



Town of
North Stonington, Connecticut

April 8, 2011

The Town of North Stonington strongly supports clarification of the meaning of CGS 1-217; do not allow the release of residential addresses of certain public officials and employees.

The Town of North Stonington took this issue to the Freedom of Information Commission and defended CGS 1-217 and we lost. We proceeded into the Court system and lost in lower court, we are now waiting for a decision from the Connecticut Supreme Court.

Also enjoined in this litigation was the Attorney General, Commissioner of Public Safety, Connecticut Judicial Branch, and AFSCME, Council 4, Locals 387, 391, and 1565 supporting the town's position.

Please take this point into consideration when making your decision and drafting the final law.

Respectfully,

Nicholas H. Mullane, II
First Selectman

CAUTION: PLEASE BE ADVISED THAT THE FACTS OF SOME CASES HEARD BY THE COURT MIGHT BE UPSETTING TO SOME MEMBERS OF THE PUBLIC.

FRIDAY, DECEMBER 3, 2010

*These summaries are prepared for the general public by the court staff.
They do not represent the court's view of these cases.*

10:00

COMMISSIONER OF PUBLIC SAFETY et al. v. FREEDOM OF INFORMATION
COMMISSION et al., SC 18617;
ASSESSOR, TOWN OF NORTH STONINGTON et al. v. FREEDOM OF
INFORMATION COMMISSION et al., SC 18618;
STATE OF CONNECTICUT, JUDICIAL BRANCH v. FREEDOM OF INFORMATION
COMMISSION et al., SC 18619;
AFSCME, COUNCIL 4, LOCALS 387, 391 AND 1565 v. FREEDOM OF INFORMATION
COMMISSION et al., SC 18620
Judicial District of New Britain

Panel: Rogers, C.J., Norcott, Katz, Palmer, Zarella, McLachlan, Eveleigh, Js.

Freedom of Information Act; Whether Tax Assessor must Disclose File Used in Preparing Town's Grand List Without First Redacting Residential Addresses of Persons Protected Under General Statutes § 1-217. In June of 2008, Peter Sachs requested that the tax assessor of the town of North Stonington provide him with an exact electronic copy of the file given to the assessor by the department of motor vehicles in accordance with General Statutes § 14-163 for use by the assessor in preparing the town's grand list. Pursuant to § 14-163, the department of motor vehicles is required to give each assessor a list identifying the motor vehicles, as well as the names and addresses of the owners of the motor vehicles, that are subject to property taxation in the assessor's town. The assessor informed Sachs that he would not disclose the file without first removing the addresses of persons protected under General Statutes § 1-217. Section 1-217 prohibits public agencies from disclosing the residential addresses of certain government employees. Sachs filed a complaint with the freedom of information commission, alleging that the assessor's refusal to disclose the unredacted file violated the freedom of information act. The commission granted intervenor status to the commissioner of public safety, the state judicial branch, the commissioner of correction, the commissioner of children and families, and AFSCME, Council 4, Locals 387, 391 and 1565. In its decision, the commission first noted that General Statutes § 12-55 explicitly requires an assessor to publish the grand list for the assessor's town and make it available for public inspection and that nothing in the statute permits redactions. The commission then found that the names and addresses of the people whose property comprises the grand list are necessary and integral to the completeness and accuracy of the grand list and that any redaction to the grand list would contravene well-settled public policy and case law establishing that tax rolls are to be accurate, complete and accessible for public inspection. The commission further found that, had the legislature intended,