

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by  
Edward F. Sheehan, Jr.

FINAL DECISION

Complainant

Docket #FIC84-261

against

July 22, 1985

Attorney of the City and Town of  
Middletown,

Respondent

The above captioned matter was heard as a contested case on March 15, 1985 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. By letter filed with the Commission November 19, 1984 the complainant alleged that the respondents had failed to provide copies of public records requested by him.
3. By letters dated November 17, 1984 the Complainant requested a tape recording of his own hearing before the respondent Board of Firearms.
4. By letter dated November 26, 1984 the respondent Board of Firearms agreed to permit the complainant to copy the tape in their office, or to pay the costs of transcribing the tape.
5. The complainant never responded to the offer of the respondent Board of Firearms.
6. It is found that the action of the respondent Board of Firearms complied with the requirements of the law.
7. By letter dated November 17, 1984 the complainant requested from the respondent attorney copies of all evidence presented or intended to be presented at the complainant's hearing before the Board of Firearms Permit Examiners.

8. By letter dated March 14, 1985 the respondent city attorney provided the complainant with the entire file which the police department had compiled on the complainant and which it had used as the basis of its presentation at the hearing.

9. The delay in providing the information to the complainant was due to the serious illness of the city attorney.

10. §1-15, G.S. provides that public records should be provided "promptly upon request".

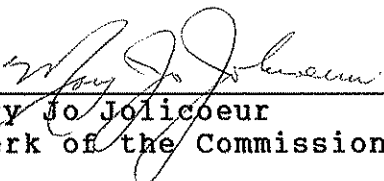
11. It is found that the records requested by the complainant were not provided promptly.

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

1. The respondent city attorney shall henceforth comply with the requirement of §1-15, G.S. that records be provided promptly.

2. The complaint against the respondent Board of Firearms is hereby dismissed.

Approved by order of the Freedom of Information Commission at its regular meeting of July 22, 1985.

  
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Mary Jo Jolicœur  
Clerk of the Commission