

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by)
Alicien Radzizlowska,)
 Complainant)
) Report of Hearing Officer
) Docket #FIC77-37
) April 4 , 1977
))
City and Town of New Britain and)
Chief of Police of the City and)
Town of New Britain,)
 Respondents)
)

The above captioned matter was heard as a contested case on March 18, 1977, at which time the complainant and the respondent chief of police appeared and presented testimony and argument on the complaint.

After consideration of the entire record, the following facts are found:

1. The respondents are public agencies within the meaning of §1-18a(a), G.S.

2. By letter filed with the Commission on February 15, 1977, the complainant appealed from the decision of the respondent chief of police denying her access to a certain statement by the water department of the respondent city and town.

3. Subsequent to the hearing herein, and by letter from the complainant filed with the Commission on March 30, 1977, the complainant acknowledged receipt from the respondent chief of police of the document here in issue. The question of the complainant's right of access to the written statement of the water department is therefore a matter that is not longer in controversy and need not be decided by the Commission herein.

4. The only remaining issue is whether or not the respondents, by making their tender of compliance on the day subsequent to the hearing herein have complied with the time requirements of §1-19, G.S.

5. There was considerable confusion on the part of the respondents concerning what exactly the complainant was seeking access to. This issue seems to have been clarified for the first time at the hearing herein and in view of the respondent chief of police's prompt tender thereafter it cannot be concluded that the respondents have violated the time requirements of §1-19, G.S.

The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

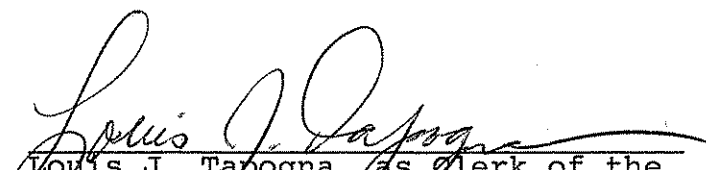
1. The complaint is hereby dismissed.



Commissioner Judith Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission on
April 13, 1977.



Louis J. Tapogna, as Clerk of the
Freedom of Information Commission