

Sec. 1-210. (Formerly Sec. 1-19). Access to public records. Exempt records. (a) 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. Any agency rule or regulation, or part thereof, that conflicts with the provisions of this subsection or diminishes or curtails in any way the rights granted by this subsection shall be void. Each such agency shall keep and maintain all public records in its custody at its regular office or place of business in an accessible place and, if there is no such office or place of business, the public records pertaining to such agency shall be kept in the office of the clerk of the political subdivision in which such public agency is located or of the Secretary of the State, as the case may be. Any certified record hereunder attested as a true copy by the clerk, chief or deputy of such agency or by such other person designated or empowered by law to so act, shall be competent evidence in any court of this state of the facts contained therein.

(b) Nothing in the Freedom of Information Act shall be construed to require disclosure of:

(1) Preliminary drafts or notes provided the public agency has determined that the public interest in withholding such documents clearly outweighs the public interest in disclosure;

(2) Personnel or medical files and similar files the disclosure of which would constitute an invasion of personal privacy;

(3) Records of law enforcement agencies not otherwise available to the public which records were compiled in connection with the detection or investigation of crime, if the disclosure of said records would not be in the public interest because it would result in the disclosure of (A) the identity of informants not otherwise known or the identity of witnesses not otherwise known whose safety would be endangered or who would be subject to threat or intimidation if their identity was made known, (B) signed statements of witnesses, (C) information to be used in a prospective law enforcement action if prejudicial to such action, (D) investigatory techniques not otherwise known to the general public, (E) arrest records of a juvenile, which shall also include any investigatory files, concerning the arrest of such juvenile, compiled for law enforcement purposes, (F) the name and address of the victim of a sexual assault under section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a, or injury or risk of injury, or impairing of morals under section 53-21, or of an attempt thereof, or (G) uncorroborated allegations subject to destruction pursuant to section 1-216;

(4) Records pertaining to strategy and negotiations with respect to pending claims or pending litigation to which the public agency is a party until such litigation or claim has been finally adjudicated or otherwise settled;

(5) (A) Trade secrets, which for purposes of the Freedom of Information Act, are defined as information, including formulas, patterns, compilations, programs, devices, methods, techniques, processes, drawings, cost data, customer lists, film or television scripts or detailed production budgets that (i) derive independent economic value, actual or potential, from not being generally known to, and

not being readily ascertainable by proper means by, other persons who can obtain economic value from their disclosure or use, and (ii) are the subject of efforts that are reasonable under the circumstances to maintain secrecy; and

(B) Commercial or financial information given in confidence, not required by statute;

(6) Test questions, scoring keys and other examination data used to administer a licensing examination, examination for employment or academic examinations;

(7) The contents of real estate appraisals, engineering or feasibility estimates and evaluations made for or by an agency relative to the acquisition of property or to prospective public supply and construction contracts, until such time as all of the property has been acquired or all proceedings or transactions have been terminated or abandoned, provided the law of eminent domain shall not be affected by this provision;

(8) Statements of personal worth or personal financial data required by a licensing agency and filed by an applicant with such licensing agency to establish the applicant's personal qualification for the license, certificate or permit applied for;

(9) Records, reports and statements of strategy or negotiations with respect to collective bargaining;

(10) Records, tax returns, reports and statements exempted by federal law or state statutes or communications privileged by the attorney-client relationship;

(11) Names or addresses of students enrolled in any public school or college without the consent of each student whose name or address is to be disclosed who is eighteen years of age or older and a parent or guardian of each such student who is younger than eighteen years of age, provided this subdivision shall not be construed as prohibiting the disclosure of the names or addresses of students enrolled in any public school in a regional school district to the board of selectmen or town board of finance, as the case may be, of the town wherein the student resides for the purpose of verifying tuition payments made to such school;

(12) Any information obtained by the use of illegal means;

(13) Records of an investigation or the name of an employee providing information under the provisions of section 4-61dd or sections 17b-301c to 17b-301g, inclusive;

(14) Adoption records and information provided for in sections 45a-746, 45a-750 and 45a-751;

(15) Any page of a primary petition, nominating petition, referendum petition or petition for a town meeting submitted under any provision of the general statutes or of any special act, municipal charter or ordinance, until the required processing and certification of such page has been completed by the official or officials charged with such duty after which time disclosure of such page shall be required;

