

CC: audrey.coulter@boston.gov; samantha.ormsby@boston.gov; shawn.williams@boston.gov
Subject: City of Boston Public Records Office City Public Records Request :: R000904-102920
Body:



City of Boston
Mayor Martin J. Walsh
Public Records

11/13/2020

RE: PUBLIC RECORDS REQUEST of October 29, 2020., Reference # R000904-102920

Dear Andrew:

The City of Boston (City) has received your request for public records. This response applies only to records that exist and are in the custody of the City. See A Guide to the Massachusetts Public Records Law, p. 32, n.115. It is expected that a custodian of records must use her superior knowledge of her records with respect to responses to public records requests. 950 CMR 32.04(5). Specifically, you stated:

I am seeking information and data related to crashes or accidents involving city-owned vehicles. This request will be primarily for the Law Department, although I am seeking information about all city vehicles, including departments that operate out of City Hall, police, fire, and schools.

Specifically I am seeking electronic records or data documenting all insurance payouts and civil lawsuits settlements since Jan 1, 2010. By "insurance payouts" I am referring to the City's self-insurance for vehicles and any payments the City had to make to other individuals or insurance companies.

The records or data I'm seeking should include:

1) CRA-65 crash reports or other reports or data that include the following information

- Name of the city employee driving, title, department*
- Names of other involved drivers or individuals*
- Date and time of accident*
- Description of accident*
- location of accident*
- Description of any citations that includes offense and citation number*

2) Details of any insurance payout or financial settlement that include:

- amount of payment*
- date of payment*
- name of payee*
- name of city employee, title, department*
- corresponding civil court docket number or other case number or reference numbers*

3) Details of any other civil lawsuit or claim stemming from a motor vehicle accident in which the city Law Department defended a city employee even if there was no insurance payout or financial settlement. This data should include:

- name of city employee, title, department*
- name of other driver involved*
- corresponding civil court docket number or other case number or reference numbers*

I'm happy to discuss this request if it is overly broad or otherwise cumbersome. I'm hoping that much of this information may be available in a Law Department case tracking file and/or a ledger of insurance payouts and settlements. If the CRA-65 crash reports prove difficult, let's discuss another way to get that that same information.

My number is 617-824-0270.

Thank you,

Andrew

We have reviewed our files and have located records that correspond to your request. These records have been released to the [Public Records Center](#). Click the link below to login to the Records Center and retrieve the requested records.

[City Public Records Request - R000904-102920](#)

Response to Request 1

It is my understanding that the records responsive to this request, while public, are contained in a file for each claim. A clerk would be required to pull each of over 2,000 claim files to find the responsive portion from each and provide it to you. As you kindly indicated in your request, you wished to be notified of any record that may take extensive time to provide. I ask that you review the record responsive to Request 2 and perhaps you could make a follow-up request for specific items on that record that may be of interest to you.

Response to Request 2

The City provides a spreadsheet that includes (1) claim number; please note that some claim numbers exported as dates, (2) date of loss, (3) claim type, (4) StdOfFault (which is a brief description of the allegations), (5) settlement amount, (6) disposition date, (7) City department, (8) City employee name, and for litigation matters (9) docket number and court. Please note that the disposition date constitutes when the settlement process was begun or completed in the Law Department; however, the Law Department does not issue payment, so this spreadsheet does not include when payment was made. Please note that the spreadsheet we have provided includes claims and litigation matters that are MVA-related and that resulted in a City payment from January 1, 2010 through the present.

Response to Request 3

Motor vehicle accident claims are negligence claims by nature. Due to the nature of liability under state law, the City would only "defend" an individual employee to the extent of having the suit dismissed as to that employee. Again, I ask that you review the spreadsheet responsive to Request 2 and feel free to contact the City if you seek information about a specific claim.

Please note that all fees have been waived. Should you seek additional information I ask that you send any such query to my attention.

Very truly yours,

A handwritten signature in blue ink that reads "Shawn Williams". The signature is written in a cursive style with a large initial 'S'.

Shawn A. Williams, Esq.
Director of Public Records
Records Access Officer