

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Tom Curran,

Complainant

against

Docket #FIC 2016-0177

Chief, Police Department, Town of  
Stratford; Police Department, Town of  
Stratford; and Town of Stratford,

Respondents

January 25, 2017

The above-captioned matter was heard as a contested case on August 18, 2016, and December 15, 2016, at which times the complainant and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found and conclusions of law are reached:

1. The respondents are public agencies within the meaning of §1-200(1), G.S.
2. It is found that by letter dated December 26, 2015, the complainant requested copies of the following records:

[a]. The Report, Warrant, Witness Statements, Arrest Record and all related documents for 2010-17512 where Sarris claims I “STOLE” Dealer Plates.

[b]. The Report, Warrant, Witness Statements, Arrest Record and all related documents for 2012-18299 where Sarris claims I “STOLE” \$48,000.00.

[c]. The Report, Warrant, Witness Statements, Arrest Record and all related documents for 2012-20679 where Sarris claims I threatened my nieces and nephews.(please include copies of all emails).

[d]. The Report, Warrant, Witness Statements, Arrest Record and all related documents for 2012-21574 where Sarris claims I sent “SCORES” of emails. (Please include copies of the emails).

[e]. The Report, Warrant, Witness Statements, Arrest Record and all related documents for 2012-24036 where Sarris claims I came to Curran Volkswagen. (Please include the Street Address of where the alleged incident occurred as well as witnesses who were present at the time of the alleged incident).

[f]. The Report, Warrant, Witness Statements, Arrest Record and all related documents for 2012-25070 where Sarris claims I was harassing my brothers as well as their Lawyer. Please include the emails to both of my brothers as well as emails to/from Atty David Levine, Atty William Britt and Atty Christian Young.

Detective Sarris goes on to write about an incident concerning Breezy Point Garage that he incorrectly labeled as 2012-25070. Please provide a copy of the Warrant referred to as well as Jim Curran's Voluntary Witness Statement as well as the complaints/Statements by Breezy Point Owner Jim Giammattei that were signed. I've also attached this report for your reference.

Please provide a copy of the personnel/disciplinary/training records of Officer Albohn, Badge #188.

Please provide all reports/complaints filed by me at 3.00 hours.

Detective Sarris goes on to mention a day where he explained to me Ct. Statute 14-58 through 14-60 concerning the "legal" use of "Dealer Plates." On this date I explained to him that Diane Curran of Shelton Ct. as well as Stacey Curran of Westport Ct. were driving on Dealer Plates and that they are not "Legal" users per the explanation he gave me. I signed a statement to that effect. Please provide a copy of that Statement as well as the Report, Warrant and Arrest Records for this incident.

Please provide all complaints/reports on file where I harassed Det. Sarris at "ANY" Road Job.

Please provide any Report listing me as a "SUSPECT"

Please provide any report listing me "AS ARRESSTED."

Please provide the 7 Page fax Sarris refers to.

Please provide copies of all donations (cash or otherwise) made by Curran Volkswagen to the Stratford Police Dept. or ANY of its affiliates ie: PAL. Police Explorers etc.

3. It is found that the respondents acknowledged the request on December 29, 2015.

4. It is found that, on February 25, 2016, the respondents informed the complainant by email that most of the records requested by the complainant were available for his inspection. It is found that the respondents also informed the complainant that he could receive copies of any of the records upon payment of the statutory fee.

5. By letter filed February 29, 2016, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to provide the records he requested.

6. Section 1-200(5), G.S., provides:

[p]ublic records or files means any recorded data or information relating to the conduct of the public's business prepared, owned, used, received or retained by a public agency, ... whether such data or information be handwritten, typed, tape-recorded, printed, photostated, photographed or recorded by any other method.

7. Section 1-210(a), G.S., provides, in relevant part:

[e]xcept as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation, shall be public records and every person shall have the right to (1) inspect such records promptly during regular office or business hours, ... or (3) receive a copy of such records in accordance with section 1-212.

8. Section 1-212(a), G.S., provides in relevant part: “[a]ny person applying in writing shall receive, promptly upon request, a plain, facsimile, electronic or certified copy of any public record.

9. It is found that the records requested by the complainant are public records within the meaning of §§1-200(5), 1-210(a), and 1-212(a), G.S.

10. It is found that between the dates of the two hearings in the matter, the respondents and complainant met several times during which times the respondents provided to the complainant, free of charge, all the records they maintain that are responsive to his request in this matter, and also provided copies of records they maintain that are responsive to the complainant’s other requests.

11. It is found that the respondents performed a diligent search for the records requested by the complainant and that the respondents provided copies of all the responsive records they maintain.

12. It is concluded, therefore, that the respondents did not violate the FOI Act as alleged.

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

1. The complaint is dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of January 25, 2017.



Cynthia A. Cannata  
Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

Tom Curran  
c/o Rachel M. Baird, Esq.  
Rachel M. Baird & Associate  
15 Burlington Road  
P.O. Box 52  
Harwinton, CT 06791

Chief, Police Department, Town of Stratford; and Police  
Department, Town of Stratford; and Town of Stratford  
c/o Bryan L. LeClerc, Esq.  
Berchem, Moses & Devlin, P.C.  
75 Broad Street  
Milford, CT 06460



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