(16) Records of complaints, including information compiled in the investigation thereof, brought to a municipal health authority pursuant to chapter 368e or a district department of health pursuant to chapter 368f, until such time as the investigation is concluded or thirty days from the date of receipt of the complaint, whichever occurs first;

(17) Educational records which are not subject to disclosure under the Family Educational Rights and Privacy Act, 20 USC 1232g;

(18) Records, the disclosure of which the Commissioner of Correction, or as it applies to Whiting Forensic Division facilities of the Connecticut Valley Hospital, the Commissioner of Mental Health and Addiction Services, has reasonable grounds to believe may result in a safety risk, including the risk of harm to any person or the risk of an escape from, or a disorder in, a correctional institution or facility under the supervision of the Department of Correction or Whiting Forensic Division facilities. Such records shall include, but are not limited to:

(A) Security manuals, including emergency plans contained or referred to in such security manuals;

(B) Engineering and architectural drawings of correctional institutions or facilities or Whiting Forensic Division facilities;

(C) Operational specifications of security systems utilized by the Department of Correction at any correctional institution or facility or Whiting Forensic Division facilities, except that a general description of any such security system and the cost and quality of such system may be disclosed;

(D) Training manuals prepared for correctional institutions and facilities or Whiting Forensic Division facilities that describe, in any manner, security procedures, emergency plans or security equipment;

(E) Internal security audits of correctional institutions and facilities or Whiting Forensic Division facilities;

(F) Minutes or recordings of staff meetings of the Department of Correction or Whiting Forensic Division facilities, or portions of such minutes or recordings, that contain or reveal information relating to security or other records otherwise exempt from disclosure under this subdivision;

(G) Logs or other documents that contain information on the movement or assignment of inmates or staff at correctional institutions or facilities; and

(H) Records that contain information on contacts between inmates, as defined in section 18-84, and law enforcement officers;

(19) Records when there are reasonable grounds to believe disclosure may result in a safety risk, including the risk of harm to any person, any government-owned or leased institution or facility or any fixture or appurtenance and equipment attached to, or contained in, such institution or facility, except that such records shall be disclosed to a law enforcement agency upon the request of the law

enforcement agency. Such reasonable grounds shall be determined (A) (i) by the Commissioner of Public Works, after consultation with the chief executive officer of an executive branch state agency, with respect to records concerning such agency; and (ii) by the Commissioner of Emergency Management and Homeland Security, after consultation with the chief executive officer of a municipal, district or regional agency, with respect to records concerning such agency; (B) by the Chief Court Administrator with respect to records concerning the Judicial Department; and (C) by the executive director of the Joint Committee on Legislative Management, with respect to records concerning the Legislative Department. As used in this section, "government-owned or leased institution or facility" includes, but is not limited to, an institution or facility owned or leased by a public service company, as defined in section 16-1, a certified telecommunications provider, as defined in section 16-1, a water company, as defined in section 25-32a, or a municipal utility that furnishes electric, gas or water service, but does not include an institution or facility owned or leased by the federal government, and "chief executive officer" includes, but is not limited to, an agency head, department head, executive director or chief executive officer. Such records include, but are not limited to:

(i) Security manuals or reports;

(ii) Engineering and architectural drawings of government-owned or leased institutions or facilities;

(iii) Operational specifications of security systems utilized at any government-owned or leased institution or facility, except that a general description of any such security system and the cost and quality of such system, may be disclosed;

(iv) Training manuals prepared for government-owned or leased institutions or facilities that describe, in any manner, security procedures, emergency plans or security equipment;

(v) Internal security audits of government-owned or leased institutions or facilities;

(vi) Minutes or records of meetings, or portions of such minutes or records, that contain or reveal information relating to security or other records otherwise exempt from disclosure under this subdivision;

(vii) Logs or other documents that contain information on the movement or assignment of security personnel;

(viii) Emergency plans and emergency preparedness, response, recovery and mitigation plans, including plans provided by a person to a state agency or a local emergency management agency or official; and

(ix) With respect to a water company, as defined in section 25-32a, that provides water service: Vulnerability assessments and risk management plans, operational plans, portions of water supply plans submitted pursuant to section 25-32d that contain or reveal information the disclosure of which may result in a security risk to a water company, inspection reports, technical specifications and other materials that depict or specifically describe critical water company operating facilities, collection and

distribution systems or sources of supply;

(20) Records of standards, procedures, processes, software and codes, not otherwise available to the public, the disclosure of which would compromise the security or integrity of an information technology system;

