

**COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF THE TRIAL COURT**

HAMPDEN, SS

SUPERIOR COURT  
DOCKET NO. \_\_\_\_\_

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AMERICAN CIVIL LIBERTIES UNION OF  
MASSACHUSETTS, INC.,

Plaintiff,

v.

CITY OF SPRINGFIELD,

Defendant.

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**COMPLAINT FOR DECLARATORY AND  
INJUNCTIVE RELIEF**

**INTRODUCTION**

1. Plaintiff American Civil Liberties Union of Massachusetts, Inc. (“ACLU”) seeks declaratory and injunctive relief requiring the City of Springfield (“City”) to comply with two separate public records requests that seek to obtain information about the Springfield Police Department (“SPD”).

2. ACLU submitted these requests in May 2019 amid numerous reports and allegations of misconduct by SPD and its officers, which in turn had triggered a federal civil rights investigation, criminal indictments, civil rights lawsuits, and public outcry. ACLU followed up on one of these requests by letter in April 2020 after learning that officers accused of misconduct and civil rights abuses, including the alleged cover-up of the beating of four unarmed Black men, had been reinstated without being cleared of the allegations.

3. ACLU’s two public records requests sought records that could reveal the causes and extent of problems within SPD as well as whether SPD has changed its practices in light of these documented issues.

4. The first request was submitted on May 8, 2019. It sought, among other things, SPD's General Orders ("GOs") and Administrative Orders ("AOs") [hereinafter the "Orders Request"]. On information and belief, General and Administrative Orders establish policies and procedures that govern the SPD's operations. In response, the SPD asserted that it had no AOs, even though it had produced an AO just two months prior in response to another ACLUM request. The SPD produced some GOs but withheld several—including Orders regarding "Use of Force" and "Domestic Violence Situations Involving Department Employees" — based on a claim that they were exempt from disclosure under the public safety exemption, G.L. c. 4, § 7(26)(n). That exemption, however, is a narrow protection for records that would be useful to terrorists seeking to maximize damage, such as records depicting sensitive infrastructure. *See PETA v. Dep't of Agricultural Resources*, 477 Mass. 280, 289-90 (2017). It does not apply here.

5. The second request was submitted on May 23, 2019. It sought records related to street-level encounters between SPD officers and private individuals, including records memorialized in the SPD's "IMC" software database system [hereinafter the "Field Encounters Request"].<sup>1</sup> The City has not produced any substantive response to this request.

6. The withheld records are critical to the public's ability to understand how the SPD operates in its community and interacts with people. These records were already important when they were requested. But they are particularly important now, in the wake of the police killing of George Floyd in Minneapolis, as the country is gripped by concerns about harsh and racially unjust policing.

7. The Police Executive Research Forum, with whom Springfield contracted in 2018 to conduct a review of SPD's internal investigations processes and related matters, concluded

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<sup>1</sup> IMC stands for Information Management Corporation, the company that created the City's records management system. *See* Ex. 3.A.

“[t]he agency currently has various policies and memos that set forth administrative rules, but officers have no clear rules governing their conduct.” Police Executive Research Forum, *Assessment of the Springfield, Massachusetts Police Department: Executive Summary* (April 2019), at 8. The public has a right to know what these policies say, and as important, what they do not say. Accordingly, ACLUM seeks declaratory and injunctive relief under G.L. c. 66, § 10A, the Public Records Law, requiring the City to comply fully with its legal obligation to disclose the requested records.

## **PARTIES**

8. Plaintiff the American Civil Liberties Union of Massachusetts, Inc. is a non-profit membership organization dedicated to the protection of civil rights and civil liberties. To advance the interests of open government and equality, ACLUM works to shed light on law enforcement practices in order to preserve and extend constitutional rights. *See, e.g., Commonwealth v. Warren*, 475 Mass. 530, 539-540 & nn.13-16 (2016) (citing findings about the Boston Police Department that arose from public records advocacy by ACLUM).

9. Defendant City of Springfield is a municipality in Massachusetts and a custodian of the records plaintiff seeks.

## **JURISDICTION AND VENUE**

10. Jurisdiction and venue are proper pursuant to G.L. c. 66, § 10A(c), c. 212, § 4, and c. 231A, § 1.

## **FACTS**

### **I. The SPD is plagued by numerous allegations of police misconduct.**

11. “[C]laims of police misconduct—ranging from false reports, brutal beatings, and wrongful convictions—have been lodged against Springfield officers in courtrooms, in the community, and even from within the ranks.” Laura Crimaldi and Shelley Murphy, *I could*

*crush your [expletive] skull and [expletive] get away with it.’ A deep look at the Springfield police*, Boston Globe (Sept. 1, 2018).

12. Between 2006 and 2018 alone, the City settled 31 police misconduct lawsuits and was ordered to pay judgments in two other cases, costing taxpayers at least \$4.8 million. *See* Springfield Community Police Hearing Board (CPHB), Report for 2018, Appendix 2 (Apr. 3, 2019).

13. In 2019, after deliberating for just over two hours, a federal jury awarded more than \$27 million dollars in a civil verdict to a man wrongfully imprisoned for a 1986 murder, although the City claims it would have to pay only \$4 million under state law. Stephanie Barry, *Jury awards Mark Schand \$27M in wrongful imprisonment lawsuit against former Springfield police officers*, MassLive.com (Sept. 20, 2019). “[He] and his attorneys have long argued that Springfield detectives skewed photo arrays and police line-ups, which led to [his] being wrongly convicted in Hampden Superior Court.” *Id.*

14. Many of these claims of misconduct involve the mistreatment of people of color.<sup>2</sup>

15. Concerns about the SPD’s treatment of people of color are longstanding; in a May 2004 report, researchers at Northeastern University found that the SPD was one of 14

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<sup>2</sup> For example, in 2009, the family of 15-year-old Delano Walker, Jr., a Black man who was struck and killed by a car during an encounter with an SPD officer, filed a lawsuit alleging that Mr. Walker had stepped into the path of oncoming traffic to avoid an officer who was “lung[ing] for his throat.” Crimaldi, *supra*. A jury found that the officer violated Mr. Walker’s civil rights, and returned a verdict of \$1.3 million (or \$1.6 million with interest). Stephanie Barry, *Springfield on the hook for \$1 million of \$1.6 million verdict in Delano Walker Jr. lawsuit*, MassLive.com (Mar. 24, 2019). The City settled the suit for \$1 million. Crimaldi, *supra*. The family filed the lawsuit after SPD cleared the officer of all wrongdoing. *Id.*

In another incident, security footage caught an officer grabbing a Black man, who attempting to pay a ticket at SPD headquarters, by his throat, shoving him out of the building, and tackling him. *See* Dan Glaun, *Jerry Bellamy went to Springfield HQ to dispute parking ticket; was grabbed by throat, tackled by officers in confrontation*, MassLive (Feb. 19, 2019). That officer subsequently charged the man with assault and battery on a police officer and resisting arrest.

Massachusetts law enforcement agencies that demonstrated racial and gender disparities in the issuance of traffic citations across all four metrics they studied. Amy Farrell, *Massachusetts Racial and Gender Profiling Study*, Northeastern University Institute on Race and Justice (May 4, 2004).

16. In or before April 2018, the U.S. Department of Justice (“DOJ”) launched a civil rights investigation into possible civil rights abuses by SPD narcotics detectives. *See* Patrick Johnson, *US Department of Justice launches investigation into possible civil rights violations by Springfield Police narcotics unit*, MassLive.com (Apr. 13, 2018).

17. In October 2018, the DOJ indicted two SPD officers—one current and one former officer—on allegations that they used unreasonable force with a dangerous weapon against two Latino juveniles during an arrest in February 2016. Both juveniles allegedly suffered bodily injury. DOJ, *Current and Former Springfield Police Officers Indicted for Unreasonable Force Against Two Juveniles* (Oct. 31, 2018). Charges against one of the officers were dismissed. The remaining officer was accused of “threatening the juveniles during an interrogation and falsifying subsequent reports regarding the incident.” *Id.* Specifically, that officer allegedly spat on one of the juveniles, threatened to plant drugs on him, and said, “Welcome to the white man’s world.” *Id.*

18. In March 2019, a Massachusetts grand jury indicted fourteen current and former SPD officers following the assault of four Black men at a local bar. Adeel Hassan, *14 Officers Indicted on Assault or Cover-Up Charges in Beating of Black Men*, The New York Times (Mar. 28, 2019). Six officers were charged with assault and battery with a dangerous weapon and with causing serious bodily injury, while others were charged with falsifying reports to hide their behavior. *Id.* Charges against four of the officers have been dismissed. Michelle Williams,

*Charge dropped against Springfield police officer Melissa Rodriguez accused of perjury in Nathan Bill's case*, MassLive.com (Apr. 18, 2020).

19. In June 2019, City leaders called for an audit of SPD after it was revealed that another of its officers filed a false report against a high school student in December 2018. *See Michelle Williams, Springfield officer Angel Marrero, seen in video of controversial High School of Commerce arrest, arraigned on assault charge*, MassLive.com (June 21, 2019). The report stated that, while the officer was acting as a school resource officer, a Black teenager struck the officer with his elbow as he walked past; the student was arrested and criminal charges issued against him. *See Dan Glaun, Springfield officer in video of controversial High School of Commerce arrest said he did not mean to file false report*, MassLive.com (March 15, 2019). However, leaked security footage of the incident later contradicted this report. *Id.* Specifically, the footage showed only that after the teenager made a comment, the officer pushed him against a wall, grabbed him by the neck, and handcuffed him before escorting him out of the building. *Id.* That officer ultimately was arraigned on criminal charges of assault and battery and filing a false report. *See Williams, supra.*

20. SPD Commissioner Cheryl Clapprood said in October 2019 that she would welcome back the officers subject to federal or state indictments if they are acquitted. *See Adam Frenier, Commissioner Clapprood Would Welcome Back Springfield Officers If Acquitted*, New England Public Radio (Oct. 8, 2019).

