

TO: Freedom of Information Commission
FROM: Thomas A. Hennick
RE: Minutes of the Commission's regular meeting of November 18, 2020

A regular meeting of the Freedom of Information Commission was held on November 18, 2020. Due to public health concerns surrounding the COVID-19 pandemic, the Commission Meeting of November 18, 2020, was conducted telephonically. The meeting convened at 2:00 p.m. with the following Commissioners present:

Commissioner Owen P. Eagan, presiding
Commissioner Jonathan J. Einhorn
Commissioner Matthew Streeter
Commissioner Christopher P. Hankins
Commissioner Ryan P. Barry
Commissioner Stephen Fuzesi Jr.
Commissioner Victoria W. Chavey

Also present were staff members, Colleen M. Murphy, Mary E. Schwind, Victor R. Perpetua, Valicia D. Harmon, Kathleen K. Ross, Paula S. Pearlman, Matthew D. Reed, Danielle L. McGee, Thomas A. Hennick, and Cindy Cannata.

Chairman Eagan began the meeting by asking for a moment of silence in tribute to former FOI Commissioner Norma E. Riess, who passed away earlier in the week. Eagan extolled Commissioner Riess for her dedication and collegiality. Commissioner Riess served on the commission from 1997-2013 and was chairman from 2010-2013.

The Commissioners voted, 6-0, to approve the Commission's regular meeting minutes of [October 28, 2020](#). Commissioner Barry abstained.

Those in attendance were informed that the November 18, 2020 regular meeting of the Commission was being recorded.

[Docket #FIC 2019-0516](#)

Marlando Daley v. Chief, Armando Perez, Police Department, City of Bridgeport; Police Department, City of Bridgeport; and City of Bridgeport

Marlando Daley appeared on his own behalf. Attorney Dina Scalo appeared on behalf of the respondents. The Commissioners unanimously voted to amend the Hearing Officer's Report. The Commissioners unanimously voted to adopt the Hearing Officer's Report as amended. * The proceedings were recorded digitally.

[Docket #FIC 2019-0663](#)

John Vivo III v. Rollin Cook, Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction

John Vivo III appeared on his own behalf. Attorney Tracie Brown appeared on behalf of the respondents. The Commissioners unanimously voted to amend the Hearing Officer's Report. The Commissioners unanimously voted to adopt the Hearing Officer's Report as amended. * The proceedings were recorded digitally.

[Docket #FIC 2019-0688](#)

Earl Thompson v. Chief, Police Department, Town of Bloomfield; Police Department, Town of Bloomfield; and Town of Bloomfield

Earl Thompson appeared on his own behalf. The Commissioners unanimously voted to amend the Hearing Officer's Report. The Commissioners unanimously voted to adopt the Hearing Officer's Report as amended. * The proceedings were recorded digitally.

[Docket #FIC 2019-0507](#)

Roberto Rodriguez v. Chief, Police Department, City of Bristol; Police Department, City of Bristol; and City of Bristol

The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2019-0588](#)

Brian Maggi and Rita Maggi v. Chief, Police Department, City of Shelton; Police Department, City of Shelton; and City of Shelton

The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2019-0648](#)

Micah Thaisz v. Commissioner, State of Connecticut, Department of Aging and Disability Services; and State of Connecticut, Department of Aging and Disability Services

The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2019-0719](#)

Robert Cushman v. Director, Central Communications, City of Middletown; Central Communications, City of Middletown; and City of Middletown

The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2019-0736](#)

Chris Noe v. Director, Department of Public Works, Town of Darien; Department of Public Works, Town of Darien; Town of Darien; Commissioner, State of Connecticut, Department of Emergency Services and Public Protection; and State of Connecticut, Department of Emergency Services and Public Protection

The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

Colleen M. Murphy and Valicia D. Harmon reported on pending appeals.

Colleen M. Murphy reported that Commission staff is continuing to hold contested case hearings remotely and that work continues on having commission meetings moved to a video platform. Colleen M. Murphy also reported that the Commission's public education program was running smoothly after a COVID-19 pandemic induced slowdown. A total of [75 workshops](#) have been held or are scheduled to be held by the end of the year, 40 since March with 35 of those being conducted remotely by Public Education Officer Thomas Hennick.

