



FREEDOM OF INFORMATION



Connecticut Freedom of Information Commission • 18-20 Trinity Street, Suite 100 • Hartford, CT 06106
Toll free (CT only): (866)374-3617 Tel: (860)566-5682 Fax: (860)566-6474 • www.state.ct.us/foi/ • email: foi@po.state.ct.us

Alyssa Peterson,
Complainant(s)
against

Notice of Meeting

Docket #FIC 2014-546

Executive Director, State of Connecticut, Commission on
Human Rights and Opportunities; Chairman, State of
Connecticut, Commission on Human Rights and
Opportunities; and State of Connecticut, Commission on
Human Rights and Opportunities,
Respondent(s)

April 30, 2015

Transmittal of Proposed Final Decision

In accordance with Section 4-179 of the Connecticut General Statutes, the Freedom of Information Commission hereby transmits to you the proposed finding and decision prepared by the hearing officer in the above-captioned matter.

This will notify you that the Commission will consider this matter for disposition at its meeting which will be held in the Freedom of Information Commission Hearing Room, 18-20 Trinity Street, 1st floor, Hartford, Connecticut, at **2 p.m. on Wednesday, May 27, 2015**. At that time and place you will be allowed to offer oral argument concerning this proposed finding and order. Oral argument shall be limited to ten (10) minutes. For good cause shown, however, the Commission may increase the period of time for argument. A request for additional time must be made in writing and should be filed with the Commission **ON OR BEFORE May 15, 2015**. Such request **MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, and (2) include a notation indicating such notice to all parties or their representatives.**

Although a brief or memorandum of law is not required, if you decide to submit such a document, an **original and fourteen (14) copies** must be filed **ON OR BEFORE May 15, 2015**. **PLEASE NOTE: Any correspondence, brief or memorandum directed to the Commissioners by any party or representative of any party MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, (2) include a notation indicating such notice to all parties or their representatives and (3) be limited to argument. NO NEW EVIDENCE MAY BE SUBMITTED.**

If you have already filed a brief or memorandum with the hearing officer and wish to have that document distributed to each member of the Commission, it is requested that **fifteen (15) copies** be filed **ON OR BEFORE May 15, 2015**, and that **notice be given to all parties or if the parties are represented, to their representatives, that such previously filed document is being submitted to the Commissioners for review.**

By Order of the Freedom of
Information Commission

W. Paradis
Acting Clerk of the Commission

Notice to: Alyssa Peterson
Kimberly Jacobsen, Esq.

2015-04-30/FIC# 2014-546/Trans/wrbp/TCB//VDH

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In The Matter of a Complaint by

Report of Hearing Officer

Alyssa Peterson,

Complainant

against

Docket #FIC 2014-546

Executive Director, State of Connecticut,
Commission on Human Rights and
Opportunities; Chairman, State of
Connecticut, Commission on Human Rights
and Opportunities; and State of
Connecticut, Commission on Human Rights
and Opportunities,

Respondents

April 1, 2015

The above-captioned matter was scheduled to be heard as a contested case on March 3, 2015, at which time the complainant and the respondents appeared. However, the respondents submitted a motion to dismiss the above captioned complaint dated March 2, 2015, which motion was heard and argued by the parties, at the March 3, 2015, hearing.

After consideration of the entire record, the following facts are found and conclusions of law are reached:

1. The respondents are public agencies within the meaning of §1-200(1), G.S.
2. By letter dated August 9, 2014 and received on August 15, 2014, the complainant appealed to this Commission alleging that the respondents violated the Freedom of Information Act by failing to comply with her request to inspect certain records.
3. By motion dated and received on March 2, 2015, the respondents moved to have the complaint dismissed for lack of subject matter jurisdiction because the complaint was not timely filed.
4. Section 1-206, G.S., provides, in pertinent part that:

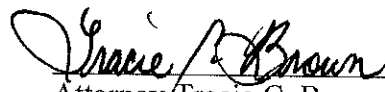
(b)(1) Any person denied the right to inspect or copy records under section 1-210 ... may appeal therefrom to the Freedom of Information Commission, by filing a notice of appeal with said commission. A notice of appeal shall be filed not later than thirty days after such denial...

5. It is found that the complainant requested and received access to inspect certain records maintained by the respondents on or about August 16, 2013. It is found that the complainant's August 9, 2014 complaint, filed almost a year later, alleges, in essence, that certain records should have been made available to her at that time which were not.

6. It is found that the notice of appeal in this matter was not filed within thirty days of the alleged denial of access to inspect records as required by §1-206, G.S. Accordingly, it is concluded that the Commission lacks subject matter jurisdiction in this matter.

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.



Attorney Tracie C. Brown
as Hearing Officer