

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

James Raynor,

Complainant

against

Docket #FIC 2016-0596

Chief, Police Department, City of Hartford;
Police Department, City of Hartford; and
City of Hartford,

Respondents

July 26, 2017

The above-captioned matter was heard as a contested case on January 23 and February 7, 2017, at which times the complainant and the respondents appeared, stipulated to certain facts, and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found and conclusions of law are reached:

1. The respondents are public agencies within the meaning of §1-200(1), G.S.
2. By letter of complaint filed August 22, 2016, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to comply with his August 9, 2016 request for copies of certain police records.
3. It is found that the complainant made an August 9, 2016 request to the respondent Hartford Police Department for copies of all records of the Department’s Case No. 09-31423.
4. It is found that the requested records were delivered to the Chief State’s Attorney’s office in 2014.
5. It is found that the Hartford Police Department requested that the Chief State’s Attorney’s office return or make copies of the records, and that the State’s Attorney’s Office did so.
6. Section 1-200(5), G.S., defines “public records” as follows:

Public records or files means any recorded data or information relating to the conduct of the public's business prepared, owned, used, received or retained by a public agency, ...whether such data or information be handwritten, typed, tape-recorded, printed, photostated, photographed or recorded by any other method.

7. Section 1-210(a), G.S., provides, in relevant part:

Except as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation, shall be public records and every person shall have the right to (1) inspect such records promptly during regular office or business hours, (2) copy such records in accordance with subsection (g) of section 1-212, or (3) receive a copy of such records in accordance with section 1-212.

8. Section 1-212(a), G.S., provides in relevant part that “[a]ny person applying in writing shall receive, promptly upon request, a plain, facsimile, electronic or certified copy of any public record.”

9. It is found that the requested records are public records within the meaning of §§1-200(5), 1-210(a), and 1-212(a), G.S.

10. It is found that the respondents provided the records to the complainant on or about February 7, 2017.

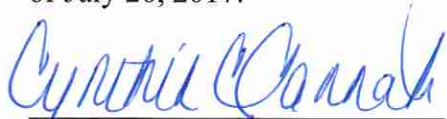
11. It is found that the complainant is satisfied with the records provided to him.

12. It is therefore concluded that the respondents did not violate the FOI Act as alleged.

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

1. The complaint is dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of July 26, 2017.



Cynthia C. Cannata
Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

JAMES RAYNOR #318905; c/o Attorney William Adsit, 2558 Whiteney Avenue, #203, Hamden, CT 06518-3045

CHIEF, POLICE DEPARTMENT, CITY OF HARTFORD; POLICE DEPARTMENT, CITY OF HARTFORD; AND CITY OF HARTFORD
c/o Attorney Cynthia Lauture, Office of the Corporation Counsel, 550 Main Street, Suite 210, Hartford, CT 06103



Cynthia C. Cannata
Acting Clerk of the Commission