

In the Matter of a Complaint by

Kimberly Albright and Anthony Lazzari  
Complainant(s)

against

Docket # FIC 2012-092

Commissioner, State of Connecticut,  
Department of Children and Families; and  
State of Connecticut, Department of  
Children and Families

Respondent(s)

September 26, 2012

NOTICE OF DECISION NOT TO SCHEDULE HEARING

Pursuant to §1-206(b)(2)(A) of the Connecticut General Statutes, the above-captioned appeal shall not be scheduled for hearing without leave of the Commission on the grounds that there is reason to believe that such appeal “presents a claim beyond the [C]ommission’s jurisdiction” and 1-206(b)(2)(C) would constitute an abuse of the commission’s administrative process.

The Commission shall consider whether or not to grant leave to schedule a hearing in the above-captioned appeal at its meeting to be held at the Freedom of Information Commission Hearing Room, 18-20 Trinity Street, First Floor, Hartford, Connecticut on **October 10, 2012 at 2 p.m.** A copy of the complaint in this matter (two pages) and attachment(s) (four pages) is attached to this Notice.

Each party wishing to submit an affidavit(s) and/or written argument to the Commission in this appeal may do so. The Commission requests that the **original and twelve (12) copies** be filed by **October 3, 2012**. This matter is not arguable.

Each party submitting an affidavit(s) and/or written argument to the Commission shall **certify that a copy of such affidavit(s) and/or argument was sent to all parties** of record by U.S. mail, postage prepaid.

By order of the Freedom of Information Commission



W. Paradis

Acting Clerk of the Commission

Kimberly Albright and Anthony Lazzari  
Stephen G. Vitelli, AAG

Enc.

FIC/2012-092/NDNSH/wrbp/9/26/2012

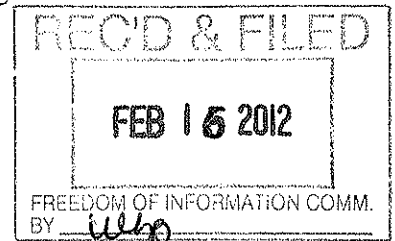
FEBRUARY 16, 2012

Kimberly Albright and Anthony Lazzari - Pro Se Litigants  
132 Rock Creek Road New Haven, Connecticut 06515  
Cell: (860) 205-5305 and (860) 205-3105

To: Freedom of Information Commission  
18-20 Trinity Street Hartford, CT. 06106  
Tel: (860) 566-5682 fax: (860) 566-6474

DOCKETED

APR 19 2012



Dear Freedom Of Information Commission,

Freedom of information Comm:

We (Kim and Ant) requested information in regards to our family on February 10, 2012 (see attached FOIA request dated January 10, 2012), from the New Haven Department of Children and Families and the Hartford Central DCF Office under the Freedom of Information Act. We e-mailed on February 10, 2012 and faxed on February 10, 2012 our FOIA request to the corrupted Department of Children and Families agency.

We did receive a response from the Waterbury DCF Office Paralegal Kevin J. Burke on February 15, 2012, but we were not provided with any and or all requested records and information. We have not received ANY and or ALL records or information in regards to our FOIA request from the corrupted Department of Children and Families agency. The position of the CT DCF is that this state agency lacks jurisdiction to adjudicate our FOIA complaint. The CT DCF is a governmental agency within this state and are bound by the FOIA, see C.G.S. § 17a-28.

Enclosed is a copy of our FOIA request under the Freedom of Information Act, which includes the requested information. Thank You and May God Bless You.

God Bless,

*Kimberly Albright and Anthony Lazzari*

Kimberly Albright and Anthony Lazzari - Pro Se Litigants

Cc: (Corrupted) Connecticut Department of Children and Families - Central Office  
[Commissioner.dcf@ct.gov](mailto:Commissioner.dcf@ct.gov), [barbara.claire@ct.gov](mailto:barbara.claire@ct.gov), [tom.dematteo@ct.gov](mailto:tom.dematteo@ct.gov), [maureen.duggan@ct.gov](mailto:maureen.duggan@ct.gov),  
[matthew.larock@ct.gov](mailto:matthew.larock@ct.gov)

