

REQUEST UNDER MASSACHUSETTS PUBLIC RECORDS LAW

May 7, 2019

Valerie J. Connolly
Records Access Officer
Office of the Secretary of the Commonwealth
One Ashburton Place - Room 1710
Boston, MA 02018

By Electronic Mail: Sec.RAO@sec.state.ma.us
Re: Visitor Sign-In Logs

Dear Ms. Connolly:

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.*), I request your Office provide: Copies of **visitor sign-in logs** for the Office of the Secretary of the Commonwealth offices located in the John McCormack Building, One Ashburton Place **dated April 11, 2019.**

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