21. A few months later, citing the COVID-19 pandemic, Commissioner Clapprood reinstated five officers who were suspended without pay for their alleged cover-up of the beating of four Black men at Nathan Bill's bar. Stephanie Barry, *Springfield Police Commissioner Cheryl Clapprood reinstates 5 officers suspended in Nathan Bill's case*, MassLive.com (Apr. 15,

2020). Those officers' criminal cases remain pending. *Id.* In May 2020, Clapprood pulled the officers back from street assignments after two FBI agents and an assistant state attorney general called the city solicitor to suggest the City may be breaking the law by returning the officers' weapons. Stephanie Barry, *Springfield City Council meeting with police commissioner, Law Department over 5 reinstated cops gets testy*, MassLive.com (May 8, 2020).<sup>3</sup>

**II. ACLUM filed public records requests to understand SPD's policies and practices, as well as any relevant reforms it might be taking.**

22. Partly in response to alarming reports about SPD and its officers, on May 8 and 23, 2019, ACLUM submitted public records requests to SPD concerning its policies and practices. The Orders Request sought orders and related materials governing the department's operations. The Field Encounters Request sought documents concerning police interactions with residents. To the former, the City has improperly claimed exemptions. To the latter, the City has never responded.

*The Orders Request*

23. ACLUM submitted its Orders Request on May 8, 2019 via Electronic Submission at the website the City of Springfield designates to submit a records request (PRR No. R000952-050816). The Orders Request identified itself as a Public Records Request under G.L. c. 66, § 10. The Orders Request asked for fees to be waived pursuant to 950 C.M.R. 32.07.

24. The Orders Request sought, among other things, copies of the SPD's General Orders and Administrative Orders. A true and accurate copy of this request is attached as Exhibit 1.

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<sup>3</sup> In so doing, Clapprood explained, "I'm not risking more embarrassment to the city or these officers. These kids have already been dragged through the mud." Stephanie Barry, *Springfield City Council meeting with police commissioner, Law Department over 5 reinstated cops gets testy*, MassLive.com (May 8, 2020).

25. In a written response dated May 28, 2019, the City stated that the SPD has no Administrative Orders. *See* Exhibit 1.

26. On information and belief, the SPD does possess and maintain Administrative Orders. SPD produced such an order (“AO # 06-110, Procedures: Searching of Prisoners”) in a March 20, 2019 response to a public records request submitted by ACLUM. *See* Exhibit 2.

27. The withheld Administrative Orders are documents made or received by government employees, and are therefore public records as defined by the public records law that must be produced upon request.

28. In a letter dated June 25, 2019, SPD stated that while it was producing 110 General Orders responsive to the request, it was withholding 51 General Orders pursuant to G.L. c. 4, § 7(26)(n), which allows a municipality to exempt from disclosure records relating to the security and safety of persons or infrastructure whose disclosure would jeopardize public safety or cyber security. *See* Exhibit 1.

29. The withheld orders include documents that appear to contain crucial information about how the residents of Springfield are policed, including GO 08-008 Police Officer Involved Shooting, GO 14.03: Juveniles Under Arrest Right for Release on Bail; GO 15-04C: Amendment to GO 15-04B Seized Money Procedures; GO 19-002: Administration of Narcan; GO 100.20: Use of Force; GO 100.40: Domestic Violence Situations Involving Department Employees, GO 500.76 Reporting Use of Deadly Force and Less Lethal Force Tools, and GO 500.80 Restraint, Searching and Transportation of Subjects in Custody.

30. The withheld orders concern how Springfield Police Officers are directed to perform and carry out their duties, a central issue in the current conversation about policing.

31. The SPD’s invocation of Exemption (n) is incorrect.



32. The Supreme Judicial Court has narrowly interpreted Exemption (n) as requiring a two-prong analysis: (1) the record should be one a terrorist would find useful to maximize damage (such as a blueprint or emergency preparedness plan) and (2) the record custodian must provide “sufficient factual heft” to show that a reasonable person would agree that the first prong applies. *PETA*, 477 Mass. at 289-90.

33. The Orders withheld by SPD do not meet these requirements. The City has made no showing of how these records could further any terrorist action, nor could it. Exemption (n) does not shield the withheld records from disclosure, and their production is required by law.

#### *The Field Encounters Request*

34. ACLUM submitted its Field Encounters Request on May 23, 2019 via Electronic Submission at the website the City of Springfield designates to submit a records request (PRR No. R001017-052319). The request identified itself as a Public Records Request under G.L. c. 66, § 10. The request asked for fees to be waived pursuant to 950 C.M.R. 32.07.

35. The Field Encounters Request sought records about interactions between the SPD and private individuals, including traffic stop data, police-civilian interaction records contained in the SPD’s IMC system, and field interview reports. The Field Encounters Request also sought records revealing how, if at all, information gathered using the facial-recognition-compatible software “BriefCam” at the SPD’s Real-Time Analysis Center (R-TAC) is used to inform civilian stops.<sup>4</sup>

36. On August 14, 2019, ACLUM sent a message to the City through its online public records portal narrowing the scope of its request. Specifically, ACLUM notified the City that the

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<sup>4</sup> R-TAC “assist[s] in investigations by allowing ‘deep dives into criminal history and social media’” using software known as BriefCam. *See* Springfield Police Real-Time Analysis Center, credited in social media threat arrests, brings digital solutions to crime, MassLive (Apr. 5, 2018), [https://www.masslive.com/news/2018/04/springfield\\_police\\_real-time\\_a.html](https://www.masslive.com/news/2018/04/springfield_police_real-time_a.html).

request for field interview reports and R-TAC records was limited to encounter records involving persons with whom the department has interacted since January 1, 2016. A true and correct copy of the Field Encounters Request is attached as Exhibit 3.

37. ACLUM received an automated email from the City confirming receipt of its request on May 23. On June 14, 2019, after the 10-day time period mandated under the Public Records Law passed, an ACLUM attorney telephoned the city clerk's office to inquire after the status of the response. At that time, ACLUM agreed to a time extension until June 28, 2019. Thereafter, an ACLUM attorney made follow-up calls to the City on July 1, and July 8 and sent follow-up emails on July 8 and August 14. These overtures all went unanswered. A true and correct copy of ACLUM's written correspondence with the City is attached as Exhibit 4.

38. ACLUM sent a final follow-up letter to the City on April 7, 2020. *See* Exhibit 4.

39. To date, the City has provided no substantive response to the Field Encounters Request.

40. The Supreme Judicial Court has recognized that field encounter reports can shed meaningful light on a city's policing practices and the reasons why Black residents might be skeptical of police actions. *See Warren*, 475 Mass. at 539-540 & nn.13-16

41. The Field Encounter Reports materially bear on whether Springfield Police Officers have carried out their duties in a law-abiding manner. The Supreme Judicial Court has stated that "[t]he public interests furthered by the public records law – transparency, accountability, and public confidence – are at their apex if the conduct at issue occurred in the performance of the official's professional duties or materially bears on the official's ability to perform those duties honestly or capably. . . . the public [has a] right to know whether public servants are carrying out their duties in an efficient and law abiding manner." *Boston Globe*

*Media Partners, LLC v. Department of Criminal Justice Information Services*, SJC No. SJC-12690, 484 Mass. 279 (March 12, 2020).

## **CLAIMS FOR RELIEF**

### **Count I – Violation of the Public Records Law**

42. The foregoing allegations are realleged and incorporated herein.

43. The Public Records Law strongly favors disclosure by creating a presumption that all government records are public records.

44. Under the Public Records Law, the City was required to respond to ACLUM's request within ten business days, to conduct an adequate search for responsive documents, and to demonstrate application of any exemptions. G.L. c. 66, § 10(a)-(b).

45. ACLUM's requests reasonably describe the public records sought.

46. The City has possession, custody, or control of the public records requested by ACLUM.

47. The City has wrongfully withheld and failed to produce records responsive to the Orders Request as required by the Public Records Law.

48. The City has failed to produce records or otherwise respond to the Field Encounters Request within the ten business days required by the Public Records Law.

49. ACLUM is entitled to injunctive relief requiring the City to promptly produce the requested records. G.L. c. 66, § 10A(c)-(d).

50. ACLUM is entitled to injunctive relief prohibiting the City from charging any fee for the production of the records sought. G.L. c. 66, §§ 10(e), 10A(c)-(d).

51. ACLUM is entitled to an award of reasonable attorney fees and costs. G.L. c. 66, § 10A(d)(2).

## **Count II – Declaratory Judgment**

52. The foregoing allegations are realleged and incorporated herein.

53. There is an actual controversy between ACLUM and the City regarding the production of the requested records.

54. Pursuant to G.L. c. 231A and the Public Records Law, ACLUM is entitled to a declaration that the records it requests are public records within the meaning of G. L. c. 66, § 10, that their release is required by law, and that the City is prohibited from charging any fee for responding to the request.

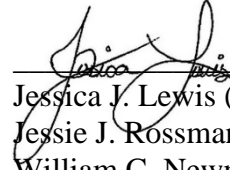
**PRAYER FOR RELIEF**

Wherefore, ACLUM asks this Court to GRANT the following relief:

55. Issue a declaratory judgment pursuant to G. L. c. 231A that the records ACLUM has requested are public records within the meaning of G. L. c. 66, § 10 and that their release is required by law;
56. Enter expedited permanent injunctions pursuant to G. L. c. 66, § 10A (d)(iii) ordering defendant to immediately disclose the requested records to ACLUM;
57. Enjoin defendant from charging ACLUM search, review, or duplication fees for processing the requests;
58. Award ACLUM costs and reasonable attorney fees in the action; and
59. Grant such other relief as the Court may deem just and proper.

