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FREEDOM OF INFORMATION



Connecticut Freedom of Information Commission • 18-20 Trinity Street, Suite 100 • Hartford, CT 06106
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Richard Stevenson,
Complainant(s)
against

Notice of Meeting

Docket #FIC 2013-590

Commissioner, State of Connecticut,
Department of Correction; and State of
Connecticut, Department of Correction,
Respondent(s)

June 19, 2014

Transmittal of Proposed Final Decision

In accordance with Section 4-179 of the Connecticut General Statutes, the Freedom of Information Commission hereby transmits to you the proposed finding and decision prepared by the hearing officer in the above-captioned matter.

This will notify you that the Commission will consider this matter for disposition at its meeting which will be held in the Freedom of Information Commission Hearing Room, 18-20 Trinity Street, 1st floor, Hartford, Connecticut, at **2 p.m. on Wednesday, July 9, 2014**. At that time and place you will be allowed to offer oral argument concerning this proposed finding and order. Oral argument shall be limited to ten (10) minutes. For good cause shown, however, the Commission may increase the period of time for argument. A request for additional time must be made in writing and should be filed with the Commission **ON OR BEFORE June 27, 2014**. Such request **MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, and (2) include a notation indicating such notice to all parties or their representatives.**

Although a brief or memorandum of law is not required, if you decide to submit such a document, an **original and fourteen (14) copies** must be filed **ON OR BEFORE June 27, 2014**. **PLEASE NOTE: Any correspondence, brief or memorandum directed to the Commissioners by any party or representative of any party MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, (2) include a notation indicating such notice to all parties or their representatives and (3) be limited to argument. NO NEW EVIDENCE MAY BE SUBMITTED.**

If you have already filed a brief or memorandum with the hearing officer and wish to have that document distributed to each member of the Commission, it is requested that **fourteen (14) copies** be filed **ON OR BEFORE June 27, 2014**, and that **notice be given to all parties or if the parties are represented, to their representatives, that such previously filed document is being submitted to the Commissioners for review.**

By Order of the Freedom of
Information Commission


Wendy Paradis
Acting Clerk of the Commission

Notice to: Richard Stevenson
James Neil, Esq.
cc: Kristine Barone

2014-06-19/FIC# 2013-590/Trans/wrbp/CAL/VDH

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer

Richard Stevenson,

Complainant

against

Docket #FIC 2013-590

Commissioner, State of Connecticut,
Department of Correction; and
State of Connecticut, Department of Correction,

Respondents

June 19, 2014

The above-captioned matter was heard as contested case on June 13, 2014, at which time the complainant and the respondents appeared. The complainant, who is incarcerated, appeared via teleconference, pursuant to the January 2004 memorandum of understanding between the Commission and the Department of Correction. See Docket No. CV 03-0826293, Anthony Sinchak v. FOIC et al, Superior Court, J.D. of Hartford at Hartford, Corrected Order dated January 27, 2004 (Sheldon, J.).

At the hearing, the complainant presented his September 3, 2013 request for: 1) the “current contract(s)/agreement(s) between the State of Connecticut and Direct TV to provide satellite/cable services at all level 4 prison facilities”; and 2) records showing that “the 30% surcharge assessed on all commissary goods sold to prisoners are funding extra-curricular activities for prisoners...” The respondents presented a letter from Joel R. Ide, Fiscal Administrative Manager, Department of Correction, to the complainant, dated September 25, 2013, responding to the complainant’s request. This letter stated: “[t]he State does not have a contract to provide Direct TV or Cable TV to any facility.” The letter also set forth the relevant statute concerning commissaries and two paragraphs of explanation concerning the operation of prison commissaries, including a reference to the most recent transfer to the Inmate Welfare Fund (\$300,000 in SFY2011).

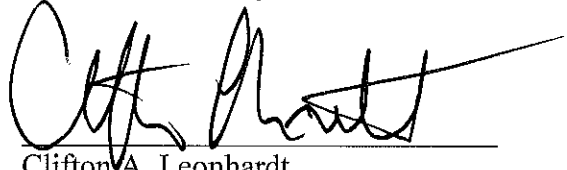
Following some sworn testimony concerning the records request and the respondents’ response letter, the complainant determined that he would like to receive the Direct TV service agreement for the Cheshire Correctional Institution and he agreed to attorney Neil’s suggestion that he ask Warden Brighthaupt for a copy. Attorney Neil, in turn, agreed to alert Warden Brighthaupt that the request would be forthcoming. Concerning the operation of prison commissaries, the testimony was that there was no record maintained by the respondent Department that summarized proceeds, costs and profits, if any. The complainant also stated that he was not seeking to receive all of the

financial records of the prison commissaries in order to perform his own detailed audit of the proceeds, costs and transfers for prisoner extra-curricular activities (“not looking for that”).

The complainant at this point stated that the case was resolved and that he wished to withdraw his complaint against the respondents. No matters required adjudication.

The Commission recommends the following order on the basis of the record:

1. Based on the withdrawal of the complaint, the case is hereby dismissed.

A handwritten signature in black ink, appearing to read 'Clifton A. Leonhardt', written over a horizontal line.

Clifton A. Leonhardt
as Hearing Officer