

Freedom of Information Commission  
of the State of Connecticut

In the Matter of a Complaint by )  
Edward A. Peruta, Complainant ) Report of Hearing Officer  
against ) Docket #FIC 76-33  
Town of Wethersfield and the )  
Chief of Police of the Town of )  
Wethersfield, )  
Respondents ) March 31 , 1976

1. The respondents are public agencies as they are the Town of Wethersfield and the Chief of Police of the Town of Wethersfield.

2. The sole issue before the Commission is the appropriateness of the respondent Chief of Police's charge of \$62.50 for copying 110 pages from complainant's file in the custody of the respondent.

3. The parties agreed that because of two-sided copying, the number of pages copied was approximately 150.

4. The charge for use of the duplicating equipment was agreed by the parties to be .06¢ per page. (\$9 total cost).

5. The clerk's time in copying is found to be \$3.09 an hour for 1-1/4 hours. (\$3.86).

6. The respondent Chief of Police spent approximately five hours over a two-day period scanning the documents in the file to decide which were privileged and in deleting privileged matters.

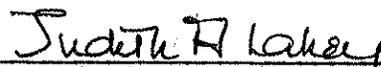
7. It is found that the policy of the respondent Chief of Police in scanning the file himself is not mandated by law and unreasonably inflated the cost of copying the requested documents, thereby denying to complainant the access to public records mandated by Section 2(a) and 5 of P.A. 75-342.

8. The reasonable cost of scanning for this purpose is found to be \$3.09 per hour for four hours (\$12.36) and \$9.48 per hour for one half hour (\$4.74). The amount set forth at \$3.09 per hour reflects an estimate of the cost of a clerk's time acting under the supervision of the respondent Chief of Police, during a one-day period without interruption. The amount set forth at \$9.48 per hour reflects an estimate of the cost of the Chief's time in supervising this clerical function.

9. The reasonable cost to the public agency to copy and review these records for the purpose indicated by the respondents is found to be \$29.96.

The following order is hereby recommended:

It is ordered that since the complainant was charged \$62.50 for copying where the proper charge is found to be \$29.96, complainant shall be refunded the amount of \$32.54, which exceeds the reasonable cost of preparing copies of the records requested under Sec. 5 of Public Act 75-342.



Commissioner Judith A. Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission on April 14, 1976.

  
Louis J. Papogna  
Clerk of the Commission