



**TOWN OF HULL
POLICE HEADQUARTERS
1 SCHOOL STREET
HULL, MASSACHUSETTS 02045**

John E. Dunn
Chief of Police

Tel: (781) 925-1212
Fax: (781) 925-1216

Neil J. Reilly
Deputy Chief of Police

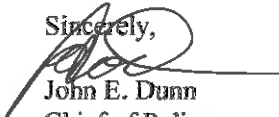
March 4th, 2020

Emiliano Falcon
Policy Counsel
Technology for Liberty Program
ACLU Massachusetts

Dear Atty. Falcon,

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.

Sincerely,


John E. Dunn
Chief of Police