

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Ryan Salvas,

Complainant

against

Docket #FIC 2025-0538

Zoning Enforcement Officer, Town of
Sterling; and Town of Sterling,

Respondents

June 24, 2026

The above-captioned matter was heard as a contested case on January 8, 2026, and March 6, 2026, at which times 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 20, 2025, the complainant sent an e-mail to the address “selectman@sterlingct.us” seeking records of the “Town of Sterling and/or its personnel – including but not limited to Victoria Robinson-Lewis, Lincoln Cooper, Susanne Tetreault, and others” referencing certain keywords.
3. It is further found that in his e-mail to “selectman@sterlingct.us,” (i.e., his e-mail to the “Selectman’s Office”) as described in paragraph 2, above, the complainant also blind copied (bcc’d) over 35 other e-mail addresses which included e-mail addresses for various officials and offices for the Town of Sterling (the “Town”) and the Sterling School District. The e-mail address “zeo@sterlingct.us” was one such bcc’d recipient.
4. It is found that at the time of the complainant’s e-mail described in paragraph 2, above, “zeo@sterlingct.us” was an active e-mail address used by the respondents.
5. By complaint received and filed on July 1, 2025, the complainant appealed to this Commission alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to respond to his request described in paragraph 2, above.
6. 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.

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 1-206(a), G.S., provides that:

Any denial of the right to inspect or copy records provided for under section 1-210 shall be made to the person requesting such right ***by the public agency official who has custody or control of the public record, in writing, within four business days of such request. . . .***

(Emphasis added).

9. In City of Bridgeport v. Freedom of Info. Comm’n, 222 Conn. App. 17, 53-55 (2023), the Appellate Court held that “[b]ecause an agency can neither deny nor comply with a request it has not received, construing §1-206 (a) as requiring that an agency receive a request before the four day period commences is consistent with the statute’s emphasis on the agency’s response or lack thereof, to a request for public records.” Section 1-206(b)(1), G.S., in relevant part, limits appeals to this Commission to alleged denials of the right to inspect or copy records. Because a public agency cannot deny a request that was never made to it, whether the complainant made a request to the respondents in the instant matter is a threshold question affecting the Commission’s jurisdiction.

10. As found in paragraph 3, above, the complainant bcc’d over 35 other e-mail accounts, including an account used by the respondents, in his e-mail to the Selectman’s office described in paragraph 2, above. Accordingly, the Commission must determine whether including the respondents as bcc recipients on a request addressed to another public agency also constitutes a request to the respondents.

11. It is well established that what constitutes a records request under the FOI Act is a question of fact within the Commission’s discretion and requires the exercise of administrative judgment. See Perkins v. Freedom of Info. Comm’n, 228 Conn. 158, 166 (1993); East Lyme Teachers Ass’n v. Freedom of Info. Comm’n, Superior Court, judicial district of Hartford, Docket No. CV-97-0571973-S (June 5, 1998); Town Manager, Town of Groton v. Freedom of Info. Comm’n, Superior Court, judicial district of New Britain, Docket No. CV-24-6088967-S (March 12, 2026).

12. It is found that, several months prior to the complainant’s June 20, 2025 request described in paragraph 2, above, the complainant had sought similar records from the

respondents. It is further found that records responsive to such prior request were provided by the respondents to the complainant through the Selectman's office.

13. It is found that, upon receiving the complainant's bcc e-mail described in paragraphs 2 and 3, above, on June 20, 2025, the respondents did not construe it as a new request for records directed to their office. Rather, the respondents testified, and it is found, that they understood such e-mail to be correspondence directed to the Selectman's office concerning the prior request described in paragraph 12, above, to which they were simply copied.

14. It is found that only after the complainant filed the instant complaint with the Commission on July 1, 2025, did the respondents understand that the complainant was seeking additional records from their office.

15. It is found that, in the context of e-mail correspondence, the acronym "cc" refers to a "carbon copy". See *CC*, Microsoft Internet & Networking Dictionary (2002) (accessed via the Internet Archive, June 1, 2026). Using the "cc" field of an e-mail message directs

an e-mail program to send a complete copy of a given piece of mail to another individual. ***The use of cc mail addressing, as opposed to directly addressing the mail to a person, generally implies that the recipient is not required to take any action; the message is for informational purposes only.*** In a cc directive, the fact that this recipient received the mail is printed in the mail header and is thus known to all other recipients. . . . *Compare* bcc.

(Emphasis added). Id.

16. Similarly, a bcc "feature of e-mail programs . . . allows a user to send a copy of an e-mail message to a recipient without notifying other recipients that this was done. . . ." See *BCC*, Microsoft Internet & Networking Dictionary (2002) (accessed via the Internet Archive, June 1, 2026).

17. The respondents' interpretation of the complainant's June 20, 2025 e-mail is supported by the generally understood meaning of cc and bcc recipients in e-mail correspondence.

18. It is found that, under the particular facts and circumstances of this case, the respondents reasonably understood the complainant's e-mail described in paragraphs 2 and 3, above, to be directed to the Selectman's office and that it did not require further action on their part. Based on such circumstances, it is found that such e-mail did not constitute a request to the respondents within the meaning of §§1-206(a) and 1-210(a), G.S.¹

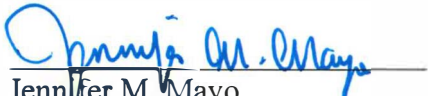
¹ To be clear, whether the inclusion of a public agency as a bcc recipient on an e-mail constitutes a request for records to such agency depends upon the particular facts and circumstances of each case.

19. It is concluded, therefore, that the respondents did not violate the disclosure provisions of §§1-210(a) and 1-212(a), G.S., because the complainant did not make a request for records to the respondents in accordance with the provisions of §1-206(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 hereby dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of June 24, 2026.

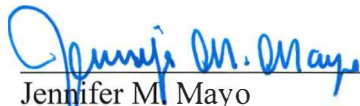

Jennifer M. Mayo
Acting Clerk of the Commission

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:

RYAN SALVAS, Radical Roots Farm, LLP, 146 Buck Hill Road, Canterbury, CT 06331

ZONING ENFORCEMENT OFFICER, TOWN OF STERLING; AND TOWN OF STERLING, c/o Attorney Richard P. Roberts, Halloran Sage LLP, 225 Asylum Street, Hartford, CT 06103



Jennifer M. Mayo
Acting Clerk of the Commission