

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

**SUPERIOR COURT
CIVIL ACTION NO.**

MICHAEL PICARD and HEIDI OLSON,
Plaintiff,

v.

MASSACHUSETTS DEPARTMENT OF
CONSERVATION AND RECREATION,
MASSACHUSETTS
STATE POLICE, and
DEVON SURIAN, in his capacity as a
Massachusetts State Police Trooper and
in his individual capacity,
Defendants.

**VERIFIED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF
AND RELIEF IN THE NATURE OF CERTIORARI**

INTRODUCTION

1. This is a civil rights action challenging the constitutionality of Department of Conservation and Recreation (“DCR”) regulations that unlawfully restrict rights to free speech and expression on public lands and that were applied to Plaintiffs on November 11, 2021.
2. On November 11, 2021, Plaintiffs engaged in a peaceful counter-protest in support of gay rights in response to a demonstration in Lynn, Massachusetts involving at least one person who had previously made statements in public and posted them on-line that Plaintiffs perceived as homophobic.
3. Plaintiffs’ counter-protest was completely peaceful and consisted primarily of holding a sign saying: “Let’s Make Everybody Gay,” soliciting signatures for petitions in support of gay rights, and advocating for a Pride Flag to be hung along with other flags being erected by the

demonstrators on the seawall. At times, Plaintiffs used bullhorns to ensure their voices could be heard.

4. In response to this peaceful and satirical counter-protest, Massachusetts State Police (“MSP”) Trooper Surian ordered Plaintiffs to stop using bullhorns and to leave DCR property and then issued citations against them. DCR then failed to provide Plaintiffs the due process required under its regulations to challenge citations for conduct on DCR-operated property.
5. Plaintiffs seek declaratory and injunctive relief as to the constitutionality of the DCR regulations on which the citations and Trooper Surian’s actions against them were based, the legality of Defendant Surian’s actions against them on November 11, 2021, DCR’s failure to afford Plaintiffs the administrative hearing process required by law, and MSP’s failure to respond timely to a related public records request.

PARTIES

6. Plaintiff Michael Picard resides in South Windsor in Hartford County, Connecticut.
7. Plaintiff Heidi Olson resides in Gloucester, in Essex County, Massachusetts.
8. Defendant the Department of Conservation and Recreation (“DCR”) is an agency of the Commonwealth of Massachusetts with headquarters in Suffolk County, Massachusetts. It is responsible for management of the Lynn Shore Reservation and the property on which the events of November 11, 2021 occurred.
9. Defendant the Massachusetts State Police (“MSP”) is an agency of the Commonwealth of Massachusetts with headquarters in Middlesex County, Massachusetts and a barracks in Suffolk County, Massachusetts to which, upon information and belief, Trooper Surian is assigned. MSP provides policing services on DCR-managed properties, including the Lynn Shore Reservation.

10. Defendant Devon Surian is an officer/Trooper employed by MSP, assigned to the MSP Revere, Massachusetts barracks, and who resides in Suffolk County, Massachusetts.
11. This Court is an appropriate venue for this action challenging the regulations and actions of a division of the state, pursuant to G.L. c. 223, § 1 and G.L. c. 66, § 10A(c) and because DCR's headquarters and the MSP barracks to which Trooper Surian is assigned are in Suffolk County.

FACTS

The Counter-Protest

12. On November 11, 2021, a group of people staged a demonstration near a sidewalk along Lynn Shore Drive in Lynn, Massachusetts, on public property that is managed by DCR.
13. These demonstrators included individuals who regularly demonstrate in the area, including in support of former President Trump and in opposition to President Biden (including by calling out to passersby "fuck Joe Biden"). On November 11, 2021, they affixed flags to the sea wall that runs alongside the water and next to the sidewalk that is part of the Reservation. The flags contained messages supporting former President Trump, U.S. troops, and gun rights.
14. Plaintiffs knew that one or more of these demonstrators had previously participated in demonstrations in which they expressed views that Plaintiffs considered homophobic and offensive, including with regard to an LGBTQ+ flag flown at Swampscott Town Hall. For instance, a few days before November 11, the organizer of the November 11 demonstrators called out to someone displaying the LGBTQ+ Pride Flag that they were "trying to make everybody gay" and to "make the kids gay." She called out to someone "take down the gay flag, faggot." Based on her own social media postings, a few days before that, she told a passerby who objected to her comments that he was a "stupid, faggot," that she had pepper

