

REQUEST UNDER MASSACHUSETTS PUBLIC RECORD LAW

May 7, 2019

Lorraine A.G. Tarrow
Assistant Attorney General &
Records Access Officer
Office of the Attorney General
One Ashburton Place, 18th Floor
Boston, MA 02108

By Electronic Mail: agorecordsaccessofficer@state.ma.us
Re: Certain 2016 Calendars and Sign-In Logs

Dear Ms. Tarrow:

On behalf of the public policy group Energy Policy Advocates (EPA), recognized by the Internal Revenue Service as a non-profit public policy institute under § 501(c)(3) the Internal Revenue Code, and pursuant to the Massachusetts Public Records Law (M.G.L. §§ 66-10 *et seq.*), please provide the following records:

- 1) Copies of **visitor sign-in logs** for the Office of the Attorney General offices located in the John McCormack Building, One Ashburton Place **dated from March 21, 2016 through April 1, 2016, inclusive**; and
- 2) Copies of **visitor sign-in logs** for the Office of the Attorney General offices located in the John McCormack Building, One Ashburton Place **dated from April 18, 2016 through April 29, 2016, inclusive**; and
- 3) Copies of Attorney General Maura Healey's **official calendars dated March 21, 2016 through April 1, 2016, inclusive**, and copies of Attorney General Maura Healey's **official calendars dated April 18, 2016 through April 29, 2016, inclusive**.

The Public Records Law strongly favors disclosure by creating a presumption that all governmental records are public records. G.L. c. 66 § 10A(d); 950 C.M.R. 32.03(4). “Public records” is broadly defined to include all documentary materials or data, regardless of physical form or characteristics, made or received by any officer or employee of any agency or executive office of the commonwealth. G.L. c. 4 §7(26).

It is the burden of the records custodian to demonstrate the application of an exemption in order to withhold a requested record. G.L. c. 66 §10(b)(iv); 950 C.M.R. 32.06(3); see also *Dist. Attorney for the Norfolk Dist. v. Flatley*, 419 Mass. 507, 511 (1995) (custodian has the burden of establishing the applicability of an exemption). To meet the specificity requirement a custodian must not only cite an exemption, but must also state why the exemption applies to the withheld or related portion of the responsive record.

We understand that a public body may charge a fee for the cost of the search, examination, review, copying, separation of confidential from nonconfidential information, and mailing costs. If your Office expects to seek a charge associated with the searching, copying or production of these records, however, please provide an estimate of anticipated costs. Given EPA’s non-profit and public interest nature and intention to broadly disseminate relevant findings, EPA requests a waiver or reduction of any applicable fees.

We look forward to your response and should you have any questions, feel free to reach me at MatthewDHardin@gmail.com

Sincerely,

Matthew D. Hardin
Executive Director, Energy Policy Advocates