(21) The residential, work or school address of any participant in the address confidentiality program established pursuant to sections 54-240 to 54-240o, inclusive;

(22) The electronic mail address of any person that is obtained by the Department of Transportation in connection with the implementation or administration of any plan to inform individuals about significant highway or railway incidents;

(23) The name or address of any minor enrolled in any parks and recreation program administered or sponsored by any public agency;

(24) Responses to any request for proposals or bid solicitation issued by a public agency or any record or file made by a public agency in connection with the contract award process, until such contract is executed or negotiations for the award of such contract have ended, whichever occurs earlier, provided the chief executive officer of such public agency certifies that the public interest in the disclosure of such responses, record or file is outweighed by the public interest in the confidentiality of such responses, record or file;

(25) The name, address, telephone number or electronic mail address of any person enrolled in any senior center program or any member of a senior center administered or sponsored by any public agency.

(c) Whenever a public agency receives a request from any person confined in a correctional institution or facility or a Whiting Forensic Division facility, for disclosure of any public record under the Freedom of Information Act, the public agency shall promptly notify the Commissioner of Correction or the Commissioner of Mental Health and Addiction Services in the case of a person confined in a Whiting Forensic Division facility of such request, in the manner prescribed by the commissioner, before complying with the request as required by the Freedom of Information Act. If the commissioner believes the requested record is exempt from disclosure pursuant to subdivision (18) of subsection (b) of this section, the commissioner may withhold such record from such person when the record is delivered to the person's correctional institution or facility or Whiting Forensic Division facility.

(d) Whenever a public agency, except the Judicial Department or Legislative Department, receives a request from any person for disclosure of any records described in subdivision (19) of subsection (b) of this section under the Freedom of Information Act, the public agency shall promptly notify the Commissioner of Public Works or the Commissioner of Emergency Management and Homeland Security, as applicable, of such request, in the manner prescribed by such commissioner, before complying with the request as required by the Freedom of Information Act and for information related to a water company, as defined in section 25-32a, the public agency shall promptly notify the water company

before complying with the request as required by the Freedom of Information Act. If the commissioner, after consultation with the chief executive officer of the applicable agency or after consultation with the chief executive officer of the applicable water company for information related to a water company, as defined in section 25-32a, believes the requested record is exempt from disclosure pursuant to subdivision (19) of subsection (b) of this section, the commissioner may direct the agency to withhold such record from such person. In any appeal brought under the provisions of section 1-206 of the Freedom of Information Act for denial of access to records for any of the reasons described in subdivision (19) of subsection (b) of this section, such appeal shall be against the chief executive officer of the executive branch state agency or the municipal, district or regional agency that issued the directive to withhold such record pursuant to subdivision (19) of subsection (b) of this section, exclusively, or, in the case of records concerning Judicial Department facilities, the Chief Court Administrator or, in the case of records concerning the Legislative Department, the executive director of the Joint Committee on Legislative Management.

(e) Notwithstanding the provisions of subdivisions (1) and (16) of subsection (b) of this section, disclosure shall be required of:

(1) Interagency or intra-agency memoranda or letters, advisory opinions, recommendations or any report comprising part of the process by which governmental decisions and policies are formulated, except disclosure shall not be required of a preliminary draft of a memorandum, prepared by a member of the staff of a public agency, which is subject to revision prior to submission to or discussion among the members of such agency;

(2) All records of investigation conducted with respect to any tenement house, lodging house or boarding house as defined in section 19a-355, or any nursing home, residential care home or rest home, as defined in section 19a-490, by any municipal building department or housing code inspection department, any local or district health department, or any other department charged with the enforcement of ordinances or laws regulating the erection, construction, alteration, maintenance, sanitation, ventilation or occupancy of such buildings; and

(3) The names of firms obtaining bid documents from any state agency.

