



STATE OF CONNECTICUT

CONNECTICUT STATE LIBRARY

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OFFICE of the
PUBLIC RECORDS ADMINISTRATOR

GENERAL LETTER 2010-2

DATE: March 1, 2010

TO: Connecticut Town Clerks

FROM: LeAnn R. Power, CRM
Public Records Administrator

SUBJECT: Use of Portable Flatbed Scanners to Copy Public Records

The Office of the Public Records Administrator is issuing this general letter to clarify the numerous questions that we have received regarding the use of portable flatbed scanners as well as to inform you of a recent decision made by the Freedom of Information Commission.

In August 2009, a Freedom of Information Complaint was filed against the Town of Manchester. The complaint concerned the town clerk's refusal to permit the use of a flatbed scanner to copy land records. On January 13, 2010, the Freedom of Information Commission heard the complaint, Docket No. FIC 2009-145, *Thomas Germain vs. Town Clerk, Town of Manchester; and Town of Manchester*. The Hearing Officer recommended that the case be dismissed. The FOI Commission unanimously supported the Hearing Officer's recommendation. Please see this link for the final decision: <http://www.state.ct.us/foi/2010FD/20100113/FIC2009-145.htm>

On February 17, 2010, the Freedom of Information Commission was scheduled to hear Docket No. FIC 2009-146, *Thomas Germain vs. City Clerk, City of Bristol; and City of Bristol* as well as Docket No. FIC 2009-153, *Thomas Germain vs. Town Clerk, Town of Glastonbury; and Town of Glastonbury*. However, Thomas Germain withdrew his complaints against the City of Bristol and the Town of Glastonbury and the hearings were cancelled.

I would like to reiterate that the Office of the Public Records Administrator, Connecticut State Library, opposes the use of portable flatbed scanners by the public to copy public records. The use of these devices is potentially damaging to the records. In addition, the use of these copying devices in a vault is a violation of the regulations governing vaults that house municipalities' most valuable, expensive and irreplaceable public records (*Standard for Fire-Resistive Vaults and Safes, Conn. Agencies Regs. §11-8-1 through §11-8-12*).

Please feel free to contact this office at (860) 757-6540 if you have any questions or need further clarification regarding this matter.