [FOI] Act does not depend in any way on the status or motive of the applicant for disclosure, because the act vindicates the public’s right to know, rather than the rights of any individual.”).

20. Consequently, it is concluded that the respondents did not violate §§1-210(a) and 1-212(a), G.S., as alleged in the complaint.

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 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:

KRISTIE FARRINGTON, c/o Attorney Jenna M. Carriero, 146 White Street, Danbury, CT 06810

COMMISSIONER, STATE OF CONNECTICUT, DEPARTMENT OF CORRECTION; AND STATE OF CONNECTICUT, DEPARTMENT OF CORRECTION, c/o Attorney Jennifer Lepore, State of Connecticut, Department of Correction, 24 Wolcott Hill Road, Wethersfield, CT 06109



Jennifer M. Mayo
Acting Clerk of the Commission