

STATE OF CONNECTICUT
FREEDOM OF INFORMATION COMMISSION

In the Matter of a Complaint by

FINAL DECISION

Deborah G. Stevenson,

Complainant

against

Docket # FIC 2025-0374

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

Respondents

May 13, 2026

The above-captioned matter was heard as a contested case on March 27, 2026, and April 6, 2026, at which times the complainant and the respondents appeared, stipulated to certain facts, and presented testimony, exhibits and argument on the complaint.

During the April 6, 2026, hearing on this matter, the complainant requested that the respondents provide her with a copy of the search query that the respondents requested of the Department of Administrative Services Bureau of Information Technology Solutions (“BITS”). Thereafter, the hearing officer ordered the respondents to submit a copy of such record to the Commission as an after-filed exhibit. On April 13, 2026, the respondents filed such exhibit, which is hereby admitted into evidence as Respondents’ Exhibit 5 (after-filed): Footprints Search Queries (two 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 May 5, 2025, the complainant requested that the respondents provide her with a copy of the following:
 - (a) Records that “mention contain, or are otherwise related to the term, ‘homeschool’ ‘homeschooling’, ‘home school’, “home schooling” or otherwise refer to the instruction of a student by a parent or guardian other than at a public or private school, from the period of February 1, 2025 up to and including May 5, 2025.”
 - (b) Records that “mention, contain, or are otherwise related to Kimberly Sullivan, her stepson, 2 Blake Street Waterbury Connecticut, ‘pulled from school’, Kimberly Sullivan’s employment with the Waterbury Public School district, including

the title of her position within the Waterbury Public School district and the dates during which she was employed in each position held and at each location where the position was held.”

- (c) Records “regarding reports or complaints made to the Connecticut Department of Children and Families or to any other law enforcement or State agency regarding the stepson of Kimberly Sullivan from the date of enrollment of the stepson in the Waterbury Public School district until the stepson’s 18th birthday, including but not limited to the dates each report or complaint was made and to whom.”
- (d) Records that “mention, contain, or are otherwise related to ‘regulation,’ laws, statutes, bills of any kind, rules, proposals, ideas, guidance, methods, policies, emergency certification, implementer, information session or hearing, relevant to ‘homeschool’, ‘home school’, ‘homeschooling’ or ‘home schooling’ from February 1, 2025 up to and including May 5, 2025.”

3. It is found that on May 5, 2025, the respondents acknowledged receipt of the complainant’s request.¹

4. By complaint filed May 20, 2025, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by denying her request for 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 section 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 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

¹ The Commission notes that a colleague of the complainant, acting at the complainant’s request, hand-delivered a copy of the request described in paragraph 2, above, to the respondents. As acknowledgement of receipt of the request, the respondents’ Deputy General Counsel (who, at the time of the request, was the respondents’ Associate General Counsel) personally accepted the request, signed it, and returned a signed copy to the person who delivered such request.

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. It is concluded that the records described in paragraph 2, above, to the extent such records 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, by email dated July 22, 2025, the respondents notified the complainant that they had searched for records responsive to the request described in paragraph 2, above. It is also found that the respondents notified the complainant of the search terms used to conduct their search², that their search had yielded a large volume of records, and further, that they invited the complainant to narrow the scope of her request. It is found that the complainant did not respond to the respondents’ July 22, 2025 email.

10. It is found that, by email dated August 15, 2025, the respondents provided the complainant with a copy of 35 records, totaling 798 pages, responsive to the request described in paragraph 2, above. It is also found that the respondents notified the complainant that, due to the large number of records that required review, they could not provide her with an estimated timeline for full compliance with her request. It is found, however, that the complainant again did not respond to the respondents’ email.

11. It is found that, absent any response from the complainant, as described in paragraphs 9 and 10, above, the respondents sent a follow up email inquiry to the complainant on August 28, 2025.³

12. It is found that, by email dated August 28, 2025, the complainant notified the respondents that she was having difficulty accessing the copies of the records that were emailed to her due to their file format. It is further found that the complainant and respondents continued to correspond regarding how the complainant could access such records.

13. It is found that, by email dated September 10, 2025, the respondents provided the complainant with an electronic link to the records referenced in paragraphs 10 and 12, above.

