

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Martin Edgar,

Complainant

against

Docket #FIC 2025-0268

Chief, Police Department, City of Hartford;
Police Department, City of Hartford; and
City of Hartford,

Respondents

March 11, 2026

The above-captioned matter was heard as a contested case on September 16, 2025, at which time the complainant and the respondents appeared 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 submission to the respondents' Freedom of Information ("FOI") Act electronic request portal on April 14, 2025, the complainant requested copies of the following:

all documents related to the investigation of Martin Edgar that are related to communications between the Hartford Board of Education security department, and the Hartford Police department and visa versa from the time the police investigation began on December 9th through its conclusion. This would include any and all documents related to surveillance of my property and home ordered by the police or the Hartford public schools security department. The documents must also include any correspondence with any other police departments between either Hartford police and the [Board of Education for the City of Hartford's] [s]ecurity office to Rocky Hill police or visa versa...

3. It is found that, by email dated April 15, 2025, the respondents acknowledged the complainant's records request.

4. By letter of complaint, dated and filed April 21, 2025, the complainant appealed to this Commission, alleging that the respondents violated the FOI Act by failing to provide the records described in paragraph 2, above.

5. 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 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, 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.

9. It is found that the investigation into the complainant referenced in paragraph 2, above, (“investigation”) was conducted by the respondent Hartford police department (“HPD”) in response to accusations by students that, on December 9, 2024, the complainant was allegedly masturbating during class, while he was employed as a substitute teacher at Hartford Magnet Trinity College Academy (“school”).

10. It is found that the respondents conducted a diligent and thorough search for records responsive to the complainant’s request, described in paragraph 2, above, and located: (a) the investigation case file, which is the only place where investigation records would be located and maintained by the respondents (“investigation case file”) and (b) all emails between the HPD and the Hartford Board of Education security office (“BOE security office”) related to the investigation. It is also found that the respondents duplicated the investigation case file, made certain redactions and, by email dated July 16, 2025, informed the complainant that they were prepared to provide him with 114 pages of responsive records with redactions and one DVD,

upon payment of fifty-eight dollars. It is further found that the respondents withheld certain witness statements from the records they provided to the complainant.

11. It is found that, after additional correspondence between the complainant and the respondents, on or around July 21, 2025, the complainant visited the HPD and received a copy of the records described in paragraph 10, above, with the exception of the withheld witness statements.

12. At the hearing on this matter, the complainant initially contended that the only records he did not receive and was contesting, were records:

- (a) related to the alleged surveillance of his property and home;
- (b) substantiating comments located in the respondents' incident report that the complainant had been fired; and
- (c) providing the identity of the "27 year old" alleged witness who is referenced on page four of the respondents' incident report.

13. With regard to records related to the alleged surveillance of the complainant's property and home, the respondents' witnesses testified, and it is found, that no surveillance of the complainant's property and home was conducted by the respondents. The respondents' witnesses also testified, and it is found, that they did not contact the police department for the Town of Rocky Hill or any other town regarding the investigation. The respondents' witnesses further testified, and it is found, that they do not maintain any records related to any surveillance of the complainant's home or correspondence with other towns regarding the investigation.

14. Consequently, with regard to the complainant's request for records related to: (a) surveillance of his property and home and (b) correspondence with any other police department outside of Hartford, it is concluded that the respondents did not violate the disclosure provisions of §§1-210(a) and 1-212(a), G.S., as alleged in the complaint.

15. With regard to the complainant's request for all records "related to an investigation of [the complainant] that are related to communications between the [BOE security office and the HPD]", the respondents' witness testified that there are no records in the investigation case file substantiating the comments described in paragraph 12(b), above, or identifying the individual described in paragraph 12(c), above.¹

16. At the conclusion of the hearing on this matter, the complainant challenged the redactions made to the records described in paragraphs 10 and 11, above.

¹ The Commission notes that a public agency has no duty to create documents it does not already maintain or to answer questions under the FOI Act. See Kimberly Albright-Lazzari, et al. v. Colleen Murphy, Connecticut Freedom of Information Commission, et al., CV105014984S, 2011 WL 1886878, at *3 (Conn. Super. Ct. April 21, 2011).

17. On October 22, 2025, by order of the undersigned hearing officer, the respondents submitted to the Commission an unredacted copy of the redacted records that they had provided to the complainant and the records they had withheld, as described in paragraph 10, above, for an in camera inspection, along with an in camera index. Such records shall be identified hereinafter as IC-2025-0268-1 through IC-2025-0268-70.

18. On the in camera index, the respondents contended that portions of certain in camera records are exempt from disclosure under §§1-210(b)(11) and 1-210(b)(17), G.S., and that other in camera records are entirely exempt from disclosure under §§1-210(b)(3)(B) and 1-210(b)(3)(C), G.S.

