

Friday, July 28, 2006

Waterbury PD FOI request re- Missing Person Billy Smolinski

Waterbury PD FOI request re- Missing Person Billy Smolinski
The Cool Justice Report

Fri., 7-28-06

Chief Neil O'Leary
Waterbury Police Department
255 East Main Street
Waterbury, CT 06702
Phone (203) 574-6906
Fax (203) 573-8334

by Fax and regular mail

Dear Chief O'Leary:

This is a formal request for prompt production of documents in accordance with the state Freedom of Information Act. This correspondence follows several unanswered calls this week.

I request copies of any and all reports -- including #04-26782 -- mentioning Madeleine Gleason and / or Christian Sorensen. As you will recall, you and several other members of your department have confirmed -- to Waterbury Observer Publisher John Murray -- the identities of these individuals as related to the Billy Smolinski matter.

These documents are not exempt from disclosure. As you probably know, improper withholding of public records is punishable by a fine of up to \$1,000. A denial of production would result in a hearing in which subpoenas would be sought to compel appearances and the department would have to justify its actions and demonstrate what it has done up to this point.

By prompt, I mean immediately, unless you can demonstrate to the FOI Commission that this would interfere with the normal course of business. This information is vital to the public interest. Accordingly, I request a waiver of any and all fees.

Thank you very much.

Sincerely,

Andy Thibault
Copy to state Freedom of Information Commission

Posted by andythibault at 3:17 PM | [Permalink](#) | [Comments \(4\)](#) _

Friday, August 04, 2006

Complaint / Request for hearing re- Denial of public records request by Waterbury PD

Fri., 8-4-06

Complaint / Request for hearing re- Denial of public records request by Waterbury PD

State Freedom of Information Commission
18-20 Trinity St.
Hartford, CT 06106

Dear Ms. or Sir:

This is a formal complaint following denial of a request for public records regarding the Billy Smolinski case. I request a hearing in this matter.

Please see request letter dated July 28 and denial letter dated Aug. 4.

Based on discussion with Gary Roosa, the Waterbury Police Department's legal advisor, I am optimistic we could stipulate to an in-camera review of the Smolinski file by a hearing officer for the FOI Commission. Such an agreement could be formalized during a short hearing.

In lieu of requesting subpoenas for witnesses at this time, I ask that the Waterbury Police Department voluntarily send an officer to the hearing who could testify under oath regarding what has been done or not done to investigate this case. This is critical information for the hearing officer because the Department cites an ongoing investigation. What has been done? When?

I contend these records are not exempt from disclosure. The Department must demonstrate what it has done up to this point. Is this still a missing person case after two years? Or is it a homicide case? See "Does Missing Person / Love Triangle Case Add Up To Homicide?" July 26, 2006, The Cool Justice Report, and "Lack of Will To Solve Case Keeps Closure From Family," Norwich Bulletin, July 30, 2006.

Sincerely,

Andy Thibault

Copies to Mr. Roosa and Chief O'Leary

Posted by andythibault at 1:11 PM | [Permalink](#) | [Comments \(0\)](#) _