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April 24, 2008

By facsimile and United States, first-class mail

J. Paul Kenefick, Lieutenant, Internal Affairs
Professional Standards Section
CT State Department of Public Safety
1111 Country Club Rd
Middletown CT 06457-9294
Fax: (203) 630-4359

Re: Detective Thomas Karanda, Citizen Complaint – Requests for Disclosure

Dear Lt. Kenefick:

I received your letter dated March 19, 2008.¹

My client, M. Peter Kuck (“Mr. Kuck”), disputes the findings of your agency therein stated.

The issues addressed by the Office of the Attorney General and the New York State Police in their joint Report on the Evaluation of the Connecticut State Department of Public Safety Internal Affairs Program still exist and have impacted the investigation of Mr. Kuck’s above-referenced complaint.

However, until I receive the information that I requested in my letter to you dated March 18, 2008, it will not be possible for Mr. Kuck to pursue his dispute with your findings through the available processes. In your March 19, 2008, letter you indicate that you will be “passing on” my “Freedom of Information Act request” to your “legal affairs department.” The entire content of the request in my March 18, 2008, letter to you states:

This letter is a request for all records pertaining to the investigation of Mr. Kuck’s August 17, 2007, complaint, whether disclosable pursuant to the state Freedom of Information Act or in accordance with Mr. Kuck’s status as the complainant.

Your response ignores the second prong of my request that such information be disclosed to Mr. Kuck in accordance with his status as the complainant. I am concerned that your response ignores this alternate prong because such disclosure is not convenient to your agency’s findings.

¹ The envelope containing this letter is postmarked March 25, 2008.

I am concerned that the investigation into Mr. Kuck's complaint ignored inconvenient information in the same manner.

I have not received any communication from your Office of Legal Affairs concerning my Freedom of Information Act request. I have not received any documents from you in my role as Mr. Kuck's counsel. Your non-responsiveness to my requests has denied Mr. Kuck recourse.

In closing, unless it is your intention to deny Mr. Kuck access to the requested information that would allow him to dispute your agency's findings, forward the information immediately and by no later than April 25, 2008. This does not waive Mr. Kuck's right to file a Freedom of Information Act claim due to the fact that he has not received any communication regarding the first prong of his request submitted pursuant to that act.

Sincerely,

Rachel M. Baird, Attorney

c: M. Jodi Rell, Governor, State of Connecticut (by United States, first-class mail only)
Office of the Governor
State Capitol
210 Capitol Ave
Hartford CT 06106-1562

John A. Danaher, III, Commissioner (by United States, first-class mail only)
Connecticut State Department of Public Safety
1111 Country Club Rd
Middletown CT 06457-2389