

TO: Freedom of Information Commission  
FROM: Jennifer M. Mayo  
RE: Minutes of the Commission's regular meeting of April 12, 2023.

A regular meeting of the Freedom of Information Commission was held on April 12, 2023. The Commission meeting of April 12, 2023 was conducted in person. The meeting convened at 2:05 p.m. with the following Commissioners present:

Commissioner Owen P. Eagan, presiding  
Commissioner Matthew Streeter  
Commissioner Christopher P. Hankins  
Commissioner Jonathan J. Einhorn  
Commissioner Stephen Fuzesi, Jr. (participated by telephone)

Also present were staff members, Colleen M. Murphy, Mary E. Schwind, Valicia D. Harmon, Paula S. Pearlman, C. Zack Hyde, Barbara Housen, Mary-Kate Smith, Kevin W. Munn, Russell Blair, and Jennifer Mayo.

The Commissioners voted 4-0 to approve the Commission's regular meeting minutes of March 22, 2023. Commissioner Fuzesi abstained.

Those in attendance were informed that the April 12, 2023, regular meeting of the Commission was being recorded.

[Docket #FIC 2021-0280](#) Hector Torres v. Jason Thody, Chief, Police Department, City of Hartford; Police Department, City of Hartford; and City of Hartford

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

[Docket #FIC 2021-0337](#) John DiIorio v. Governor, State of Connecticut, Office of the Governor; and State of Connecticut, Office of the Governor

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

[Docket #FIC 2021-0631](#) Kristin Norton v. Town Manager, Town of South Windsor; Office of the Town Manager, Town of South Windsor; and Town of South Windsor

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

[Docket #FIC 2022-0157](#) Martin and Lillian Haener v. First Selectman, Town of Greenwich; Law Department, Town of Greenwich, and Town of Greenwich

Martin and Lillian Haener appeared on their own behalfs. Attorney Abby Wadler appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2022-0167](#) Daniel Dunn v. Chief, Police Department, Town of Hamden; Police Department, Town of Hamden; and Town of Hamden

Attorney Joseph Sastre appeared on behalf of the complainant. Attorney Bryan LeClerc 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 2022-0176](#) David Collins and The Day v. Chief, Police Department, City of New London; Police Department, City of New London; Mayor, City of New London; and City of New London

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

[Docket #FIC 2022-0182](#) Johanna Fay v. Chief, Police Department, City of Bridgeport; Police Department, City of Bridgeport; and City of Bridgeport

Johanna Fay appeared on her own behalf. Attorney Dina Scalo appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2022-0183](#) Johanna Fay v. Chief, Police Department, City of Bridgeport; Police Department, City of Bridgeport; and City of Bridgeport

Johanna Fay appeared on her own behalf. Attorney Dina Scalo appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2022-0347](#) Elliot Kaiman v. First Selectwoman, Office of the Selectman, Town of Darien; Office of the Selectman, Town of Darien; and Town of Darien

Attorney Aaron Bayer appeared on behalf of the complainant. Attorney Wayne Fox appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2022-0540](#) Nancy Lallier v. Chairperson, Connecticut Technical Education and Career System Board; Connecticut Technical Education and Career System Board

Nancy Lallier appeared on her own behalf. Attorney Susan Scott appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

The Commissioners took no action on the Request to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2)(C) in *David Godbout v. Executive Director, State of Connecticut, Freedom of Information Commission; and State of Connecticut, Freedom of Information Commission*, Docket # FIC 2020-0116, as the matter was withdrawn on April 10, 2023.

The Commissioners took no action on the Request to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2)(C) in *David Godbout v. Executive Director, State of Connecticut, Freedom of Information Commission; and State of Connecticut, Freedom of Information Commission*, Docket # FIC 2020-0301, as the matter was withdrawn on April 10, 2023.

The Commissioners took no action on the Request to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2)(C) in *David Godbout v. Executive Director, State of Connecticut, Freedom of Information Commission; and State of Connecticut, Freedom of Information Commission*, Docket # FIC 2020-0302, as the matter was withdrawn on April 10, 2023.

The Commissioners took no action on the Request to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2)(C) in *David Godbout v. Executive Director, State of Connecticut, Freedom of Information Commission; and State of Connecticut, Freedom of Information Commission*, Docket # FIC 2022-0390, as the matter was withdrawn on April 10, 2023.

The Commissioners took no action on the Request to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2)(C) in *David Godbout v. Executive Director, State of Connecticut, Freedom of Information Commission; and State of Connecticut, Freedom of Information Commission*, Docket # FIC 2022-0405, as the matter was withdrawn on April 10, 2023.

The Commissioners approved the Executive Director's Recommendation to Deny Petition for Relief from Vexatious Requester in *Town of Thomaston v. Nancy and William Griswold*, PRVR #5.

Attorney Valicia Harmon reported on the Appellate Court decision dated April 4, 2023, in *Sarah Braasch v. Freedom of Information Commission, et al.*, Docket No. HHB-CV-20 6062369S. The Commissioners took no action.

Attorney Paula Pearlman reported on legislative proposals currently pending at the legislature that have implications for freedom of information.

The meeting was adjourned at 4:08 p.m.

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Jennifer M. Mayo

MINREGmeeting 4/17/2023/jmm

\*See attached for amendments

## AMENDMENTS

Docket #FIC 2022-0167 Daniel Dunn v. Chief, Police Department, Town of Hamden;  
Police Department, Town of Hamden; and Town of Hamden

Paragraph 10 of the Hearing Officer's report is amended as follows:

10. At the contested case hearing in this matter, the respondents stipulated that they maintained certain records responsive to the complainant's request, described in paragraph 2(a), above, at the time of the complainant's request, and that such records, subsequently, were destroyed, in accordance with the state's records retention [schedule.] **PROCEDURE AND WITH APPROVAL OF THE STATE'S PUBLIC RECORDS ADMINISTRATOR AND THE STATE'S ARCHIVIST.**<sup>1</sup>

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<sup>1</sup> The Commission notes that jurisdiction over the retention and destruction of public records rests with the State's Public Records Administrator. See Dept. of Public Safety v. Freedom of Information Commission, 103 Conn. App. 571, 577 (2007) (the Commission is a creature of statute with limited jurisdiction; it can only administer and enforce the provisions set forth in the FOI Act).