

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Paulette Crone and Betty Kaladish

FINAL DECISION

Complainants

Docket #FIC 84-132

against

December 20, 1984

Connecticut Indian Affairs Council,
State of Connecticut

Respondent

The above captioned matter was heard as a contested case on September 24, 1984 at which time the complainants and the respondent appeared, stipulated as to certain facts 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. By letter filed with the Commission on July 17, 1984, the complainants alleged that the respondent conducted a vote by mail-in ballot on or about July 3, 1984.
3. It is found that on or about July 3, 1984 the respondent conducted a vote by distributing a motion in the mail to members and by having the members mail in their votes for tabulation.
4. The motion that was the subject of the mail-in vote concerned the determination of the representation of the Schaghticoke tribe as a member of the respondent. This determination involved a choice between two factions within the Schaghticoke tribe, with potentially far-ranging consequences concerning tribal governance and the dispensation of tribal lands.
5. It is found that the respondent violated §1-21, G.S. by conducting a mail-in vote on or about July 3, 1984 and thereby holding a meeting that was not open to the public.
6. It is further found that the mail-in vote was conducted without reasonable grounds and caused a serious detriment to the

public's right to scrutinize the actions of the respondent.

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

1. The respondent's vote on or about July 3, 1984 concerning the representation of the Schaghticoke tribe as a member of the respondent is hereby declared null and void.

Approved by order of the Freedom of Information Commission at its regular meeting of December 12, 1984.



Mary Jo Jolicoeur
Clerk of the Commission