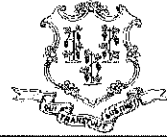


Since 1975



# FREEDOM OF INFORMATION



Connecticut Freedom of Information Commission • 18-20 Trinity Street, Suite 100 • Hartford, CT 06106  
Toll free (CT only): (866)374-3617 Tel: (860)566-5682 Fax: (860)566-6474 • www.state.ct.us/foi/ • email: foi@po.state.ct.us

David Osuch,  
Complainant(s)  
against

Notice of Meeting

Docket #FIC 2015-690

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

May 18, 2016

### 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, June 8, 2016**. 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 May 27, 2016**. 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 May 27, 2016**. **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 **fifteen (15) copies** be filed **ON OR BEFORE May 27, 2016**, 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

W. Paradis  
Acting Clerk of the Commission

Notice to: David Osuch  
Attorney Nancey Kase O'Brasky

2016-05-18/FIC# 2015-690/Trans/wrbp/CAL/VDH

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer

David Osuch,

Complainant

against

Docket #FIC 2015-690

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

Respondents

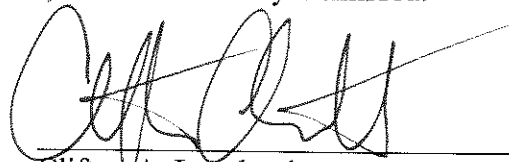
March 22, 2016

The above-captioned matter was heard as contested case on January 22, 2016, 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 respondents stated that they would mail to the complainant a copy of one short, conclusory email from Lt. Stuart to Lt. Acus, dated October 19, 2015, 3:21 p.m., with redactions of only the first names and email addresses of Correction officers. There was also sworn testimony that, based upon a detailed search of paper and computerized records, the respondent Department has no other records responsive to the complainant's request concerning his placement on Behavioral Observation Status on August 17, 2015. The sworn testimony was that no incident report was filed. However, there was also the suggestion that the University of Connecticut Correctional Managed Health Care probably maintains records responsive to the complainant's request. Based upon these representations and testimony, the complainant stated that he wished to withdraw his complaint.

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.



Clifton A. Leonhardt  
as Hearing Officer