June 11, 2020

Respectfully Submitted,



Jessica J. Lewis (BBO #704229)  
Jessie J. Rossman (BBO #670685)  
William C. Newman (BBO #370760)  
Daniel L. McFadden (BBO #676612)  
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# **EXHIBIT 1**



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

May 8, 2019

**Via Electronic Submission**

City of Springfield  
City Clerk's Office  
Room 123  
36 Court Street  
Springfield, MA 01103

Springfield Police Department  
130 Pearl St  
Springfield, MA 01105

Re: Public Records Request

To whom it may concern:

This is a request for public records under M.G.L. ch. 66, § 10, made on behalf of the American Civil Liberties Union of Massachusetts, Inc. ("ACLUM").

For purposes of this request, the Springfield Police Department is referred to as the "SPD," the SPD's Internal Investigation Unit is referred to as the "IIU," and Springfield's Community Police Hearing Board is referred to as the "CPHB."

Please provide the following records:

1. All reports by the Police Executive Research Forum ("PERF"), prepared or transmitted from January 1, 2018 to the present, concerning the SPD and/or the CPHB;
2. The "IIU Report by Police Officer" for the following officers and other SPD personnel:
  - a. Moises Zanazanian;
  - b. Remington McNabb;
  - c. James Trubia;
  - d. Sheila Rodriguez;



- e. Lindsay Tagliapietra;
  - f. Anthony DiSantis;
  - g. Jonathan Torres;
  - h. William Catellier;
- 3. The CPHB YTD Report: 2019 Quarter 1;<sup>1</sup>
  - 4. The CPHB YTD Detail Report: 2019 Quarter 1;<sup>2</sup>
  - 5. The SPD's Rules and Regulations and all amendments thereto;
  - 6. The SPD's General Orders and all amendments thereto;
  - 7. The SPD's Administrative Orders and all amendments thereto;
  - 8. The SPD's Special Orders issued from January 1, 2018 to the present, and all amendments thereto.

I ask that you waive any fees and copying costs, including pursuant to 950 C.M.R. 32.07. ACLUM is a not-for-profit, non-partisan organization dedicated to the principles of liberty and equality. As the Massachusetts affiliate of the national ACLU, a not-for-profit, non-partisan organization, ACLUM distributes information both within and outside of Massachusetts. Gathering and disseminating current information to the public is a critical and substantial component of ACLUM's mission and work. ACLUM publishes newsletters, news briefings, reports and other printed materials that are disseminated to the public. These materials are widely available to everyone, including tax-exempt organizations, not-for-profit groups, law students and faculty, at no cost. ACLUM also disseminates information through its website<sup>3</sup> and regular posts on social media sites such as Facebook and Twitter. Accordingly, disclosure of the records serves the public interest, and not the commercial interest of ACLUM.

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. We ask that you provide the records in electronic format to the maximum extent possible.

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<sup>1</sup> An example of this document from a prior quarter may be found here: [https://www.springfield-ma.gov/cos/fileadmin/law/CPHB/2018\\_CPHB\\_4th\\_Quarter\\_Report.pdf](https://www.springfield-ma.gov/cos/fileadmin/law/CPHB/2018_CPHB_4th_Quarter_Report.pdf)

<sup>2</sup> An example of this document from a prior quarter may be found here: [https://www.springfield-ma.gov/cos/fileadmin/law/CPHB/2018\\_CPHB\\_4th\\_Quarter\\_Detailed\\_Report\\_Redacted.pdf](https://www.springfield-ma.gov/cos/fileadmin/law/CPHB/2018_CPHB_4th_Quarter_Detailed_Report_Redacted.pdf)

<sup>3</sup> [www.aclum.org](http://www.aclum.org)

City of Springfield  
Springfield Police Department  
May 8, 2018

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

**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

**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



**THE CITY OF SPRINGFIELD, MASSACHUSETTS**

May 28, 2019

**VIA EMAIL: [dmcfadden@aclum.org](mailto:dmcfadden@aclum.org)**

Daniel L. McFadden, Esq.  
American Civil Liberties Union  
211 Congress Street  
Boston, MA 02110

*Re: Public Records Request #R000592-050819*

Dear Daniel McFadden, Esq.:

This letter is in response to your public records request to the City of Springfield.

**Request #1.** All reports by the Police Executive Research Forum ("PERF"), prepared or transmitted from January 1, 2018 to the present, concerning the SPD and/or the CPHB;

**Response #1.** Personnel in the Law Department have advised that there are no records that are responsive to this request. The Law Department has submitted a copy of the Police Executive Research Forum ("PERF") Assessment of the Springfield, Massachusetts Police Department Executive Summary dated April 2019 as being responsive to this request.

**Request #2.** The "IIU Report by Police Officer" for the following officers and other SPD personnel: a. Moises Zanazanian; b. Remington McNabb; c. James Trubia; d. Sheila Rodriguez; e. Lindsay Tagliapietra; f. Anthony DiSantis; g. Jonathan Torres; h. William Catellier;

**Response #2.** Personnel in the Internal Investigation Unit have submitted the IIU histories for Sgt. Moises Zanazanian, Officers Remington McNabb, James Trubia, Lindsay Tagliapietra, Anthony DiSantis, Jonathan Torres, and William Catellier, as being responsive to this request. Please note that sections of the histories were redacted in accordance with the Public Records Law M.G.L. c.4 §7, as further explained below:

*Sections of the histories were redacted in accordance with M.G.L. c.4, §7 (26)(c) also known as the "Privacy Exemption". M.G.L. c.4, §7 (26)(c) allows for the redaction/segregation of any information that contains "personnel and medical files or information; also any other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy." Therefore, the names of all civilians were redacted.*

The City must deny your request for the Disposition and Final Disposition sections of the histories because it believes that these sections are exempt from disclosure as a public record pursuant to the Public Records Law M.G.L. c.4 §7, as further explained below:



*The Disposition and Final Disposition sections of the histories were redacted in accordance with M.G.L. c.4, §7 (26)(c) also known as the "Privacy Exemption". M.G.L. c.4, §7 (26)(c) allows for the redaction/segregation of any information that contains "personnel and medical files or information"; also any other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy."*

Personnel in the Internal Investigation Unit have advised that there are no records that are responsive to your request for the "IIU Report by Police Officer" for SPD personnel Sheila Rodriguez

**Request #3.** The CPHB YTD Report: 2019 Quarter

**Response #3.** The City does not have any records that are responsive to this request.

**Request #4.** The CPHB YTD Detail Report: 2019 Quarter 1

**Response #3.** The City does not have any records that are responsive to this request.

**Request #5.** The SPD's Rules and Regulations and all amendments thereto;

**Response #5.** Personnel in the Police Department have submitted a copy of the Department's Rules and Regulations as being responsive to this request.

**Request #6.** The SPD's General Orders and all amendments thereto;

**Response #6.** Personnel in the Police Department have submitted the Department's General Order and amendments as being responsive to this request. The documents will be sent to your office on a computer disc via the United States Postal Service.

**Response #7.** The SPD's Administrative Orders and all amendments thereto;

**Response #7.** Personnel in the Police Department have advised that there are no records that are responsive to this request.

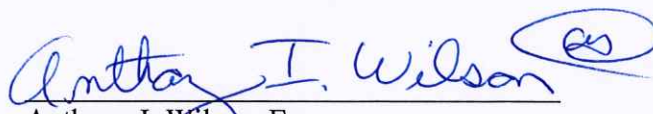
**Request #8.** The SPD's Special Orders issued from January 1, 2018 to the present, and all amendments thereto.

**Response #8.** Pursuant to 950 CMR 32.06(4)(a) the City is requesting an additional twenty [20] business days until Tuesday, June 25, 2019 to review approximately 1200 pages of records that may be responsive to this 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 G.L.c. 66, §10(b).

Please the Public Records Coordinator, Andrea L. Stone, with any questions. Please reference public records request #R000952-050816 in all correspondence related to this request.

Sincerely,

  
Anthony I. Wilson, Esq.  
City Clerk

AIW:als

Enclosures

**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



**THE CITY OF SPRINGFIELD, MASSACHUSETTS**

June 25, 2019

**VIA EMAIL: [dmcfadden@aclum.org](mailto:dmcfadden@aclum.org)**

Daniel L. McFadden, Esq.  
American Civil Liberties Union  
211 Congress Street  
Boston, MA 02110

*Re: Public Records Request #R000952-050819*

Dear Daniel McFadden, Esq.:

This letter is in response to your public records request to the City of Springfield. Please note, all attachments referenced in this letter will be sent to you on a computer disc via the United States Postal Service.

**Request #1.** All reports by the Police Executive Research Forum ("PERF"), prepared or transmitted from January 1, 2018 to the present, concerning the SPD and/or the CPHB;

**Response #1.** See the City's May 28, 2019 response letter.

**Request #2.** The "IIU Report by Police Officer" for the following officers and other SPD personnel: a. Moises Zanazanian; b. Remington McNabb; c. James Trubia; d. Sheila Rodriguez; e. Lindsay Tagliapietra; f. Anthony DiSantis; g. Jonathan Torres; h. William Catellier;

**Response #2.** See the City's May 28, 2019 response letter.

**Request #3.** The CPHB YTD Report: 2019 Quarter

**Response #3.** See the City's May 28, 2019 response letter.

**Request #4.** The CPHB YTD Detail Report: 2019 Quarter 1

**Response #3.** See the City's May 28, 2019 response letter.

**Request #5.** The SPD's Rules and Regulations and all amendments thereto;

**Response #5.** See the City's May 28, 2019 response letter.

**Request #6.** The SPD's General Orders and all amendments thereto;

**Response #6.** The City is submitting one hundred and ten [110] SPD General Orders as being responsive to this request.

