

January 13, 2020

Kade Crockford
c/o Emiliano Falcon
Policy Counsel
Technology for Liberty Program
American Civil Liberties Union of Massachusetts
211 Congress Street, Boston, MA 02110

RE: Public Records Request for Lantel Records; Supplemental
response to records sent on January 6, 2020

Dear Director Crockford and Attorney Falcon,

In response to your request for records relating to the Massachusetts State Police Department (Department) relationship with LAN-TEL, the Department sent you a disc of redacted records on January 6, 2020. As you already know, the Department is a law enforcement agency with various missions ranging from public safety and criminal justice to homeland security and emergency preparedness. As a result, records related to security measures of the Departments facilities involve highly sensitive information that could compromise public safety if publically disclosed.

As a result, the Department made redactions to the responsive records pursuant to G.L. c. 4, §§7 cl. (26)(n). As you know, G.L. c. 4, §7 cl. (26)(n) excludes the following documents from the definition of a public records:

(n) 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.

G.L. c. 4, §7 cl. (26)(n). Therefore, the Department redacted the records that were provided on January 6, 2020, removing all references to these items in order to avoid jeopardizing public safety, to the structural elements of these facilities, and to maintain the integrity of infrastructure related to the evidence submitted by law enforcement agencies to the laboratory.

In accordance with G.L. c. 4, §7 cl. (26)(n), the Department redacted the following information from the records provided:

- the specific type of security equipment utilized by the Department,
- reference to the specific software used with the security equipment,
- the brand or manufacturer of the specific security equipment,
- the specific location of the security equipment or service,
- information related to the company that monitors the security of the Department's facilities,
- the Department's Customer ID number,
- Work Order Numbers, and
- Contract ID Numbers.

The Department asserts that these redactions were required by law because they are specifically exempted from the definition of a public record pursuant to G.L. c. 4, §7 cl. (26)(n). Namely, the redacted information as outlined above relates 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 is likely to jeopardize public safety or cyber security. G.L. c. 4, §7 cl. (26)(n). Publically disclosing the specific type of security equipment utilized by the Department, reference to the specific software used in the security equipment, the brand or manufacturer of the specific security equipment, the specific location of the security equipment or service, information related to the company that monitors the security of the Department's facilities, the Department's Customer ID number, Work Order Numbers, and Contract ID Numbers would jeopardize the safety of both the public and the staff of these facilities.

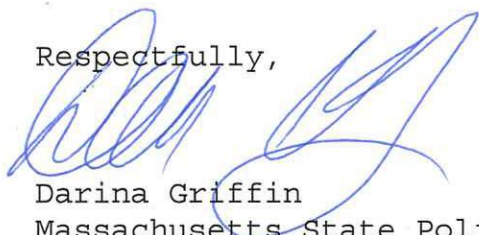
Please note that this provision of these documents was in response to you narrowing your original October 2019 request which sought a broader category of records. Therefore, if you seek any additional documents, the Department will have to assess those for necessary redactions of investigative, private,

and security related information, internal personnel information and documents related to practices of government that are necessary to withhold to ensure the proper performance of the Massachusetts State Police duties. See G.L. c. 4, § 7, cl. 26 (a), (b), (c), (f), and/or (n).

I apologize that I omitted this explanation in my January 6, 2020 letter to you. Please review the documents sent to you on January 6, 2020 and feel free to reach out to me if you need additional information.

If you wish to challenge any aspect of this response, you may appeal to the Supervisor of Public Records following the procedure set forth in 950 C.M.R. 32.08, a copy of which is available at <http://www.mass.gov/courts/case-legal-res/lib/laws-by-source/cmr/>. You may also file a civil action in accordance with M.G.L. c. 66, § 10A.

Respectfully,



Darina Griffin
Massachusetts State Police
Crime Laboratory
124 Acton Street
Maynard, MA 01754
(857) 377-3084