

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Francis J. Valutti,

FINAL DECISION

Complainant

Docket #FIC 84-234

against

July 22, 1985

Corporation Counsel's Office
of the Town of Bristol and
Police Department of the
Town of Bristol,

Respondent

The above captioned matter was heard as a contested case on April 26, 1985 at which time the complainant and the respondent appeared and presented testimony, exhibits and argument on the complaint.

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

1. The respondent is a public agency within the meaning of section 1-18a(a), G.S.
2. By letter dated October 4, 1984 the complainant requested copies of the personnel records of Detective Roy Bredenfeld from the respondent Chief of Police.
3. A similar request was made to the respondent corporation counsel on October 11, 1984.
4. The complainant received no response from either the respondent corporation counsel or the respondent chief of police.
5. On November 1, 1984 the complainant filed his complaint with this commission alleging that the respondents violated the law by failing to provide him with a copy of the employment application of Bredenfeld.
6. At hearing the complainant made it clear that he was seeking the application for employment which Bredenfeld had filed several years ago.

7. At the hearing the complainant also agreed that the information on the application which pertained to third parties could be masked or deleted by the respondent.

8. The application contained substantial information about Bredenfeld's past employment, educational background, and medical information such as description of physical defects, major illnesses in the last five years and whether compensation had been received for injuries within the last five years.

9. The job application also contained Bredenfeld's social security number, his telephone number, address and biographical information such as his birthdate, the date of his marriage, his military service record, and whether he had been convicted of any crime.

10. The respondent argues that the entire job application is exempt from disclosure under §1-19(b)(2) G.S. because its disclosure would constitute an invasion of personal privacy.

11. The respondent claims that, because the complainant has a criminal record and has threatened and harassed Bredenfeld, disclosure of the job application would constitute an invasion of Bredenfeld's privacy.

12. It is found that with the deletion of all references to third persons as agreed by the complainant, the material in the job application pertains to Bredenfeld only.

13. It is found that the application is similar to a personnel and medical file.

14. It is found that disclosure of the social security number of Bredenfeld would constitute an invasion of his privacy and that therefore his social security number is exempt under §1-19(b)(2) G.S.

15. It is found that, absent evidence to the contrary, the medical information required on the job application is relevant to the ability of Bredenfeld to perform his job properly and, therefore, a matter of legitimate public interest.

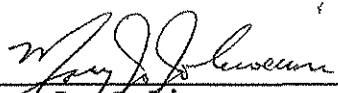
16. It is found that the respondent failed to prove that disclosure of the medical information on the application is exempt under §1-19(b)(2) G.S.

17. It is concluded that after the deletions of information pertaining to third parties which were agreed to by the complainant and after masking the social security numbers of Bredenfeld, the complainant is entitled to receive a copy of the application pursuant to §1-19(a) and §1-15, because the remainder of the information is not exempt under §1-19(b)(2) G.S.

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

1. The respondent shall provide the complainant with a copy of the job application after first masking the part determined to be exempt herein at paragraph 14 and those parts which the complainant agreed may be deleted.

Approved by order of the Freedom of Information Commission at its regular meeting of July 22, 1985.



Mary Jo Policoeur
Clerk of the Commission