The City must deny your request for the release of the SPD General Orders listed below, because it believes that the requested records are exempt from disclosure as public records pursuant to M.G.L. c. 4, § 7(26)(n), which provides for the withholding of:

*records, including, but not limited to, blueprints, plans, policies, procedures and schematic drawings, which relate to internal layout and structural elements, security measures, emergency preparedness, threat or vulnerability assessments, or any other records relating to the security or safety of persons or buildings, structures, facilities, utilities, transportation, cyber security or other infrastructure located within the commonwealth, the disclosure of which, in the reasonable judgment of the record custodian, subject to review by the supervisor of public records under subsection c of section 10 of chapter 66, is likely to jeopardize public safety or cyber security. The requested records are policies and procedures of the Springfield Police Department which relate to security measures, emergency preparedness, threat or vulnerability assessments, or others records relating to the security or safety of persons or buildings, the disclosure of which, in the reasonable judgment of the public records coordinator is likely to jeopardize public safety.*

08-006 Staffing Levels for Patrol Cars  
08-008 Police Officer Involved Shooting  
08-012 IMC - Approval of all Arrest and Incident Reports  
08-020 CAD Signal codes & Police Jargon  
08-026 Marijuana Possession 1 Ounce [1 oz] or Less  
09-10 Marijuana Possession 1 Ounce [1 oz] or Less [part 2]  
09-14 Grant Reporting Protocol  
09-23 Use of Text A Tip System  
10-06 Communications Between Police Department and CPHB  
11-01A Amendment to GO 11-01 Language Access Line Procedure  
11-02 National Guard Armory Special Attention  
11-05 DDACTS Protocol  
11-08 Mandatory Ballistic Vest Policy  
11-09 3SI Security System Bank Robbery Tracker Tool  
11-11 Amber Alert Revision  
12-01 Mobile Video Recording Policy  
12-04 Police for Special Police Officers Making Arrests  
12-05 Revised Protocol for Management of Suspicious/Threat Letters & Substances  
12-07 COPLINK Policy  
12-09 Solvability Assessment  
14.03 Juveniles Under Arrest Right for Release on Bail  
14-09 IMC Report Issues/Errors Corrective Guidelines  
14-13 U-Visa Certification  
15-04C Amendment to GO 15-04B Seized Money Procedures  
16-12A Amendment to GO 16-12: Safeguarding, .... Controlled Substance Law  
17-03 Shot Spotter Police [revised]  
17-06A "Amend GO 17-06 Protocol & Guidelines Transporting Prisoners to HCSD"  
18-03 N.E. High Intensity Drug Trafficking Area  
18-04 N.E. High Intensity Drug Trafficking Area  
18-06 Use of Confidential Informants in the Strategic Impact Unit  
19-002 Administration of Narcan



19-004 Radio Protocol/Emergency Alert Tone  
100.20 Use of Force  
101.30 Administration of Special Police Officers  
100.40 Domestic Violence Situations Involving Department Employees  
200.23 Tactical Response Unit  
207.15 Lethal Impact Projectiles  
500.10 firearms Use and Qualification  
500.14 Domestic Violence and Protective Orders  
500.40 Emergency and Non-emergency Vehicular Responses  
500.50 Impact Tactics  
500.60 Oleoresin Capsicum Spray  
500.76 Reporting Use of Deadly Force and Less Lethal Force Tools  
500.80 Restraint, Searching and Transportation of Subjects in Custody  
500.85 Tire Deflation Devices  
600.20 Mobile Command Post  
600.40 Call for the Tactical Response Unit  
700.10 Electronic Control Weapons (ECW)  
701 Responding to Biological Hazardous Materials Calls  
Harassment in the Work Place  
Sexual Harassment Police

**Response #7.** The SPD's Administrative Orders and all amendments thereto;

**Response #7.** See the City's May 28, 2019 response letter.

**Request #8.** The SPD's Special Orders issued from January 1, 2018 to the present, and all amendments thereto.

**Response #8.** The City is submitting copies of SPD Special Orders 18-001 through 19-129 as being responsive to this request. Please note that sections of some the orders were redacted in accordance with the Public Records Law M.G.L. c.4 §7, as further explained below:

*Sections of some of the records were redacted in accordance with M.G.L. c.4, §7 (26)(c) also known as the "Privacy Exemption". M.G.L. c.4, §7 (26)(c) allows for the redaction/segregation of any information that contains "personnel and medical files or information; also any other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy." Therefore, the names of any civilian complainants and officers subject to any disciplinary proceedings. Additionally, if the City was unable to determine if any telephone numbers referenced in the orders are residential/business telephone numbers, or cellphone numbers, the telephone numbers referenced in the some of the orders were redacted.*

The City must deny your request for the SPD Special Orders listed below, because it believes that the requested records are exempt from disclosure as public records pursuant to M.G.L. c.4, §7 (26)(c) also known as the "Privacy Exemption" as further explained below:

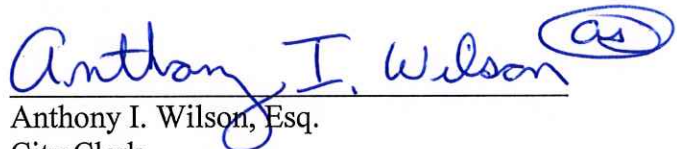
*The requested records are exempt from disclosure as public records pursuant to M.G.L. c.4, §7 (26)(c) also known as the "Privacy Exemption". M.G.L. c.4, §7 (26)(c) allows for the redaction/segregation of any information that contains "personnel and medical files or information; also any other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy." The special orders are related to personnel matters.*

18-011; 18-015; 18-030; 18-032; 18-038; 18-082; 18-123; 18-130; 18-136; 18-140; 18-145; 18-164; 18-167; 18-168; 18-176; 18-179; 18-181; 18-184; 18-189; 18-196; 18-199; 18-210; 18-221; 18-239; 18-249; 18-258; 18-260; 18-263; 18-264; 18-266; 19-008; 19-018; 19-036 - 19-040; 19-050; 19-057; 19-061; 19-071 - 19-082; 19-087; 19-089; 19-097 - 19-104; 19-109; and 19-118.

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 G.L.c. 66, §10(b).

Please the Public Records Coordinator, Andrea L. Stone, with any questions. Please reference public records request #R000952-050816 in all correspondence related to this request.

Sincerely,

  
Anthony I. Wilson, Esq.  
City Clerk

AIW:als

Enclosures



# **EXHIBIT 2**

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**DEPARTMENTAL AND INTER-DEPARTMENTAL  
CORRESPONDENCE**

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City of Springfield

**AO #            06-110**

**DATE 5-11-06**

**TO:            ALL COMMANDING OFFICERS**

**CC:**

**SUBJECT:    PROCEDURES: SEARCHING OF  
                 PRISONERS**

**TO BE READ AT ALL ROLL CALLS FOR 5 CONSECUTIVE DAYS**

All Officers after making any arrest shall search their prisoner thoroughly prior to transporting said prisoner to the booking area. Upon arrival at 130 Pearl Street, the booking sergeant shall insure that another complete search and inventory is done before the prisoner is placed in the lock-up. Before any prisoner is sent to Court there shall be another thorough search of each and every prisoner before they leave the booking area. Any and all searches shall be documented by the searching officers.

---

**William J. Fitchet  
Deputy Chief**

**WJF/rt**

**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  
Email: [awilson@springfieldcityhall.com](mailto:awilson@springfieldcityhall.com)



**THE CITY OF SPRINGFIELD, MASSACHUSETTS**

March 20, 2019

**VIA EMAIL: [dmcfadden@aclum.org](mailto:dmcfadden@aclum.org)**

Daniel L. McFadden, Esq.  
American Civil Liberties Union  
211 Congress Street  
Boston, MA 02110

***Re: Public Records Request # R000720-030619***

Dear Attorney McFadden:

This letter is in response to your public records request to the City of Springfield for:

**Request #1.** All policies and procedures of the Springfield Police Department ("SPD") in effect at any time from August 2018 to the present, and any amendments, exhibits, and addenda thereto, concerning each of the following subjects:

a. The housing, care, treatment, and management of prisoners, arrestees, and other persons in the custody of the SPD;

**Response:** Personnel in the Police Department have submitted a copy of SPD Rules & Regulations "Rule 26: Prisoners" as being responsive to this request.

b. The booking process for prisoners, arrestees, and other persons in the custody of the SPD;

**Response:** Personnel in the Police Department have submitted copies of SPD Rules & Regulations listed below as being responsive to this request.

-Rule 26: Prisoners;

-General Order #700: Transportation of Prisoners; and

-Administrative Order #06-110: Procedures Searching of Prisoners

c. Making and maintaining audio and/or visual recordings of the booking process for prisoners, arrestees, and other persons in the custody of the SPD;

**Response:** Personnel in the Police Department have submitted a copy of SPD Rules & Regulations "S.O. #18-249: Cell Check Order" as being responsive to this request.

d. Making and maintaining records of injuries to prisoners, arrestees, and other persons in the custody of the SPD;

**Response:** Personnel in the Police Department have submitted copies of SPD Rules & Regulations listed below as being responsive to this request.

-Rule #26: Prisoners;

-S.O. #19-050: Prisoner Injury/Illness Procedure;

-G.O. #10-04: Prisoner Injury/Arrest Reports;

-G.O. #17-06A: Protocol and Guidelines for Transporting Pre-Arrestment Prisoners to HCSD Regional Lock-Up Facilities;

-G.O. #18-05: Prisoner Injury Report Form Amended;

-G.O. #403.03: Prisoner Medications; and

-S.O. #10-005: Prisoner Medication Attention Injury

e. Making and maintaining records of medical complaints and requests for medical assistance by prisoners, arrestees, and other persons in the custody of the SPD;

**Response:** Personnel in the Police Department have submitted copies of SPD Rules & Regulations S.O. #19-050: Prisoner Injury/Illness Procedure; and S.O. #10-005: Prisoner Medication Attention Injury as being responsive to this request.

f. Providing medical evaluation, treatment, or other medical care to prisoners, arrestees, and other persons in the custody of the SPD;

**Response:** Personnel in the Police Department have submitted copies of SPD Rules & Regulations S.O. #19-050: Prisoner Injury/Illness Procedure; and G.O. #403.03: Prisoner Medications as being responsive to this request.

g. The transport of prisoners, arrestees, and other persons in the custody of the SPD to a hospital, medical clinic, or other medical facility;

**Response:** Personnel in the Police Department have submitted copies of SPD Rules & Regulations G.O. #17-06A: Protocol and Guidelines for Transporting Pre-Arrestment Prisoners to HCSD Regional Lock-Up Facilities as being responsive to this request.

h. The use of force by SPD officers;

**Response:** Personnel in the Police Department have submitted copies of SPD Rules & Regulations G.O. #100.20: Use of force as being responsive to this request.

i. The use of chokeholds, or other force involving physical contact with the neck, by SPD officers;

**Response:** Personnel in the Police Department have advised that there are no records that are responsive to this request.

j. The operations of SPD officers in and around schools;

**Response:** Personnel in the Police Department have advised that there are no records that are responsive to this request.

k. The interrogation of persons under the age of 18;

**Response:** Personnel in the Police Department have advised that there are no records that are responsive to this request. The SPD follows applicable Massachusetts General Laws.

l. The arrest or other detention of persons under the age of 18;



**Response:** Personnel in the Police Department have submitted copies of SPD Rules & Regulations G.O. #13-06A: Juvenile Law Change of Age Legislation and G.O. #14.03: Juveniles Under Arrest Right for Release on Bail as being responsive to this request.

m. The questioning and detention of people in connection with Field Interrogation/Observation and/or “stop-and-frisk” operations;

**Response:** Personnel in the Police Department have advised that there are no records that are responsive to this request.

n. Making and maintaining records of Field Interrogation/ Observation and/or “stop-and-frisk” operations.

