

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by Larry Williams, Complainant	)	Report of Hearing Officer
	)	
against	)	Docket #FIC77-61
	)	
State of Connecticut; and Chairman of the Commission on Special Revenue, Respondents	)	May 25, 1977
	)	
Lester B. Snyder, Intervenor	)	

The above captioned matter was heard as a contested case on April 28, 1977, at which time the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint.

Mr. Lester B. Snyder moved for leave to intervene. The respondents objected to such motion contending that Mr. Snyder was without standing to intervene. Such motion was granted pursuant to §1-21j-28 of the Rules of Practice of this Commission and the intervenor was expressly permitted to participate by presenting evidence and legal argument.

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

1. The respondents are public agencies as defined by §1-18a(a), G.S.
2. On March 16, 1977, the complainant asked the acting chairman of the Commission on Special Revenue to see and inspect a certain document concerning the Sawmill Brook Racing Association, Inc.
3. At that time, the acting chairman did not allow the complainant to see the requested document, giving the following reasons: (a) that the Commission on Special Revenue had not yet had an opportunity "to digest" the contents of the document; (b) that the documents contained "privileged information".
4. By letter of complaint filed with this Commission on March 16, 1977, the complainant alleged that he has been improperly denied the right to inspect or copy records under the Freedom of Information Act, as codified in Chapter 3 of the General Statutes.
5. At the hearing herein, the respondents contended that the Commission on Special Revenue did not deny access to the requested documents on March 16, 1977 and that this Commission is therefore without jurisdiction for purposes of the present appeal.

6. It is found that the complainant was denied access to the aforesaid requested document on March 16, 1977 for purposes of an appeal under §1-21i, G.S. and that this Commission has jurisdiction to consider same under §1-21i, G.S.

7. The respondents have within their possession the document in question.

8. The respondents contend that the aforesaid requested document is exempt from disclosure pursuant to §1-19(b)(7), G.S. as statements of personal worth or personal financial data required by a licensing agency and filed by an applicant with such licensing agency to establish his personal qualifications for the license, certificate or permit applied for.

9. The Commission on Special Revenue is a licensing agency.

10. It was shown that the document here in issue was not filed by the Sawmill Brook Racing Association, Inc. with the respondents, but rather, that the requested document, consisting of three type written pages, was produced by the Chief Examiner of the State Banking Department and sent to the respondents.

11. It is found that the above mentioned document is not exempt from disclosure under §1-19(b)(7), G.S.

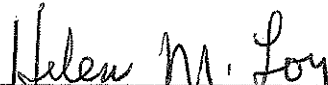
12. The requested document is further found to be a public record within the meaning of §1-18a(d), G.S. and §1-19, G.S.

13. It is therefore concluded that the complainant was improperly denied his right to inspect or copy a record under §1-19, G.S.

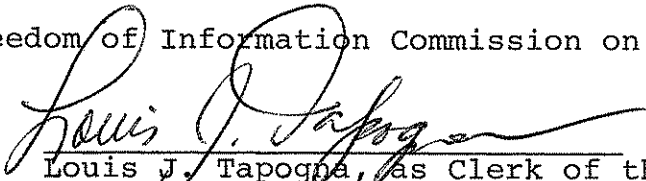
The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. The respondent shall forthwith provide the complainant with access to inspect or copy the aforesaid requested record as provided for under §1-19, G.S.

Approved by order of the Freedom of Information Commission on May 25, 1977.

  
Helen M. Loy, Chairman  
Freedom of Information Commission

Approved by order of the Freedom of Information Commission on May 25, 1977.

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