(Corrupted) Connecticut Department of Children and Families - New Haven Regional Office  
[Janice.debartolo@ct.gov](mailto:Janice.debartolo@ct.gov), [kathleen.bagnasco@po.state.ct.us](mailto:kathleen.bagnasco@po.state.ct.us), [kathleen.bagnasco@ct.gov](mailto:kathleen.bagnasco@ct.gov), [anita.satti@po.state.ct.us](mailto:anita.satti@po.state.ct.us),  
[Anita.satti@ct.gov](mailto:Anita.satti@ct.gov), [Michael.LaMonica@po.state.ct.us](mailto:Michael.LaMonica@po.state.ct.us), [michael.lamonica@ct.gov](mailto:michael.lamonica@ct.gov), [karrol-ann.brown@po.state.ct.us](mailto:karrol-ann.brown@po.state.ct.us),  
[Karrol-ann.brown@ct.gov](mailto:Karrol-ann.brown@ct.gov), [renee.bollier@po.state.ct.us](mailto:renee.bollier@po.state.ct.us), [renee.bollier@ct.gov](mailto:renee.bollier@ct.gov), [jessica.gauvin@po.state.ct.us](mailto:jessica.gauvin@po.state.ct.us),  
[Jessica.gauvin@ct.gov](mailto:Jessica.gauvin@ct.gov), [kimberly.ruzbarsky@ct.gov](mailto:kimberly.ruzbarsky@ct.gov)

(Corrupted) Connecticut Department of Children and Families - Waterbury Regional Office  
[kevin.burke@po.state.ct.us](mailto:kevin.burke@po.state.ct.us), [kevin.burke@ct.gov](mailto:kevin.burke@ct.gov)

**Mark 16:15** And he (Jesus) said unto them (disciples), Go ye into all the world, and preach the gospel to Every creature. **16** He that believeth and is baptized shall be saved; but he that believeth not shall be damned. **John 20:31** But these are written, that ye might believe that Jesus is the Christ, the Son of God; and that believing ye might have life through his name.

**“EXPEDITIOUS REQUEST UNDER FREEDOM OF INFORMATION ACT”**

**Date:** February 10, 2012

**To:** (Corrupted) Connecticut Department of Children and Families - Central Office  
Attn: (Corrupted) CT DCF Commissioner Joette Katz  
505 Hudson Street Hartford, Connecticut 06106  
Tel: (860) 550-6300 (legal division tel: 860-550-6557; fax: 860-566-7947)  
[Commissioner.dcf@ct.gov](mailto:Commissioner.dcf@ct.gov), [barbara.claire@ct.gov](mailto:barbara.claire@ct.gov), [tom.dematteo@ct.gov](mailto:tom.dematteo@ct.gov), [maureen.duggan@ct.gov](mailto:maureen.duggan@ct.gov),  
[matthew.larock@ct.gov](mailto:matthew.larock@ct.gov)

**Cc:** (Corrupted) New Haven Department of Children and Families - Regional Office  
Attn: Area Director Janice DeBartolo and Legal Department  
One Long Wharf Drive, New Haven, Connecticut 06511  
Tel: (203) 786-0500; fax: (203) 786-7457; Legal fax: (203) 786-2536; AAG fax: (203) 786-2548  
[Janice.debartolo@ct.gov](mailto:Janice.debartolo@ct.gov), [kathleen.bagnasco@po.state.ct.us](mailto:kathleen.bagnasco@po.state.ct.us), [kathleen.bagnasco@ct.gov](mailto:kathleen.bagnasco@ct.gov), [anita.satti@po.state.ct.us](mailto:anita.satti@po.state.ct.us),  
[Anita.satti@ct.gov](mailto:Anita.satti@ct.gov), [Michael.LaMonica@po.state.ct.us](mailto:Michael.LaMonica@po.state.ct.us), [michael.lamonica@ct.gov](mailto:michael.lamonica@ct.gov), [karrol-ann.brown@po.state.ct.us](mailto:karrol-ann.brown@po.state.ct.us),  
[Karrol-ann.brown@ct.gov](mailto:Karrol-ann.brown@ct.gov), [renee.bollier@po.state.ct.us](mailto:renee.bollier@po.state.ct.us), [renee.bollier@ct.gov](mailto:renee.bollier@ct.gov), [jessica.gauvin@po.state.ct.us](mailto:jessica.gauvin@po.state.ct.us), ([@ct.gov](mailto:@ct.gov))

Dear CT DCF Commissioner Joette Katz and DCF Area Director Janice DeBartolo,

Pursuant to the *Federal and State Freedom of Information Acts*, we are requesting disclosure of such information on us (Kimberly Albright-L., Anthony Lazzari, and Amanda Lazzari) as may be maintained in your files, and to the extent said disclosure is required by law. Please respond within four business days upon receipt of this request.

**Information requested:**

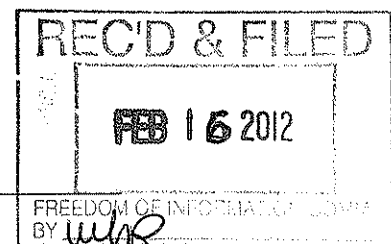
All records, reports, information, documents, files, narratives, including any 136 forms and police reports, etc., and all calls (date and time; the name of person) made to the CT DCF hotline pertaining to our FOIA request.

