

TO: Freedom of Information Commission  
FROM: Danielle L. McGee  
DATE: August 26, 2020  
RE: Minutes of the Commission's regular meeting of August 26, 2020

A regular meeting of the Freedom of Information Commission was held on August 26, 2020. Due to public health concerns surrounding the COVID-19 pandemic, the Commission Meeting of August 26, 2020 was conducted telephonically. The meeting convened at 2:05 p.m. with the following Commissioners present:

Commissioner Owen P. Eagan, presiding  
Commissioner Jay Shaw  
Commissioner Jonathan J. Einhorn  
Commissioner Matthew Streeter  
Commissioner Christopher P. Hankins  
Commissioner Lenny T. Winkler  
Commissioner Stephen Fuzesi, Jr.  
Commissioner Victoria 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.

The Commissioners unanimously voted to approve the Commission's regular meeting minutes of [August 12, 2020](#).

Those in attendance were informed that the August 26, 2020 regular meeting of the Commission was being recorded.

[Docket #FIC 2019-0522](#)

Ian Wright v. Chairman, State of Connecticut,  
Connecticut Marshal Commission; and State of  
Connecticut, Connecticut Marshal Commission

Ian Wright appeared on his own behalf. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2019-0611](#)

Dale Kukucka v. Commissioner, State of Connecticut,  
Department of Correction; and State of Connecticut,  
Department of Correction

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

[Docket #FIC 2019-0357](#)

Robert Cushman v. 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.

[Docket #FIC 2019-0650](#)

John Dilorio v. Commissioner, State of Connecticut, Department of Banking; and State of Connecticut, Department of Banking

Attorney Ann Rubin appeared on behalf of the complainant. Assistant Attorney General John Langmaid appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2019-0652](#)

Anike Niemeyer v. Chief, Police Department, Town of Madison; Police Department, Town of Madison; and Town of Madison

Sara Sampoli and Attorney David Schulz appeared on behalf of the complainant. Attorney Floyd Dugas 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 digitally recorded.

[Docket #FIC 2019-0722](#)

Keith Gavaghan v. Commissioner, State of Connecticut, Office of the Child Advocate; and State of Connecticut, Office of the Child Advocate

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

Colleen M. Murphy reported on the status of pending appeals.

Colleen M. Murphy reported on the status of Commission operations during the COVID-19 pandemic and relocation of the Commission's offices.

Colleen M. Murphy reported that the HR Generalist position was filled by Charla Vincent.

Colleen M. Murphy provided a legislative report.

The meeting was adjourned at 3:20 p.m.

/s/Danielle L. McGee

Danielle L. McGee

MINREGmeeting 08262020/dlm/08262020

\*See attached for amendments

**AMENDMENTS**

Docket #FIC 2019-0652

Anike Niemeyer v. Chief, Police Department, Town of Madison; Police Department, Town of Madison; and Town of Madison

Paragraph 17 is amended as follows:

17. The respondents' sole witness was Detective Christopher Sudock of the Madison Police Department. The only evidence provided by the respondents was the testimony offered by Detective Sudock. The respondents offered only speculation that the disclosure of records responsive to the complainant's request would be used in a prospective law enforcement action arising out of the investigation into the death of Barbara Hamburg. Moreover, when asked directly by the hearing officer how disclosure of the requested records would be prejudicial to any prospective law enforcement action, Detective Sudock acknowledged that he could not identify [an actual] A prospective law enforcement action and could only provide speculation. Accordingly, it is found that the respondents failed to prove that, even if there was a prospective law enforcement action, disclosure of the requested records would be prejudicial to such action.