Colleen M. Murphy added her thoughts on the passing of former commission chairman Norma Riess. In addition to her dedication, Murphy reminded all of Commissioner Riess' warm and friendly demeanor.

Colleen M. Murphy reported that the relocation of commission offices would, in all likelihood, not occur until at least April of 2021 when construction of new space is now scheduled to be complete.

Colleen M. Murphy reported that approval had been granted to post an opening for Staff Attorney I.

The meeting was adjourned at 3:06 p.m.

Thomas A. Hennick
MINREGmeeting 11182020/tah/11192020

AMENDMENTS

Docket #FIC 2019-0516

Marlando Daley v. Chief, Armando Perez, Police Department, City of Bridgeport; Police Department, City of Bridgeport; and City of Bridgeport

The Hearing Officer's Report in paragraph 4 is amended as follows: to add a footnote after the date, August 19, 2019 with the following language:

ON MARCH 25, 2020, THE GOVERNOR ISSUED EXECUTIVE ORDER 7M, THEREBY SUSPENDING THE PROVISIONS OF CONN. GEN. STAT. SEC. 1-206(b)(1), WHICH REQUIRES THE FREEDOM OF INFORMATION COMMISSION TO HEAR AND DECIDE AN APPEAL WITHIN ONE YEAR AFTER THE FILING OF SUCH APPEAL. EXECUTIVE ORDER 7M IS APPLICABLE TO ANY APPEAL PENDING WITH THE COMMISSION ON THE ISSUANCE DATE AND TO ANY APPEAL FILED ON OR AFTER SUCH DATE, FOR THE DURATION OF THE CURRENT PUBLIC HEALTH AND CIVIL PREPAREDNESS EMERGENCY. CONSEQUENTLY, THE COMMISSION RETAINS JURISDICTION.

Docket #FIC 2019-0663

John Vivo III v. Rollin Cook, Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction

The Hearing Officer's Report in paragraph 2 is amended as follows: to add a footnote after the date, October 31, 2019 with the following language:

ON MARCH 25, 2020, THE GOVERNOR ISSUED EXECUTIVE ORDER 7M, THEREBY SUSPENDING THE PROVISIONS OF CONN. GEN. STAT. SEC. 1-206(b)(1), WHICH REQUIRES THE FREEDOM OF INFORMATION COMMISSION TO HEAR AND DECIDE AN APPEAL WITHIN ONE YEAR AFTER THE FILING OF SUCH APPEAL. EXECUTIVE ORDER 7M IS APPLICABLE TO ANY APPEAL PENDING WITH THE COMMISSION ON THE ISSUANCE DATE AND TO ANY APPEAL FILED ON OR AFTER SUCH DATE, FOR THE DURATION OF THE CURRENT PUBLIC HEALTH AND CIVIL PREPAREDNESS EMERGENCY. CONSEQUENTLY, THE COMMISSION RETAINS JURISDICTION.

Docket #FIC 2019-0688

Earl Thompson v. Chief, Police Department, Town of
Bloomfield; Police Department, Town of Bloomfield;
and Town of Bloomfield

The Hearing Officer's Report in paragraph 3 is amended as follows: to
add a footnote after the date, November 5, 2019 with the following language:

ON MARCH 25, 2020, THE GOVERNOR ISSUED EXECUTIVE ORDER 7M, THEREBY SUSPENDING THE PROVISIONS OF CONN. GEN. STAT. SEC. 1-206(b)(1), WHICH REQUIRES THE FREEDOM OF INFORMATION COMMISSION TO HEAR AND DECIDE AN APPEAL WITHIN ONE YEAR AFTER THE FILING OF SUCH APPEAL. EXECUTIVE ORDER 7M IS APPLICABLE TO ANY APPEAL PENDING WITH THE COMMISSION ON THE ISSUANCE DATE AND TO ANY APPEAL FILED ON OR AFTER SUCH DATE, FOR THE DURATION OF THE CURRENT PUBLIC HEALTH AND CIVIL PREPAREDNESS EMERGENCY. CONSEQUENTLY, THE COMMISSION RETAINS JURISDICTION.