(1957, P.A. 428, S. 1; 1963, P.A. 260; 1967, P.A. 723, S. 1; 1969, P.A. 193; 1971, P.A. 193; P.A. 75-342, S. 2; P.A. 76-294; P.A. 77-609, S. 2, 8; P.A. 79-119; 79-324; 79-575, S. 2, 4; 79-599, S. 3; P.A. 80-483, S. 1, 186; P.A. 81-40, S. 2; 81-431, S. 1; 81-448, S. 2; P.A. 83-436; P.A. 84-112, S. 1; 84-311, S. 2, 3; P.A. 85-577, S. 22; P.A. 90-335, S. 1; P.A. 91-140, S. 2, 3; P.A. 94-246, S. 14; P.A. 95-233; P.A. 96-130, S. 37; P.A. 97-47, S. 4; 97-112, S. 2; 97-293, S. 14, 26; P.A. 99-156, S. 1; P.A. 00-66, S. 5; 00-69, S. 3, 4; 00-134, S. 1; 00-136, S. 2; June Sp. Sess. P.A. 00-1, S. 20, 46; P.A. 01-26, S. 1; P.A. 02-133, S. 1, 2; 02-137, S. 2; P.A. 03-200, S. 17; June 30 Sp. Sess. P.A. 03-6, S. 104; P.A. 05-287, S. 26; P.A. 07-202, S. 12; 07-213, S. 22; 07-236, S. 5; P.A. 08-18, S. 1; Sept. Sp. Sess. P.A. 09-5, S. 17; P.A. 10-17, S. 1.)

History: 1963 act required that public records be kept in accessible place at regular office and at office of town clerk or secretary of the state if no regular office exists; 1967 act excluded certain records from definition of "public record" for disclosure purposes and required public agencies to keep records

of proceedings; 1969 act provided that certified copies would be admitted as evidence in court proceedings; 1971 act required disclosure of records of investigations re tenement, lodging or boarding houses; P.A. 75-342 changed "town clerk" to "clerk of any political subdivision," rewrote provisions regarding exclusion of certain records from consideration as public records for disclosure purposes and specifically required disclosure of records of investigations re nursing or rest homes or homes for the aged; P.A. 76-294 clarified meaning of "arrest records of a juvenile"; P.A. 77-609 prohibited requiring disclosure of names and addresses of public school or college students; P.A. 79-119 replaced provision in Subsec. (a) which had allowed inspection or copying of records at reasonable time determined by their custodian with provision allowing inspection during office or business hours and copying as provided in Sec. 1-15; P.A. 79-324 clarified Subsec. (c); P.A. 79-575 provided exception to disclosure of students' names and addresses for use by towns in verifying tuition payments and prohibited requiring disclosure of information obtained illegally; P.A. 79-599 prohibited requiring disclosure of records or name of state employee providing information for "whistle blowing" investigation; P.A. 80-483 made technical changes; P.A. 81-40 amended Subsec. (b) to exclude adoption records and information provided for in Secs. 45-68e and 45-68i from disclosure requirements; P.A. 81-431 amended Subsec. (c) to specifically require disclosure of memoranda and other documents which constitute part of the process by which governmental decisions and policies are formulated with a limited exception for preliminary drafts of memoranda, rather than of "all records of investigation..." as previously provided; P.A. 81-448 protected from disclosure name and address of victim of sexual assault, injury or risk of injury or impairing or attempting to impair morals; P.A. 83-436 amended Subsec. (c) to require disclosure of names of firms obtaining bid documents from any state agency; P.A. 84-112 amended Subsec. (a) to provide that agency rules or regulations that conflict with that subsection or diminish rights granted by that subsection are void; P.A. 84-311 amended disclosure exemption for trade secrets in Subsec. (b) by eliminating limitation to information obtained from the public; P.A. 85-577 added Subsec. (b)(15) regarding pages of a primary petition, a nominating petition, a referendum petition or a petition for a town meeting; P.A. 90-335 added Subsec. (b)(3)(F) re uncorroborated allegations subject to destruction pursuant to Sec. 1-20; P.A. 91-140 substituted "pending claims or pending litigation" for "pending claims and litigation" in Subsec. (b); P.A. 94-246 amended Subsec. (b)(3)(A) to add provision re disclosure of "the identity of witnesses not otherwise known whose safety would be endangered or who would be subject to threat or intimidation if their identity was made known" and insert a new Subpara. (B) re disclosure of "signed statements of witnesses", relettering the remaining Subparas. accordingly; P.A. 95-233 added Subsec. (b)(16) re records of municipal health authorities and district departments of health complaints; P.A. 96-130 amended Subsec. (b)(14) by adding reference to Sec. 45a-751; P.A. 97-47 amended Subsec. (b) by substituting "the Freedom of Information Act" for list of sections; P.A. 97-112 substituted "residential care home" for "home for the aged" in Subsec. (c); P.A. 97-293 added Subsec. (b)(17) re educational records, effective July 1, 1997; Sec. 1-19 transferred to Sec. 1-210 in 1999; P.A. 99-156 added Subsec. (b)(18) re records that Commissioner of Correction believes may result in safety risk if disclosed and added new Subsec. (c) re requests for disclosure by persons confined in correctional institutions or facilities, relettering former Subsec. (c) as Subsec. (d); P.A. 00-66 made a technical change in Subsec. (b)(18); P.A. 00-69 added Subsec. (b)(19) re certain records that may result in a safety risk, inserted new Subsec. (d) re requests under Subdiv. (b)(19) made to a public agency other than the Judicial Department, and redesignated former Subsec. (d) as Subsec. (e), effective May 16, 2000; P.A. 00-134 amended Subsec. (b)(8) to substitute "the applicant's" for "his" and to add new Subdiv. (20) re records not otherwise available to the public, the disclosure of which would compromise the security or

