FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by Larry Williams,

FINAL DECISION

Complainant

Docket #FIC85-101

against

October 23, 1985

Hartford City Manager of the City and Town of Hartford,

Respondent

The above captioned matter was heard as a contested case on July 18, 1985 at which time the complainant and the respondent appeared and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record the following facts are found:

1. The respondent is a public agency within the meaning of §1-18a(a), G.S.

2. On April 15, 1985 the respondent released his proposed 1985-86 budget for the city of Hartford.

3. By letter of complaint filed with the Commission on April 16, 1985 the complainant alleged that he had been denied access to a staff report used in the preparation of the budget on the ground that it was not an official document.

4. It is found that in discussing the release of the 1985-86 budget the respondent, on April 15, 1985, made reference to a report by a school budget analyst. On April 15, 1985 and again on April 16, 1985 the complainant attempted to obtain a copy of the report and was told that a typewritten report would be given to the city council on or about April 29, 1985, but that nothing was available at that time for disclosure.

5. It is found that the report referred to by the respondent was one given to him orally by David Cressman, who was at the time of the complainant's request the acting budget director for the city of Hartford.

6. Mr. Cressman gave his report to the respondent from notes which filled one entire yellow legal pad and part of another. The notes, which had been taken on an ongoing basis, consisted of numbers, analyses, and information from board of education meetings. The respondent was not given the notes themselves, nor did he examine their contents.

7. From his notes, Mr. Cressman prepared a 2-page memorandum which was submitted to the mayor and council members on or about April 29, 1985.

8. The respondent claims that the public interest in withholding Mr. Cressman's notes outweighs the public interest in disclosure and that the notes are exempted from disclosure by §§1-19(b)(1) and 1-19(c), G.S.

9. It is found that the yellow pads in question are "notes" within the meaning of §1-19(b)(1), G.S. and that disclosure of the notes is not required by the language of §1-19(c), G.S.

10. It is concluded that the respondent did not violate §§1-15 or 1-19(a), G.S. when he denied the complainant access to Mr. Cressman's notes.

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

1. The complaint is hereby dismissed.

Approved by order of the Freedom of Information Commission at its regular meeting of October 23, 1985.

Mary Jo Jolicoeur
Clerk of the Commission