

TO: Freedom of Information Commission
FROM: Russell Blair
RE: Minutes of the Commission's regular meeting of December 17, 2025

A regular meeting of the Freedom of Information Commission was held on December 17. The Commission meeting of December 17, 2025 was conducted in person. The meeting convened at 2:08 p.m. with the following Commissioners present:

Commissioner Owen P. Eagan, presiding
Commissioner Jonathan J. Einhorn
Commissioner Kate Farrish
Commissioner Stephen Fuzesi Jr.
Commissioner Judy Ganswindt
Commissioner Aigné Goldsby Wells
Commissioner Thomas A. Hennick
Commissioner Christopher P. Hankins (participated via speakerphone)
Commissioner Matthew Streeter

Also present were staff members Colleen M. Murphy, Paula S. Pearlman, Danielle L. McGee, C. Zack Hyde, Marybeth G. Sullivan, Jonathan McCann, Jennifer Mayo and Russell Blair.

The Commissioners unanimously voted to approve the Commission's regular meeting minutes of November 19, 2025.

Those in attendance were informed that the December 17, 2025 regular meeting of the Commission was being recorded.

Docket #FIC 2025-0004 Esteban Hernaiz v. Chief, Police Department, City of Hartford; Police Department, City of Hartford; and City of Hartford

Esteban Hernaiz appeared on his own behalf. Attorney Lori Mizerak 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 2020-0658 Scott Saalborn v. President, New Fairfield Volunteer Fire Department Company A; and New Fairfield Volunteer Fire Department Company A

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

Docket #FIC 2021-0065

David Hardy, and Murphy Road Recycling, LLC v. City Clerk, City of New Haven; and City of New Haven

Attorney David Hardy appeared on behalf of the complainants. Attorney Catherine LaMarr appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

Docket #FIC 2021-0186

Jeffrey Bloch v. Human Resources Department, Town of Fairfield; and Town of Fairfield

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

Docket #FIC 2024-0842

Connecticut Light and Power Company v. Marissa Paslick Gillett, Chairman, State of Connecticut, Public Utilities Regulatory Authority; and State of Connecticut, Public Utilities Regulatory Authority

Attorney Thomas Murphy appeared on behalf of the complainant. Assistant Attorney General James Zimmer appeared on behalf of the respondents. The Commissioners unanimously voted to amend the Hearing Officer's Report. The Commissioners unanimously voted to amend the Hearing Officer's Report a second time. The Commissioners voted 4-5 to amend the Hearing Officer's Report a third time, with Commissioners Eagan, Einhorn, Fuzesi and Hankins in favor. The motion failed. The Commissioners unanimously voted to adopt the Hearing Officer's Report as amended. The proceedings were digitally recorded.

Docket #FIC 2024-0843

Carol Ann McClean v. Commissioner, State of Connecticut, Department of Public Health; and State of Connecticut, Department of Public Health

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

Docket #FIC 2025-0006

Andrew Brown and The Connecticut Mirror v. Commissioner, State of Connecticut, Department of Administrative Services; and State of Connecticut, Department of Administrative Services

The Commissioners voted 8-0 to adopt the Hearing Officer's Report. Commissioner Farrish recused herself from the vote. The proceedings were digitally recorded.

Docket #FIC 2025-0015

Paul Manocchio v. First Selectman, Board of Selectmen, Town of Canterbury; Board of Selectmen, Town of Canterbury; and Town of Canterbury

Attorney Michael Carey appeared on behalf of the respondents. The Commissioners unanimously voted to amend the Hearing Officer's Report. The Commissioners unanimously voted to amend the Hearing Officer's Report a second time. The Commissioners unanimously voted to adopt the Hearing Officer's Report as amended*. The proceedings were digitally recorded.

[Docket #FIC 2025-0034](#)

Shipman & Goodwin LLP v. Commissioner, State of Connecticut, Department of Social Services; and State of Connecticut, Department of Social Services

Attorney Adam Prizio appeared on behalf of the respondents. The Commissioners voted 7-0 to adopt the Hearing Officer's Report. Commissioners Fuzesi and Streeter were not present for the vote. The proceedings were digitally recorded.

[Docket #FIC 2025-0035](#)

Shipman & Goodwin LLP v. Commissioner, State of Connecticut, Department of Social Services; and State of Connecticut, Department of Social Services

Attorney Adam Prizio appeared on behalf of the respondents. The Commissioners voted 7-0 to adopt the Hearing Officer's Report. Commissioners Fuzesi and Streeter were not present for the vote. The proceedings were digitally recorded.

The Commissioners voted 6-0 to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2) in *Joe Glenn v. Chairman, Board of Education, New London Public Schools; and Board of Education, New London Public Schools*, Docket # FIC 2025-0271. Commissioners Farrish, Fuzesi and Streeter were not present for the vote.