integrity of an information technology system; P.A. 00-136 redefined trade secrets in Subsec. (b)(5) and added Subpara. and clause designators in Subsec. (b)(5); June Sp. Sess. P.A. 00-1 amended Subsec. (b)(18) and Subsec. (c) to add references to Whiting Forensic Division facilities of Connecticut Valley Hospital and to Commissioner of Mental Health and Addiction Services, effective June 21, 2000; P.A. 01-26 made a technical change in Subsec. (b)(5)(A)(i); P.A. 02-133 amended Subsec. (b)(19) to provide that records be disclosed to a law enforcement agency upon request, substitute "government-owned" for "state-owned" re facilities, provide that reasonable grounds shall be determined by the Commissioner of Public Works after consultation with the chief executive officer of the agency, the Chief Court Administrator or the executive director of the Joint Committee on Legislative Management, insert new Subpara. designators "(A)" to "(C)", define "government-owned or leased institution or facility" and "chief executive officer", substitute "records include" for "records shall include" and "records" for "recordings", substitute clause designators "(i)" to "(vii)" for Subpara. designators "(A)" to "(G)", respectively, delete reference to emergency plans in clause (i) and add new clause (viii) re emergency plans and emergency recovery or response plans and amended Subsec. (d) to add provisions re the Legislative Department and to add "after consultation with the chief executive officer of the applicable agency" re the determination by the Commissioner of Public Works that a requested record is exempt from disclosure; P.A. 02-137 amended Subsec. (a) to designate existing provisions re right to inspect and receive copy as Subdivs. (1) and (3), add Subdiv. (2) re copying of records in accordance with Sec. 1-212(g), and delete "the provisions of" in Subdiv. (3); P.A. 03-200 added Subsec. (b)(21) re address of participant in address confidentiality program, effective January 1, 2004; June 30 Sp. Sess. P.A. 03-6 amended Subsec. (b)(19) by inserting "a water company, as defined in section 25-32a," in definition of "government-owned or leased institution or facility" and adding new clause (ix) re water company materials and amended Subsec. (d) by adding provisions re information related to a water company, effective August 20, 2003; P.A. 05-287 added Subsec. (b)(22) re electronic mail addresses obtained by the Department of Transportation in connection with the administration of any plan to inform individuals about significant highway or railway incidents, effective July 13, 2005; P.A. 07-202 amended Subsec. (b)(19) to require Commissioner of Public Works to make reasonable grounds determinations concerning executive branch agencies and Commissioner of Emergency Management and Homeland Security to make such determinations concerning municipal, district or regional agencies, to delete provision re government-owned or leased institutions or facilities in clause (vii), to add provision re emergency preparedness and mitigation plans in clause (viii) and to make technical changes, and made conforming changes in Subsec. (d); P.A. 07-213 added Subsec. (b)(23) re name or address or minor enrolled in parks and recreation program and (24) re request for proposals or bid solicitation responses and contract award record or file; P.A. 07-236 amended Subsec. (b)(5)(A) to exclude from requirements of disclosure film or television scripts or detailed production budgets, effective July 6, 2007; P.A. 08-18 amended Subsec. (a) to eliminate requirement re making, keeping and maintaining a record of proceedings of agency meetings, effective April 29, 2008; Sept. Sp. Sess. P.A. 09-5 amended Subsec. (b)(13) to add reference to Secs. 17b-301c to 17b-301g, effective October 5, 2009; P.A. 10-17 added Subsec. (b)(25) exempting contact information for senior center program enrollees and members from disclosure.

Annotations to former section 1-19:

Cited. 174 C. 308. Cited. 176 C. 622. Statute provides for exceptions under federal and state statutes.