**Response:** Personnel in the Police Department have advised that there are no records that are responsive to this request.

**Request #2.** All training materials prepared by the SPD, or presented to SPD officers, concerning the items described in paragraphs (a)-(n), above.

**Response #2.** Pursuant to 950 CMR 32.06(4)(a) the City is requesting an extension of time until April 18, 2019 to search for, review, and furnish copies of any documents that may be responsive to this request.

**Request #3.** All policies and procedures of the SPD in effect from 2016 to the present, and any amendments, exhibits, and addenda thereto, concerning the operation of the Internal Investigation Unit.

**Response #3.** Personnel in the Police Department have submitted a copy of SPD Rules & Regulations Rule #35: Internal Investigation Unit as being responsive to this request.

**Request #4.** All policies and procedures of the SPD in effect from 2016 to the present, and any amendments, exhibits, and addenda thereto, concerning the investigation or resolution of complaints or other allegations of misconduct against SPD officers.

**Response #4.** Personnel in the Police Department have submitted a copy of Citizen's Complaint Form as being responsive to this request.

**Request #5.** A blank copy of any form used from 2016 to the present to document the investigation or review of complaints or other allegations of misconduct against SPD officers.

**Response #5.** Personnel in the Police Department have submitted a copy of the CPHB Case Review Form as being responsive to this request.

**Request #6.** A blank copy of any form used from 2016 to the present to document the resolution of complaints or other allegations of misconduct against SPD officers.

**Response #6.** Personnel in the Police Department have submitted a copy of

**Request #7.** A blank copy of any form used from 2016 to the present to document Field Interrogation/Observation and/or “stop-and-frisk” operations, including any form for recording data gathered during individual stops.

**Response #7.** Personnel in the Police Department have advised that there are no records that are responsive to this request.

**Request #8.** The training and reference materials provided to the City of Springfield's Community Police Hearing Board, including pursuant to Section 3 of the Mayor Sarno's

Executive Order dated December 29, 2017 entitled "Community Police Hearing Board for Springfield Police Department."

**Response #8.** Personnel in the Law Department have submitted the documents listed below as being responsive to this request.

- Agenda for proposed CPHB training 04/2018;
- Case law given to CPHB members on 02.27.2019;
- CPHB 06.12.2018 training powerpoint presentation;
- Pineda v. Toomey, 533 F.3d 50 (2008)
- 2017 Open Meetin Law Guide; and
- 03.01.2019 email from City Solicitor Edward M. Pikula to CPHB members

**Request #9.** All contracts and agreements between the SPD and/or City of Springfield, on the one hand, and Michael Cutone or any entity owned or controlled by him, on the other, concerning C3 Policing.

**Response #9.** Personnel in the Office of Procurement have submitted copies of Memorandum of Agreement #20161115, and amendment #1 "Funding for MA State Police to Assist with South End C3 Policing Team" as being responsive to your request.

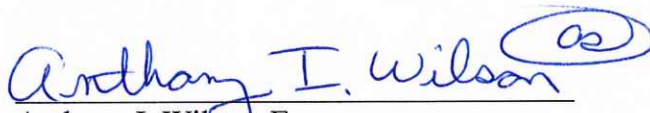
**Request #10.** All policies and procedures of the SPD in effect from 2016 to the present, and any amendments, exhibits, and addenda thereto, concerning C3 Policing.

**Response #10.** Personnel in the Police Department have advised that there are no records that are responsive to this 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 G.L.c. 66, §10(b).

Please contact either myself at the above number, or the Public Records Coordinator, Andrea L. Stone, with any questions. Please reference public records request #R000720-030619 in all correspondence.

Sincerely,

  
Anthony I. Wilson, Esq.  
City Clerk

AIW:als

Enclosures

# **EXHIBIT 3**



Jessica J. Lewis  
Staff Attorney  
(617) 482-3170 ext. 334  
jlewis@aclum.org

May 23, 2019

**Via Email**

City of Springfield  
City Clerk's Office  
Room 123  
36 Court Street  
Springfield, MA 01103

Springfield Police Department  
130 Pearl St  
Springfield, MA 01105

Re: Public Records Request

To Whom It May Concern:

This letter is a request under the Public Records Law, G.L., c. 66, § 10, on behalf of the American Civil Liberties Union of Massachusetts, Inc. ("ACLUM"). The request seeks documents made, received, or possessed by the Springfield Police Department concerning individuals with whom it has interacted.

ACLUM hereby requests the following records.

1. We understand that the Springfield Police Department has access to software, possibly referred to as "IMC," which it uses to input, store, and access information about persons with whom it has interacted. *See* Exhibit A. For the sake of convenience, we will use the term "IMC system" to refer to any database(s) or system(s) of keeping and/or retrieving information about an individual's prior arrests, field interviews, or other interactions with the Springfield Police Department. We request:
  - a. Please provide the rules, training materials, policies, by-laws, operating procedures, user agreements, and other contracts relating to the IMC system.
  - b. Please provide any Springfield Police Department policies, procedures, orders originating from the commissioner, training materials, and other rules relating to the IMC system.
  - c. Please provide all documents containing information relating to:



- i. the total number of individuals in the IMC system;
    - ii. the demographic breakdown of persons listed in the IMC system;
    - iii. any agreement, whether formal or informal, to exchange information in the IMC system with any other federal, state, regional, or other information system;
    - iv. any agreement, whether formal or informal, to exchange information in the IMC system with any other federal, state, regional, or other actors, agencies, or entities;
    - v. the agencies and/or individuals and their affiliated agency authorized to read, search, print, submit, receive, or edit information in the IMC system;
    - vi. the agencies and/or individuals and their affiliated agency who may log on to the IMC system;
    - vii. the agencies and/or individuals and their affiliated agency who may access the IMC system remotely;
    - viii. manuals, policies, procedures, and practices governing the sharing of or granting access to information stored in the IMC system with other federal, state, local, or private actors, agencies, or entities.
  - d. Please provide the record of each individual included in the IMC system in which the last entry was on or after January 1, 2016. Although we anticipate that some information may have to be redacted, we anticipate that there will be no basis to redact the fields for race, sex, complexion, and ethnicity, as well as listings of arrest, citations, field interview, and other activity information. *See* Exhibit B.
2. For any individual identified in response to request 1(d), please provide all field interview (“FI”) reports or records associated with that individual. This request includes, but is not limited to, information necessary to determine the following information about each field interview:
- a. the location, date, and time;
  - b. the duration of the interview, or in the alternative, the time that the interview was initiated and the time that it concluded;
  - c. the age, gender, race, ethnicity, complexion, clothing, and address of the subject, and whether the subject was reported as having a prior record;
  - d. the basis for the stop, including any description of the circumstances leading to the stop;
  - e. the motor vehicle state, make, year, color and model/body, and whether the subject was the occupant or driver of the motor vehicle;
  - f. the outcome of the encounter, including—
    - i. whether any frisk and/or search was conducted and the basis for the frisk and/or search,
    - ii. whether any contraband was recovered and what type of contraband was recovered,
    - iii. whether the stop resulted in an arrest, citation, or no further action, and the basis for any resulting arrest or citation;
    - iv. whether the stop, frisk, and/or search resulted in charges or prosecution;
  - g. any narrative explanation of the encounter;
  - h. any comments noted on the FI form;

- i. the officer and supervisor names and IDs, and the officer's district who completed the form;
  - j. the date and time the FI was filled out, entered into the system, or revised, along with the corresponding user names.
3. Please provide all training materials, commissioner's memos, policies, procedures, orders originating from the commissioner (such as standing, special, or general orders), and other information related to initiating, conducting, and/or documenting field interviews.
4. Please provide all training materials, commissioner's memos, policies, procedures, orders originating from the commissioner (such as standing, special, or general orders), and other information related to recording field interviews in the IMC system.
5. Please provide all documents containing information relating to:
  - a. the total number of individuals with whom the Springfield Police Department has conducted a field interview since on or after January 1, 2016;
  - b. the demographic breakdown of individuals with whom the Springfield Police Department has conducted a field interview since on or after January 1, 2016;
6. All City of Springfield and/or the Springfield Police Department records containing data collected pursuant to Chapter 228 of the Acts of 2000, "*An Act Providing for the Collection of Data Relative to Traffic Stops.*" See Exhibit C. This request includes any data collected as a part of "Phase II" of Section 10 of the Act.<sup>1</sup>
7. We understand that the Springfield Police Department opened the Real-Time Analysis Center, or R-TAC, which allows the Department to employ cameras as an investigative tool, including by filtering video feed to locate vehicles matching a description and suspects, using BriefCam software or facial recognition technology. See Exhibit D. We request:
  - a. Please provide all documents created by members of the Real-Time Analysis Center referencing or relating to any incident involving individuals identified in response to request 1(d), including information necessary to determine when the document was created and each time the document was modified.
  - b. Please provide all training materials, commissioner's memos, policies, procedures, orders originating from the commissioner (such as standing, special, or general orders), and other information related to access to, the use of, and/or requests for information within the IMC system by members of the Real-Time Analysis Center.