14. It is found that, by email dated September 11, 2025, the complainant notified the respondents that she was able to access the records provided. It is also found that the

² In their email, the respondents notified the complainant that the search terms used were “homeschool”, “homeschooling”, “home school”, “homes school”, “Kimberly Sullivan”, “2 Blake Street”, and “pulled from school”. Such search terms were identified using the complainant’s request.

³ The Commission notes that the respondents had been contacting the complainant at the email that she provided in her request. However, in August 2025, the complainant provided an alternative email address to the respondents via the Commission’s ombudsman. The respondents thereafter forwarded their earlier emails to the complainant to the alternative email address she provided to the ombudsman.

complainant inquired further with the respondents regarding whether additional responsive records were forthcoming.

15. It is found that, by email dated September 15, 2025, the respondents confirmed that additional records were forthcoming. It is further found that the respondents again invited the complainant to narrow her request. It is found that the respondents also notified the complainant that, if she declined to narrow her request, they could not provide her with an estimated date by which they would be able to provide her with a copy of all responsive records, due to the large volume of records that required review.

16. It is found that, also by email dated September 15, 2025, the complainant notified the respondents that she would not narrow the scope of her request.

17. It is found that, by email dated November 6, 2025, the respondents provided the complainant with an electronic link to over 1,000 records responsive to the request described in paragraph 2, above.

18. It is found that, by email dated November 6, 2025, the complainant notified the respondents that she was able to access the records, but that she did not believe that the records were responsive to her request.

19. It is found that, by email dated November 6, 2025, the respondents, through their Deputy General Counsel, replied with the following, in relevant part, to the complainant:

They are responsive to your request because you told me you did not want to narrow the request in any way. You wanted all documents with the terms listed in your request ... [T]he terms “home school” appear in many different types of documents.

Once you confirmed you wanted no narrowing of your request, I have to turn over any document with those terms so long as there is no privilege claim. That’s what made the request take a while to complete.

20. At the hearings on this matter, and in a post-hearing brief, the complainant contended that the respondents violated the FOI Act. First, the complainant clarified that her request was made to the respondent Governor for copies of his records, wherever located.⁴ The complainant contended that the respondent Governor violated the FOI Act by: failing to respond to or acknowledge the request described in paragraph 2, above, within the applicable number of days; misinterpreting her request; and failing to comply promptly with such request.⁵ Each contention will be addressed in turn, below.

⁴ For example, in her post-hearing brief, the complainant explained that her request “clearly was addressed to the Governor alone” and that she sought the “Governor’s records, not the records of the Governor’s office or staff...”

⁵ During the April 6, 2026, hearing on this matter, the complainant, for the first time, alleged that the respondent Governor violated the open meeting requirements of the FOI Act. Such allegations, however, were not fairly raised in the complaint and therefore will not be addressed further by the Commission herein.

Four Day Rule

21. With respect to the contention that the respondents violated the FOI Act by failing to respond to or acknowledge the complainant's request within the applicable number of days, described in paragraph 2, above, §1-206(a), G.S., provides, in relevant part, that:

[a]ny 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 Failure to comply with a request to so inspect or copy such public record within the applicable number of days shall be deemed to be a denial.

(Emphasis added.)

22. As the Commission noted in Docket #FIC 2018-0117, Noah Snyder v. Donna Patchen, Assessor, City of Torrington et al. (October 24, 2018),

It is well settled that the law does not require a public agency to provide a copy, or to allow inspection of, public records “within four business days” of the request.

...

Rather, §1-206, G.S., ... simply provides a requester with the ability to file an appeal in the event an agency fails to respond to the request. After four business days have elapsed, if no response is received from an agency, then such non-response is deemed a denial for purposes of triggering the requester's right to file an appeal without having to wait indefinitely for a response that may never be forthcoming.

See also City of Bridgeport v. Freedom of Info. Comm'n, 222 Conn. App. 17, 49-50 (2023), cert. denied, 348 Conn. 936 (2024), citing West Hartford v. Freedom of Info. Comm'n, 218 Conn. 256, 261-62 (1991) (Section 1-206 “merely ensures an expedited right of appeal for those who do not desire to await a written denial.”)

23. While the Commission encourages public agencies to issue a written letter of acknowledgement within four business days, there is nothing in the FOI Act that requires a public agency to do so. Furthermore, as already found in paragraph 3, above, and described in footnote 1, the respondents acknowledged the complainant's request when their Deputy General Counsel signed the request, made a copy of such signed request, and returned a signed copy to the complainant's colleague. The respondents' decision to acknowledge the request in this manner, based on the circumstances of this case, was reasonable.