178 C. 700. Cited. 181 C. 324. Sales tax delinquent lists are public records not exempt from disclosure under statute. 184 C. 102. Cited. 190 C. 235. Cited. 192 C. 166; *Id.*, 310. Cited. 201 C. 421. Autopsy reports are not records accessible to general public under this section; judgment of appellate court reversed. *Id.*, 448. Freedom of Information Act cited. 204 C. 609; 205 C. 767; 206 C. 449; 207 C. 698. Cited. 208 C. 442; 209 C. 204; 210 C. 590 (see 217 C. 19, which overruled *Board of Education v. Freedom of Information Commission* (210 C. 590 et seq.) to the extent that it required a balancing test for the interpretation of the exemptions contained in Sec. 1-19(b)(2)); 212 C. 100. Freedom of Information Act cited. 208 C. 442; 209 C. 204; 210 C. 590 (see 217 C. 193, which overruled *Board of Education v. Freedom of Information Commission* (210 C. 590 et seq.) to the extent that it required a balancing test for the interpretation of the exemptions contained in Sec. 1-19(b)(2)); *Id.*, 646; 212 C. 100; 213 C. 126; *Id.*, 216. Freedom of Information Act (FOIA) cited. 214 C. 312. Cited. 216 C. 253. Freedom of Information Act (FOIA) cited. *Id.* FOIA, Freedom of Information Act, cited. 217 C. 153. Freedom of Information Act (FOIA) cited. *Id.*, 193. Cited. *Id.*, 322. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA), Sec. 1-18a et seq. cited. *Id.*, 757; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217; *Id.*, 300. Cited. 221 C. 393. Freedom of Information Act (FOIA) cited. *Id.* Freedom of Information Act cited. *Id.*, 482. Cited. *Id.*, 549. Freedom of Information Act cited. *Id.* Freedom of Information Act (FOIA) cited. 222 C. 621. Cited. 227 C. 641; *Id.*, 751. Freedom of Information Act (FOIA) cited. 228 C. 158; *Id.*, 271. Freedom of Information Act cited. *Id.* Cited. 233 C. 28. Cited. 240 C. 1.

Cited. 1 CA 384. Freedom of Information Act cited. 4 CA 468. Cited. 8 CA 216. Freedom of Information Act cited. 14 CA 380; judgment reversed, see 210 C. 646. Freedom of Information Act cited. 16 CA 49. Cited. 18 CA 212. Freedom of Information Act cited. 19 CA 539; *Id.*, 352; 20 CA 671. Freedom of Information Act (FOIA) cited. 22 CA 316. Freedom of Information Act (FOIA) cited. 29 CA 821. Cited. 31 CA 178. Freedom of Information Act (FOIA) cited. 35 CA 111. Cited. 36 CA 155. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133. Statute requires evidentiary showing that the records sought are to be used in a law enforcement action and that disclosing such records would be prejudicial to the law enforcement action. 51 CA 100. Order that documents be disclosed under section was proper. 54 CA 373. A record request that is simply burdensome does not make that request one requiring research. 56 CA 683. Review of records to determine if one is exempt from disclosure does not constitute research. *Id.*

Cited. 31 CS 392. Construed as permitting public access to raw real estate assessment data. 32 CS 583. Document need not be connected with an official or completed transaction to be a public record. *Id.*, 588. Cited. 38 CS 675. Cited. 39 CS 176. Freedom of Information Act cited. 41 CS 31; *Id.*, 267. Freedom of Information Act cited. 42 CS 84. Cited. *Id.*, 129. Freedom of Information Act cited. *Id.* Cited. *Id.*, 291. Freedom of Information Act cited. *Id.* Cited. 43 CS 246.

Presumed legislature, by insertion of exception clause, intended to exclude from operation of statute exclusive power over admission to bar vested in superior court by Sec. 51-80. 4 Conn. Cir. Ct. 313. State's right to inspect records relating to building permits cannot be defeated by city ordinance. *Id.*, 511. Section construed broadly in conjunction with statutes creating state boards of registration for professional engineers and architects. *Id.* Medical files public record, when. 6 Conn. Cir. Ct. 633.

Subsec. (a):

Woodstock Academy deemed a "public agency" within meaning of statute. *Id.*, 544. Cited. 201 C. 448. Disclosure requirements do not apply to information that may be released under Sec. 29-170. 204 C. 609. Cited. 205 C. 767. Cited. 207 C. 698. Cited. 211 C. 339. Cited. 213 C. 126. Secs. 5-225 and 5-237 provide exceptions to this section. 214 C. 312. Cited. 219 C. 685. Cited. 221 C. 300; *Id.*, 393. Cited. 222 C. 98. Cited. 228 C. 158. Cited. 241 C. 310.