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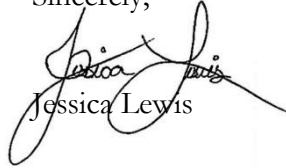
<sup>1</sup> "The executive office of public safety shall, in consultation with the attorney general, if such data suggest that a state police barracks or municipal police department appears to have engaged in racial or gender profiling, require said state police barracks or municipality for a period of one year to collect information on all traffic stops, including those not resulting in a warning, citation or arrest. This information shall include the reason for the stop in addition to the other information already required under the Massachusetts Uniform Citation."

I ask that you waive any fees and copying costs, pursuant to 950 C.M.R. 32.07. ACLUM is a not-for-profit, non-partisan organization dedicated to the principles of liberty and equality. As the Massachusetts affiliate of the national ACLU, a not-for-profit, non-partisan organization, ACLUM distributes information both within and outside of Massachusetts. Gathering and disseminating current information to the public is a critical and substantial component of ACLUM's mission and work. ACLUM publishes newsletters, news briefings, reports and other printed materials that are disseminated to the public. These materials are widely available to everyone, including tax-exempt organizations, not-for-profit groups, law students and faculty, at no cost. ACLUM also disseminates information through its website and regular posts on social media sites such as Facebook and Twitter. Accordingly, disclosure of the records serves the public interest, and not the commercial interest of ACLUM.

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. We ask that you provide the records in electronic format to the maximum extent possible. As you know, a custodian of public records shall comply with a request within ten days of receipt.

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

Sincerely,



Jessica Lewis

Encl.

# Exhibit A

# Officers testify at evidentiary hearing in case of Michael Ververis, who alleges police brutality in Springfield arrest

Posted Feb 27, 2012

Comment

0 shares

By Elizabeth Román | [eroman@repub.com](mailto:eroman@repub.com)



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<http://s.masslive.com/mRxNMeF>

A screenshot of one of the pages on the "Justice for Michael website" concerning an allegation of police brutality against the Springfield Police Department.

SPRINGFIELD – The head of the local police union and a sergeant who serves as a police department spokesman testified Monday morning at an evidentiary hearing in the case of a 24-year-old Connecticut man who claims he was a victim of police brutality during a 2011 arrest in the city's entertainment district.

A motion to dismiss the charges against the defendant, Michael Ververis, of Middletown, Conn., alleges that police erased a video of the incident after confiscating a cell phone used by a witness to record the arrest. The motion, filed by attorney Luke Ryan, argues that the deletion of the video deprived Ververis of "access to exculpatory evidence" which would show he did not make a grab for an officer's gun during the scuffle.



Gentile, president of Local 364 of the International Brotherhood of Police Officers, testified that Delaney came to the property division department with Raquel Peroza, the owner of the phone. Gentile said he was instructed by Delaney to give her the phone, and that he did not question the request.

Luke Ryan, an attorney for Ververis, asked whether it is typical for Delaney, who serves as the department's spokesman, to get involved in the release of evidence. Gentile said it is not typical, but it does happen.

Delaney, who took the stand after Gentile, said he was just helping the woman retrieve her phone.

"I had spoken with her on the phone regarding her cell phone. I looked her up in the IMC system and her name did not come up," he said.

He explained that IMC is a software system that records information on people who are involved in criminal cases, are serving as witnesses, have traffic or speeding tickets or have dealt with the police department in any way.

---

Delaney said because Peroza's name was not in the system he assumed the cell phone had been lost and was not involved in any criminal investigation.

Delaney said several months later the woman came to the police department and asked for him by name. She said the police had her phone and she wanted it back.

"She had a problem and I solved it for her," he said. "It was a non-issue."

Ryan asked Delaney whether he had seen an evidence disposal form or any other form from the district attorney's office indicating that the phone could be released.

Delaney said he did not recall seeing a form. He said he once again looked up Peroza in the police database and since her name did not come up with connection to any crime or current investigation he returned the phone to her.

Ryan asked Gentile and Delaney whether it was typical to dispose of evidence involved in a pending criminal investigation or a pending internal affairs investigation. Both said they were unaware there were pending investigations.

Ryan asked Delaney whether he was aware that just two days prior to the woman retrieving her phone the Internal Affairs Department received recordings depicting portions of Ververis arrest.

Delaney again said he was not aware of any case involving the phone.

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Assistant District Attorney Max Bennett asked whether the woman seemed upset when she received the phone or complained about any missing videos.

Delaney said the woman confirmed it was her phone, looked through some numbers, smiled, shook his hand and left.

Peroza later claimed that when she received the phone in April of 2011 the video had been erased.

Two other videos of the incident, which happened on Worthington Street as a number of vehicles attempted to leave the entertainment district after that evening's bar closing time, have been posted to the website [justiceformichael.org](http://justiceformichael.org).

Several members of Ververis's family sat in the back of the courtroom during the morning proceedings.

"This has put a lot of stress on the family," said uncle Anthony Pizzuto, who added that Ververis has no previous run-ins with the police. "He's never been in trouble. It's not in his demeanor."

Pizzuto said his nephew is nervous and anxious about the outcome of the case.

Some of the officers involved in the case have apparently been disciplined, but details of the disciplinary action have not been made public.

[View Comments](#)

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# Springfield Finance Control Board

Centralized Dispatch Feasibility Analysis and Assessment

Final Report

August 18, 2008

CTA COMM # 20170A

CTA Communications

... providing innovative and reliable solutions for the future



TABLE 2-1 shows the population since 1990 and the anticipated population through 2030.

## 2.2 Springfield Police Department

The Springfield Police Department provides primary law enforcement services for the City of Springfield. The department has an authorized strength of 583 positions (both sworn and civilian). This is an increase of eight positions from 2007. However there are seventy-six fewer police officers than in 2004. The result is a twenty percent reduction in the patrol division.

The department is currently structured with five divisions. Three of the divisions are geographic (North, Central, and South). The fourth division is the Operational Support Division. Each of these four divisions is commanded by a Deputy Chief. The fifth Division, Business and Technology, is led by a civilian director. The dispatch center is part of the Business and Technology Division

The geographic divisions perform the patrol function for the police department. Officers assigned to the geographic divisions respond to calls for police service, conduct traffic enforcement as well as performing both preventative and high-visibility patrols. The officers assigned to the geographic division are assigned to one of three shifts (12:00 a.m. to 8:00 am; 8:00 am to 4:00 pm; and 4:00 pm to 12:00 am. Typically there are between seventy and one hundred twenty units on duty, depending on the time of day. In addition to the Springfield Police Department units, three days a week a task force from the Massachusetts State Police patrols in the City of Springfield. They use Springfield PD radios.

The Springfield Police Department uses eight repeated UHF channels in the conventional (non-trunked) mode and one UHF simplex channel. Satellite receivers are used on the repeated channels. One of the repeated channels is used for dispatch; one is used for data-base (LEAPS/NCIC) traffic, and the third is used for car-to-car traffic. The fourth is for narcotics, fifth for special operations, the sixth is for the Tactical Response Unit, the seventh for community policing, and the eight is for surveillance.

The Western Massachusetts Law Enforcement Consortium (WMLEC) is a consortium of over 100 communities in Hampden, Hampshire, Franklin and Berkshire Counties. Its member agencies cover about 608 square miles from the Vermont to the Connecticut and New York borders. WMLEC operates radio system for regional public safety communications. The WMLEC system has been a two channel system and is now a twelve channels system and includes fire and EMS agencies as well. One of the new channels (WMLEC 2) is for inter-service communications. The remaining channels are for law enforcement use. WMLEC 1 is a wide area police channel. Both WMLEC 1 and 2 are simulcast channels. The remaining channels are assigned to one of the five WMLEC regions. Two of the channels are used in Springfield and the immediate surrounding region for law enforcement and FIRE/EMS interagency communications.

Springfield PD has a mobile data network. Patrol and other vehicles have been equipped with laptop computers. The laptop computers use Biokey (formerly Packet Cluster) software over the Verizon wireless data network. The vehicles are equipped with separate radios and modems on the Verizon network. Springfield is working on switching from the Verizon network with its own network.

The police department is implementing a shot detection system and adding significant numbers of cameras. There are currently eight cameras. Ten to fifteen cameras are expected to be installed in the central business district initially. The eight cameras already operating in that area will be integrated into the new system. Within a year, an additional forty cameras will be installed in locations throughout the City as a result of this project.

A high speed fiber network ("Spring Net") is being implemented by the Springfield Media and Telecommunications Group. The project receives funding from the Cable Endowment Fund.

### 2.2.1 Springfield Police Department Dispatch Center

The Springfield Police Department Computer Aided Dispatch Center (CAD) is the primary Public Safety Answering Point for the City of Springfield. The center also dispatches the Springfield Police Department. 9-1-1 fire calls are transferred to the Springfield Fire Department Fire Alarm Headquarters. Emergency medical calls are transferred to AMR's regional dispatch center in Springfield. Wireless 9-1-1 calls are answered by the Massachusetts State Police in Northampton and then transferred to the Springfield PSAP. Wireless 9-1-1 calls can be transferred to either the Fire Department or AMR. The Springfield 9-1-1 Center is located in Police Headquarters at 130 Pearl Street. The building was constructed in 1968. There are five call-taker positions, two radio dispatch positions, and a shift supervisor position. Both the radio and supervisor positions are also equipped with 9-1-1 workstations.

There are currently twenty-six people on the dispatch staff. The dispatch staff works eight-hour shifts (0800-1600; 1600-2400; 2400-0800). Dispatch employees are represented by AFSCME. They are in the same bargaining unit as all City civilian personnel. Typical staffing is 1 supervisor, 2 radio dispatchers and 5 call takers. Based on Statewide Emergency Telecommunications Board Standards for Enhanced 9-1-1, there must be a minimum of three call takers on duty. The dispatch staff works a five on-two off schedule.

