

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Cecil Young and Patricia Young,

Complainants

against

Docket #FIC 2016-0167

Mayor, City of Bridgeport; and City of  
Bridgeport,

Respondents

January 11, 2017

The above-captioned matter was heard as a contested case on October 6, 2016, at which time the complainants 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. It is found that by letter dated January 27, 2016, the complainants requested copies of medical records and other documents associated with Mr. Young's employment termination from the City of Bridgeport in 2006.
3. By letter filed February 26, 2016, the complainants appealed to this Commission, alleging that the respondents violated the Freedom of Information ("FOI") Act by failing to provide the records they requested.

4. Section 1-200(5), G.S., provides:

Public records or files means any recorded data or information relating to the conduct of the public's business prepared, owned, used, received or retained by a public agency, ...whether such data or information be handwritten, typed, tape-recorded, printed, photostated, photographed or recorded by any other method.

5. Section 1-210(a), G.S., provides, in relevant part:

Except as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or

regulation, shall be public records and every person shall have the right to (1) inspect such records promptly during regular office or business hours, ... or (3) receive a copy of such records in accordance with section 1-212.

6. Section 1-212(a), G.S., provides in relevant part: “Any person applying in writing shall receive, promptly upon request, a plain, facsimile, electronic or certified copy of any public record.

7. It is found that the records requested by the complainant are public records within the meaning of §§1-200(5), 1-210(a), and 1-212(a), G.S.

8. At the hearing in this matter, the complainants stated that the only records they still sought were three medical leave of absence forms and a termination letter.

9. It is found that at the hearing, the respondents provided one of the three forms, which was attached to a “warning” letter, and the termination letter. The respondents claimed that they had previously provided such records to the complainants; however, the complainants said that they had never received such records.

10. It is found that the respondents do not maintain the other two medical leave forms sought by the complainants.

11. It is concluded that the respondents did not violate §§1-210(a) and 1-212(a), G.S., as alleged.

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

1. The complaint is dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of January 11, 2017.



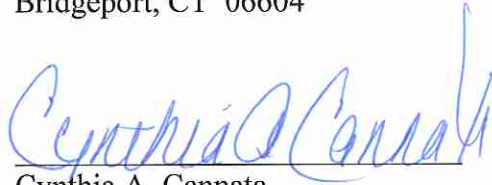
Cynthia A. Cannata  
Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

Cecil Young and Patricia Young  
99 Carroll Avenue  
Bridgeport, CT 06607

Mayor, City of Bridgeport; and City of Bridgeport  
c/o Tyisha S. Toms, Esq.  
Office of the City Attorney  
999 Broad Street  
Bridgeport, CT 06604



Cynthia A. Cannata  
Acting Clerk of the Commission