We are legally entitled to obtain all records and information as it pertains to our child and us because we are the legal guardians and custodial parents of our child and our parental rights are intact. Please forward said information to the address below. We appreciate your cooperation. If this corrupted state agency were to deny us of such inspection and information, then we will pursue this matter in the court system.

God Bless,

Anthony Lazzari  
Name (Printed or Typed)  
132 Rock Creek Road New Haven, CT 06515  
Cell: (860) 205-5305

Anthony Lazzari  
Signature



Kimberly Albright-L.  
Name (Printed or Typed)  
132 Rock Creek Road New Haven, CT 06515  
Cell: (860) 205-3105

Kimberly Albright-L.  
Signature

**Matthew 1:21** And she shall bring forth a son, and thou shalt call his name JESUS: for he shall save his people from their sins. **Luke 1:31** And, behold, thou shalt conceive in thy womb, and bring forth a son, and shalt call his name JESUS. **Matthew 1:22** Now all this was done, that it might be fulfilled which was spoken of the Lord by the prophet, saying, **23** Behold, a virgin shall be with child, and shall bring forth a son, and they shall call his name Emmanuel, which being interpreted is, God with us. **Matthew 1:25** And knew her not till she had brought forth her firstborn son: and he called his name JESUS. **Matthew 2:1** Now when Jesus was born in Bethlehem of Judaea in the days of Herod the king, behold, there came wise men from the east to Jerusalem,

Pursuant to **Sec. 17a-28**. (Formerly Sec. 17-431). Definitions. Confidentiality of and access to records; exceptions. Procedure for aggrieved persons. Regulations. (a) As used in this section:

(b) Notwithstanding the provisions of section 1-210, 1-211 or 1-213, records maintained by the department shall be confidential and shall not be disclosed. Such records of any person may only be disclosed, in whole or in part, to any individual, agency, corporation or organization with the consent of the person or as provided in this section. Any unauthorized disclosure shall be punishable by a fine of not more than one thousand dollars or imprisonment for not more than one year, or both.

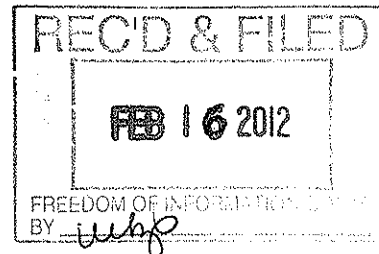
(l) Information disclosed from a person's record shall not be disclosed further without the written consent of the person, except if disclosed to a party or his counsel pursuant to an order of a court in which a criminal prosecution or an abuse, neglect, commitment or termination proceeding against the party is pending. A state's attorney shall disclose to the defendant or his counsel in a criminal prosecution, without the necessity of a court order, exculpatory information and material contained in such record and may disclose, without a court order, information and material contained in such record which could be the subject of a disclosure order.

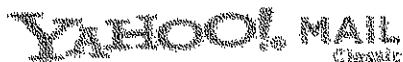
(m) In addition to the right of access provided in section 1-210, any person, regardless of age, his authorized representative or attorney shall have the right of access to any records made, maintained or kept on file by the department, whether or not such records are required by any law or by any rule or regulation, when those records pertain to or contain information or materials concerning the person seeking access thereto, including but not limited to records concerning investigations, reports, or medical, psychological or psychiatric examinations of the person seeking access thereto, . . . .

**Sec. 17a-28**. (Formerly Sec. 17-431). Definitions. Confidentiality of and access to records; exceptions. Procedure for aggrieved persons. Regulations. (a) As used in this section:

(1) information identifying an individual who reported abuse or neglect of a person, including any tape recording of an oral report pursuant to section 17a-103, shall not be released unless, upon application to the Superior Court by such person and served on the Commissioner of Children and Families, a judge determines, after in camera inspection of relevant records and a hearing, that there is reasonable cause to believe the reporter knowingly made a false report or that other interests of justice require such release; and

(2) if the commissioner determines that it would be contrary to the best interests of the person or his authorized representative or attorney to review the records, he may refuse access by issuing to such person or representative or attorney a written statement setting forth the reasons for such refusal, and advise the person, his authorized representative or attorney of the right to seek judicial relief.





FOI Act request dated February 10, 2012 (FOI Act Complaint)

Wednesday, February 15, 2012 6:14 PM

From: "Kimberly Albright" <proseparents@yahoo.com>

To: colleen.murphy@ct.gov

Cc: foi@ct.gov, wendy.paradis@ct.gov, clifton.leonhardt@ct.gov, cindy.cannata@ct.gov, KEVIN.BURKE@ct.gov, KIMBERLY.RUZBARSKY@ct.gov, Commissioner.dcf@ct.gov, barbara.claire@ct.gov, tom.dematteo@ct.gov, maureen.duggan@ct.gov, matthew.larock@ct.gov, Janice.debartolo@ct.gov, kathleen.bagnasco@po.state.ct.us, kathleen.bagnasco@ct.gov, anita.satti@po.state.ct.us, Anita.satti@ct.gov, Michael.LaMonica@po.state.ct.us, michael.lamonica@ct.gov, karrol-ann.brown@po.state.ct.us, Karrol-ann.brown@ct.gov, renee.bollier@po.state.ct.us, renee.bollier@ct.gov, jessica.gauvin@po.state.ct.us, jessica.gauvin@ct.gov

