

STATE OF CONNECTICUT
FREEDOM OF INFORMATION COMMISSION

In the Matter of a Complaint by

FINAL DECISION

Adam Hobart,

Complainant

against

Docket # FIC 2025-0579

Chief, Police Department, Town of Vernon;
Police Department, Town of Vernon; and
Town of Vernon,

Respondents

May 27, 2026

The above-captioned matter was heard as a contested case on February 19, 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 letter dated June 12, 2025 and hand-delivered on June 23, 2025, the complainant requested that the respondents provide him with copies of “any corresponden[nce] between Vernon police depart[ment] (all staff) and Vernon public schools (all staff) in regards to Adam Hobart and a background check that was done by the Vernon public schools” (“June 23, 2025 request”).¹
3. It is found that, by email dated June 23, 2025, the respondents acknowledged the complainant’s request.
4. It is found that, on July 1, 2025, the respondents emailed the complainant asking the complainant to narrow the scope of his records request because “[t]he staff roster at the VPD and VBOE is voluminous.”²

¹ At the hearing on this matter, the complainant testified that he had attempted to hand deliver his records request to the respondents earlier in June 2025, but the respondents refused to accept it because it was too voluminous and requested that the complainant narrow his request. However, the respondents’ witness denied ever turning the complainant away. The Commission is unable to make a finding in favor of either the complainant or the respondents on this fact issue. The Commission, nonetheless, notes that: (1) the FOI Act does not bar public agencies from asking requesters to narrow their records requests; and (2) pursuant to the FOI Act, a public agency may not properly reject a records request merely because the respondents believe it is too voluminous.

² “VPD” refers to the Police Department, Town of Vernon and “VBOE” refers to the Board of Education, Town of Vernon.

5. It is found that, on July 2, 2025, the complainant informed the respondents that he would not agree to narrow his request because he did not know who had released information concerning him.

6. By email dated and filed on July 9, 2025, the complainant appealed to this Commission alleging that the respondents violated the Freedom of Information (“FOI”) Act by not providing all records responsive to his June 23, 2025 request.

7. 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.

8. 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.

9. 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.”

10. It is concluded that the requested records, to the extent that they exist and are maintained by the respondents, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

11. It is found that, via attachments to an email dated September 5, 2025, the respondents provided the complainant with a copy of forty pages of responsive records. It is found that, by email dated September 5, 2025, the complainant informed the respondents that he was unable to open such attachments and asked the respondents to please resend them.

12. It is found that, by email dated September 10, 2025, the respondents provided electronic PDF files of the forty pages of records referenced in paragraph 11, above, which the complainant was then able to access.

13. At the hearing on this matter, the complainant testified, and it is found, that the respondent department had previously arrested him and that, in conjunction with that arrest, he

completed an Accelerated Pretrial Rehabilitation (“AR”) Program. *See* § 54-56e, G.S. The complainant contended that someone at the respondent Department wrongfully released information concerning his arrest to the Vernon Public Schools, as he believed that the police records concerning his arrest had been sealed at the time the information was released.³ As such, the complainant testified, and it is found, that he was particularly interested in any written communications that would reveal who released such information. The complainant contended that the respondents failed to conduct a thorough and proper search for responsive records because they failed to provide him with any such communications, which he believed must exist.⁴ The complainant lastly contended that he requested printed copies for which he agreed to pay; however, the respondents instead provided him with electronic copies.

14. At the hearing on this matter, the respondents contended that they conducted a thorough search and provided all responsive records to the complainant.

15. At the hearing on this matter, the respondents’ Records Supervisor testified on behalf of the respondents. It is found, based upon the Records Supervisor’s testimony, that she oversees the daily operations of the records department including FOI Act requests. It is found that the Records Supervisor, on July 10, 2025, requested that the Information Technology Department of the Town of Vernon (“IT”) perform a search for responsive electronic records.

16. It is found that the Records Supervisor could not testify with certainty as to the scope of IT’s search.

17. After the hearing, the hearing officer ordered the respondents to address the following issues by way of post-hearing affidavit(s):

- (1) whether the respondents, prior to the hearing on February 19, 2026, searched for any written communications in paper-form that are responsive to the complainant’s June 23, 2025 request, and if not why;⁵

³ Whether the respondents’ records were sealed or whether the complainant’s criminal matter was erased at the time the respondent VPD released information about the complainant are not issues for the Commission to decide in this matter, as this matter solely concerns the complainant’s June 23, 2025 request. The Commission notes, for background purposes, however, that the court is required to order the *court file* sealed upon application by any person for participation in an AR program. *See* § 54-56e, G.S. Additionally, if a defendant who is admitted to an AR program completes the AR program successfully, the court will dismiss the charges against the defendant. *Id.* Then, upon dismissal of the case, all records of such charges are erased pursuant to § 54-142a, G.S. *Id.* No evidence was provided that the complainant’s criminal case had been dismissed at the time the respondents released the information concerning his arrest.

