

TO: Freedom of Information Commission
FROM: Thomas A. Hennick
RE: Minutes of the Commission's regular meeting of August 22, 2018

A regular meeting of the Freedom of Information Commission was held on August 22, 2018, in the Freedom of Information Hearing Room, 18-20 Trinity Street, Hartford, Connecticut. The meeting convened at 2:16 p.m. with the following Commissioners present:

Commissioner Owen P. Eagan, presiding
Commissioner Jay Shaw (participated via speakerphone)
Commissioner Matthew Streeter
Commissioner Christopher P. Hankins
Commissioner Lenny T. Winkler

Also present were staff members, Colleen M. Murphy, Mary E. Schwind, Victor R. Perpetua, Kathleen K. Ross, Valicia D. Harmon, Lisa F. Siegel, Paula S. Pearlman, Cindy Cannata, and Thomas A. Hennick.

The Commissioners unanimously voted to approve the Commission's regular meeting minutes of August 8, 2018.

Those in attendance were informed that the Commission does not ordinarily record the remarks made at its meetings, but will do so on request.

[Docket #FIC 2017-0661](#)

Avery Church v. Commissioner, State of Connecticut,
Department of Correction; and State of Connecticut,
Department of Correction

Avery Church participated via speakerphone. Attorney Nancy Canney appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were recorded digitally.

[Docket #FIC 2017-0662](#)

Dale Kukucka v. Dora Schriro, Commissioner, State of
Connecticut, Department of Emergency Services and Public
Protection; and State of Connecticut, Department of
Emergency Services and Public Protection

Dale Kukucka participated via speakerphone. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were recorded digitally.

[Docket #FIC 2017-0625](#)

Christine Cieplinski v. Executive Director, State of Connecticut, University of Connecticut Health Center; and State of Connecticut, University of Connecticut Health Center

Christine Cieplinski appeared on her own behalf. Assistant Attorney General Lynn Wittenbrink 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 recorded digitally.

[Docket #FIC 2017-0682](#)

David DesRoches and WNPR, Connecticut Broadcasting Network v. Executive Director, Nathaniel Witherell Home, Town of Greenwich; and Town of Greenwich

The Commissioners unanimously voted to amend the Hearing Officer's Report. The Commissioners unanimously voted to adopt the Hearing Officer's Report as amended.*

[Docket #FIC 2017-0702](#)

Yvonne Perkins v. Chief, Police Department, City of Danbury; Police Department, City of Danbury; and City of Danbury

Yvonne Perkins appeared on her own behalf. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were recorded digitally.

[Docket #FIC 2017-0703](#)

Michael Baptiste v. Chief, Police Department, City of Danbury; Police Department, City of Danbury; and City of Danbury

Michael Baptiste appeared on his own behalf. The Commissioners unanimously voted to remand the matter to the Hearing Officer for further review. The proceedings were recorded digitally.

[Docket #FIC 2017-0704](#)

Dameisha Moore v. Chief, Police Department, City of Danbury; Police Department, City of Danbury; and City of Danbury

Dameisha Moore appeared on her own behalf. The Commissioners unanimously voted to remand the matter to the Hearing Officer for further review. The proceedings were recorded digitally.

[Docket #FIC 2017-0706](#)

Maribeth Gomez v. Director of Human Resources, State of Connecticut, Department of Banking; and State of Connecticut, Department of Banking

Maribeth Gomez appeared on her own behalf. Assistant Attorney General Patrick Ring 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 recorded digitally.

[Docket #FIC 2017-0716](#)

William Lyons v. Commissioner, State of Connecticut, Department of Emergency Services and Public Protection; State of Connecticut, Department of Emergency Services and Public Protection; Constable, Town of Roxbury; and Town of Roxbury

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0751](#)

Kenneth Cast v. First Selectman, Town of Morris; and Town of Morris

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0758](#)

Kenneth Cast v. Treasurer, Town of Morris; and Town of Morris

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

The Commissioners voted, 4-0, to deny a motion from the complainant to allow oral argument in the request to summarily deny leave to schedule a hearing in *Marissa Lowthert v. Chairman, State of Connecticut, Freedom of Information Commission; and State of Connecticut, Freedom of Information Commission*, Docket # FIC 2017-0518. The Commissioners voted, 4-0, to approve the request to summarily deny leave to schedule a hearing in *Marissa Lowthert v. Chairman, State of Connecticut, Freedom of Information Commission; and State of Connecticut, Freedom of Information Commission*, Docket # FIC 2017-0518. Commissioner Shaw did not participate in this matter. The matter was recorded digitally.

The Commissioners voted, 4-0, to approve the request to summarily deny leave to schedule a hearing in *Torrey Townsend v. Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction*, Docket # FIC 2017-0611. Commissioner Shaw did not participate in this matter. The matter was recorded digitally.

The Commissioners voted, 4-0, to approve the request to summarily deny leave to schedule a hearing in *Kacey Lewis v. Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction*, Docket # FIC 2017-0655. Commissioner Shaw did not participate in this matter. The matter was recorded digitally.

Victor R. Perpetua reported on pending appeals.

Valicia D. Harmon reported that she and Attorney Tracie C. Brown attended the Maple Street Revitalization Association Community Day on behalf of the Freedom of Information Commission. Their participation was part of the commission's ongoing outreach program directed at the state's minority communities. It was the 6th year FOI has been represented at the event. This year more than 70 backpacks filled with school supplies were handed out on behalf of the FOIC.

The meeting was adjourned at 5 p.m.

Thomas A. Hennick
MINREGmeeting 08222018/tah/08232018

* See attached for amendments

AMENDMENTS

[Docket #FIC 2017-0625](#)

Christine Cieplinski v. Executive Director, State of Connecticut, University of Connecticut Health Center; and State of Connecticut, University of Connecticut Health Center

The Hearing Officer's Report is amended as follows:

19. With respect to the portion of the request described in paragraph [7.e and] 7.f , above, the respondents failed to prove that they provided all the non-exempt records.

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

1. If they have not already done so, the respondents shall forthwith provide the complainant all records responsive to paragraph[s 7.e. and] 7.f, above.

[Docket #FIC 2017-0682](#)

David DesRoches and WNPR, Connecticut Broadcasting Network v. Executive Director, Nathaniel Witherell Home, Town of Greenwich; and Town of Greenwich

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

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 disclose the requested record to the complainants, free of charge. The respondents may redact, **BUT ARE NOT REQUIRED TO REDACT**, the images of the alleged sexual assault victim and any resident of The Nathaniel Witherell Home prior to disclosing the record.

[Docket #FIC 2017-0706](#)

Maribeth Gomez v. Director of Human Resources, State of Connecticut, Department of Banking; and State of Connecticut, Department of Banking

The Hearing Officer's Report is amended as follows:

3. It is found that, by eight separate letters each dated November 14, [2018] **2017**, the respondents acknowledged the complainant's requests, indicating that they were processing each of the requests and that they would contact the complainant once the requests were processed.