Cited. 4 CA 468. General disclosure requirement of Sec. 1-19(a) does not prevail over specific limitation of disclosure obligations under Sec. 1-83. 18 CA 212. Cited. *Id.*, 291. Cited. 22 CA 316. Cited. 29 CA 821. Cited. 35 CA 384. Cited. 39 CA 154. Cited. 41 CA 67. Cited. 44 CA 611; *Id.*, 622. Cited. 45 CA 413.

Cited. 42 CS 291.

Subsec. (b):

Subdiv. (1): Term "preliminary drafts or notes" relates to advisory opinions, recommendations and deliberations comprising part of process by which government decisions and policies are formulated; they reflect that aspect of the agency's function that precedes formal and informal decision making. 181 C. 324. Cited. 182 C. 142. Subdiv. (3): Cited. 186 C. 153. Subdiv. (3): Cited. 197 C. 698. Subdiv. (10): Cited. 198 C. 498. Cited. 201 C. 448. Subdiv. (3)(B): Cited. 204 C. 609. Subdiv. (4): Commission's order of disclosure proper after city failed to establish on record that information falls within exemption. 205 C. 767. Subdiv. (10): Cited. *Id.* Subdiv. (2): Cited. 210 C. 590 (see 217 C. 193, which overruled *Board of Education v. Freedom of Information Commission* (210 C. 590 et seq.) to the extent that it required a balancing test for the interpretation of the exemptions contained in this Subdiv.). Subdiv. (1): Cited. 211 C. 339. Subdiv. (2): Cited. 214 C. 312. Cited. 216 C. 253. Subdiv. (10) cited. 217 C. 153. Subdiv. (1) cited. *Id.*, 193. Subdiv. (2): Ruling in *Board of Education v. Freedom of Information Commission* (210 C. 590) overruled to the extent that it required a balancing test for the interpretation of the exemptions contained in this Subdiv. 217 C. 193. Subdiv. (11): Permits withholding of names of employees whose student status is a condition of their employment. *Id.*, 322. Subdiv. (2): Section purports to protect an individual's personal privacy; retirees should be afforded opportunity to show a reasonable expectation of privacy in their addresses. 218 C. 256; Subdiv. (2) does not prevent disclosure of substance of public agency vote on motion concerning personnel matter. 221 C. 217. Subdiv. (4) cited. *Id.*, 300. Subdiv. (3) cited. *Id.* Subdiv. (2) cited. *Id.*, 393; *Id.*, 482; *Id.*, 549. Subdiv. (2): Municipal permits to carry pistols or revolvers in public are not "similar" files entitled to exemption from disclosure under this section. 222 C. 621. Subdiv. (2) cited. 224 C. 325. Subdiv. (3)(E) cited. 226 C. 618. Cited. 227 C. 641. Subdiv. (2) cited. *Id.*, 751. Subdiv. (2): Records request under FOIA for disclosure of numerical data concerning employees' attendance records including sick leave does not constitute invasion of personal privacy within meaning of the statute. 228 C. 158. Subdiv. (2) cited. *Id.*, 271. Subdiv. (2) cited. 233 C. 28. Subdiv. (1) cited. *Id.*, 28, 37. Subdiv. (9) cited. 234 C. 704. Subdiv. (4): Section applicable to bar disclosure of the report in question; judgment of appellate court in *Stamford v. Freedom of Information Commission*, 42 CA 39 reversed. 241 C. 310. Subdiv. (2) cited. 242 C. 79. Subdiv. (1): Unfinished report by attorney hired by municipality, as well as interview summaries and affidavits created solely to serve as supporting documentation for that report, constituted "preliminary drafts or notes". 245 C. 149. Subdiv. (10):

Documents prepared by attorney hired by a public agency are protected from disclosure as privileged attorney-client communications if certain conditions are met. Id.

