

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Alex Beilman,

Complainant

against

Docket # FIC 2025-0483

Chief, Police Department, Borough of
Naugatuck; Police Department, Borough of
Naugatuck; and Borough of Naugatuck,¹

Respondents

May 27, 2026

The above-captioned matter was heard as a contested case on March 9, 2026, at which time 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, by email dated June 5, 2025 and sent to info@naugatuckpd.org, the complainant requested that the respondents provide him with a copy of all records “concerning Complaint Ticket A322395-3 [including but] not limited to incident reports, body camera footage, security camera footage, and phone call recordings” (the “June 5, 2025 request”).
3. By complaint form, dated June 12, 2025 and filed June 16, 2025, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to provide him with copies of the records described in the June 5, 2025 request.
4. 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,

¹ The caption has been changed to reflect that Naugatuck is a consolidated borough and town and described generally as a “borough.”

typed, tape-recorded, videotaped, printed, photostated, photographed or recorded by any other method.

5. 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.

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.”

7. It is concluded that the requested records are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

8. It is found that, by email dated January 23, 2026, the Captain of the Police Department (the “Captain”), Borough of Naugatuck, acknowledged the complainant’s complaint and stated as follows:

I have received your FOI Commission records complaint filed against our agency, and I wanted to sincerely apologize for our oversight. There is no excuse for this oversight, but the proper way to request police reports on our website is to click "Forms & Reports" in the top banner and select "Police Reports". Your request to info@naugatuckpd.org general mailbox should have been forwarded to the proper department. I am reaching out to apologize and determine if you are still interested in receiving the requested documents. I will happily facilitate the start of that case flow if so.

9. It is found that, on January 31, 2026, the complainant responded to the Captain’s email dated January 23, 2026, described in paragraph 8, above, stating: “Yes, yes... ‘oversight’ ... Send that information. The FOI Complaint remains.”

10. It is found that, via an email dated February 5, 2026, the Captain sent the complainant electronic copies of the records responsive to the June 5, 2025 request, which included eight reports and/or records along with a link to a Microsoft OneDrive share folder which provided the complainant access to all of the body camera video footage responsive to the complainant’s request.

11. At the hearing on this matter, the complainant testified, and it is found, that he obtained the info@naugatuckpd.org email address from the respondent Department’s website and believed that such email address was the best email address for his records request. He further testified, and it is found, that he expected that the respondent Department would forward

his request to the appropriate mailbox or individual responsible for processing FOI Act requests. The complainant also testified, and it is found, that he did not receive any response from the respondents until January 23, 2026 and, although he ultimately received the records responsive to his request, he did not believe such response was prompt.

12. Further, at the hearing on this matter, the respondents contended that due to a technological glitch, the cause of which they cannot fully explain, they were not aware of the complainant's June 5, 2025 request until they received a copy of the request from the Commission on January 22, 2026.² The respondents also contended that they responded promptly once they received a copy of the request from the Commission and confirmed that the complainant was still seeking a copy of the requested records.

13. This Commission has previously 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." (Emphasis added.) See FOI Commission Advisory Opinion #51 (Jan. 11, 1982).

14. At the hearing on this matter, the Captain testified, and it is found, that only the Chief of the respondent Department (the "Chief") and the Deputy Chief of the respondent Department ("Deputy Chief") are above him in rank. He further testified, and it is found, that he oversees and supervises all administrative functions for the respondent Department, including the records, property and information technology divisions. He also testified, and it is found, that he oversees the processing of FOI Act requests submitted to the respondent Department.

15. The Captain testified, and it is found, that on January 22, 2026, the respondents received letters, dated January 16, 2026, from the Commission, which included copies of the complaint described in paragraph 3, above, as well as the June 5, 2025 request. He further testified, and it is found, that the Chief first received a copy of the June 5, 2025 request, on January 22, 2026, in conjunction with the Commission's letters. The Captain also testified, and it is found, that he never received a copy of the June 5, 2025 request until the afternoon of January 22, 2026, when the Chief informed him of the request.

16. The Captain testified, and it is found, that the respondent Department does not typically receive records requests through the info@naugatuckpd.org general mailbox. Rather, most records requests to the respondent Department are submitted through its online records request portal, which is accessed via a "Forms & Reports" tab at the top of the respondent Department's website.