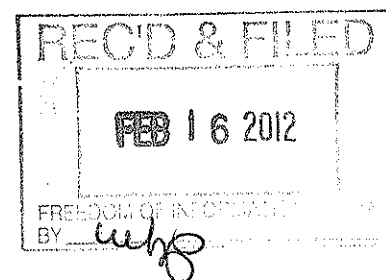
2 Files (66KB)



Request ...



FOIA req...



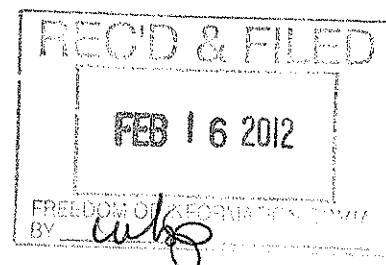
Enclosed is our FOIA complaint, please process asap. Thanks and May God Bless You.

God Bless,

Kimberly Albright and Anthony Lazzari  
132 Rock Creek Road New Haven, CT 06515  
Cell: (860) 205-3105 and (860) 205-5305

Acts 19:20 So mightily grew the word of God and prevailed.

Mark 16:15 And he (Jesus) said unto them (disciples), Go ye into all the world, and preach the gospel to every creature. Matthew 28:6 He is not here: for he is risen, as he (Jesus) said. Come, see the place where the Lord lay. Luke 24:6 He is not here, but is risen: remember how he (Jesus) spake unto you when he was yet in Galilee . John 20:31 But these are written, that ye might believe that Jesus is the Christ, the Son of God; and that believing ye might have life through his name.

**John 14:6**

New King James Version (NKJV)

<sup>6</sup> Jesus said to him, "I am the way, the truth, and the life. No one comes to the Father except through Me.

God is love, see 1 John 4:8 and 1 John 4:16.

Enclosed below are e-mails between DCF and us:

**Re: FOI Request**

Wednesday, February 15, 2012 4:12 PM

From:

"Kimberly Albright" <proseparents@yahoo.com>

[Add sender to Contacts](#)

To:

"KEVINBURKE" <KEVIN.BURKE@ct.gov>

Cc:

KIMBERLY.RUZBARSKY@ct.gov

Dear Kevin J. Burke [paralegal],

We are legally entitled to all records promptly without delay, according to the law, see God's Sovereign Law, Constitutional Law, and FOI Act, etc..

We do not have to wait until any false and unlawful investigation is completed to receive records because we are legally entitled to be placed on fair and timely notice of any or all allegations. Any delay and denial of information and or records is a violation of the laws, the constitution's, and all of our legal and constitutional rights.

Please provide information as to what area DCF office is handling the current investigation and the names of all individuals involved as soon as possible.

God Bless,

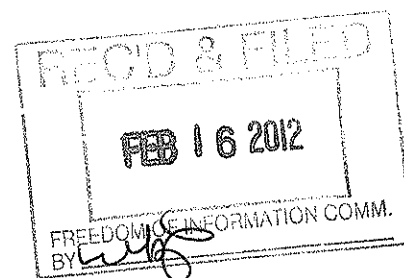
Kimberly Albright-L. and Anthony Lazzari  
132 Rock Creek Road New Haven, Connecticut 06515  
Cell: (860) 205-3105 and (860) 205-5305

— On Wed, 2/15/12, BURKE, KEVIN <KEVIN.BURKE@ct.gov> wrote:

From: BURKE, KEVIN <KEVIN.BURKE@ct.gov>  
Subject: FOI Request  
To: "Kimberly Albright" <proseparents@yahoo.com>

FOI Act request dated February 10, 2012 (FOI Act Complaint) ... Page 3 of 3

Cc: "RUZBARSKY, KIMBERLY" <KIMBERLY.RUZBARSKY@ct.gov>  
Date: Wednesday, February 15, 2012, 11:08 AM



Mr. and Mrs. Lazzari,

I have been assigned to handle your most recent request for DCF records.

Please note, because the records you seek are available pursuant to Conn. Gen. Statutes 17a-28, the Freedom of Information Act does not govern this type of disclosure. As such, the time frame required by the FOIA does not apply in this situation.

Please be assured your request will be given the same courtesy and attention as any other request we receive.

Once the current investigation has been completed I will provide you with all the documents to which you are entitled.

Sincerely,

Kevin J. Burke  
DCF Paralegal