



LEE POLICE DEPARTMENT
32 Main Street
Lee, Massachusetts 01238

Craig W. DeSantis
Chief of Police

Bus: (413)243-5530
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January 31, 2024

RE: Public Records Request dated January 26th, 2024

Response of Police Department Records Access Officer

Dear Attn. Stathulis,

On January 26th, 2024, we received your request via email pursuant to the Massachusetts Public Records Law for the following information and or materials:

“1. An extract of your records management system or database that includes each school-related arrest and each referral to law enforcement conducted during the 2018-2019, 2019-2020, 2020-2021, and 2021-2022 school year (up until the day the records are produced). Specifically, we request an extract of the database to include the following columns:

- a. Date of arrest or referral to law enforcement
- b. Time of arrest or referral to law enforcement
- c. Charge (or charges)
- d. Whether the individual(s) was arrested or referred to law enforcement
- e. Sex of individual(s) arrested or referred to law enforcement
- f. Age of individual(s) arrested or referred to law enforcement
- g. Race of individual(s) arrested or referred to law enforcement
- h. Ethnicity of individual(s) arrested or referred to law enforcement
- i. Disability status of the individual(s) arrested or referred to law enforcement
- j. Whether the individual arrested or referred to law enforcement is a student at the school.
- k. Name of arresting officer, if applicable, and
- l. Badge number of the arresting officer or the officer that referred the youth to law enforcement, as applicable.

2. If such an extract of the database in question 1 is not possible, please provide school incident reports on each school-related arrest and referral to law enforcement conducted during the 2018-2019, 2019-2020, 2020-2021, and 2021-2022 school year (up until the day the records are produced).

3. A copy of any active standard operating procedures developed with the police department and/or other law enforcement agencies regarding police placement or activity in your corresponding school; and,

4. Any records instructing or informing police personnel of, or otherwise describing data reporting requirements and procedures for complying with G.L. c. 71 § 37P(b).
5. The cost to the school district of assigning a school resource officer to each school; and,
6. The total number of school resource officers and total number of guidance counselors for each school in your district for school years 2018-2019, 2019-2020, 2020-2021, and,
7. The total number and a brief description of 911 calls from schools in your district to local police departments conducted during the 2018-2019, 2019-2020, 2020-2021, and 2021-2022, and,
8. A description of the proposed budget for mental, social, or emotional health support personnel for the school district.”

With respect to your request, please be advised that this Department does not have possession, custody or control of **all** 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. Furthermore, I am not the keeper of records or records access officer for the school district so I cannot ascertain what records they currently have in their custody. 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 **in its entirety**.

With respect to your **request #1**, please be advised that this Department **does** have possession, custody or control of data in our records management system pertaining to the addresses 300 Greylock St and 310 Greylock St, the Lee Elementary School and Lee Middle and High School, that appears to be responsive to your request. As a good faith response, I am providing all statistical data pertaining to both public schools spanning from 2018 through current. More specifically, I am attaching the following.

- 1 PDF attachment, labeled 310 Greylock St, Lee Elementary School showing most requested data points involving, 310 Greylock St., Lee Elementary School spanning 2018 through present.
- 1 PDF attachment labeled, 300 Greylock St, Lee Middle and High School showing most requested data points involving, 300 Greylock St., Lee Middle and High School spanning 2018 through present.

With respect to your **request #2**, please be advised that this Department provided data requested under request #1.

With respect to your **request #3**, please be advised that this Department **does** have possession, custody or control of records that appears to be responsive to your request. More specifically, I am attaching the following.

- PDF copy of Lee Police Department labeled “Lee Police Department SRO policy and procedure”

With respect to your **request #4**, portions of the SRO policy and procedure provided under request #3 and the Lee Police Department/Lee Public Schools Memorandum of Understanding, do appear to be “related” to your request. More specifically I am attaching the following:

- PDF copy of Lee Public Schools and Lee Police Department SRO MOU labeled “Lee Public Schools and Lee Police Department SRO MOU” .

With respect to your **request #5**, please be advised that this Department **does not** have possession, custody, or control of costs to the school district.

With respect to your **request #6**, please be advised that this Department **does not** have possession, custody or control of Guidance Counselor data for the Lee Public School District. However, the Lee Police Department has maintained employment of 1 intermittent Certified School Resource Officer assigned to the Lee Public Schools from 2018 through 2022 and beginning in the 2023 school year 1 dedicated Certified School Resource Officer.

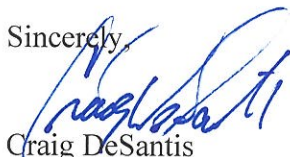
With respect to your **request #7**, please be advised that this Department **does** have possession, custody or control of records that appears to be responsive to your request for 911 call data with brief description. More specifically, I am attaching the following.

- PDF copy of known daily log sheets with brief narratives for 911 pertaining to Lee Public Schools with Juvenile information redactions as required by law.

With respect to your **request #8**, please be advised that this Department **does not** have possession, custody, or control of budget for mental, social, or emotional health support personnel for the school district.

Should you have any questions, please contact me.

Sincerely,



Craig DeSantis

Chief of Police

Lee Police Records Access Officer