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# FREEDOM OF INFORMATION



Connecticut Freedom of Information Commission • 18-20 Trinity Street, Suite 100 • Hartford, CT 06106  
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David Godbout,  
Complainant(s)  
against

Notice of Meeting

Docket #FIC 2014-404

Citation Hearing Office, Hartford Parking Authority; and  
Hartford Parking Authority,  
Respondent(s)

June 1, 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, June 10, 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 June 8, 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 June 8, 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 June 8, 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: David Godbout  
Cynthia Lauture, Esq.

2015-06-01/FIC# 2014-404/Trans/wrbp/LFS//CAL

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer

David Godbout,

Complainant

against

Docket #FIC2014-404

Citation Hearing Officer, Hartford Parking  
Authority; and Hartford Parking Authority,

Respondents

June 1, 2105

The above-captioned matter was heard as a contested case on May 22, 2015, 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 and conclusions of law are reached:

1. The respondents are public agencies within the meaning of §1-200(1), G.S.
2. By letter filed June 26, 2014, the complainant appealed to this Commission, alleging that the respondents violated the FOI Act by prohibiting him from attending and recording the citation hearings meeting on June 17, 2014. The complainant requested the imposition of civil penalties against the mayor of the City of Hartford.
3. Section 1-200(2), G.S., defines “meeting” as:

any hearing or other proceeding of a public agency ... to discuss or act upon a matter over which the public agency has supervision, control, jurisdiction or advisory power...
4. Section 1-225(a), G.S., provides, in relevant part: “The meetings of all public agencies ... shall be open to the public.”
5. Section 1-226(a), G.S., provides, in relevant part: “At any meeting of a public agency which is open to the public, pursuant to the provisions of section 1-225, proceedings of such public agency may be recorded, photographed, broadcast or recorded for broadcast, subject to such rules as such public agency may have prescribed prior to such meeting, by any person...”

6. The respondents do not contest, and it is found, that the citation hearings meeting that the respondents allegedly barred the complainant from attending was a “meeting” within the meaning of §1-200(2), G.S.

7. It is found that the complainant visited the Citation Hearing Office on June 17, 2014, in order to attend ongoing hearings.

8. It is found that upon his arrival at the Citation Hearing Office, the complainant noticed a posted sign prohibiting photographs.

9. It is found that when the complainant attempted to enter the room where the hearings were underway, he discovered that the door was locked.

10. It is found that a security guard opened the door, acknowledged that hearings were going on, but refused to permit the complainant to enter the hearings room and also refused permission to record or photograph the proceedings.

11. The Commission takes administrative notice of Docket #FIC2012-627, David Godbout v. Citation Hearing Office, Hartford Parking Authority; and Hartford Parking Authority (September 11, 2013), in which the same respondents were found to have violated §1-225(a), G.S., by failing to make the citation hearings open to the public.

12. The Commission found in Docket #FIC 2012-627 that for security reasons, the respondents conduct citation hearings behind a closed and locked door. It is found that entry to the hearings is gained by a buzzer controlled by a clerk seated behind a thick plastic panel.

13. At the hearing in this matter, the respondents acknowledged that the security guard should have permitted the complainant to enter, or, at least, directed the complainant to the clerk in order to gain entry.

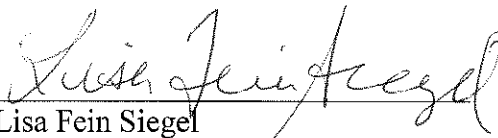
14. The respondents also acknowledged that they may not prohibit photographs of the proceedings, and counsel for the respondents represented that the sign was recently removed.

15. It is concluded that the respondents violated §§1-225(a) and 1-226(a), G.S., as alleged.

16. The Commission declines to order the imposition of a civil penalty.

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

1. Forthwith, the respondents shall comply with the open meeting requirements of §§1-225(a) and 1-226(a), G.S.

  
Lisa Fein Siegel  
as Hearing Officer

Docket #FIC2014-404/HOR/LFS/06012015