spray and yelled “do you want it?” and told him to “tell them to take down the gay pride flag, faggot.” In addition, this same person posted footage of herself apparently on a different day, in which, after taunting young boys at a school in Swampscott who did not want to talk to her; she said that the schools were trying to turn boys into “girls, fags, gay.”

15. On November 11, 2021, Plaintiffs arrived together at the location of the demonstration to counter-protest this group of demonstrators.
16. Plaintiff Michael Picard carried a handmade sign saying, “Let’s Make Everybody Gay.” He politely greeted the organizer who had made the anti-gay comments referenced above. He asked her if she would support a petition to put LGBTQ flags every 20 feet in Swampscott and Lynn. In response, she threatened to pepper spray him as shown on her own recording of the event. At times, he asked people if they wanted to sign a petition in support of gay rights.
17. Plaintiff Heidi Olson asked the demonstrators to put up a pro-LGBTQ+ “Pride” flag and called for passers-by to encourage them to do so.
18. Plaintiffs each maintained distance between themselves and the other demonstrators and periodically used bullhorns that were not discernably louder than the voices of the demonstrators. They did not impede anyone’s passage on the public sidewalks or grass. They were calm and pleasant in the face of anger coming from some of those they were counter-protesting.
19. Soon after Plaintiffs arrived, at least one of the demonstrators used a bullhorn, including to amplify the sound of a siren directed at Plaintiffs.
20. Upon information and belief, one of the original demonstrators called the police in response to Plaintiffs’ presence. MSP officers, led by Defendant Surian, soon arrived and began talking to participants.

21. Defendant Surian first told Plaintiffs they could not use bullhorns without a permit, which they promptly agreed to stop using.
22. Defendant Surian then told Plaintiffs they had to leave the area entirely because they did not have a permit. At one point, he also told the original demonstrators that they could not protest on DCR property without a permit but then allowed them to remain for over an hour.
23. Defendant Surian then told Plaintiffs they were not free to leave until they provided their names and contact information in conjunction with using the bullhorns.
24. During these interactions, Defendant Surian told one of the demonstrators that he knew the Plaintiffs were engaging in conduct that was “inciting”—presumably referring to the fact they were engaging in a counter-protest that the demonstrators did not appreciate.
25. After Plaintiff Picard left the area and returned, Defendant Surian told him that if he did not leave the area, he would issue another citation against him.

Prior Proceedings

26. A few days after November 11, Plaintiffs received citations in the mail for allegedly violating the Regulation for “amplified sound device use of w/o a permit.” (sic). *See* **Exhibit A** (Picard citation) and **Exhibit B** (Olson citation) (home addresses redacted).
27. Two DCR regulations (302 CMR 12.04(28)(e) (the Audio Device Regulation), and 302 CMR 12.04(28)(f) (the Public Address System Regulation)), require advance special permits on public lands for use of certain “audio devices” or “public address systems” with no objective standards to guide enforcement discretion and which do not clearly apply to mere bullhorns.
28. These regulations were not cited in the citations Plaintiffs received. The only regulation cited in each citation was the Disorderly Conduct Regulation (302 CMR 12.04(4)).

