

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Frank G. Kiss,

FINAL DECISION

Complainant

Docket #FIC83-178

against

February 22, 1984

Police Chief of the Town of
New Canaan,

Respondent

The above captioned matter was heard as a contested case on November 8, 1983 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. By letter dated August 1, 1983 the complainant made a request of the respondent for records and reports relating to the complainant's arrest on March 2, 1983.
3. By letter dated August 4, 1983 the respondent provided the complainant with all police reports relating to the March 2, 1983 incident. Deleted from such records were the address of a female witness and the first name and address of a male witness.
4. By letter dated August 8, 1983 the complainant requested access to the deleted material.
5. By letter dated August 10, 1983 the respondent denied the complainant's request for release of the deleted materials.
6. The complainant appealed the denial of his request by letter filed with the Commission on August 18, 1983.
7. The respondent claims that the requested information is exempted from disclosure by §1-19(b)(3)(A), G.S.
8. It is found that the witnesses in question provided information to the New Canaan police department regarding the March 2, 1983 incident involving the complainant.
9. The complainant has been unable to identify and locate the witnesses with the information provided by the respondent.

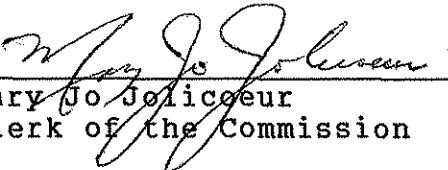
10. It is found that the release of the requested information would enable the complainant to identify the witnesses from among others with the same surname.

11. It is concluded that the requested information is exempted from disclosure by §1-19(b)(3)(A), G.S.

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 February 22, 1984.



Mary Jo Jolicœur
Clerk of the Commission