FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Thomas Supina, Jr.,

Complainant

against
City and Town of Ashford; and
Board of Selectmen of the City
and Town of Ashford,

Respondents

Report of Hearing Officer

Docket #FIC81-12, FIC81-54

July 22, 1981

The above captioned matters were scheduled for hearing on June 23, 1981 at which time the parties appeared and presented evidence and argument on the complaints.

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

1. The respondent is a public agency within the meaning of §1-18a(a), G.S.

2. By letter dated January 12, 1981 the complainant asked for copies of minutes and agendas pertaining to meetings of the respondent from the beginning of the present administration up through April, 1980.

3. A complaint alleging violation of §1-15 G.S. was filed with the Commission on January 19, 1981.

4. The complainant later amended his complaint to ask that a fine be levied by the Commission pursuant to §1-21i(d), G.S.

5. In response to the request of the complainant the various documents were provided to him on January 16, March 2, and March 10, 1981.

6. Section 1-15, G.S. provides in relevant part that

> any person applying in writing shall receive promptly upon request, a plain or certified copy of any public record.

7. It is found that the documents requested by the complainant were not furnished promptly in accordance with the statute.

8. The complainant was a selectman prior to the election of the present board of selectmen.

9. The complainant claims he is a watchdog acting in the public interest.

10. The Commission takes administrative notice of the numerous unfounded as well as valid complaints which the complainant has filed with the Commission.

11. It is concluded that the complainant has in fact used his complaints as a means of harassing the respondent.

12. The respondent has responded by being uncooperative and the relationship between the complainant and the respondent is not pleasant.

13. It is found therefore, under the facts of this case, that the ends of justice would not be served by imposition of a fine because both parties bear some responsibility for the respondents' failure to comply with §1-15, G.S.

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

1. The respondents shall henceforth comply with §1-15, G.S.

Donald W. Friedman
Commissioner Donald Friedman
as Hearing Officer

Approved by Order of the Freedom of Information Commission at its regular meeting of August 26, 1981.

Wendy R.B. Paradis
Wendy R.B. Paradis
Clerk of the Commission