29. 302 CMR 12.04(4) prohibits “disorderly conduct” on DCR-operated public properties, which is defined to include “unnecessary noise offensive to the general public” (with no objective standards to guide enforcement), as well as “use of profanity, vulgar or obscene language, or other language that may incite fighting or harm to DCR personnel or to the public.”
30. Each citation was on a DCR citation form and indicated each Plaintiff was being fined \$200 for the asserted violation.
31. Each citation also said: “If you desire to contest this matter, you may do so by making a written request for a noncriminal hearing, enclosing a copy of this citation, and mailing to the address below WITHIN 21 DAYS OF THE DATE OF THIS NOTICE.”
32. Upon information and belief, neither the demonstrator who threatened to pepper spray Plaintiff Picard nor the demonstrator who used a bullhorn were cited for their conduct.
33. Plaintiff Olson requested a hearing from DCR by promptly sending a request to DCR in the pre-addressed envelope that came with the citation. On November 23, 2021, Ms. Olson received a letter from DCR informing her that her only avenue for challenging the citation (and purportedly avoiding criminal prosecution) was to seek relief from the Lynn District Court. **Exhibit C.**
34. Contrary to the DCR letter, pursuant to 302 CMR 12.21 “A party who is aggrieved by a DCR decision may appeal such decision in writing within 30 days. Appeals to DCR decisions will be conducted in accordance with M.G.L. c.30A and the regulatory provisions found at 801 CMR 1.00: Standard Adjudicatory Rules of Practice and Procedure.”
35. In reliance on DCR’s communication, both Plaintiffs sent materials to the Lynn District Court saying they wanted to appeal their citations. In response, hearings were scheduled by

the court pursuant to G.L. c. 40, § 21D, even though *on its face* that statute applies only to actions taken pursuant to *municipal* laws, not regulations of state agencies.

36. On December 11, 2021, Plaintiff Picard submitted a public records request to the Public Records Officer at MSP, seeking all records and recordings related to the November 11, 2021, incident. A copy of that request is attached as **Exhibit D**. He never received any response, let alone within 10 business days, in violation of G.L. c. 66, § 10.
37. As a result of MSP's failure to comply with the public records law, Plaintiffs did not have access to the police report(s) and other documents related to their citations, which hampered their ability to prepare for the appeals of their citations.
38. On March 14, 2022, purportedly pursuant to G.L. c. 40, § 21D, a proceeding was held by a clerk magistrate in the Lynn District Court as to the citations against both Plaintiffs. Both Plaintiffs submitted arguments for why the citations could not lawfully be sustained, but the clerk magistrate nonetheless purported to uphold them. **Exhibit E** (Olson) and **Exhibit F** (Picard) (Plaintiffs' home addresses redacted). Upon information and belief, no application for issuance of a complaint against either plaintiff pursuant to the seventh paragraph of G.L. c. 40, § 21D has been made by DCR or MSP, but the threat of further enforcement action remains.
39. On March 30, 2022, counsel for Plaintiff Picard alerted counsel for MSP to the issue of MSP's failure to respond to Mr. Picard's public records request. To date, MSP has still not produced any of the documents responsive to the December 11, 2021 public records request.
40. Both Plaintiff Olson and Plaintiff Picard intend to protest and/or counter-protest in the future on DCR-operated property. They fear their free speech and due process rights will again be

curtailed as a result of the challenged regulations and processes applied to them in connection with their November 11, 2021 counter-protest.

CAUSES OF ACTION

COUNT 1 – Free Speech and Expression

Article 16 of the Declaration of Rights and First Amendment to the U.S. Constitution

41. The foregoing allegations are incorporated herein.
42. The Disorderly Conduct Regulation is unconstitutional on its face because it is content-based, not narrowly tailored to achieve a significant or compelling governmental interest, is overly broad, and does not contain standards to guide discretion or give adequate notice of what is proscribed.
43. The Audio Device and Public Address System Regulations are unconstitutional prior restraints on speech that cannot be justified, and are facially unconstitutional because they are overly broad, are not narrowly tailored to achieve a significant governmental interest, and do not contain standards to guide permitting discretion or give adequate notice of what is proscribed.
44. Trooper Surian's actions on November 11, 2021, with regard to the Plaintiffs (including but not limited to the order to cease using bullhorns and the order to leave the area) and the issuance of the citations against Plaintiffs are unconstitutional applications of the Regulations.
45. The Disorderly Conduct Regulation, the Audio Device Regulation, and the Public Address System Regulation, facially and as applied to Plaintiffs, violate Article 16 of the Declaration of Rights, as amended, and the First Amendment to the U.S. Constitution.

