

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
James Quattro,

FINAL DECISION

Complainant

Docket #FIC84-245

against

April 10, 1985

State Building Inspector's Office,
Division of State Police, Department
of Public Safety,

Respondent

The above captioned matter was heard as a contested case on February 28, 1985 at which time the complainant and the respondent appeared and presented testimony, exhibits and argument on the complaint.

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 of complaint filed with the Commission on November 19, 1984 the complainant alleged that he had been denied access to findings of fact regarding a July 26, 1984 hearing before the Codes and Standards Committee of the Department of Public Safety.
3. In his complaint the complainant also alleged that the July 26, 1984 hearing was held in violation of §1-21e, G.S. However, the Commission lacks jurisdiction over such allegation pursuant to §1-21i(b), G.S. the complaint having been filed more than 30 days following such hearing.
4. Following the July 26, 1984 hearing, the State Codes and Standards Committee issued a document entitled Findings of Fact and Conclusions at Law, which document was approved by the Committee at a meeting held on September 24, 1984.
5. On October 9, 1984 the complainant made a request of the respondent for a copy of such findings of fact.
6. By letter dated October 9, 1984 the complainant also made a request of Governor William O'Neill for the document, although there was no evidence presented that Governor O'Neill at any time possessed a copy of the document.

7. On October 9, 1984 the respondent allowed the complainant to inspect the document, but denied him access to a copy on the ground that the document was unsigned.

8. By letter dated October 15, 1984 the respondent forwarded to the complainant a signed copy of the findings of fact. The complainant received the document on October 18, 1984.

9. It is found that the findings of fact were, on the date requested, a public record within the meaning of §1-18a(d), G.S.

10. It is found that the fact that the respondent's copy of the findings of fact was unsigned did not affect the disclosability of the document.

11. It is concluded that the complainant's receipt of the document on October 18, 1984 did not constitute prompt access in violation of §1-15, G.S.

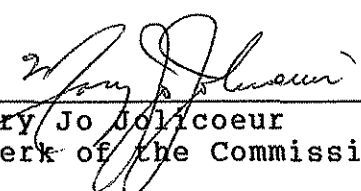
The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint.

1. The respondent State Building Inspector's Office shall henceforth act in strict compliance with the requirements of §1-15, G.S. regarding prompt access to public records.

2. A copy of this decision shall be posted on a bulletin board where all employees of the respondent State Building Inspector's Office, Division of State Police may read it.

3. A copy of this decision shall be distributed by the respondent State Building Inspector's Office to all members of the State Codes and Standards Committee.

Approved by order of the Freedom of Information Commission at its regular meeting of April 10, 1985.



Mary Jo Dolicoeur
Clerk of the Commission