

# EXHIBIT A



SEP 28, 8:50 AM

I need to go to the hospital I am dying i weigh 90 pounds mom I need you

SEP 28, 10:46 AM

Can you give me a call at 2 o'clock when I'll be done this phone visit?

SEP 28, 2:08 PM

Just finished my home

# EXHIBIT B

9:57 ↵



< Home (4)

Madelyn Linsenmeir >  
Messenger



auntie to my girls and Chester, we'd love for you to be part of our family in whatever way works for you.

I love you.

SEP 28, 11:02 AM

Hi, you OK?

Mom said you messaged her and said you were dying



No I am really sick

What's going on?



I just need to get help go to the hospital

What's going on?

Where are you?



I don't want to go to jail Luke this I need the hospital than rehab mass



Aa



9:57 ↵



< Home (4)

Madelyn Linsenmeir >  
Messenger



Should you call 911?



No

Can you tell me exactly what's going on?



I am just in a lot of pain 90 pounds can't eat sleep my chest Hurst my knee is so swollen i can't even walk

Oh, honey

Where are you?



I will just try calling myself I am scared

You'll try calling the hospital?

Scared of going to jail?



Or go there

Yes, just go



Aa



9:57



< Home (4)

Madelyn Linsenmeir >  
Messenger



You'll try calling the hospital?

Scared of going to jail?



Or go there

Yes, just go

No real point in calling, they'll just tell you to come in

Where are you?

Can you call me?

I just don't want anyone telling where I am



To jai or the police

I think the only way you'll have anonymity is at rehab, but sounds like if you go to rehab they'll send you to the hospital

I'm not going to tell anyone where you are

OK the hospital checks for



Aa



9:57



< Home (4)

Madelyn Linsenmeir >  
Messenger



I think the only way you'll have anonymity is at rehab, but sounds like if you go to rehab they'll send you to the hospital

I'm not going to tell anyone where you are

OK the hospital checks for warrants



It seems like you're really sick, Madelyn. Will you please go to the hospital?

You are 100% going to go to jail at some point, if you don't die first. The sooner you start facing this and dealing with it, the sooner it will be over and you can be free from warrants and running and sickness and fear and start a nice life for yourself

Yes



I don't think they will



Aa



9:58



< Home (4)

Madelyn Linsenmeir >  
Messenger



facing this and dealing with it, the sooner it will be over and you can be free from warrants and running and sickness and fear and start a nice life for yourself



Yes

I don't think they will necessarily will check for a warrant, I just don't think they do that unless you have a gunshot wound or something



OK

And you really need to just take care of your body and take care of yourself and get some help. Hello



I know

I love you so much

Can you go to hospital now?



Aa





9:58



< Home (4)

Madelyn Linsenmeir >  
Messenger



I love you so much

Can you go to hospital now?



How



I don't know. I don't even know where you are.



SEP 28, 11:53 AM

Can you call me?



SEP 28, 12:10 PM

It's time for you to rescue yourself, darling. To get yourself the help you need. We will be there every step of the way but can't do it for you. Get yourself to a hospital. Call 911 if you need to. Get your body well and the rest will follow.



I know you were scared but the sooner you start facing it the sooner it will be over. And you



Aa



9:58 ↵



< Home (4)

Madelyn Linsenmeir >  
Messenger



Can you call me? ✓

SEP 28, 12:10 PM

It's time for you to rescue yourself, darling. To get yourself the help you need. We will be there every step of the way but can't do it for you. Get yourself to a hospital. Call 911 if you need to. Get your body well and the rest will follow. ✓

I know you were scared but the sooner you start facing it the sooner it will be over. And you will not go through it alone. ✓

You ARE scared. ✓

If you can get to a hospital then hopefully you can get to a rehab and from there sort out what to do about the charges and warrant. ✓

SEP 28, 9:18 PM

Hi, you OK? ✓



# EXHIBIT C

October 10, 2018

**Via Federal Express**

Commissioner John Barbieri  
Springfield Police Department  
130 Pearl Street  
Springfield, MA 01105

Chief of Police Manuel Febo  
City of Holyoke Police Department  
138 Appleton Street  
Holyoke, MA 01040

Re: Madelyn Linsenmeir  
Date of Death: October 7, 2018

Dear Commissioner Barbieri and Chief Febo:

It is my understanding that Madelyn Linsenmeir was arrested by the Springfield Police Department on or about September 29, 2018. It is possible that she was initially detained or arrested by the Holyoke Police Department. Additional information concerning this arrest is contained in the arrest status report attached hereto as Exhibit A.