COUNT 2 – Due Process

Article 10 of the Declaration of Rights and Fourteenth Amendment to U.S. Constitution

46. The foregoing allegations are incorporated herein.
47. The Disorderly Conduct Regulation, the Audio Device Regulation, and the Public Address System Regulation are unconstitutionally vague on their face because they fail to give sufficiently clear notice to those potentially subject to them as to what is prohibited, and fail to provide sufficient standards to guide enforcement or permit-granting discretion, particularly with regard to matters of free expression.
48. The Regulations failed to give Plaintiffs sufficient notice that their conduct on November 11 was unlawful and therefore are unconstitutionally vague as applied to Plaintiffs.
49. The actions of Trooper Surian and the citations, which rely on the challenged regulations, are unconstitutional violations of Article 10 and the Fourteenth Amendment.
50. In addition to the foregoing, DCR has denied Plaintiffs the process they are due by failing to afford them an adjudicatory hearing as required by 302 CMR 12.21 and instead directing them to challenge the citations in district court pursuant to an inapplicable statute.

COUNT 3– DCR failure to follow its own regulations

Certiorari – G.L. c. 249, § 4

51. The foregoing allegations are incorporated herein.
52. 302 CMR 12.21 provides that “[a] party who is aggrieved by a DCR decision may appeal such decision in writing within 30 days. Appeals to DCR decisions will be conducted in accordance with M.G.L. c. 30A and the regulatory provisions found at 801 CMR 1.00: Standard Adjudicatory Rules of Practice and Procedure.”
53. In spite of this language, DCR denied Plaintiffs the right to a DCR adjudicatory hearing and instead indicated their only avenue to appeal was through the district court pursuant to G.L.

c. 40, § 21D, even though on its face G.L. c. 40, § 21D does not apply to citations issued pursuant to state laws or state agency regulations.

54. DCR's failure to comply with its own regulations is unlawful.

COUNT 4 – Massachusetts Civil Rights Act
G.L. c. 12, § 11I
(as to Trooper Surian in his official and individual capacities)

55. The foregoing allegations are incorporated herein.

56. By his conduct on November 11, 2021 at the Lynn Parkway, and in issuing the citations against Plaintiffs, Trooper Surian interfered and/or attempted to interfere with Plaintiffs rights to free speech and due process, protected by Articles 16 and 10 of the Declaration of Rights and the First and Fourteenth Amendments to the U.S. Constitution by means of threats, intimidation or coercion, including by explicitly and/or implicitly threatening to cite and/or arrest them if they did not cease their expressive activities, provide their names and addresses, and leave the public lands on which they were lawfully present.

COUNT 5 – Massachusetts Public Records Law
G.L. c. 66, § 10A(c)
(as to MSP)

57. The foregoing allegations are incorporated herein.

58. Plaintiff Picard made a valid public records request pursuant to G.L. c. 66, § 10.

59. MSP failed to respond to that request as required by law within 10 business days of Plaintiff's request.

Prayers for Relief

Plaintiffs Michael Picard and Heidi Olson hereby request the following relief:

1. A temporary restraining order directing Defendants to take no further action to enforce or collect the \$200 fines purportedly levied against Plaintiffs, including but not limited to any

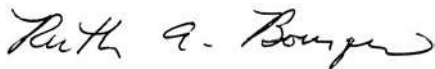
action to initiate criminal process in connection with the fines or any further action contemplated by G.L. c. 40, § 21D, pending resolution of this litigation;