24. Accordingly, it is concluded that the respondents did not violate the FOI Act by failing to issue a written letter of acknowledgement or response to the request described in paragraph 2, above, within four business days, as alleged by the complainant in this matter.

Respondents' Interpretation of the Request

25. With respect to the contention that the respondents misinterpreted the request described in paragraph 2, above, at the hearings on this matter, the complainant contended that the respondents violated the FOI Act when they interpreted her request as seeking records maintained by the respondent Office of the Governor, when she solely requested copies of records of the respondent Governor.

26. It is found that the complainant's request, although addressed to the respondent Governor, seeks records "maintained, kept on file, or otherwise are or were in the control or possession of *you, your agency, and/or agents*." It is found that the respondents construed the request as seeking copies of records maintained by all of the respondents, including the Governor, and his staff. It is found that such interpretation of the request described in paragraph 2, above, was reasonable.⁶

27. It is therefore concluded that the respondents did not violate the FOI Act with respect to their interpretation of the request described in paragraph 2, above.

Nature of the Search

28. Next, the complainant contended that the respondents failed to provide her with a copy of all of the respondent Governor's records that are responsive to the request described in paragraph 2, above.

29. At the hearings on this matter, the respondents' Deputy General Counsel appeared and testified. It is found that, at the time the respondents received the request described in paragraph 2, above, the Deputy General Counsel was responsible for the respondents' compliance with requests for records and was assigned to respond to the request at issue herein.

30. It is found that, following review of such request, the Deputy General Counsel identified the search terms, described in footnote 2, above. It is also found that the Deputy General Counsel requested that BITS conduct a search of all of the respondents' electronic records, including email, using such search terms. It is further found that such search included the records and emails of the respondent Governor.⁷

⁶ Further, the respondents' broad interpretation of the complainant's request is consistent with the overarching legislative policy of the FOI Act that favors the open conduct of government and free public access to government records.

⁷ As already found in paragraph 9, and footnote 2, the respondents notified the complainant of the terms used to respond to the request described in paragraph 2, above. It is found, however, that there is no evidence in the record that the complainant communicated any concern with the search terms selected or offered alternative search terms to the respondents. Furthermore, although the complainant advised the respondents that she did not believe that the records provided were responsive, there is no evidence in the record to show that she explained her concerns to the respondents until her appearance at the hearings on this matter.

31. It is also found that the Deputy General Counsel oversaw and conducted searches of personal and state-issued cell phones of the respondents' staff who, based on their responsibilities, may have maintained records responsive to the request described in paragraph 2, above. It is also found that the Deputy General Counsel personally searched the cell phone of the respondent Governor. It is found that the respondents did not locate any records responsive to the request described in paragraph 2, above, as a result of such searches.

32. It is also found that the Deputy General Counsel inquired with the respondents' Executive Assistant, who maintains physical files for the respondents, about a search for records responsive to the request described in paragraph 2, above. It is found that the respondents' Executive Assistant conducted a search and determined that the respondents did not maintain any additional records responsive to such request.

33. Based on all of the foregoing, it is found that the respondents conducted a reasonable and diligent search and provided the complainant with a copy of all records responsive to her request, with the exception of the records withheld pursuant to a claim of exemption.

34. It is therefore concluded that the respondents did not violate the FOI Act as alleged by the complainant, with respect to the search conducted.

**Records withheld pursuant to
§§1-210(b)(1) or 1-210(b)(10), G.S.**

35. At the hearings on this matter, the respondents contended that portions of the records responsive to the request described in paragraph 2, above, are exempt from disclosure pursuant to §§1-210(b)(1) or 1-210(b)(10), G.S. The hearing officer inquired with the respondents whether such withheld records were records of the respondent Governor or his staff and the witness could not recall. Consequently, the hearing officer ordered the respondents to submit such records to the Commission for an in camera inspection.

36. On April 13, 2026, the respondents delivered the withheld records to the Commission with an Index to Records Submitted for In Camera Inspection ("Index"). The records submitted for in camera inspection shall be referred to hereafter as "the in camera" records.

37. Based on a careful in camera inspection, it is found that the in camera records, on their face, are not records of the respondent Governor, but instead, are records of the respondent Governor's staff. Because the complainant seeks the respondent Governor's records, as referenced in paragraph 20, above, and not "the records of the Governor's office or staff", the Commission need not consider the respondents' claim that the in camera records are exempt from disclosure.