² The Commission notes that, by letter dated August 18, 2025, the Commission informed the complainant that, based upon a preliminary review of his letter of complaint, the Commission would not schedule a hearing on his complaint based upon a determination that the complaint was filed prematurely. Upon further review of the complaint, however, Commission staff made a determination that the complaint had been timely filed. Thereafter, the Commission docketed the complaint and mailed a copy of it and the request to the respondents on January 16, 2026.

17. Based upon the Captain's credible testimony it is found as follows:

- a. The respondents became aware of the June 5, 2025 request for the first time when they received a copy of the complaint and request from the Commission;
- b. After receiving a copy of the June 5, 2025 request, the Captain searched the info@naugatuckpd.org general mailbox, including any deleted and archived emails and did not find an email from the complainant;
- c. The Captain spoke with all of the members of the respondent Department who had access to the info@naugatuckpd.org general mailbox, which included the Chief, the Deputy Chief, the Captain and the Administrative Lieutenant of the respondent Department (the "Administrative Lieutenant") and they all confirmed that they had not seen the June 5, 2025 request prior to receiving a copy of the complaint and request from the Commission;
- d. Thereafter, the Captain searched the respondent Department's computer system for information related to the email, but was unable to locate the email or any related information;
- e. The Captain contacted the respondent Department's third-party IT Consultant ("IT Consultant") for assistance, who ultimately determined that the complainant's June 5, 2025 email was sent directly to a "discovery holds" folder, which the Captain described as a type of quarantine mailbox;
- f. None of the staff at the respondent Department, including the Chief, the Deputy Chief, the Captain and the Administrative Lieutenant, had access to this discovery holds folder; nor did they create such folder or know of its existence; and
- g. The IT Consultant contacted Microsoft customer support to learn how the discovery holds folder was created in this instance, but he was referred to a different team at Microsoft and had not received any further information as of the date of the hearing.

18. It is found that, although the respondents' website had a specific portal for the public to submit records requests,³ the complainant properly sent his records request to the respondents via the info@naugatuckpd.org general mailbox because it was offered as a means for the public to contact the respondent Department. It is also found, however, that due to the computer glitch,

³ The Commission recommends that the respondents amend their website's homepage to clarify that the public should use the "Forms & Reports" tab to submit all requests pursuant to the FOI Act.

the respondents were unaware of the complainant's June 5, 2025 request until January 22, 2026. It is also found that the complainant did not follow up with the respondents during the intervening six months.

19. It is found that upon receiving notice of the June 5, 2025 request from the Chief, the Captain attempted, the next day, to confirm with the complainant that he still wanted the records described therein. It is found that it was reasonable, under the circumstances, for the respondents to inquire with the complainant as to whether he remained interested in the records.

20. It is found that, once he received such confirmation from the complainant, the Captain conducted the search for responsive records, which included several reports, some of which were lengthy, as well as various body camera videos, all of which the Captain was required to review prior to providing them to the complainant. The Captain testified, and it is found, that he prioritized the search and review of the records and that he completed this process as fast as reasonably possible considering his other duties.

21. It is found that the respondents delivered all of the responsive records to the complainant in their entirety without any redactions, on February 5, 2026, which was within two weeks of the date the respondents first became aware of the June 5, 2025 request and only five days after the complainant informed the respondents that he still wanted a copy of the records.

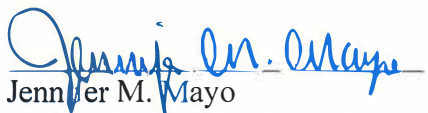
22. Based on the specific facts and circumstances of this case, it is found that the respondents acted in good faith and provided the complainant with the responsive records without undue delay.

23. It is concluded, therefore, that the respondents did not violate the promptness 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. The complaint is hereby dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of May 27, 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:

ALEX BEILMAN, 1001 Old Colony Road 7-13, Meriden, CT 06451

CHIEF, POLICE DEPARTMENT, BOROUGH OF NAUGATUCK ; POLICE DEPARTMENT, BOROUGH OF NAUGATUCK; AND BOROUGH OF NAUGATUCK ,
c/o Attorney Kyle A. McClain, Zangari Cohn Cuthbertson Duhl & Grello P.C., 750 Main Street,
Suite 902, Hartford, CT 06103


Jennifer M. Mayo
Acting Clerk of the Commission