2. Issuance, after specific request by counsel for Plaintiffs, of a short order of notice as to Plaintiffs' request for a Preliminary Injunction;
3. After hearing, issuance of a Preliminary Injunction against Defendants taking any further efforts to enforce or collect the \$200 fines against Plaintiffs, and against continued enforcement of the Disorderly Conduct Regulation, the Audio Device Regulation and/or the Public Address System Regulation against Plaintiffs, with regard to free speech/expressive activities, pending resolution of this litigation;
4. A Declaration that the Disorderly Conduct Regulation, the Audio Device Regulation and the Public Address System Regulations are facially unconstitutional with regard to expressive activities, and unconstitutional as applied to Plaintiffs' conduct on November 11, 2021, both as a matter of free speech/expression and due process;
5. A Declaration that the November 11th citations cannot be justified by reliance on the Audio Device or Public Address System Regulations because they were not cited in the citations given to Plaintiffs;
6. A Declaration that Trooper Surian violated Article 16 and the First Amendment by ordering Plaintiffs to cease using their bullhorns and to leave public lands on November 11;
7. A Permanent Injunction against Defendants with regard to continued enforcement of the Disorderly Conduct Regulation, Audio Device Regulation and/or Public Address System Regulations as to any expressive activities by Plaintiffs;
8. A Declaration that DCR has failed and is failing to meet its obligations under 302 CMR 12.21 by not providing an adjudicatory appeal process as required by that regulation with

regard to appeals of citations, fines and other enforcement actions pursuant to DCR regulations;

9. A Declaration that the district court did not have in this case, and that the district courts or other courts of the Commonwealth generally, do not have jurisdiction under G.L. c. 40, § 21D to hear appeals of citations of alleged violations of DCR regulations.
10. A Declaration that Trooper Surian violated the Massachusetts Civil Rights Act by his conduct toward Plaintiffs on November 11, 2021;
11. A Declaration that MSP failed to comply with the Massachusetts Public Records Law with regard to Plaintiff Picard's December 11, 2021 request and as reasserted on his behalf on March 30, 2022;
12. An award to Plaintiffs' attorneys of attorneys' fees and costs pursuant to G.L. c. 12, § 11I, G.L. c. 66, §10A, and 42 U.S.C. § 1988;
13. Such other and further relief as this Court deems just and proper.

On behalf of Plaintiffs
Michael Picard and Heidi Olson,



Ruth A. Bourquin (BBO #552985)
American Civil Liberties Union Foundation
of Massachusetts, Inc.
One Center Plaza, Suite 801
Boston, MA 02018
617-482-3170 ext. 348
rbourquin@aclum.org

Naomi R. Shatz (BBO #677637)
Zalkind Duncan & Bernstein LLP
65A Atlantic Avenue
Boston, MA 02110
(617) 742-6020
nshatz@zalkindlaw.com

Verification of Complaint – Michael Picard

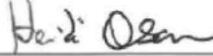
I, Michael Picard, hereby affirm on this ___ day of May, 2022, under the pains and penalties of perjury, that the factual allegations in this Complaint are true and correct to the very best of my knowledge, information and belief.

A handwritten signature in black ink, consisting of stylized initials 'MP'.

Michael Picard

Verification of Complaint – Heidi Olson

I, Heidi Olson, hereby affirm on this 6th day of May, 2022, under the pains and penalties of perjury, that the factual allegations in this Complaint are true and correct to the very best of my knowledge, information and belief.