Promptness

38. With respect to the complainant's contention that the respondents failed to provide her with a copy of all of the records responsive to the request described in paragraph 2, above, promptly, this Commission has held that the meaning of the word "promptly" is a particularly

fact-based question, and has opined that the word "promptly" in §1-210, G.S., means "quickly and without undue delay, taking into account all of the factors presented by a particular request ... [including] the volume of records requested; the amount of personnel time necessary to comply with the request; the time by which the requester needs the information contained in the records; the time constraints under which the agency must complete its other work; the importance of the records to the requester, if ascertainable; and the importance to the public of completing the other agency business without loss of the personnel time involved in complying with the request." See *FOI Commission Advisory Opinion #51* (Jan. 11, 1982). The Commission also recommended in *Advisory Opinion #51* that, if immediate compliance is not possible, the agency should explain the circumstances to the requester.

39. As already found in paragraph 29, above, the respondents' Deputy General Counsel, who appeared and testified in this matter, was assigned to respond to the complainant's request, as well as other records requests made to the respondents that were pending at the time.

40. It is found that the respondents generally handle requests for records in the order in which they are received. It is found that at the time of the request described in paragraph 2, above, there were approximately 7 other requests for records pending with the respondents.

41. It is found that, among other responsibilities, the Deputy General Counsel is responsible for reviewing, drafting, and amending legislative proposals, screening bills for the respondents, and providing legal advice on legislative proposals. The Commission takes administrative notice of the fact that the regular session of the Connecticut General Assembly convened on Wednesday, January 8, 2025, and adjourned on Wednesday, June 4, 2025.

42. It is also found that, following the conclusion of the regular session, the Deputy General Counsel is also tasked with screening all public acts and, following the 2025 session, all public act screening needed to be completed by July 8, 2025.

43. It is found that, due to the legislative session and screening process described in paragraphs 41 and 42, above, as well as responding to other pending records requests, the Deputy General Counsel did not commence a review of the request described in paragraph 2, above, until July 2025, and did not make a request for BITS to conduct a search for responsive records, until July 16, 2025.

44. It is found, however, that the respondents' search and review of responsive records was delayed due to technical difficulties that necessitated the respondents, in conjunction with BITS, to further refine their search efforts. It is found that the respondents worked through such challenges between July and September 2025.

45. It is found that, once the respondents were able to retrieve and commence a review of the records that were located by BITS, review of such records was time consuming due to the large number of records that were located.

46. It is also found that, during this time, the Deputy General Counsel continued to be responsible for compliance with other requests for records that were pending with the respondents, including one which required review of a large volume of records, as well as

preparation for an upcoming special session of the Connecticut General Assembly. It is also found that during such time, the respondents experienced several staff departures from the agency, and the Deputy General Counsel was out of the office. Notwithstanding, it is found that the Deputy General Counsel worked evenings and weekends in order to review the records located and provide the complainant with all of the remaining records responsive to the request described in paragraph 2, above, that were not claimed exempt, on November 6, 2025.

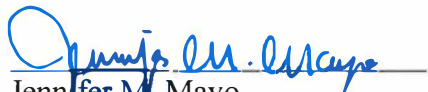
47. Based on the unique facts and circumstances of this case, it is found that the respondents provided the complainant with copies of the responsive records “promptly” within the meaning of §§1-210(a) and 1-212(a), G.S.

48. Accordingly, it is concluded that the respondents did not violate the promptness requirements of the FOI Act.

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 May 13, 2026.

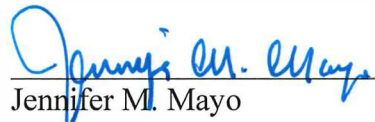

Jennifer M. Mayo
Acting Clerk of the Commission

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:

DEBORAH G. STEVENSON, PO Box 704, Southbury, CT 06488

**GOVERNOR, STATE OF CONNECTICUT, OFFICE OF THE GOVERNOR; AND
STATE OF CONNECTICUT, OFFICE OF THE GOVERNOR**, c/o Assistant Attorney
General Alma R. Nunley, Office of the Attorney General, 165 Capitol Avenue, Hartford, CT
06106



Jennifer M. Mayo
Acting Clerk of the Commission