I understand that Madelyn Linsenmeir was later transferred to the custody of the Hampden County Sheriff's Department. She died in custody on or about October 7, 2018, at the Baystate Medical Center in Springfield, Massachusetts, after being transferred there from the Western Massachusetts Regional Women's Correctional Center (the "WCC").

The ACLU Foundation of Massachusetts (the "ACLUM") represents Maureen Linsenmeir and Maura O'Neill (who are Madelyn Linsenmeir's mother and sister, respectively) in certain matters in connection with Madelyn Linsenmeir's death.

I write to request your written assurance that all documents, correspondence, and other evidence relating to Madelyn Linsenmeir's arrest, detention, and death,

Commissioner John Barbieri  
Chief Manuel Febo  
October 10, 2018

and any investigation thereof, will be preserved and not destroyed, including without limitation:

- a) All records of any investigation or charges concerning Madelyn Linsenmeir;
- b) All records concerning Madelyn Linsenmeir's arrest on or about September 29, 2018, and any subsequent detention, including without limitation any case file, reports, correspondence, and notes;
- c) All records concerning any period of time in which Madelyn Linsenmeir was in the custody of the Springfield and Holyoke Police Departments from August 1, 2018 to October 7, 2018, including without limitation all medical records relating to that time period;
- d) All records concerning any transfer of Madelyn Linsenmeir between or among custodians, including to the custody of the Hampden County Sheriff's Department;
- e) All records of any telephone calls made by Madelyn Linsenmeir, and any recordings of those calls;
- f) All photographs, audio recordings, and video recordings of Madelyn Linsenmeir, including without limitation any booking photographs, any video or audio recordings of her arrest and any subsequent interrogation or processing, and any video recordings from surveillance and security cameras of Ms. Linsenmeir or her cell;
- g) Any information, documents, correspondence, or reports concerning Madelyn Linsenmeir sent to or received from probation staff, correctional authorities, prosecutors, or other government officials in New Hampshire or Vermont, including without limitation Human Trafficking Case Manager Katie Guilbault of Vermont; and
- h) All reports, notes, interview summaries, and other documents relating to any investigation of Ms. Linsenmeir's death, or obtained or reviewed as part of any such investigation.

Thank you for your prompt attention to this matter.

Sincerely,



Daniel L. McFadden

# EXHIBIT D



Daniel L. McFadden  
Staff Attorney  
(617) 482-3170 ext. 171  
dmcfadden@aclum.org

October 15, 2018

**Via Electronic Submission**

Springfield Police Department  
130 Pearl St  
Springfield, MA 01105

Re: Madelyn Linsenmeir

To whom it may concern:

This is a request for public records under M.G.L. ch. 66, § 10, made on behalf of Maureen Linsenmeir and Maura O'Neill.

On September 29, 2018, Madelyn Linsenmeir was arrested, booked, and detained by the Springfield Police Department. She was later transferred to the custody of the Hampden County Sheriff's Department. She died in custody on October 7, 2018.

The ACLU Foundation of Massachusetts (the "ACLUM") represents Maureen Linsenmeir and Maura O'Neill (who are Madelyn Linsenmeir's mother and sister, respectively).

Please provide the following records:

1. All documents relating to Madelyn Linsenmeir's arrest, booking, and detention, including without limitation any:
  - Arrest report;
  - Police officer narrative;
  - Criminal complaint; and
  - Notes, correspondence, and reports relating to the arrest, booking, and any related investigation.
2. All audio and video recordings relating to Madelyn Linsenmeir's arrest, booking, and detention, including without limitation:

Springfield Police Department  
October 15, 2018

- Any audio or video recording of Madelyn Linsenmeir's arrest and the circumstances leading up to it, including any recordings made by police vehicle cameras or police body cameras;
  - Any audio or video recording of Madelyn Linsenmeir's transport at or after the time of her arrest;
  - Any audio or video recording of Madelyn Linsenmeir's booking on September 29, 2018; and
  - Any audio or video recording of Madelyn Linsenmeir's detention on or after September 29, 2018.
3. All records of telephone calls made or received by Madelyn Linsenmeir on or after September 29, 2018;
4. All audio and video recordings of telephone calls made or received by Madelyn Linsenmeir on or after September 29, 2018, including without limitation:
- Any audio or video recording of any telephone call made by Madelyn Linsenmeir during the booking process on September 29, 2018; and
  - Any audio or video recording of any telephone call made by Madelyn Linsenmeir between 7:00 p.m. and 8:00 p.m. on September 29, 2018.
5. All photographs of Madelyn Linsenmeir while in custody of Springfield Police Department, including without limitation any photos taken for booking, identification, or medical purposes;
6. All medical records of Madelyn Linsenmeir, including all records of:
- Any request by Madelyn Linsenmeir for medical services or attention on or after September 29, 2018;
  - Any medical evaluation or services provided to Madelyn Linsenmeir on or after September 29, 2018;
  - Any prisoner injury reports relating to Madelyn Linsenmeir; and
  - Any reports and other records concerning Madelyn Linsenmeir made pursuant to Springfield Police Department General Order 403.30, entitled Prisoner Medications.



Springfield Police Department  
October 15, 2018

7. All records of any Officer's visits to Madelyn Linsenmeir while she was in the custody of the Springfield Police Department, including any records of such visits made pursuant to Rule 25 of the Rules and Regulations of the Springfield Police Department.
8. All records of Madelyn Linsenmeir's transfer between custodians, including without limitation any record or recording of Madelyn Linsenmeir's transfer to the custody of the Hampden County Sheriff's Department;
9. All documents, correspondence, or reports concerning Madelyn Linsenmeir sent to or received from government officials in New Hampshire or Vermont, including without limitation all records of communications with Human Trafficking Case Manager Katie Guilbault of Vermont concerning Ms. Linsenmeir;
10. All reports, notes, interview summaries, and other documents relating to any investigation of Madelyn Linsenmeir's death, or obtained or reviewed as part of any such investigation;
11. All correspondence and communications between the Springfield Police Department and the Hampden County Sheriff's Department concerning Madelyn Linsenmeir, her death, and any investigation thereof;
12. All other public records concerning, relating or referring to Madelyn Linsenmeir that are in the possession of the Springfield Police Department; and
13. Any complaints of willful maltreatment of a prisoner made against Springfield Police Officers from January 1, 2013, to the present, and any records of the adjudication of such complaints, including any findings made and any discipline imposed.

Because this request involves a matter of public concern and is made by a non-profit organization on behalf of the decedent's family members, I ask that you waive any fees and copying costs, including pursuant to 950 C.M.R. 32.07.

If you withhold some portions of the requested documents on the grounds that they are exempt from disclosure, please specify which exemptions apply and release any portions of the records for which you do not claim an exemption.

As you know, a custodian of public records shall comply with a request within ten days of receipt.

Springfield Police Department  
October 15, 2018

**Thank you for your assistance. Please do not hesitate to contact me if I can clarify any part of this request.**

Sincerely,

*/s/ Daniel L. McFadden*

Daniel L. McFadden

# EXHIBIT E

## Daniel McFadden

---

**From:** Springfield MA Public Records <springfieldma@mycusthelp.net>  
**Sent:** Monday, October 15, 2018 6:47 PM  
**To:** Daniel McFadden  
**Subject:** Public Records Request :: R000251-101518



---

Dear Daniel McFadden:

The City of Springfield is in receipt of your public records request.

Your request has been forwarded to the appropriate department[s] and a response will be sent to you as soon as we have obtained and reviewed any document[s] that may be responsive to your request. Your request was received in this office on 10/15/2018 and given the reference number R000251-101518 for tracking purposes.

Pursuant to M.G.L. c. 66, §10(b) the City has ten [10] business days to respond to your request.

Should you be aggrieved by this response, you may appeal to the Supervisor of Public Records in the Massachusetts Secretary of State's Office pursuant to 950 CMR 32.00 and M.G.L. c. 66, §10(b).