New Plant/CML VESTA 9-1-1 CPE was installed in 2007. The 9-1-1 CPE also includes Plant/CML's mapping system. A Logistic Systems Computer Aided Dispatch (CAD) system was installed in 1998. Motorola Centracom Elite radio consoles were installed in 1996. A Nice logging record was installed in 2008. NICE instant recall recorders were installed in 2007. The police department uses an Information Management Corporation (IMC) Records Management System (RMS). The RMS is not interfaced with the CAD.

The CAD center is responsible for answering the Springfield Police Department administrative number twenty-four hours a day. In addition to eight wireline 9-1-1 trunks and 12 wireless 9-1-1 trunks, there are two City administrative trunks and 3 business lines that are answered in the center.

TABLE 2-2 shows the available metrics for the Springfield Police Department Dispatch Center.

### 2.3 Springfield Fire Department

The Springfield Fire Department provides fire prevention, fire suppression, and fire investigation services to the City of Springfield. In addition, the fire department provides emergency medical "first-responder" service within the City of Springfield. The department organized into three bureaus: Prevention; Operations; and Administration. It is a "career" department with an authorized strength of 290 personnel. Fire department response is provided from eight stations located throughout the City.

The Operations Bureau includes three divisions: Suppression; Emergency Preparedness; and Training. The Suppression Division consists of two fire districts with a District Chief in charge of each district. There are four work groups each of which works a rotating schedule of two ten-hour day shifts, two fourteen-hour night shifts followed by four days off. Currently there are eight engine companies, five ladder companies, and one rescue squad operating from eight stations. In addition, the department has a hazardous materials team, three boats, and a bomb squad. The Bomb Squad is jointly

Organization/Agency: Springfield Police Department – Business & Technology  
File Name: Springfield PD McDonald Interview Record 04-04-08 FINAL.doc  
Date of Interview: April 4, 2008  
Location of Interview: Springfield Police Department, 130 Pearl Street  
Persons Interviewed: Jamia McDonald, Director of Business and Technology  
Brian Elliot, Office of Grants and Planning  
CTA Interviewers: Nate McClure, CTA Public Safety Consultant

The following points were conveyed to CTA during this interview:

#### Organization and Responsibilities

1. The Division of Business and Technology is the administrative division of the SPD. The division houses the totality of the Fiscal and Personnel services, Information Technology, Training Section, and the Research and Standards Section. Training and data, as well as improved automation of the core functions as appropriate are among the responsibilities of the Division. Included are the Records and Customer Service Unit, Grants and Planning, Communications Center, and the Crime Analysis Unit as well as Fleet Services
2. Jamia McDonald is the Director of Business and Technology.
3. Brian Elliot is a police officer assigned to the Office of Grants and Planning.

#### Present Situation

1. The Springfield Police Department uses a Computer Aided Dispatch system (**CAD**) from Logistical Systems (Logisys). The system was installed in 1998 and uses AIX programming language.
2. The department uses a Records Management System (RMS) from Information Management Corporation (IMC). The system was installed in 1996 and is a Windows<sup>™</sup> based system.
3. Springfield PD also participates in the WMLEC mobile data network. Patrol and other vehicles have been equipped with laptop computers. The laptop computers use Biokey (formerly Packet Cluster) software over the Verizon wireless data network. The vehicles are equipped with separate radios and modems on the Verizon network. Units are able to access CAD, RMS, LEAPS (the Massachusetts law enforcement information network), and NCIC (the National Crime Information Center).
4. Officers use their in-car laptop computers to file their reports. While they can view the CAD data, it does not transfer into the RMS. As a result the officers have to enter all of the data.
5. The Springfield Police Department will be receiving a significant grant from the U.S. Bureau of Justice Assistance. Included in that grant are funds, which the SPD have identified to replace the CAD system. The grant was approved at the end of March.
6. Permission has just been received to implement the lead dispatcher position. The positions were negotiated into the contract in 2007, but have only been filed on an interim, rotating basis.

# Exhibit B

*Please note that we provide this exhibit as an illustrative example of the type of report that we request only. We expect that any records produced by your office will redact only personally identifiable information.*

**Marital Status:**  
**Mother:**  
**Job Now:**

Home Phone  
Home Phone  
Home Phone  
Home Phone  
Home Phone  
Work Phone

## NOTES

## Scars / Marks / Tattoos / MO's

## Vehicles

<u>Registration</u>	<u>(Plate Type)</u>	<u>Color</u>	<u>Year</u>	<u>Make</u>	<u>-</u>	<u>Model</u>	<u>Style</u>
---------------------	---------------------	--------------	-------------	-------------	----------	--------------	--------------

Juvenile Arrests / Protective Custodies

Date      Status      Activity Type      Refer to..

Other Juvenile Activity

Date      Status      Activity Type      Refer to..

Arrests / Protective Custodies

Date      Status      Activity Type      Refer to..

Citations

Date      Status      Activity Type      Refer to..

Other Activity

Date      Status      Activity Type      Refer to..

# Exhibit C



## Acts (2000)

### Chapter 228

#### AN ACT PROVIDING FOR THE COLLECTION OF DATA RELATIVE TO TRAFFIC STOPS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

**SECTION 1.** As used in this act, "racial and gender profiling" means the practice of detaining a suspect based on a broad set of criteria which casts suspicion on an entire class of people without any individualized suspicion of the particular person being stopped.

**SECTION 2.** The executive office of public safety shall work with the department of state police and municipal police departments to ensure that adequate efforts are being made to identify and eliminate any instances of racial and gender profiling by police officers in the performance of their official duties.

**SECTION 3.** The department of state police and the Massachusetts Chiefs of Police Association, shall develop policies and procedures on how to identify and prevent racial and gender profiling by police officers, and shall submit them to the secretary of public safety for review not later than December 31, 2000. If the secretary approves such policies and procedures, the secretary shall direct the criminal justice training council to include them in (a) the new recruit basic training curriculum under section 116A of chapter 6 of the General Laws; (b) any in-service training for veteran officers; (c) any supervisory training for all superior officers; and (d) any dispatcher and communication officer training.

**SECTION 4.** The executive office of public safety shall initiate a public awareness campaign on racial and gender profiling not later than January 1, 2001. The campaign shall emphasize the responsibility of public safety officials and residents of the commonwealth to identify unlawful or potentially unlawful behavior by an individual, as opposed to the individual's race or gender, before taking any action. As a part of this public awareness campaign, the executive office of public safety shall establish a procedure whereby motorists who allege that an incident of racial or gender profiling has occurred may register a complaint by calling a toll-free telephone number. The executive office of public safety shall periodically analyze such complaints, and shall share the data with the appropriate state or local police departments.



**SECTION 5.** The registry of motor vehicles shall revise the Massachusetts Uniform Citation to include a field that allows officers to note whether a search of a vehicle occurred at the time a citation was issued.

**SECTION 6.** The executive office of public safety shall develop a uniform protocol for state police and municipal police officers on how to use the Massachusetts Uniform Citation to record the race and sex of each individual cited by an officer for a motor vehicle violation, and whether or not a search occurred. The protocol shall be put into effect not later than January 1, 2001.

**SECTION 7.** The registry of motor vehicles shall, in consultation with the department of state police, incorporate in any driver education manual prepared by the registry a section on how motorists should respond if they are stopped by police officers, including what they can do if they believe they were stopped as a result of racial or gender profiling.

**SECTION 8.** The registry of motor vehicles shall collect data from any issued Massachusetts Uniform Citation regarding the following information:

- (1) identifying characteristics of the individuals who receive a warning or citation or who are arrested, including the race and gender of the individual;
- (2) the traffic infraction;
- (3) whether a search was initiated as a result of the stop; and
- (4) whether the stop resulted in a warning, citation or arrest.

The registry of motor vehicles shall maintain statistical information on the data required by this section and shall report that information monthly to the secretary of public safety, who shall determine when it is also appropriate to transmit such data to the attorney general. The data collection shall commence not later than January 1, 2001.

**SECTION 9.** Individual data acquired under this section shall be used only for statistical purposes and may not contain information that may reveal the identity of any individual who is stopped or any law enforcement officer.

**SECTION 10.** Not later than one year after the effective date of this act, the secretary of public safety shall transmit the necessary data collected by the registry of motor vehicles to a university in the commonwealth with experience in the analysis of such data, for annual preparation of an analysis and report of its findings. The secretary shall forthwith transmit the university's annual report to the department of the attorney general, the department of state police, the Massachusetts Chiefs of Police Association, the executive office of public safety and the clerks of the house of representatives and the senate. The executive office of public safety shall, in consultation with the attorney general, if such data suggest that a state police barracks or municipal police department appears to have engaged in racial or gender profiling, require

said state police barracks or municipality for a period of one year to collect information on all traffic stops, including those not resulting in a warning, citation or arrest. This information shall include the reason for the stop in addition to the other information already required under the Massachusetts Uniform Citation. Upon appeal by the colonel of state police or the municipality, respectively, the attorney general may determine that collecting such information is not required.

Approved August 10, 2000.

# Exhibit D

## Springfield Police Real-Time Analysis Center, credited in social media threat arrests, brings digital solutions to crime

Posted Apr 5, 2018

10

Gallery: Inside the Springfield Police Real-Time Analysis Center

Comment

0  
shares

By [Patrick Johnson | pjohnson@repub.com](mailto:pjohnson@repub.com)

SPRINGFIELD -- With the click of a mouse, the staff at the Springfield Police Real-Time Analysis Center can make traffic congestion at The X instantly disappear.

Not literally, but just about.

Software at the center, inside the police station, allows analysts to quickly review footage from traffic cameras at The X or any of several dozen locations around the city. Analysts can condense two hours of footage into a couple of minutes.



