

From Beth Bezio <chief@ashfield.org>  
Subject **RE: ACLU Public Records Request**  
To Emiliano Falcon-Morano <efalcon@aclum.org>  
Date Fri, 17 Apr 2020 14:27:58 +0000

Emiliano,

The Officers do not have department emails.

Chief Bezio

**Beth Bezio**  
Chief of Police

Town of Ashfield  
412 Main Street  
PO Box 355  
Ashfield, MA 01330  
Office: 413-628-4441 ext 1  
24-Hour Dispatch: 413-625-8200  
[Chief@ashfield.org](mailto:Chief@ashfield.org)



*This email transmission including any attachments may contain confidential or legally privileged information that is intended only for the individual or entity named in the email address. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or reliance upon the contents of the email is strictly prohibited. If you have received this email in error, please notify the sender and please delete the message from your inbox.*

**KINDLY REMEMBER THE SECRETARY OF STATE HAS DEEMED EMAIL A PUBLIC RECORD**

---

**From:** Emiliano Falcon-Morano <efalcon@aclum.org>  
**Sent:** Wednesday, April 08, 2020 15:37  
**To:** Beth Bezio <chief@ashfield.org>  
**Subject:** Re: ACLU Public Records Request

Thank you.

Did you check to see if any member of the PD received emails from the company?

Thank you!

Best,

Emiliano

-----  
**Emiliano Falcon-Morano**  
Pronouns: he, him, his

Policy Counsel  
Technology for Liberty Program  
American Civil Liberties Union of Massachusetts  
211 Congress Street, Boston, MA 02110  
617.482.3170 x402 | [efalcon@aclum.org](mailto:efalcon@aclum.org)

[Website](#) | [Twitter](#) | [Facebook](#) | [Instagram](#) | [Youtube](#)

---

**From:** Beth Bezio <[chief@ashfield.org](mailto:chief@ashfield.org)>  
**Date:** Tuesday, April 7, 2020 at 1:40 PM  
**To:** Emiliano Falcon-Morano <[efalcon@aclum.org](mailto:efalcon@aclum.org)>  
**Subject:** RE: ACLU Public Records Request

Emiliano,

With respect to your request, please be advised that this Department does not have possession, custody or control of the records requested. The mandatory disclosure provision of the Public Records Law only applies to information that is in the custody of the Department at the time the request is received. As a result, there is no obligation for a Department to create a record for a requester to honor a request. See G.L. c. 4, section 7(26) (defining "public records" as materials which have already been "made or received" by a public entity); see also 32 Op. Att'y Gen. 157, 165 (May 18, 1977) (custodian is not obliged to create a record in response to a request for information); see also A Guide to the Massachusetts Public Records Law, Secretary of the Commonwealth, Division of Public Records, p. 7 (January 2013) (hereinafter Public Records Guide). As a result, the Department is unable to respond to your request.

**Beth Bezio**  
Chief of Police

Town of Ashfield  
412 Main Street  
PO Box 355  
Ashfield, MA 01330  
Office: 413-628-4441 ext 1

24-Hour Dispatch: 413-625-8200

[Chief@ashfield.org](mailto:Chief@ashfield.org)



*This email transmission including any attachments may contain confidential or legally privileged information that is intended only for the individual or entity named in the email address. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or reliance upon the contents of the email is strictly prohibited. If you have received this email in error, please notify the sender and please delete the message from your inbox.*

**KINDLY REMEMBER THE SECRETARY OF STATE HAS DEEMED EMAIL A PUBLIC RECORD**

---

**From:** Emiliano Falcon-Morano <[efalcon@aclum.org](mailto:efalcon@aclum.org)>

**Sent:** Monday, April 06, 2020 17:07

**To:** Kade Crockford <[kcrockford@aclum.org](mailto:kcrockford@aclum.org)>; Taisha Lazare <[tlazare@aclum.org](mailto:tlazare@aclum.org)>

**Subject:** ACLU Public Records Request

Good Afternoon,

Please see attached.

Best,

Emiliano

-----

**Emiliano Falcon-Morano**

Pronouns: he, him, his

Policy Counsel

Technology for Liberty Program

American Civil Liberties Union of Massachusetts

211 Congress Street, Boston, MA 02110

617.482.3170 x402 | [efalcon@aclum.org](mailto:efalcon@aclum.org)

[Website](#) | [Twitter](#) | [Facebook](#) | [Instagram](#) | [Youtube](#)