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed. Thank you for using the Public Records Center.

The City of Springfield

---

To monitor the progress or update this request please log into the [Public Records Center](#)



# EXHIBIT F

## Daniel McFadden

---

**From:** Springfield MA Public Records <springfieldma@mycusthelp.net>  
**Sent:** Monday, October 29, 2018 5:24 PM  
**To:** Daniel McFadden  
**Subject:** [Records Center] Public Records Request :: R000251-101518

--- Please respond above this line ---



---

RE: PUBLIC RECORDS REQUEST of October 15, 2018, Reference # R000251-101518

Dear Daniel McFadden,

This email is in response to your public records request to the City of Springfield for **“Please see attached letter.”**

**The City is requesting an additional ten [10] business days to respond to your request.**

Should you be aggrieved by this response, you may appeal to the Supervisor of Public Records in the Massachusetts Secretary of State’s Office pursuant to 950 CMR 32.00 and M.G.L.c. 66, §10(b).

Please contact either myself, or the Public Records Coordinator, Andrea L. Stone with any questions. Please include “PRR No. R000251-101518” on all correspondence.

Sincerely,

Anthony I. Wilson, Esq.  
City Clerk  
City of Springfield  
Office of the City Clerk  
36 Court Street  
Springfield, MA 01103  
Office: (413) 736-3111  
Fax: (413) 787-6502

AIW:als

---

To monitor the progress or update this request please log into the [Public Records Center](#)



# EXHIBIT G





Daniel L. McFadden  
Staff Attorney  
(617) 482-3170 ext. 171  
dmcfadden@aclum.org

October 31, 2018

**Via Electronic Submission**

Anthony I. Wilson, Esq.  
City Clerk  
City of Springfield  
Office of the City Clerk  
36 Court Street  
Springfield, MA 01103

Re: Madelyn Linsenmeir  
PRR No. R000251-101518

Dear Mr. Wilson,

On September 29, 2018, Madelyn Linsenmeir was arrested, booked, and detained by the Springfield Police Department. I understand that she was later transferred to the custody of the Hampden County Sheriff's Department. On or about October 4th, she was rushed to the hospital, where she remained in custody. She died there on October 7th.

The ACLU Foundation of Massachusetts (the "ACLUM"), working in cooperation with Prisoners' Legal Services and Sasson Turnbull Ryan & Hoose, represents Maureen Linsenmeir (Madelyn's mother), Maura O'Neill (Madelyn's sister and custodian of her minor child), and Kate O'Neill (also Madelyn's sister). Our clients are urgently seeking information regarding the circumstances leading up to Madelyn's death, including events during and following her arrest in Springfield.

On October 10, 2018, I sent a letter to Springfield Police Commissioner John Barbieri on behalf of our clients. *See* Ex. A. In summary, the letter requested that the Springfield Police Department provide "written assurance that all documents, correspondence, and other evidence relating to Madelyn Linsenmeir's arrest, detention and death, and any investigation thereof, will be preserved and not destroyed." I have not received any response to this letter. Nor have I received any other assurances that documents and other information relating to Madelyn are being preserved, and that any policies permitting the routine alteration or destruction of such documents have been suspended.

Anthony I. Wilson, Esq.

October 31, 2018

Page 2

On October 15, 2018, I submitted a public records request on our clients' behalf (the "Request") to the Springfield Police Department (the "SPD"), a component of the City of Springfield (the "City"), pursuant to G.L. c. 66, § 10. *See Ex. B.* Among other things, the Request sought documents relating to Madelyn's arrest, booking, and detention, such as arrests reports, police narratives, and related reports and notes. The Request also sought audio and video recordings relating to Madelyn's arrest, booking, and detention, including, for example, any recordings of her arrest and booking, and any recordings of her telephone calls in custody.

Pursuant to c. 66, § 10, as amended effective January 1, 2017, the SPD and City were required, within 10 business days (*i.e.*, on or before October 29th), to either produce the requested records pursuant to § 10(a), or provide a written response pursuant to § 10(b). A written response pursuant to § 10(b) "shall" include nine enumerated categories of information, including identifying:

- "any public records, categories of records, or portions of records that the agency or municipality intends to produce, and . . . a detailed statement describing why the magnitude or difficulty of the request unduly burdens the other responsibilities of the . . . municipality and therefore requires additional time to produce the public records sought;" and
- "any records, categories of records or portions of records that the . . . municipality intends to withhold, and . . . the specific reasons for such withholding, including the specific exemption or exemptions upon which the withholding is based."

