



City of Waltham

MASSACHUSETTS

LAW DEPARTMENT

City Solicitor

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Assistant City Solicitors

PATRICIA A. AZADI

BERNADETTE D. SEWELL

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LUKE STANTON

KATHERINE D. LAUGHMAN

November 10, 2021

By Digital Upload - www.muckrock.com/respond/1189262

Re: Public Records Request to City of Waltham Police Department dated November 4, 2021

Dear Sir/Madam:

The City of Waltham Law Department is in receipt of your public records request submitted pursuant to the Massachusetts Public Records Law, G.L. c.66, §10 to the Waltham Police Department on November 4, 2021.

Summary of Request

You have requested the following documents from the City of Waltham Police Department:

1. Data sharing and cooperation agreements or memorandums of understanding between your police department and:
 - a. Federal immigration authorities
 - b. Regional intelligence centers
 - c. School districts or individual schools in your jurisdiction.
2. Policies concerning gathering and storing of gang information (or "security threat group" or other related names of high risk individuals).
3. Policies concerning stop and frisk and/or field interrogation.
4. For the time period January 1, 2016 to the date of this request, data for any person under the age of 21, all police documents sent to, transmitted to, or otherwise made available or accessible to:
 - a. BRIC and/or the Massachusetts Commonwealth Fusion Center.
 - b. Federal immigration authorities (including ICE, USCIS and/or any of their employees or agents).
5. Stop and frisk and/or field interrogation data for all stop and frisk/field interrogation incidents from 2016 through when the search is conducted in 2021.
6. Data regarding how many people have been identified by your department as gang affiliated, gang involved, or part of a "threat risk group".
7. Under the Criminal Justice Reform Act . . . copies of the following public records:
 - a. Data on each school-related arrest conducted during the 2018-2019 school year, and the 2019-2020 school year per DESE's collection;

- b. Data on each school-related arrest and referral to law enforcement conducted during the 2017-2018 school year, per the U.S. Department of Education's Civil Rights Data Collection for that year.

Response to Request

Please be advised that the Police Department's duty to respond to records requests extends only to records that are in existence and in the custody of the Police Department, and the Police Department is under no obligation to create records in response to your Request. Furthermore, the Police Department is not required to answer questions in response to a public records request. See "A Guide to the Massachusetts Public Records Law," Updated March, 2020 published by the Secretary of the Commonwealth, at page 42.

After diligent search, the Police Department has determined that it has documents responsive to a portion of your request with respect to the following:

1. Response to Request No. 1 (c);
2. Response to Request No. 3; and
3. Response to Request No. 5.

These records are being provided without charge.

With respect to Request No. 7, the Police Department has withheld records related to this Request pursuant to Exemption (a) of the Public Records Law, as the only records responsive to this Request involve incidents of domestic violence which are statutorily exempt from disclosure pursuant to G. L. c. 41, § 97D; G. L. c. 41, § 98F; and G. L. c. 209A, § 8.

The Police Department has no records responsive to your Request Nos. 1 (a) and (b); 2, 4, or 6.

Statement of Appeal Rights

You may appeal this response to the Supervisor of Public Records pursuant to 950 CMR 32.08(1)(d). By law, the Supervisor is required to respond within 10 business days of receipt of your appeal. You may also seek judicial review of an unfavorable response by commencing a civil action in the superior court, under G.L. c. 66, §10A(c).

Very truly yours,

[Katherine D. Laughman](#)

Katherine D. Laughman
Assistant City Solicitor

Encl.

cc: Deputy Chief Steven Champeon
Robert Waddick, City Clerk