

TO: Freedom of Information Commission  
FROM: Thomas A. Hennick  
RE: Minutes of the Commission's regular meeting of January 24, 2018

A regular meeting of the Freedom of Information Commission was held on January 24, 2018, in the Freedom of Information Hearing Room, 18-20 Trinity Street, Hartford, Connecticut. The meeting convened at 2:06 p.m. with the following Commissioners present:

Commissioner Owen P. Eagan, presiding  
Commissioner Jay Shaw (participated via speakerphone)  
Commissioner Jonathan J. Einhorn  
Commissioner Matthew Streeter  
Commissioner Christopher P. Hankins  
Commissioner Michael C. Daly  
Commissioner Lenny T. Winkler

Also present were staff members, Colleen M. Murphy, Mary E. Schwind, Victor R. Perpetua, Kathleen K. Ross, Valicia D. Harmon, Paula S. Pearlman, Cindy Cannata, and Thomas A. Hennick.

The Commissioners unanimously voted to approve the Commission's regular meeting minutes of January 10, 2018.

Those in attendance were informed that the Commission does not ordinarily record the remarks made at its meetings, but will do so on request.

[Docket #FIC 2017-0173](#)

Ian Cooke v. Commissioner, State of Connecticut, Department of Emergency Services and Public Protection, Forensic Science Division; State of Connecticut, Department of Emergency Services and Public Protection, Forensic Science Division; Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction

Ian Cooke participated via speakerphone. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were recorded digitally.

[Docket #FIC 2017-0174](#)

Tyronne Pierce v. Dora B. Schiro, Commissioner, State of Connecticut, Department of Emergency Services and Public Protection; State of Connecticut, Department of Emergency Services and Public Protection; Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction

Tyronne Pierce participated via speakerphone. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were recorded digitally.

[Docket #FIC 2017-0181](#)

Kacey Lewis v. Commissioner, State of Connecticut,  
Department of Correction; and State of Connecticut,  
Department of Correction

Kacey Lewis participated via speakerphone. Attorney Nancy Kase O'Brasky and Craig Washington appeared on behalf of the respondents. The Commissioners unanimously voted twice to amend the Hearing Officer's Report. The Commissioners unanimously voted to adopt the Hearing Officer's Report as amended.\* The proceedings were recorded digitally.

[Docket #FIC 2017-0101](#)

Thomas Melone, and Allco Renewable Energy Limited v.  
Commissioner, State of Connecticut, Department of Energy  
and Environmental Protection; and State of Connecticut,  
Department of Energy and Environmental Protection

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0183](#)

John Atkinson and Atkinson Properties, LLC. v.  
Commissioner, State of Connecticut, Department of Public  
Health; State of Connecticut, Department of Public Health;  
Director, Uncas Health District; and Uncas Health District

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0198](#)

Ethan Book v. Mayor, City of Bridgeport; and City of  
Bridgeport

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0199](#)

Ethan Book v. Director, Water Pollution Control  
Authority, City of Bridgeport; Water Pollution Control  
Authority, City of Bridgeport; and City of Bridgeport

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0217](#)

Ethan Book v. City Attorney, Office of the City Attorney, City  
of Bridgeport; Office of the City Attorney, City of Bridgeport;  
and City of Bridgeport

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0324](#)

Ethan Book v. Mayor, City of Bridgeport; and City of Bridgeport

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0261](#)

Claire Howard v. Superintendent of Schools, Norwalk Public Schools; and Norwalk Public Schools

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0286](#)

Claire Howard v. Superintendent of Schools, Norwalk Public Schools; and Norwalk Public Schools

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0376](#)

Claire Howard v. Superintendent of Schools, Norwalk Public Schools; and Norwalk Public Schools

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0429](#)

Jeane Simpson v. Chief, Police Department, City of West Haven; Police Department, City of West Haven; and City of West Haven

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0637](#)

Alex Ruskewich v. Wilton Preschool Committee, Wilton Public Schools; and Wilton Public Schools

Alex Ruskewich appeared on his own behalf. Attorney Benjamin Frazzini Kendrick appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were recorded digitally.

Kathleen K. Ross reported on the New Britain Superior Court Memorandum of Decision in *Michael Aronow, M.D. v. Freedom of Information Commission*, dated January 5, 2018.

Victor Perpetua reported on pending appeals.

The meeting was adjourned at 3:28 p.m.

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Thomas A. Hennick  
MINREGmeeting 01242018/tah/01252018

\*SEE ATTACHED FOR AMENDMENTS

**AMENDMENTS**

[Docket #FIC 2017-0181](#)

Kacey Lewis v. Commissioner, State of Connecticut,  
Department of Correction; and State of Connecticut,  
Department of Correction

The Hearing Officer's report is amended as follows:

2. By letter of complaint filed [December 24, 2015] **MARCH 27, 2017**, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information ("FOI") Act by failing to comply with the Commission's order in Docket #FIC 2016-0279, Lewis v. Department of Correction et al. ("Lewis I"),

16. It is also concluded that the respondents' requirement **IN THIS CASE** that the complainant withdraw his complaint in order to receive the records on November 1, 2017 was [entirely] improper. The Commission's order in Lewis I was clearly unconditional. The respondents' impermissible demand for a withdrawal of the complaint resulted in an additional delay from November 1, 2017 to at least the date of the December hearing in this matter. (The email chain was offered into evidence, and subsequently was provided, at the complainant's request, to the complainant by the Commission, by depositing in the mail on December 14, 2017.)