*See G.L. c. 66, § 10(b)(iv)-(v).*

Later on October 15th, the City sent me an apparently automated letter acknowledging receipt of the Request and confirming that "[p]ursuant to M.G.L. ch. 66, § 10(b) the City has ten [10] business days to respond to your request." *See Ex. C.*

Ten business days later, on October 29th, your office sent me a purported "response" letter that does not contain the information required by law. *See Ex. D.* To the contrary, the letter states only that "[t]he City is requesting an additional ten [10] business days to respond to your request." The letter does not explain why such an extension is required, or what steps have been taken to preserve and collect responsive records, or what obstacles have been encountered to such collection, or what, if any, records the City intends to produce. Nor does the letter suggest any legal basis for the City's apparent decision to postpone its obligations under the law, without any prior agreement by the requestor.

The requestors here are grieving family members seeking information concerning the death of a beloved daughter and sister. Items such as arrest documentation and audiovisual recordings are undoubtedly readily accessible at

Anthony I. Wilson, Esq.  
October 31, 2018  
Page 3

the SPD. If the SPD will not produce them, then Madelyn's family deserves an explanation.

In these circumstances, our clients do not agree to any extension of time. I ask that the SPD and City respond as required by law now. In all events, if a response has not been received by Tuesday, November 13, 2018, I expect our clients will consider any and all steps necessary to secure compliance with the law.

I note that any response "shall . . . identify a reasonable timeframe in which the agency or municipality shall produce the public records sought," within the limits established by law. *See* G.L. c. 66, § 10(b)(vi). It appears that items responsive to Request categories 1-5 and 7-8 can be produced without any burden upon the SPD or the City, and I ask that they be produced now. As to the remainder of the requested documents, I would be happy to have a discussion with you to attempt to reach an agreed timeline for production. *See* G.L. c. 66, § 10(b)(vi).

Lastly, our clients have previously requested a waiver of fees. *See* Ex. B. A waiver is appropriate because this request was made by a nonprofit organization on behalf of the family of a prisoner who died in custody. Further, as you are likely aware, Madelyn's family has chosen to honor her memory by telling her story publicly and advocating for the humane treatment of opioid users. Information received in response to the Request will likely be a part of that public advocacy. In all events, however, please note that a fee may not be charged now because our clients did not receive a response under c. 66, § 10(b) within ten business days of the Request. *See* c. 66, § 10(e).

Sincerely,

*/s/ Daniel L. McFadden*

Daniel L. McFadden

# EXHIBIT H

VERMONT'S INDEPENDENT VOICE  
**SEVEN DAYS**  
sevendaysvt.com

LIFE LINES » OBITUARIES

OCTOBER 14, 2018

## Obituary: Madelyn Linsenmeir, 1988-2018



Madelyn Linsenmeir

Our beloved Madelyn Ellen Linsenmeir died on Sunday, October 7. While her death was unexpected, Madelyn suffered from drug addiction, and for years we feared her addiction would claim her life. We are grateful that when she died, she was safe and she was with her family.

Maddie was born on March 31, 1988, in Burlington, Vt., where she grew up and lived on and off throughout her adult life; she also spent time in Sarasota, Fla.; Keene, N.H.; and Boulder, Colo.

Madelyn was a born performer and had a singing voice so beautiful it would stop people on the street. Whether she was onstage in a musical or around the kitchen table with her family, when she shared her voice, she shared her light. She was a member of FolKids of Vermont, a dance and musical troupe that toured the world. Maddie visited Russia and Thailand with the group and, as part of their exchange program, hosted kids from other countries at home in Vermont. She loved to ski and snowboard, and she swam on the YMCA swim team, winning medals at the New England regionals.

When she was 16, she moved with her parents from Vermont to Florida to attend a performing arts high school. Soon after she tried OxyContin for the first time at a high school party, and so began a relationship with opiates that would

dominate the rest of her life.

