TOWN OF ESSEX

FOIA REQUESTS

The Connecticut Freedom of Information Act (FOIA) gives you the right to request records of public agencies within certain limitations. There is an established retention schedule for all Town records. Records that have exceeded the required retention may no longer be available.

The Town has no obligation to and may not perform analytical work, studies, investigations, calculations, program reviews or create any special/customized document/materials in response to a FOIA request. Only public documents/records that currently exist are subject to the law.

Police Record Requests

All requests for information associated with police records will need to be requested directly from the State of Connecticut – Department of Emergency Services and Public Protection. To obtain the Police record requests and associated fees please call (860) 685-8250.

Submit a FOIA request

For best results, FOIA requests to the Town of Essex ("Town") should be in writing, detailing the type, subject matter and date(s) of the records requested. Authorizations and/or other documentation should be attached as needed. You may pick up a FOIA request form at the Town Clerk's office or use this link to print one at your convenience: FOIA Request Form

If you are unable to submit your request in writing, you may submit requests verbally with the Town's FOIA liaison in the Office of the First Selectman. All FOIA requests received verbally will be documented by the FOIA liaison and a copy will be provided to you with your initial acknowledgement letter. If you find a discrepancy in the request as documented by the Town, then upon receipt of the Town's FOIA acknowledgement letter, please correct the acknowledgement and return to the Town within (three) 3 business days. If the Town does not receive a correction from the requestor based on the information in the Town's acknowledgement letter, the Town will proceed with fulfilling the request in accordance with the Town's FOIA process and procedures.

FOIA Fees

Please be advised that you or your designated representative will be offered the opportunity to review responsive documents or materials at no charge at Town offices. However, there may be charges associated with allowing you to electronically scan materials and/or providing you with your own copies of materials or any specialized work (such as calculations, investigations, studies, analytical work or the like) to accommodate your request. The fees charged will be in accordance with Connecticut statutes (CGS 1-212) and as established by the Town. A summary of charges for fulfilling FOIA requests can be found at this link: FOIA Summary of charges.

The Town is entitled to and will require prepayment of fees that are estimated to be ten dollars ($10.00) or more in accordance with Connecticut statute prior to commencing and fulfilling a FOIA request.

FOIA Fee Waivers

Scope of Official Duties Waiver

It is the policy of the Town and in compliance with Connecticut General Statutes § 1-212(d)(4),to provide copies of public records free of charge to an individual requesting Town records who is a current elected official of the Town and where the official: (A) obtains the record from an agency of the Town's subdivision in which the official specifically serves; and (B) certifies that the record pertains to the official's duties for the Town.

Indigent Waiver

It is the policy of the Town and in compliance with Connecticut General Statutes § 1-212(d)(1), to provide copies of public records free of charge to individuals who provide sufficient evidence to establish that they are indigent. Connecticut state law allows the Town to define criteria for eligibility for Indigent fee waivers under FOIA. The Town has chosen to use existing guidelines in place for like programs as described below.

> An *individual shall be considered indigent if they meet the thresholds used by the Town in its current Qualifying Income schedule for the Circuit Breaker Program (which is established by the State of Connecticut). Determination of eligibility for a fee waiver can be found by reviewing the eligibility guidelines of the Town program on the Town Assessor's web page under Tax Relief for the Elderly and Disabled*. http://www.essexct.gov/assessor/pages/tax-relief-for-elderly-and-totally-disabled-persons

Documentation required to meet this Indigent eligibility standard includes, but is not limited to, an accurately completed and notarized Town Public Records Fee Waiver Request and Affidavit form and any relevant additional documentation to corroborate the Affidavit. All individual requestors seeking an Indigent fee waiver should submit the fee waiver request at the time of their request for records to ensure that the Town can respond in a timely manner to the records request.

This policy applies to any requester seeking a waiver of the statutory fees as an indigent individual pursuant to Connecticut General Statutes § 1-212(d) (1). Information provided by the requester shall be considered by the Town in determining indigence and any fee waiver.

Note: A determination by another public or social service agency or entity that an individual is indigent for any purpose will not be binding on the Town.