⁴ The complainant contended that the respondents should have responded in writing to his inquiry as to whether staff of the Vernon Public Schools or the VBOE made an oral request for his police records. He also contended that the FOI Act does not permit the respondents to release records based upon an oral request. The Commission notes that: (1) the FOI Act does not require that a public agency answer the questions of individuals seeking information, but rather simply requires the disclosure of existing records; and (2) although the FOI Act provides that an individual seeking to receive a copy of a public record must reduce such request to writing in order for the request to be actionable, *Planning & Zoning Comm’n of Town of Pomfret v. Freedom of Info. Comm’n*, 130 Conn. App. 448, 456 (2011), the FOI Act does not *prohibit* a public agency from disclosing records in response to an oral request.

⁵ The order referenced in paragraph 17, above, also included an order to conduct a search of paper records if such a search had not been conducted prior to the hearing on February 19, 2026.

(2) the steps the respondents took to search for *electronic* records responsive to the complainant's June 23, 2025 records request prior to the hearing date, including but not limited to: the specific search terms used and the database(s) and/or computer file(s) searched.

18. On March 17, 2026, the respondents filed the affidavit of Christine Lee, the Records Supervisor and, on March 19, 2026, they filed the affidavit of Randy Swanson, a Senior System Administrator, IT ("Senior System Administrator") with the Town of Vernon. The affidavits have been marked and admitted as respondents' post-hearing Exhibit 2 and Exhibit 3, respectively.

19. Based on the Records Supervisor's affidavit, it is found that she did not conduct a search of paper records prior to the hearing on this matter based upon her belief that any responsive correspondence would exist in electronic form. It is found that, in response to the hearing officer's order described in paragraph 17, above, the Records Supervisor, sent an email, on March 5, 2026, to all personnel of the respondent Department asking them to provide her with copies of any responsive communications, "whether electronic or otherwise."

20. In her affidavit, the Records Supervisor averred, and it is found, that based upon the responses from the respondent Department employees, no written records in paper-form responsive to the June 23, 2025 request existed. She also averred, and it is found, that the respondent Department employees provided her with certain electronic records responsive to the June 23, 2025 request, all of which the respondents had previously provided to the complainant.

21. Based upon the Records Supervisor's testimony during the hearing on this matter and her statements in her affidavit, it is found that an employee of the respondent Department advised her that he had telephone communications regarding the complainant, but the contents of these communications were not reduced to writing.

22. In his affidavit, the Senior System Administrator averred, and it is found, that he conducted the search for electronic records responsive to the June 23, 2025 request. Based upon his affidavit, it is found that the Senior System Administrator reviewed electronic records for any correspondence with the word/name "Hobart" and/or the email address hobarta63@gmail.com from January 1, 2024 through August 30, 2025. It is further found that he searched the active directory of personnel for the respondent Department as well as the organizational units that had active users, which included: Administrative Assistants, Animal Control Officers, Administrators, Crossing Guard Coordinator, Detectives, Dispatchers, Patrol Officers, Property Technicians, Records Clerk, Sergeants and user account precords@vernon-ct.gov.

23. It is found that the Senior System Administrator forwarded all of the records yielded from his search to the Records Supervisor. It is further found, based upon the Records Supervisor's testimony and affidavit, that she provided the complainant with all responsive records that the IT Department's search produced.

24. Based on the foregoing, it is found that the respondents' search was reasonably

thorough and sufficient.

25. It is found that the respondents provided to the complainant, without redactions, the entirety of the records responsive to his request that were produced by the respondents' searches.

26. Additionally, it is found that, in the complainant's email dated September 5, 2025, identified in paragraph 11, above, he indicated, as an alternative, that if the attachments could be printed, he would pay for the cost of the copies. It is found that, although the respondents did not provide the complainant with printouts (and thus did not charge the complainant for copies), a reasonable interpretation of the complainant's September 5, 2025 email is that he did not insist on printouts of the requested records.

27. Accordingly, 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.

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 May 27, 2026.


Molly Steffes
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:

ADAM HOBART, 215 East Main Street, Apt. 2S, Vernon, CT 06066

CHIEF, POLICE DEPARTMENT, TOWN OF VERNON; POLICE DEPARTMENT, TOWN OF VERNON; AND TOWN OF VERNON, c/o Attorney Louis A. Spadaccini, Blackwell & Spadaccini LLC, 158 East Center Street, Manchester, CT 06040


Molly Steffes
Acting Clerk of the Commission