It is impossible to capture a person in an obituary, and especially someone whose adult life was largely defined by drug addiction. To some, Maddie was just a junkie — when they saw her addiction, they stopped seeing *her*. And what a loss for them. Because Maddie was hilarious, and warm, and fearless, and resilient. She could and would talk to anyone, and when you were in her company you wanted to stay. In a system that seems to have hardened itself against addicts and is failing them every day, she befriended and delighted cops, social workers, public defenders and doctors, who advocated for and believed in her 'til the end. She was adored as a daughter, sister, niece, cousin, friend and mother, and being loved by Madelyn was a constantly astonishing gift.

Maddie loved her family and the world. But more than anyone else, she loved her son, Ayden, who was born in 2014. She transformed her life to mother him. Every afternoon in all kinds of weather, she would put him in a backpack and take him for a walk. She sang rather than spoke to him, filling his life with song. Like his mom, Ayden loves to swim; together they would spend hours in the lake or pool. And she so loved to snuggle him up, surrounding him with her love.

After having Ayden, Maddie tried harder and more relentlessly to stay sober than we have ever seen anyone try at anything. But she relapsed and ultimately lost custody of her son, a loss that was unbearable.

During the past two years especially, her disease brought her to places of incredible darkness, and this darkness compounded on itself, as each unspeakable thing that happened to her and each horrible thing she did in the name of her disease exponentially increased her pain and shame. For 12 days this summer, she was home, and for most of that time she was sober. For those 12 wonderful days, full of swimming and Disney movies and family dinners, we believed as we always did that she would overcome her disease and make the life for herself we knew she deserved. We believed this until the moment she took her last breath. But her addiction stalked her and stole her once again. Though we would have paid any ransom to have her back, any price in the world, this disease would not let her go until she was gone.

Maddie is survived by her son, Ayden; her parents, Maureen Linsenmeir and Mark Linsenmeir; her sister Kate O'Neill and Kate's partner, Marshall Fong; her sister Maura O'Neill and Maura's partner, Tim Painting; her aunts Beth Dow and Susan Dow and Beth's partner, Charlie Allison; her beloved cousin Sloan Collins; and many other aunts, uncles and cousins, including the Conants, Cahills and Camisas. She is predeceased by her grandparents, Madelyn and Roland Keenan, Mary Ellen and Herman Dow, and Reginald Linsenmeir.

Please join us for a memorial service honoring Maddie's life on Sunday, October 21, at 2 p.m., at the First Unitarian Universalist Society sanctuary at 152 Pearl Street in Burlington. In lieu of flowers, please consider donating to the Turning Point Center, a place where Maddie spent time and felt supported. Donations can be made via its website, **[turningpointcentervt.org](http://turningpointcentervt.org)**.

If you yourself are struggling from addiction, know that every breath is a fresh start. Know that hundreds of thousands of families who have lost someone to this disease are praying and rooting for you. Know that we believe with all our hearts that you can and will make it. It is never too late.

If you are reading this with judgment, educate yourself about this disease, because that is what it is. It is not a choice or a weakness. And chances are very good that someone you know is struggling with it, and that person needs and deserves your empathy and support.

If you work in one of the many institutions through which addicts often pass — rehabs, hospitals, jails, courts — and treat them with the compassion and respect they deserve, thank you. If instead you see a junkie or thief or liar in front of you rather than a human being in need of help, consider a new profession.

We take comfort in knowing that Maddie is surrounded by light, free from the struggle that haunted her. We would have given anything for her to experience that freedom in this lifetime. Our grief over losing her is infinite. And now so is she.

### related stories



**Letter to the Editor (11/21/18)**



**'This Touched My Heart': Readers Respond to Madelyn Linsenmeir's Obituary**



**Opiates, Love and Loss: A Vermont Woman's Obituary Strikes a Global Chord**



**'I Cried as I Read This': An Obit for an Addicted Vermonter Goes Viral**



**Turning Point Center Fights Addiction With Crafts and Community**

---

All content ©



---

, Burlington, VT 05401

Want to get notified when we publish stories we think you'd like?

Click "Allow" and confirm to sign up!

Dismiss Allow