

January 27, 2016

Matthew R. Segal, Esq.
ACLU Foundation of Massachusetts
211 Congress Street, Suite 301
Boston, MA 02110

Re: Freedom of Information Request
FIO Data—May to December 2015

Dear Attorney Segal,

This letter is in response to your request for documents potentially in the possession, custody or control of the Boston Police Department under the Freedom of Information Act (FOIA [5 U.S.C. § 552]) and/or Massachusetts Public Records Law (M.G.L. c. 66, § 10). Specifically you requested FIO reports from May 2015 to December 2015.

Enclosed please find FIO data entered electronically from May 2015 to June 15, 2015, in partial response to your request. As with the Department's previous production of FIO Data, the following fields have been removed from this data set to ensure that the subject individual cannot be identified through the public dissemination of the information: Date of Birth, Hair Color, Glasses, Height, Weight, Scars, Eye Color, Occupation, Other Reason and Comments. Additionally, the Department is reviewing the "Other Reason" and "Comments" categories for non-public information (i.e., CORI, individual identifications, etc) and will provide an updated response upon completion. Such information is exempt from public disclosure by M.G.L. c. 4 §7(26)(a) and (c). Specifically, any offender information in the data is protected from disclosure as Criminal Offender Record Information (CORI). *See* M.G.L. c. 6 §§167-168. M.G.L. c. 4 §7(26)(a) exempts from disclosure any records that are "specifically or by necessary implication exempted from disclosure by statute," including information withheld as CORI. Additionally, M.G.L. c. 4 §7(26)(c) provides an exemption for materials or data relating to a specifically named individual, the disclosure of which may constitute and unwarranted invasion of personal privacy. Accordingly, personal identifying information concerning the subjects of the FIOs has been removed from the data provided to you to ensure the privacy of these individuals.

As for the data between June 16, 2015 and December 31, 2015, this information is maintained in a different format due to a change in the record management system utilized by the Department. The Department is currently reviewing the FIO data in the new system to determine how best to make it publicly available. Pending such review, the only mechanism available to respond to this portion of your request will require a hand search, review and redaction of the FIOs during that time period.

The City of Boston's web site is being updated to include a copy of what is enclosed herein.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicole I. Taub". The signature is written in a cursive style with a large initial "N" and a long horizontal stroke at the end.

Nicole I. Taub

Enclosure