

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Fred Radford,

FINAL DECISION

Complainant

Docket #FIC84-59

against

July 11, 1984

Trumbull Emergency Medical Service
of the Town of Trumbull,

Respondent

The above captioned matter was heard as a contested case on May 29, 1984 at which time the complainant and the respondent appeared and but the respondent failed to appear.

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. On February 5, 1984 and February 6, 1984 the complainant telephoned the Trumbull police department and asked to be told the destination of the respondent's recently-dispatched ambulance. The Trumbull police department did not release the information, citing instructions from the respondent.

3. By letter dated February 22, 1984 the complainant requested that the respondent authorize the "immediate and routine" release of information regarding the dispatch of the respondent's ambulance.

4. By letter dated March 13, 1984 the respondent denied the complainant's request.

5. By letter of complaint filed with the Commission on March 21, 1984 the complainant appealed the denial of his request.

6. By letter dated March 22, 1984 the complainant was advised by the Commission that because his letter of complaint did not allege that he had been denied access to existing public records, the letter would not be docketed for a hearing.

7. By letter dated April 11, 1984 the complainant indicated that waiting for the creation of written documentation of the information sought was unsatisfactory, and requested that a hearing be held on the facts alleged in his March 21, 1984 complaint.

8. §1-15, G.S. provides that "[a]ny person applying in writing shall receive, promptly upon request, a plain or certified copy of any public record."

9. §1-18a(d), G.S. defines public records or files as "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." (emphasis added)

10. The complainant has not requested, nor has he been denied access to any public record within the meaning of §1-15 and 1-18a(d), G.S.

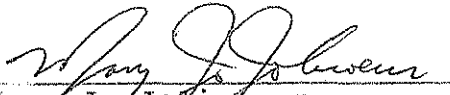
11. Nothing in the Freedom of Information Act requires a public agency to respond to telephone inquiries regarding information not contained in a public record.

12. It is concluded that the respondent did not violate any provision of the Freedom of Information Act when it failed to respond to the complainant's telephone inquiries regarding the destinations of the respondent's ambulance.

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

1. The complaint is hereby dismissed.
2. Nothing contained herein shall be construed as commenting upon the issue of whether the information requested by the complainant, if recorded by some method, would be disclosable pursuant to §§1-15 and 1-19(a), G.S.

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


Mary Jo Jolicœur
Clerk of the Commission