FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint By	)	Report of Hearing Officer
Thomas J. Hobin,	)	Docket #FIC81-51
Complainant	)	
against	)	August 11, 1981
Town of Simsbury,	)	
Respondent	)	

The above-captioned matter was heard as a contested case on July 28, 1981, at which time the complainant and the respondent appeared and presented testimony and exhibits on the complaint. At the hearing, the complainant requested that he be permitted to withdraw his complaint.

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

1. The respondent is a public agency as defined by §1-18a(a), G.S.

2. By letter of complaint dated April 3, 1981 and received by this Commission on April 6, 1981, the complainant alleged that on March 5, 1981, the respondent Town of Simsbury released records concerning a number of members of the Simsbury Police Department, specifically, records of certain internal affairs investigations, letters of reprimand and other letters purporting to take specific letters of reprimand from officers' files.

3. In the same letter referred to in paragraph 2 above, the complainant alleged that this release of records violated §§ 1-19(b)(2) and 1-19(b)(13), G.S. in that it constituted an invasion of personal privacy and violated the protections afforded to "whistleblowers" by the statutes cited.

4. The respondent moved to dismiss the complaint on the ground that it was not filed within the required time period.

5. Section 1-21i(b), G.S. provides in part:

> "Any person denied . . . any right conferred by sections 1-15, 1-18a, 1-19 to 1-19b, inclusive, and 1-21 to 1-21k, inclusive, may appeal therefrom, within thirty days, to the Freedom of Information Commission . . ."

6. The respondent town released the documents in question on February 26, 1981.

7. It is found that the complainant failed to file his complaint within thirty days of the violation alleged.

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The following order by the Commission is hereby recommended concerning the above-captioned matter:

1. The complaint is dismissed.

2. Nothing herein shall be construed as commenting upon the question of whether the respondent town's release of the documents in question constituted a violation of any of the provisions of the Freedom of Information Act.

Judith Lahey
Commissioner Judith Lahey
as Hearing Officer

Approved by order of the Freedom of Information Commission at its regular meeting of September 9, 1981.

Mary Jo Jolicoeur
Mary Jo Jolicoeur
Clerk of the Commission