19. Although the respondents did not claim that the in camera records are exempt from disclosure pursuant to §17a-101k, G.S., such provision provides, in relevant part:

- (a) [t]he Commissioner of Children and Families shall maintain a registry of the commissioner's findings of abuse or neglect of children pursuant to section 17a-101g that conforms to the requirements of this section. The regulations adopted pursuant to subsection (i) of this section shall provide for the use of the registry on a twenty-four-hour daily basis to prevent or discover abuse of children and the establishment of a hearing process for any appeal by a person of the commissioner's determination that such person is responsible for the abuse or neglect of a child pursuant to subsection (b) of section 17a-101g. The information contained in the registry and any other information relative to child abuse, wherever located, shall be confidential, subject to such statutes and regulations governing their use and access as shall conform to the requirements of federal law or regulations. Any violation of this section or the regulations adopted by the commissioner under this section shall be punishable by a fine of not more than one thousand dollars or imprisonment for not more than one year. (Emphasis added.)

20. The Appellate Court concluded that §17a-101k, G.S., falls within the “except as otherwise provided” language in §1-210(a), G.S., and therefore, disclosure of information contained in the registry and other information relative to child abuse, wherever located, is not governed by the FOI Act. Groton Police Dept. v. Freedom of Info. Comm’n, 104 Conn. App. 150, 165-166 (2007) (“Groton”). In Groton, the Appellate Court held that records maintained by a police department concerning allegations of child abuse constitute “information relative to child abuse, wherever located,” within the meaning of §17a-101k(a), G.S., and therefore were not subject to disclosure under the FOI Act.

21. The Commission has also long recognized that §17a-101k, G.S., provides a broad grant of confidentiality with respect to information pertaining to allegations of child abuse. See e.g., Docket #FIC 2024-0401, Brown v. Dept. of Emergency Services and Public Protection (June 25, 2025); Docket #FIC 2024-0031, Campos v. Superintendent of Schools, Monroe Public

Schools, Town of Monroe (January 8, 2025); Docket #FIC 1997-230, Pflederer v. Dept. of Public Health (February 11, 1998); Docket #FIC 93-213, LaPointe v. Dept. of Human Resources (June 22, 1994); and Docket #FIC 92-012, DeRosa v. Dept. of Health Services (February 26, 1992).

22. It is found that, on or around December 9, 2024, the school contacted the HPD and the state Department of Children and Families (“DCF”) to report the allegations described in paragraph 9, above. It is also found that, at the time of the incident, multiple students in the complainant’s classroom were under the age of eighteen, and therefore, “children” pursuant to §17a-93, G.S.² It is further found that DCF defines sexual abuse of a child, in relevant part, as: “any incident involving a child(ren)’s non-accidental exposure to sexual behavior.”³

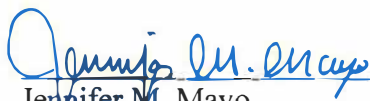
23. Based upon a careful in camera inspection, it is found that the in camera records relate to the investigation of the alleged incident described in paragraphs 9 and 22, above. It is therefore concluded that such in camera records constitute “information relative to child abuse, wherever located”, within the meaning of §17-101k, G.S., and consequently, are not subject to disclosure under the FOI Act.⁴

24. Accordingly, it is concluded that the respondents did not violate the disclosure provisions of §§1-210(a) and 1-212(a), G.S., by withholding any of the information contained in the records described in paragraph 17, above, 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 dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of March 11, 2026.


Jennifer M. Mayo
Acting Clerk of the Commission

² Section 17a-93, G.S., defines child, in relevant part, as: “any person under eighteen years of age...”

³ The Commission takes administrative notice of DCF Policy Manual, Operational Definitions of Child Abuse and Neglect, Chapter 22-3 (Eff. 4/12/23).


⁴ The Commission notes that because the records described in paragraph 17, above, are entirely exempt from disclosure under §17a-101k, G.S., the Commission need not further address the respondents’ claims with respect to §§1-210(b)(3)(B), 1-210(b)(3)(C), 1-210(b)(11), and 1-210(b)(17), G.S.

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:

MARTIN EDGAR, 6 Berkshire Road, Rocky Hill, CT 06067

CHIEF, POLICE DEPARTMENT, CITY OF HARTFORD; POLICE DEPARTMENT, CITY OF HARTFORD; AND CITY OF HARTFORD, c/o Attorney Natalie A. Reichle, Associate Counsel, City of Hartford, 550 Main Street, Room 210, Hartford, CT 06103


Jennifer M Mayo
Acting Clerk of the Commission