

To whoever it may concern:

This letter constitutes a request pursuant to the Public Records Act, M. G. L.c.66, §10, for public records in the custody of your police department. Under the Criminal Justice Reform Act, school districts and law enforcement agencies must “specify the manner and division of responsibility for collecting and reporting the school-based arrests, citations and court referrals of students to the Department of Elementary and Secondary Education” (DESE). DESE began collecting data on school-related arrests in the 2018-19 school year. In the 2019-20 school year, DESE has expanded that collection to include data on all referrals to law enforcement. DESE has defined these terms as follows, borrowing the same definitions used by the U.S. Department of Education since its 2009 Civil Rights Data Collection.

A school-related arrest “[r]efers to an arrest of a student for any activity conducted on school grounds, during off campus school activities (including while taking school transportation), or due to a referral by any school official. All school-related arrests are considered referrals to law enforcement.”

A referral to law enforcement “[i]s an action by which a student is reported to any law enforcement agency or official, including a school police unit, for an incident that occurs on school grounds, during school-related events, or while taking school transportation, regardless of whether official action is taken. Citations, tickets, court referrals, and school-related arrests are considered referrals to law enforcement.”

I request the following public records, as defined in M. G. L.c. 4, § 7 (twenty-sixth):

1. Any and all documents relating to or filed in connection with 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 such documents produced to include, but not limited to, 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 a production of the documents in question 1 is not possible, please provide any reports, incident notes, status updates, or documents which were submitted to DESE as the result of a school based arrest or any such 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), per the U.S. Department of Education's Civil Rights Data Collection for that year. For each referral to law enforcement or arrest, please include the school, demographic, and incident information described in DESE's School Safety and Discipline Report Data Handbook v. 20.0.

As this request involves a matter of public interest and will not be used for any commercial purpose, we ask that all fees associated with this request be waived pursuant to 950 C.M.R. 32.07(2)(k). The purpose of this request is to determine whether your school district and police department are complying with their reporting obligations under the Criminal Justice Reform Act. "The public has an interest in knowing whether public servants are carrying out their duties in an efficient and law-abiding manner."

Please provide public records to a requestor in an electronic format unless the record is not available in an electronic format. M. G. L.c 66, § 6A(d).

The Public Records Act requires that you comply with this request within ten (10) business days following receipt. If you believe that documents or data responsive to any request herein is not public record and thus not subject to disclosure, please set forth in writing the specific reasons for such assertion, including the specific exemption or exemptions that you believe apply. To the extent that you determine that records need to be redacted in order to be produced under any law protecting the privacy of named individuals, please do so rather than withholding them in their entirety.

If you have any questions about this request, or need additional time to respond, please contact me. Thank you in advance for your prompt response to this request.

Sincerely,
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