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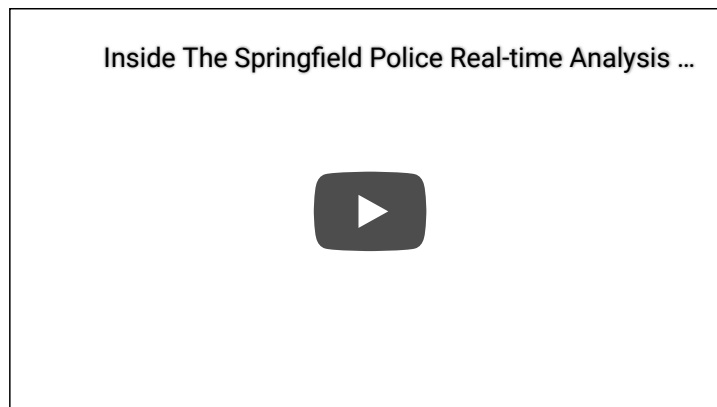
If they are looking for pedestrians or someone on a bike, they can remove the cars all together -- or all cars except those making a right turn.

And all of this can be done in seconds, using [software known as Briefcam.](#)

"There's a lot more it can do. It's a phenomenal tool," said William Schwarz, director of the Springfield Police Crime Analysis Unit, which oversees the Real-Time Analysis Center, or R-TAC. "It allows us to operate pretty quickly up here."

The first reaction visitors have upon seeing the tools available is usually to exclaim "holy cow!" -- or words to that effect.

"Even I'm still 'holy cow!' and I've been around policing for 30-something years," Schwarz said.



### Early victory

After almost three years in the works, the Real-Time Analysis Center has quietly opened for business on the second floor of police headquarters on Pearl Street.

Although a formal opening is planned for April 30, the center and its civilian staff is already working the the department, and can even point to its first successes. It is credited with helping identify a number of juveniles responsible for a series of threats against Springfield schools posted on social media in late March.

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"We closed 10 cases -- 11 if you include Chicopee," Schwarz said. "It's not every day you go 10-for-10."

The Real-Time Analysis Center has been in the works from the earliest days of Commissioner John R. Barbieri's appointment in 2014. As the name suggests, it was designed to use the newest tools of the digital age to give cops the most current information during an emergency response.

"The Real-Time Analysis Center is the future of policing," Barbieri said. "What we are doing here you don't see in other departments."

Working with information in real-time will increase officer and civilian safety as officers respond to incidents, Barbieri said. It will also assist in investigations by allowing "deep dives into criminal history and social media."

He cited the quick identification of those in the school social media threats -- usually within a few hours -- as an example of what can happen when analysts collaborate with school resource officers, as well as the Major Crimes Unit detectives.

In each instance after the threats were discovered, analysts narrowed down the location of where the threats were made and turned the information over to detectives, said analyst Cristina Fernandez.

They reached out to the different social media companies where the threats were posted, as well as internet service providers, to determine a physical location for where the threats originated.

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Once the detectives took over, they identified the suspects through "good, old-fashioned police work," she said. "We were able to hand over some pretty good information to them."

action. They begin checking out the address to see who lives there, if anyone there has a criminal record, if police have been called to the address previously, and if there are likely to be guns in the house.

They coordinate the address on the map with the nearest traffic cameras in the area to see if there is footage of potential suspects coming or going. If there's a description of a car fleeing the scene, they can quickly review footage from cameras nearby, filtering out traffic that does not match the description.

They cross check the address with the Crimeview Dashboard, which maps all police calls and responses occurring earlier in the day. And depending on the emergency, they check with the ShotSpotter system and screen through social media to see if anyone at the scene is posting anything on apps such as Twitter, Instagram or Snapchat.

All this information, even if it's photos or video, can be relayed to the responding officers.

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"As officers are heading to the location, my analysts are feeding them the information before they arrive. It literally takes seconds to do," Schwarz said. "We're trying to provide timely, and accurate and actionable information to officers responding to the scene."

The cost has been around \$1.3 million including new software, hardware and personnel, and included radio upgrades. The department has been working closely with Motorola Solutions, Inc.

Components have come on line slowly and in increments over the last few years. Schwarz said the center is now assembled and the personnel are in place.

"It's been a long time coming," he said. "The proof of concept is done. All we have are a bunch of little bugs to be smoothed out."

One day before a tour of the center by The Republican, there was a fatal shooting on Knox Street. Twenty-year-old Christopher Montgomery died, and two men and a juvenile have been arrested on gun charges. They have not been charged with murder.

Schwarz said when the call for shots fired came in, the real-time center "went from zero to 60" in seconds as the analysts started compiling information. "Watching them jump from camera to camera was amazing to see," he said.

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Barbieri said more innovation will be coming in the next several months, including a Next Generation 911, which will allow people to send text messages and even photos through the department's dispatch system. The R-Tac unit will have access to that material.

### **Springfield Police unveil \$1 million 'real time' crime analysis center**

#### **'Phenomenal at finding people'**

Fernandez, the analyst, is a University of Massachusetts Amherst graduate who spent 12 years with the National Center for Missing and Exploited Children in Virginia, where she worked to identify people involved in child pornography.

Schwarz said she is gifted at finding anyone online -- especially people who do not wish to be found.

"She is phenomenal at finding people," Schwarz said. "She is the resource here for anything cyber."

Through her work with the Springfield police, Fernandez was recently named recipient of an Everyday Hero Award from Thomson Reuters, an IT analytics company. She was named for using Thomson Reuters software called CLEAR to identify a suspect in a sexual assault. She found the suspect despite starting out only with what was either a first or last name, and the name of a street that wasn't, in the end, where the suspect actually lived.

"We went from a city full of suspects to about 10 and from there, with social media searches, brought it down to one," she said.

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The suspect, Christian Barbee, 32, is awaiting trial for kidnapping, assault and battery, aggravated rape and indecent assault and battery.

As part of the award, which Fernandez is scheduled to receive Thursday in a ceremony at police headquarters, Thomson Reuters plans to donate \$10,000 in Fernandez's name to the nonprofit of her choice. She chose the National Center for Missing and Exploited Children.

### **Springfield Police Commissioner John Barbieri outlines view of proactive, collaborative police approach to fight crime**

#### **'A leader in technological innovation'**

Schwarz, who started out as a Springfield police cadet in the mid 1980s, went on to a career as a police officer in

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Many police departments are getting into crime analysis -- but most, like Hartford, use it in an investigatory capacity

many police departments are getting into crime analysis — but most, like Hartford, use it in an investigatory capacity," Schwarz said. He said he knows of no department east of the Mississippi River that has one like Springfield, using it for responses by working off calls coming into dispatch.

Barbieri said the city is a leader in technological innovation in New England and nationwide. He credited the support of Mayor Domenic J. Sarno.

The eight analysts in the center are all civilian employees. For now it is staffed from 8 to 11 daily and until 3 a.m. on Friday and Saturday.

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Schwarz said he would like to see it expand to operate around the clock.

Schwarz said many officers within the department are starting to get a sense of what the center can do for them. Much of it is the same legwork officers and detectives used for years and years. But it's much faster, and it frees them up to do other things.

"We are an asset and a resource; we allow the detectives to have more time," Schwarz said. "We're a resource they didn't have before."

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# **EXHIBIT 4**

## Message History (4)

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← On 8/14/2019 2:23:11 PM, Jessica Lewis wrote:

To Whom It May Concern:

This message relates to the public record request sent May 23, 2019, by ACLUM (Reference # R001017-052319). Our office would like to limit the scope of request nos. 2 and 7(a). As submitted, both request nos. 2 and 7(a) ask for further information about individuals "identified in response to request 1(c)." However, we would like to revise both request nos. 2 and 7(a) so that they refer where relevant to individuals "identified in response to request 1(d)."

I have re-attached the public records request with the necessary revision. The revision narrows the scope of requests no 2 and 7(a). We do not consider that this edit resets the 10-day time period.

Regards,  
Jessica Lewis

✉ On 6/14/2019 1:36:58 PM, Springfield MA Public Records wrote:

**Subject:** [Records Center] Public Records Request :: R001017-052319

**Body:**

RE: PUBLIC RECORDS REQUEST of May 23, 2019, Reference # R001017-052319

Dear Jessica Lewis,

This email is in response to your public records request to the City of Springfield. Briefly summarized you have requested numerous records related to the Springfield Police Department's access to software, possibly referred to as "IMC," which it uses to input, store, and access information about persons with whom it has interacted.

The City is requesting an extension of time until June 28, 2019, to search for and compile any records that may be responsive to your request. The individual who has access to the requested records has been out of the office.

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 the Public Records Coordinator, Andrea L. Stone with any questions. Please include "PRR No. R001017-052319" 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

✉ On 5/23/2019 4:02:27 PM, Springfield MA Public Records wrote:



Dear Jessica Lewis:

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 5/23/2019 and given the reference number R001017-052319 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](#)



---

 On 5/23/2019 4:02:26 PM, Jessica Lewis wrote:

Request was created by customer



April 7, 2020

**Via Online Portal**

City of Springfield  
City Clerk's Office  
Room 123  
36 Court Street  
Springfield, MA 01103

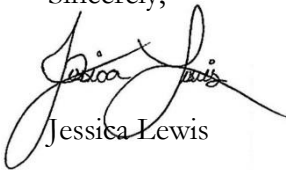
Springfield Police Department  
130 Pearl St  
Springfield, MA 01105

Re: Follow-up to Public Records Request R001017-052319 submitted  
May 23, 2019

To Whom It May Concern:

On May 23, 2019, the American Civil Liberties Union of Massachusetts ("ACLUM") submitted through the online portal a request for public records (Ref. No. R001017-052319) pursuant to G.L. c. 66, § 10. A true and correct copy of that public records request is enclosed hereto. To date, despite multiple attempts to follow-up, ACLUM has not received any response to this request other than a request for a time extension—the date of which has now long passed. In an effort to avoid litigation, ACLUM sends this letter and asks the City to respond to the request by April 17, 2020.

Sincerely,



Jessica Lewis

Encl.