

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by  
Robert Linn,

FINAL DECISION

Complainant

Docket #FIC83-209

against

April 11, 1984

Department of Children and  
Youth Services of the State  
of Connecticut,

Respondent

The above captioned matter was heard as a contested case on December 21, 1983 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 §1-18a(a), G.S.

2. The complainant was, from 1952 to 1967, a ward of the State of Connecticut under the auspices of the respondent's predecessor agency, the Bureau of Child Welfare Services.

3. In June, 1983 the complainant contacted the respondent requesting access to his files and was told that such files had been destroyed.

4. By letter dated August 25, 1983 the complainant requested an explanation regarding the alleged destruction of his files.

5. By letter dated September 23, 1983 the respondent informed the complainant that his files had apparently been destroyed in the early 1970's, but was unable to offer a reason for such destruction.

6. By letter of complaint filed with the Commission on October 12, 1983 the complainant requested an inquiry into the alleged destruction of his files.

7. The respondent claims that it was able to determine the complainant's file number, but that after a diligent search it has been unable to locate the complainant's files.

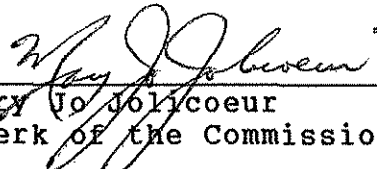
8. The respondent presumes that the complainant's files were destroyed, although it has no proof of their destruction.

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

1. The respondent shall, within 2 weeks of the final decision in this matter, provide the complainant with an affidavit stating that a diligent search has been performed and that the complainant's files have not been located.

2. The Commission notes that the complainant may wish to refer this matter to the State Records Administrator for further investigation.

Approved by order of the Freedom of Information Commission at its regular meeting of April 11, 1984.

  
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Mary Jo Jolicoeur  
Clerk of the Commission