The Commissioners voted 6-0 to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2) in *Martin Edgar v. Superintendent of Schools, Hartford Public Schools; and Hartford Public Schools*, Docket # FIC 2025-0365. Commissioners Farrish, Fuzesi and Streeter were not present for the vote.

The Commissioners voted 6-0 to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2) in *David Godbout v. Executive Director, State of Connecticut, Freedom of Information Commission; and State of Connecticut, Freedom of Information Commission*, Docket # FIC 2025-0667. Commissioners Farrish, Fuzesi and Streeter were not present for the vote.

The Commissioners voted 6-0 to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2) in *David Godbout v. Executive Director, State of Connecticut, Freedom of Information Commission; and State of Connecticut, Freedom of Information Commission*, Docket # FIC 2025-0668. Commissioners Farrish, Fuzesi and Streeter were not present for the vote.

The Commissioners voted 6-0 to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2) in *David Godbout v. Colleen Murphy, Executive Director, State of Connecticut, Freedom of Information Commission; and State of Connecticut, Freedom of Information Commission*, Docket # FIC 2025-0671. Commissioners Farrish, Fuzesi and Streeter were not present for the vote.

The Commissioners voted 6-0 to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2) in *David Godbout v. Colleen M. Murphy, Executive Director, State of Connecticut, Freedom of Information Commission; and State of Connecticut, Freedom of Information Commission*, Docket # FIC 2025-0673. Commissioners Farrish, Fuzesi and Streeter were not present for the vote.

The Commissioners voted 6-0 to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2) in *David Godbout v. William Tong, Attorney General, State of Connecticut, Office of the Attorney General; and State of Connecticut, Office of the Attorney General*, Docket # FIC 2025-1009. Commissioners Farrish, Fuzesi and Streeter were not present for the vote.

The meeting was adjourned at 5:05 p.m.

/s/ Russell Blair
Russell Blair

AMENDMENTS*

Docket #FIC 2025-0004 Esteban Hernaiz v. Chief, Police Department, City of Hartford; Police Department, City of Hartford; and City of Hartford

The order in the Hearing Officer's Report is amended as follows:

1. The complaint is hereby dismissed, **WITH PREJUDICE**.

2. The Commission admonishes the complainant for his inappropriate conduct at the hearing and reminds him that, pursuant to §1-206(b)(2), G.S., if the Executive Director of the Commission has reason to believe that an appeal would perpetrate an injustice or would constitute an abuse of the Commission's administrative process, such appeal will not be scheduled for a hearing without the Executive Director seeking and obtaining leave of the Commission.

Docket #FIC 2024-0842 Connecticut Light and Power Company v. Marissa Paslick Gillett, Chairman, State of Connecticut, Public Utilities Regulatory Authority; and State of Connecticut, Public Utilities Regulatory Authority

The Hearing Officer's Report is amended as follows:

28. It is found, based on the testimony of Ms. McElrath, that the respondents' commissioners have been known to use their personal devices to conduct agency business. It is also found, based on the testimony of Attorney Muska, that the respondent Chair, and the respondents' Chief of Staff, have used their personal devices to conduct agency business, including via text message.^[14]

29. THE COMMISSION TAKES ADMINISTRATIVE NOTICE OF THE MEMORANDUM OF DECISION ISSUED IN THE CONNECTICUT NATURAL GAS CORPORATION V. PUBLIC UTILITIES REGULATORY AUTHORITY, DOCKET NO. HHB-CV-25-6092047-S (CONN. SUPER. CT. NOV. 19, 2025) AND THE SOUTHERN CONNECTICUT GAS COMPANY V. PUBLIC UTILITIES REGULATORY AUTHORITY, DOCKET NO. HHB-CV-25-6092047-S (CONN. SUPER. CT. NOV. 19, 2025).¹⁴ [It is found, for example] IN THESE CASES, THE COURT EXPLAINED that on or about December 2024, the respondent Chair exchanged text messages with two members of the General Assembly regarding an Op-Ed that was subsequently published in the *CT Mirror* (an online publication). [It is found, h]However, [that] the "auto-delete" functions on these personal devices had been activated, thereby deleting such text messages, and therefore, any other public records located on such devices.

¹⁴ IN THESE CASES, THE COURT GRANTED PURA'S MOTION FOR REMAND, AFTER ADMITTING THAT THE RESPONDENT CHAIR VIOLATED THE LAW REGARDING HOW SHE CONDUCTED THE ADMINISTRATIVE PROCEEDING UNDERLYING THE MATTERS BEFORE THE COURT, AND THAT HER ACTIONS PREJUDICED THE SUBSTANTIAL RIGHTS OF THE PLAINTIFFS.

[It is found, however, that b]By April 2025, the respondent chair had turned off the auto-delete function.

