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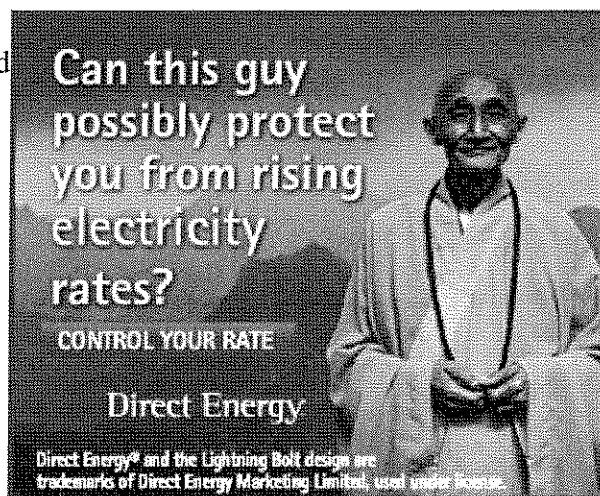
# Should Inmate Get Look At Connecticut Department Of Correction Workers' Criminal Records?

By MATTHEW KAUFFMAN

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At least 130 Department of Correction employees have faced criminal charges, from breach of peace to attempted murder. But prison and union officials say the details of those run-ins with the law should not be released to an inmate who requested them.

In a showdown with the Freedom of Information Commission, the correction department and several AFSCME locals have filed suit in Superior Court in New Britain, seeking to block a commission order releasing basic information about the cases. The order does not require the department to identify those charged, but officials say the disclosure of details about criminal acts committed by department employees could create a security risk inside prison walls.



The lawsuits, filed last week, follow an unusually contentious Freedom of Information Commission case in which a hearing officer found that prison officials gave deliberately misleading testimony, ignored a subpoena, and accused the commission of improperly disclosing confidential records.

"It is found that the respondents have willfully obstructed the fact finding process of this Commission at almost every opportunity," the commission wrote in a blistering 19-page decision. "The Commission condemns in most extreme terms the conduct of the respondents in defying the authority of the Commission as an administrative tribunal."

Correction officials, meanwhile, say the commission disregarded testimony from career prison officials regarding the safety threat posed by releasing the information to an inmate, and said the hearing officer's decision in the case included at least one falsehood.

"The decision, if affirmed, will jeopardize the security of correctional staff, inmates, and facilities, as well as families of staff," the department wrote in the lawsuit.

The inter-agency battle began in December 2008 when Richard Stevenson, a convicted rapist who is 15 years into an 86-year sentence, filed a written request for the records "because a prisoner's credibility tends to be a one sided issue when he/she finds it necessary to make an accusation against DOC employees."

Correction employees are required to report arrests or criminal summonses, with the exception of minor traffic violations. Department officials initially testified it would be "impossible" to locate those records because they are filed chronologically and mixed in with thousands of other incident reports held in facilities all over the state. Later, they acknowledged the reports were in fact kept in individual personnel files, but said it would take months to search every employee's file.

But after the department's personnel director was ordered to testify, it was disclosed that the department in fact keeps a log of each employee who has reported a criminal charge.

"The respondents' claim that compliance with the complainant's request would be practically impossible is completely unfounded," wrote hearing officer Tracie Brown.

But while department officials eventually acknowledged they could gather the records, they said handing that information to an inmate would upset the power balance inside prisons.

"It's beyond comprehension for some people that we would even be considering this," personnel director Daniel Callahan testified.

Callahan and Mark Strange, the acting deputy commissioner of operations, said a correction officer's criminal history could be used by inmates to taunt guards or blackmail them into providing weapons or other contraband. Even if names were redacted from the records, they said, crafty prisoners with nothing but time might be able to put clues together and connect a particular correction officer to a particular criminal act.

"I feel very strongly that this ... would be used by inmates to manipulate staff," Callahan testified.

Callahan said employees convicted of a felony are almost always fired. But in most cases, he said, conviction on a misdemeanor offense does not result in dismissal unless there is a connection to the defendant's job, such as an assault on another department employee.

A review of judicial department records shows Department of Correction employees have been convicted of a variety of misdemeanors, including third-degree assault, interfering with a police officer, public indecency, fourth-degree larceny, reckless endangerment, second-degree threatening and possession of narcotics. In addition, there are at least 20 pending drunken-driving cases.

The commission's order allows the department to redact the names of the individual correction officers, and the department is not required to release any information to Stevenson about members of one particular union, under a collective-bargaining agreement that makes the contents of their personnel files off limits to inmates.

The department and unions still oppose the ruling. But the courts may not be the only avenue for keeping prison guard misdeeds out of the hands of prisoners. The legislature's judiciary committee is scheduled to hear public testimony today on a bill that would block inmate access to the personnel records of current or former correction officers.

Courant staff writer Shawn Beals contributed to this report.

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