

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by,
Roberto Laboy,

FINAL DECISION

Complainant

Docket #FIC85-29

against

July 10, 1985

Hartford Police Department of
the City and Town of Hartford,

Respondent

The above captioned matter was heard as a contested case on April 25, 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. On February 4, 1985 the complainant made a request at the offices of the respondent for copies of statements by David Rivera and Sonia Ortiz relating to a 1981 shooting incident. The complainant was told that the only document left in the incident file was a copy of the police report.

3. By letter of complaint filed with the Commission on February 11, 1985 the complainant alleged that the respondent had denied him access to existing records, in violation of the Freedom of Information Act.

4. It is found that the statements requested by the complainant were at one time maintained by the respondent and that in 1983 the complainant requested and was given copies of the statements by the respondent.

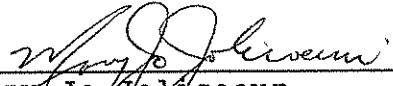
5. It is found, however, that the respondent has conducted a diligent search of its files and has been unable to locate the documents in question.

6. It is concluded that the respondent's failure to provide the complainant with copies of the requested documents did not violate §§1-15 or 1-19(a), 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.

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



Mary Jo Jolicoeur
Clerk of the Commission