30. [It is also found that, in *The Connecticut Natural Gas Corporation* and *The Southern Connecticut Gas* cases, cited in footnote 14, below, t]The respondents were reprimanded by the court for attempting to conceal the use of the auto-delete function, described in paragraph 29, above, from the plaintiffs, and the court. The court [in these matters] referred Attorney Muska, as well as an assistant attorney general who represented PURA, to the Statewide Grievance Committee for their conduct in relation to these matters.

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

1. Within one week of the date of the Notice of Final Decision in this matter, the respondents shall commence a diligent search for all records responsive to the request described in paragraph 2, above. In complying with this order, the respondents shall designate a person, other than Attorney Muska, to supervise and manage the search and disclosure of responsive records that have not already been provided to the complainant. In addition, the respondents shall request that DEEP's IT staff assist with conducting a search of the respondents' emails and electronic filing systems.
2. Within thirty (30) days of the date of the Notice of Final Decision in this matter, the respondents shall commence providing the complainant with copies, free of charge, of all records that have not already been provided. All records shall be provided to the complainant within sixty (60) days of the date of the Notice of Final Decision in this matter.
3. Within one week of the date of the Notice of Final Decision in this matter, the respondents shall contact the Commission's public education officer to schedule training regarding the requirements of the FOI Act.
4. Marissa Paslick Gillett, who at all times relevant to the complaint in this matter was the official directly responsible for the denial herein, shall remit to the Commission, within forty-five (45) days of the date of the Notice of Final Decision in this matter, a civil penalty in the amount of **TWO THOUSAND, FIVE HUNDRED DOLLARS (\$2,500)** [one thousand dollars (\$1000.00)].
5. Henceforth, the respondents shall strictly comply with the disclosure and promptness provisions of §§1-210(a) and 1-212(a), G.S.

Docket #FIC 2025-0015

Paul Manocchio v. First Selectman, Board of Selectmen, Town of Canterbury; Board of Selectmen, Town of Canterbury; and Town of Canterbury

The order in the Hearing Officer's Report is amended as follows:

1. Within seven (7) days of the Notice of the Final Decision in this matter, the respondents shall provide the complainant with a copy of the REMAX letter, described in paragraph 3 of the findings, above, free of charge.

2. Within fourteen (14) days of the Notice of the Final Decision in this matter, the respondents shall undertake a search for records responsive to the complainant's request described in paragraph 2 of the findings, above. **WITHIN FORTY-FIVE (45) DAYS OF THE NOTICE OF FINAL DECISION, [T]the** respondents shall provide the complainant with a copy of such records, if any are located, free of charge. Within [thirty (30)] **FORTY-FIVE (45)** days of the Notice of the Final Decision in this matter, the respondents shall also provide an affidavit to the complainant and the Commission, prepared by a person with knowledge of the efforts taken, and detailing the scope, nature and results of their search.

3. IN COMPLYING WITH PARAGRAPH 2 OF THE ORDER, ABOVE, THE RESPONDENTS MAY WITHHOLD OR REDACT SUCH RECORDS, OR PORTIONS THEREOF, THAT ARE THE SUBJECT OF A MANDATORY EXEMPTION, INCLUDING THE ATTORNEY-CLIENT PRIVILEGE, SET FORTH IN SECTION 52-146R, G.S., AS INCORPORATED IN SECTION 1-210(B)(10), G.S.

4. IF ANY RECORDS, OR PORTIONS THEREOF, ARE WITHHELD PURSUANT TO PARAGRAPH 3 OF THE ORDER, ABOVE, THE RESPONDENTS SHALL SUBMIT AN AFFIDAVIT SWORN TO OR ATTESTED BY A PERSON WITH THE REQUISITE KNOWLEDGE THAT IDENTIFIES AND BRIEFLY DESCRIBES THE WITHHELD RECORD(S) AND THE STATUTORY BASIS FOR WITHHOLDING SUCH INFORMATION. SUCH AFFIDAVIT SHALL BE SUBMITTED WITHIN FORTY-FIVE (45) DAYS OF THE NOTICE OF FINAL DECISION IN THIS MATTER.

[3.]5. Forthwith, the respondents, or their designee, shall contact the Commission to schedule a FOI Act training session, to be conducted by FOI Commission Staff.

6. IF THE RESPONDENTS FAIL TO COMPLY WITH ANY ORDER SET FORTH IN PARAGRAPHS 1 THROUGH 5, ABOVE, THE COMPLAINANT MAY FILE AN APPEAL WITH THE COMMISSION, AND SUCH APPEAL MAY BE AFFORDED EXPEDITED TREATMENT. THE RESPONDENTS ARE CAUTIONED THAT IF, AFTER A HEARING, THE COMMISSION CONCLUDES THAT THEY HAVE VIOLATED ANY ORDER HEREIN, THE COMMISSION WILL CONSIDER THE IMPOSITION OF A CIVIL PENALTY FOR SUCH VIOLATION(S).

[4.]7. Henceforth, the respondents shall strictly comply with §§1-210(a) and 1-212(a), G.S.