

Freedom of Information Commission
of the State of Connecticut

In the Matter of a Complaint by)
Richard M. Diamond, Complainant) Report of Hearing Officer
against) Docket #FIC 76-21
Town of Trumbull; Board of Police) May 7, 1976
Commissioners of the Town of
Trumbull and the Chief of Police)
of the Town of Trumbull,
Respondents)

The above captioned matter was heard as a contested case on March 2, 1976 and April 22, 1976, at which times the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found:

1. The respondents are public agencies as they are the Town of Trumbull, the Board of Police Commissioners of the Town of Trumbull and the Chief of Police of the Town of Trumbull, respectively.
2. By letter dated January 28, 1976, the complainant requested access to certain police records in the custody of the respondent chief of police. This request was denied by letter from the respondent chief of police dated February 3, 1976. As a result of such denial, the complainant filed the present complaint with this Commission on February 17, 1976.
3. The Council on the Freedom of Information requested permission to intervene in these proceedings. Such permission was granted by the undersigned hearing officer.
4. The complainant seeks access to the "Trumbull Police Department Daily Activity" sheet, form - PD 2008R (hereinafter referred to as DAS). This sheet is essentially a daily chronological record of all police business conducted by the Trumbull Police Department. The DAS was prescribed by the respondent chief pursuant to regulations promulgated by the respondent board requiring that the police department maintain records.
5. The format of the DAS was designed by the respondent chief to comply with the above mentioned record-keeping regulations and to facilitate police follow-up, investigation and supervision.

6. The DAS is a public record as defined in P.A. 75-342.
7. The respondents contend that the DAS is exempt from disclosure pursuant to § 2(b)(2) of P.A. 75-342.
8. While in certain circumstances some information contained on the DAS may be of use in the detection or investigation of crime and properly exempt from disclosure under § 2(b)(2) of P.A. 75-342, it is concluded that such form is primarily administrative in nature.
9. It is further concluded that the information contained on the DAS is not exempt from disclosure unless there is a specific showing that particular entries fall within the exemption provided in § 2(b)(2).
10. There was no evidence adduced at the hearings herein of specific entries on any DAS falling within the exemption provided in § 2(b)(2) of P.A. 75-342.

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

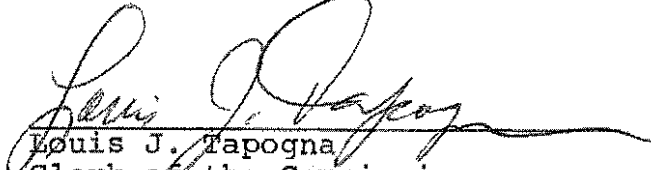
1. The respondents shall forthwith provide the complainant with access to inspect or copy all Daily Activity sheets of the Trumbull Police Department pursuant to §§ 2(a) and 5 of P.A. 75-342.
2. The respondents may delete or conceal from the complainant's view only such entries on requested Daily Activity Sheets which in the good faith opinion of the respondents are specifically exempt from disclosure under P.A. 75-342.
3. Nothing herein shall be construed as limiting the complainant's rights in seeking further relief before this Commission in the case where specific entries on requested Daily Activity sheets are deleted or concealed pursuant to paragraph 2 of this order and the complainant believes that such deletion or concealment is not in conformity with the requirements of P.A. 75-342 or this order.



Commissioner Helen Loy

as Hearing Officer

Approved by order of the Freedom of Information Commission on
May 13, 1976.



Louis J. Papogna
Clerk of the Commission