



Steven A. Mazzie
Chief of Police

**CITY OF EVERETT
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08/25/20

Mr. Jim Haddadin
189B St
Needham Heights, MA 02494

Mr. Haddadin,

The City of Everett, (the "City"), is in receipt of your request for public documents, (the "Request"). Pursuant to the Massachusetts Public Records Law, G.L. c66, s10 and G.L. c4 s(7)(26), the City is required to respond to this Request within ten (10) business days after the initial receipt of the Request. Please find the City's response below:

After reviewing your request, and entering the appropriate search criteria, a search was conducted with attached results.

We were only able to obtain from 2015 to current as a result of the system being not being automated until 2015.

Be informed that a record holder's duty to respond to requests for information extends only to records that are in existence and in the record holder's custody. *See* G.L. c.4, §7(26); *see also* 950 CMR 32.03 (defining "custodian" as the public official who has routine access to or control of public records). Moreover, there is no obligation to create a record in response to a public records request. *See* G.L. c.66, §10(a); *see also* 32 Op. Att'y Gen. 157, 165 (May 18, 1977). Therefore, to the extent that any of the records you have requested do not exist, the City has no obligation to, and will not, create the same.

I will also cite Exemption C-Privacy under the Public Records Law. Specifically: The Personal Privacy Exemption is "limited to intimate details of a highly personal nature". Examples of "intimate details of a highly personal nature" include marital status, paternity, substance abuse, government assistance, family disputes and REPUTATION, (emphasis included).

Pursuant to 950 CMR 32.08, you may appeal this response to the Supervisor of Public Records within 90 days.

Captain Paul Hamilton
Records Access Officer
Support Services Division

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