Subdiv. (4) cited. 4 CA 216. Subdiv. (10) cited. Id., 216. Subdiv. (1) cited. Id., 468. Subdiv. (2) cited. Id. Subdiv. (3): Autopsy report was not exempt from disclosure under this statute. Id. Cited. 4 CA 468. Subdiv. (2) cited. 14 CA 380; judgment reversed, see 210 C. 646. Cited. 19 CA 489; Id., 539. Subdiv. (2): Shield of confidentiality protects records of prisoner applicants for pardons. Id. Subdiv. (10) cited. Id., 671. Subdiv. (2) cited. 23 CA 479. Cited. 35 CA 384. Subdiv. (2) cited. 39 CA 154. Subdiv. (7) cited. 41 CA 67. Cited. Id., 649. Subdiv. (4) cited. 42 CA 39; judgment reversed, see 241 C. 310. Subdiv. (9) cited. 43 CA 133. Subdiv. (1) cited. 44 CA 611. Subdiv. (10) cited. Id. Cited. Id., 622. Subdiv. (1) cited. Id. Subdiv. (2) cited. Id. Subdiv. (3): Legislature has determined that disclosure would not be in the public interest and that no balancing is required. Id. Subdiv. (3)(G): Legislature has not required a balancing test prior to determination that a document is exempt from disclosure. Id. Disclosure of the names of employees disciplined by Department of Children and Families in connection with death of infant who was the subject of department investigation does not constitute an invasion of their personal privacy. 48 CA 467. Freedom of Information Act and rules of discovery provide independent methods of obtaining information except when it would limit discovery rights; legislative change from "effect" to "limit" discussed. 52 CA 12.

Subdiv. (2) cited. 39 CS 176. Subdiv. (2) cited. Id., 257. Subdiv. (6): Test questions and examination data already administered as well as those not yet administered are included in the exemption from disclosure. The exemption is characterized as "absolute". Id. Subdiv. (4) cited. 42 CS 84. P.A. 91-140 cited. Id. Subdiv. (10) cited. Id. Subdiv. (1) cited. Id., 129. Subdiv. (3)(B) cited. Id., 291. Subdiv. (4) cited. Id. Subdiv. (3)(A) cited. Id.

Subsec. (c):

Subdiv. (1) cited. 211 C. 339. Subdiv. (1): Legislature did not intend to require disclosure of drafts of memoranda prepared by persons who, although not staff members of the public agency, are hired on a contractual basis to perform tasks that are indistinguishable from those which may be performed by agency personnel. 245 C. 149.

Subdiv. (1) cited. 44 CA 611.

Annotations to present section:

Order that documents be disclosed under section was proper. 54 CA 373.

Subsec. (a):

Questions of discovery under Federal Rules of Civil Procedure are not what is meant by the phrase "otherwise provided by any federal law". 252 C. 377.

PowerPoint materials prepared by instructors in master gardener program at University of

Connecticut not prepared, owned, used, received or retained by university not held to be records maintained or kept on file by public agency. 90 CA 101. Because Sec. 17a-101k mandates confidentiality of information regarding child abuse, records of child abuse, wherever located, are exempted from the general rule of disclosure. 104 CA 150. One public agency may not be held responsible for disclosing the public records in the custody of another public agency. 116 CA 171.

Subsec. (b):

Irrespective of the facts, complainant's identity and related information in a sexual harassment complaint is not always exempt from disclosure. 255 C. 651. Home addresses of public employees held not subject to disclosure where no public interest was served by exposing such information and the employees had taken significant steps to keep such information private. 256 C. 764. Subdiv. (10) does not violate separation of powers clause because it preserves powers of the judicial branch and does not delegate to Freedom of Information Commission the power to define attorney-client privilege. 260 C. 143. Subdiv. (2): Freedom of Information Act does not provide private right of action for FOIA violations. 267 C. 669. Party claiming exemption pursuant to Subdiv. (19) has burden of seeking public safety determination from Commissioner of Public Works. 274 C. 179.

Any and all public records consisting of preliminary drafts eligible for nondisclosure under subsection regardless of where originated. Consideration of abandonment of project on nondisclosure of preliminary drafts. 73 CA 89. Disclosure of PowerPoint materials prepared by instructors in master gardener program at University of Connecticut that are not exempted under Subsec. is not required because exemption applies only to public records, and materials determined initially not to be public records. 90 CA 101. Subdiv. (1): There is no requirement that public agency provide its rationale for withholding disclosure of applicable records at a specific time. 91 CA 521. Subdiv. (10): Introduction of extrinsic evidence does not supersede an analysis of elements in *Shew v. Freedom of Information Commission*, 245 C. 149, for purposes of determining privilege, but court may review extrinsic evidence in camera and use it as evidence to determine privilege. 116 CA 171.