Heidi Olson

Exhibit A

Department of Conservation and Recreation
NOTICE OF VIOLATION

Date of this Notice: 11-11-21	Agency: MSP	024873
Name of Offender: Michael Picard		
Address of Offender: [REDACTED]		
City, State, Zip Code: [REDACTED]		Date of Birth of Offender: 10-24-88
MV Operator License Number: N/A	State:	MV/MB Registration Number: State:
OFFENSE: 350-CMR 302 CMR Rules of Conduct 2.04 (4)		Fine: \$
Amplified sound device		\$ 200
use of w/o permit		\$
Check One Only:	<input type="checkbox"/> WARNING <input checked="" type="checkbox"/> NON-CRIMINAL VIOLATION	Total: \$ 200
Time and Date of Violation: 11:10 (A.M.) (P.M.) ON 11-11-21		
Location of Violation (include city or town): AT Lynn Shore Dr, Lynn		

Ranger/Trooper/Officer: Tpr Sullivan Badge: 9047

I HEREBY ACKNOWLEDGE RECEIPT OF THE FOREGOING CITATION

X

☒ Unable to obtain signature of offender. Date Mailed 11-11-21

YOU HAVE THE FOLLOWING ALTERNATIVES IN THIS MATTER:

Either option (1) or option (2) will operate as a final disposition,
with no resulting criminal record.

- (1) You may choose to pay the above fine, either by appearing in person or through a duly authorized agent, or by mailing a check, money order or postal note, to address below, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE.
- (2) If you desire to contest this matter, you may do so by making a written request for a noncriminal hearing, enclosing a copy of this citation, and mailing to the address below, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE.
- (3) If you fail to pay the above fine or to request a hearing within 21 days, or if you fail to appear for the hearing or to pay any fine determined at the hearing, a criminal complaint may be issued against you.

☐ I HEREBY ELECT THE FIRST OPTION above and enclose payment in the amount of \$

☒ I HEREBY REQUEST A NONCRIMINAL HEARING on this matter.

DO NOT MAIL CASH. Payment shall be made to the Commonwealth of Massachusetts sent to DCR, Bureau of Ranger Services, 251 Causeway Street, Boston, MA. If payment is made after 21 days, this fine is increased.

PLEASE PEEL OFF TAPE AND FOLD FLAP TO SEAL ENVELOPE

Exhibit B

Department of Conservation and Recreation
NOTICE OF VIOLATION

Date of this Notice: 11-11-21	Agency: MSP	024872
Name of Offender: Heidi Olson		
Address of Offender: [REDACTED]		
City, State, Zip Code: [REDACTED]		Date of Birth of Offender: 8-25-77
MV Operator License Number: S785340SR	State: MA	MV/MB Registration Number: State: N/A
OFFENSE: 350 CMR 302 CMR Rules of conduct 12.04 (4)		Fine: \$
Amplified sound device		\$ 200
use of w/o permit		\$
Check One Only: <input type="checkbox"/> WARNING <input checked="" type="checkbox"/> NON-CRIMINAL VIOLATION	Total: \$ 200	
Time and Date of Violation: 11:10 (A.M.) (P.M.) ON 11-11-21		
Location of Violation (include city or town): AT Lynn Shore Dr, Lynn		

Ranger/Trooper/Officer: Trooper Surian Badge: 4047

HEREBY ACKNOWLEDGE RECEIPT OF THE FOREGOING CITATION

X *[Signature]* #4047

Unable to obtain signature of offender. Date Mailed 11-11-21

YOU HAVE THE FOLLOWING ALTERNATIVES IN THIS MATTER:

*Either option (1) or option (2) will operate as a final disposition,
with no resulting criminal record.*

- 1) You may choose to pay the above fine, either by appearing in person or through a duly authorized agent, or by mailing a check, money order or postal note, to the address below, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE.
- 2) If you desire to contest this matter, you may do so by making a written request for a noncriminal hearing, enclosing a copy of this citation, and mailing to the address below, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE.
- (3) If you fail to pay the above fine or to request a hearing within 21 days, or if you fail to appear for the hearing or to pay any fine determined at the hearing to be due, a criminal complaint may be issued against you.

I HEREBY ELECT THE FIRST OPTION above and enclose payment in the amount of \$ _____

I HEREBY REQUEST A NONCRIMINAL HEARING on this matter.

