

TO: Freedom of Information Commission  
FROM: Thomas A. Hennick  
RE: Minutes of the Commission's regular meeting of April 28, 2021

A regular meeting of the Freedom of Information Commission was held on April 28, 2021. Due to public health concerns surrounding the COVID-19 pandemic, the Commission meeting of April 28, 2021 was conducted telephonically. The meeting convened at 2:04 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 W. Chavey

Also present were staff members, Colleen M. Murphy, Mary E. Schwind, Valicia D. Harmon, Matthew D. Reed, Danielle L. McGee, Zack Hyde, Cindy Cannata and Thomas A. Hennick.

The Commissioners unanimously voted to approve the Commission's regular meeting minutes of [April 14, 2021](#).

Those in attendance were informed that the April 28, 2021 regular meeting of the Commission was being recorded.

[Docket #FIC 2019-0638](#)

Ian Wright v. Commissioner, State of Connecticut,  
Department of Emergency Services and Public  
Protection; and State of Connecticut, Department of  
Emergency Services and Public Protection

Ian Wright appeared on his own behalf. Attorney Colin Milne 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 2020-0195](#)

GerJuan Tyus v. James Rovella, 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 2019-0503

Tom Arras v. First Selectman, Town of Woodbury; Board of Selectmen, Town of Woodbury; and Town of Woodbury

Tom Arras appeared on his own behalf. Attorney Thomas Kaelin appeared on behalf of the respondents. The Commissioners unanimously voted to remand the Hearing Officer's Report to staff for further review. The proceedings were recorded digitally.

Docket #FIC 2019-0710

David Collins and The New London Day v. Associate Attorney General, State of Connecticut, Office of the Attorney General; State of Connecticut, Office of the Attorney General; Auditor, State of Connecticut, Auditor of Public Accounts; and State of Connecticut, Auditor of Public Accounts

David Collins appeared on behalf of the complainants. Assistant Attorney General Phillip Miller appeared on behalf of the respondents. The Commissioners voted, 6-2, against a motion to adopt the Hearing Officer's Report. Commissioners Einhorn and Streeter voted for approval. The Commissioners voted, 7-1, to remand the Hearing Officer's Report to the Hearing Officer for further action consistent with discussion held during the Commission meeting. Commissioner Streeter voted against remand. The proceedings were digitally recorded.

Attorney Matthew D. Reed reported on pending appeals.

Colleen M. Murphy reported that Commission staff is continuing to refine its process for holding remote video hearings and that she was hopeful that in person hearings could resume by the end of the calendar year.

Colleen M. Murphy reported that the relocation of Commission offices remains on schedule for May 28, 2021. Executive Director Murphy reported that packing of Commission records had begun and that the new address for the Commission would be 165 Capitol Avenue #1100. She also reminded Commissioners that there would be no contested case hearings scheduled the last two weeks of May and that the Commission meeting scheduled for May 26 would be cancelled.

Colleen M. Murphy and Danielle McGee reported on several pieces of proposed legislation of interest to the Commission.

Colleen M. Murphy reported that the process for filling the Staff Attorney II vacancy was underway.

The meeting was adjourned at 3:23 p.m.

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Thomas A. Hennick

MINREGmeeting 04282021/tah/04292021

\* See attached for amendments

## AMENDMENTS

Docket #FIC 2019-0638

Ian Wright v. Commissioner, State of Connecticut,  
Department of Emergency Services and Public  
Protection; and State of Connecticut, Department of  
Emergency Services and Public Protection

The Hearing Officer's Report is amended as follows:

11. In addition, with respect to the request described in paragraph 10, above, it is found that the parties ultimately reached an agreement under which the respondents would provide the complainant with copies of internal affairs files (consisting of 1757 pages) regarding DNA errors and concerns with DNA testing. The parties also agreed that such records would be sent to the complainant's attorney. At the end of the January 28, 2021 hearing, the respondents represented that they would provide to the complainant copies of the records previously provided, as well as copies of the internal affairs files that had yet to be provided. **SINCE THE COMPLAINANT AGREED TO ACCEPT COPIES OF THE INTERNAL AFFAIRS FILES IN RESPONSE TO THE REQUEST DESCRIBED IN PARAGRAPH 10, ABOVE, IT** is concluded that **UNDER THE FACTS AND CIRCUMSTANCES OF THIS CASE**, the respondents did not violate the FOI Act with respect to such records.