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December 15, 2020

VIA U.S. PRIORITY MAIL

The Honorable Sharon E. Donatelle
Justice of the Superior Court
Suffolk County Superior Court
3 Pemberton Square
Boston, MA 02108

Re: American Civil Liberties Union of Massachusetts, Inc. v.
Bristol County Sheriff's Office, Civil Action No. 20-CV-1035-G

Dear Judge Donatelle:

In connection with the above-referenced matter, I write to inform the Court that the Office of the Attorney General (the "AGO") has concluded its investigation into the events of May 1 on Unit B of the C. Carlos Carreiro Immigration Detention Center at the Bristol County House of Correction. I have enclosed a copy of the AGO's report, publicly released on today's date, which summarizes our findings and conclusions resulting from the investigation.

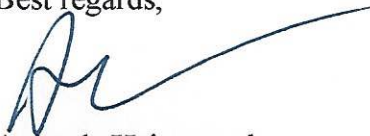
The Bristol County Sheriff's Office (the "BCSO") has claimed that records at issue in this litigation are exempt from public disclosure under the investigatory exemption (among other exemptions) to the Massachusetts Public Records Law based in part on the pendency of the AGO's investigation into the May 1 incident. Since our investigation has now concluded, we see no reason to withhold this information on the basis of that investigation. The release of the records sought in this litigation would not reveal any of our investigatory techniques or otherwise prejudice future law enforcement activities by our office such that disclosure would not be in the public interest. See G. L. c. 4, § 7(26)(f); cf. Bougas v. Chief of Police of Lexington, 371 Mass 59, 62 (1976) (noting that the investigatory exemption may be invoked after the conclusion of an investigation if disclosure of the information would hinder future law enforcement efforts).

On the contrary, the AGO believes that public disclosure of the records sought in this litigation would serve the public interest by increasing the BCSO's public accountability, openness, and transparency. Indeed, as the Court knows, there has been a great deal of public interest in the May 1 incident and the AGO believes that the public has a right to know what happened that day. The AGO would therefore welcome and support the public disclosure of these records.

Letter to the Honorable Sharon E. Donatelle
December 15, 2020

Thank you for your consideration. Please do not hesitate to contact me with any questions.

Best regards,



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