DO NOT MAIL CASH. Payment shall be made to the Commonwealth of Massachusetts and sent to DCR, Bureau of Ranger Services, 251 Causeway Street, Boston, MA 02114. Payment is made after 21 days, this fine is increased.

PLEASE PEEL OFF TAPE AND FOLD FLAP TO SEAL ENVELOPE

REMOVE TO EXPOSE ADHESIVE

REMOVE TO EXPOSE ADHESIVE

REMOVE TO EXPOSE ADHESIVE

Exhibit C



November 23, 2021

Heidi Olson
32 Granite St.
Gloucester, MA 01930

DCR Ranger Bureau has received your request for a noncriminal hearing based on the CMR violation you have received. However, this request must be submitted to a court magistrate at the Lynn District Court.

Lynn District Court
580 Essex St.
Lynn, MA 01901

(781) 598-5200

If you have any questions, please feel free to contact us at (617)626-1419.

Ranger Bureau Services
Department of Conservation and Recreation

COMMONWEALTH OF MASSACHUSETTS · EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

Department of Conservation and Recreation
251 Causeway Street, Suite 600
Boston, MA 02114-2199
617-626-1250 617-626-1351 Fax
www.mass.gov/orgs/departments-of-conservation-and-recreation



Charles D. Baker
Governor

Karyn E. Polito
Lt. Governor

Kathleen A. Theoharides, Secretary, Executive
Office of Energy & Environmental Affairs

Stephanie Cooper, Acting Commissioner
Department of Conservation & Recreation

Exhibit D

From: **Michael Picard** <michael@picard.co>
Date: Sat, Dec 11, 2021 at 8:18 PM
Subject: Public Records Request
To: <mvp.rao@state.ma.us>

Dear Records Access Officer:

Under the Massachusetts Public Records Act § 66-10 et seq., I am requesting a copy of the following:

1. Any and all recordings and transcripts of calls for service/calls to dispatch on Thursday, November 11th, 2021, between 10am and 1pm, relating to protests/rallies/incidents on Lynn Shore Drive in Lynn, MA.
2. Any and all body cam footage on Thursday, November 11th, 2021, including but not limited to body cam footage from Massachusetts State Trooper Devon Surian out of the Revere barracks, relating to a call for service about protests/rallies/incidents on Lynn Shore Drive in Lynn, MA.
3. Any and all records created, including but not limited to police reports, notes, etc., related to a call for service on Thursday, November 11th, 2021, related to protests/rallies/incidents on Lynn Shore Drive in Lynn, MA.

Please kindly acknowledge receipt that you received this email. Thank you for your time and I look forward to hearing from you.

Sincerely,
Michael Picard
860.306.4955

Exhibit E



MASSACHUSETTS
LYNN DISTRICT COURT
Docket Report

2113CI000041 Department of Conservation & Recreation v. Olson, Heidi

CASE TYPE: Municipal Ordinance/Bylaw Civil Infracti
ACTION CODE: 666666-0
DESCRIPTION: MISCELLANEOUS MUNIC
ORDINANCE/BYLAWS VIOL
CASE DISPOSITION DATE: 03/14/2022
CASE DISPOSITION: Disposed
CASE JUDGE:

FILE DATE: 12/03/2021
CASE TRACK:
CASE STATUS: Closed
STATUS DATE: 03/14/2022
CASE SESSION:

PARTIES

Defendant
Olson, Heidi
[REDACTED]

PARTY CHARGES

#	Offense Date/ Charge	Code	Town	Disposition	Disposition Date
1	11/11/2021 MISCELLANEOUS MUNIC ORDINANCE/BYLAWS VIOL	666666-0	Swampscott	Responsible	03/14/2022

EVENTS

Date	Session	Event	Result	Resulting Judge
01/26/2022	Clerk Magistrate Session	Magistrate Hearing	Event Continued	Hogan
03/14/2022	Clerk Magistrate Session	Magistrate Hearing	Held	Collins



