

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
David P. Getchell

FINAL DECISION

Complainant

against

Docket #FIC 85-232

The Connecticut State Police
Department: Troops C and K
of the Connecticut State
Police and The Office
of the Attorney General

Respondents

March 20, 1986

The above captioned matter was heard as a contested case on February 14, 1986 at which time the complainant and the respondents appeared, stipulated to certain facts, and presented testimony, exhibits and argument on the complaint.

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

1. The respondents are public agencies within the meaning of §1-18a(a), G.S.
2. By letter dated August 22, 1985, the complainant made a written request of the respondents to release copies of any material, printed or recorded, that in any way referred to the complainant, his wife, children or business.
3. By letter dated October 11, 1985, the respondent attorney general denied the complainant's request.
4. From the denial of access to the requested records, the complainant appealed to the Commission by complaint filed on November 14, 1985.
5. At the hearing, the respondents made a motion to dismiss the complaint claiming the complainant did not file an appeal with the Commission within thirty days after his denial pursuant to §1-21i(b), G.S.


6. It is found that from the time of the complainant's request and the respondents' denial of access to the requested records, more than thirty days had elapsed before the complainant filed an appeal with the Commission.

7. It is therefore concluded that the Commission lacks jurisdiction to determine the complaint.

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 special meeting of March 20, 1986.


Catherine Hostetter
Acting Clerk of the Commission