MASSACHUSETTS
LYNN DISTRICT COURT
Docket Report

INFORMATIONAL DOCKET ENTRIES

Date	Ref	Description	Judge
12/03/2021	1	Request for magistrate hearing filed (c. 40 §21D).	
12/03/2021		Event Scheduled Event: Magistrate Hearing Date: 01/26/2022 Time: 12:00 PM Result: Event Continued	
12/03/2021	2	Notice sent to parties.	Hogan
		Judge: Hogan, Michael F.	
01/12/2022		Event Resulted: Magistrate Hearing scheduled on: - 01/26/2022 12:00 PM Has been: Event Continued Michael F. Hogan, Presiding	Hogan
01/12/2022		Event Scheduled Event: Magistrate Hearing Date: 03/14/2022 Time: 12:00 PM Result: Held	
03/14/2022		Event Resulted: Magistrate Hearing scheduled on: 03/14/2022 12:00 PM Has been: Held Patrick Collins, Presiding	Collins
03/14/2022		Charges Disposed:: Charge # 1 MISCELLANEOUS MUNIC ORDINANCE/BYLAWS VIOL On: 03/14/2022 Judge: Patrick Collins Responsible	
03/14/2022		Misc Entry: Fine Upheld \$200.00 Judge: Collins, Patrick	Collins
03/14/2022		Case Disposition Date Entered	

Exhibit F



MASSACHUSETTS
LYNN DISTRICT COURT
Docket Report

2113CI000042 Department of Conservation & Recreation v. Picard, Michael

CASE TYPE: Municipal Ordinance/Bylaw Civil Infracti
ACTION CODE: 666666-0
DESCRIPTION: MISCELLANEOUS MUNIC
ORDINANCE/BYLAWS VIOL
CASE DISPOSITION DATE: 03/14/2022
CASE DISPOSITION: Disposed
CASE JUDGE:

FILE DATE: 12/07/2021
CASE TRACK:
CASE STATUS: Closed
STATUS DATE: 03/14/2022
CASE SESSION:

PARTIES

Defendant
Picard, Michael

PARTY CHARGES

#	Offense Date/ Charge	Code	Town	Disposition	Disposition Date
1	11/11/2021 MISCELLANEOUS MUNIC ORDINANCE/BYLAWS VIOL	666666-0	Lynn	Responsible	03/14/2022

EVENTS

ate	Session	Event	Result	Resulting Judge
1/26/2022	Clerk Magistrate Session	Magistrate Hearing	Event Continued	Hogan
1/14/2022	Clerk Magistrate Session	Magistrate Hearing	Held	Collins

MASSACHUSETTS
LYNN DISTRICT COURT
Docket Report



INFORMATIONAL DOCKET ENTRIES

Date	Ref	Description	Judge
12/07/2021	1	Request for magistrate hearing filed (c. 40 §21D).	
12/07/2021		Event Scheduled Event: Magistrate Hearing Date: 01/26/2022 Time: 12:00 PM Result: Event Continued	
12/07/2021	2	Notice sent to parties. Judge: Hogan, Michael F.	Hogan
01/12/2022		Event Resulted: Magistrate Hearing scheduled on: 01/26/2022 12:00 PM Has been: Event Continued Michael F. Hogan, Presiding	Hogan
01/12/2022		Event Scheduled Event: Magistrate Hearing Date: 03/14/2022 Time: 12:00 PM Result: Held	
03/14/2022		Event Resulted: Magistrate Hearing scheduled on: 03/14/2022 12:00 PM Has been: Held Patrick Collins, Presiding	Collins
03/15/2022		Charges Disposed:: Charge # 1 MISCELLANEOUS MUNIC ORDINANCE/BYLAWS VIOL On: 03/14/2022 Judge: Patrick Collins Responsible	
03/15/2022		Case Disposition Date Entered	
03/15/2022		Misc Entry: Fine Upheld - \$200.00 Judge: Collins, Patrick	Collins