December 23, 2020

MuckRock News

DEPT MR 100109

411 Highland Ave

Somerville, MA 02114

Email:1000109-09637179@requests.muckrock.com

Dear Sir or Madam,

The Braintree Police Department (BPD) provided a response to your public records request on September 14, 2020. A further supplemental response was provided on November 10, 2020 pursuant to a decision issued by Supervisor Rebecca Murray on October 27, 2020. The current response is being provided as result of a decision by Supervisor of Records Rebecca Murray dated November 24, 2020.

In its decision the Supervisor of Records determined that “despite the department’s response, I find it is unclear how it arrived at these figures.” The following is provided as a further explanation for the cost estimate provided in response to your request for “internal affairs complaints against BPD officers between January 1, 2010 to August 8, 2020, including but not limited to the Officer’s full legal name, rank, badge number, date of complaint, complaint number, case number, nature of charges, results and disposition date.”

As previously provided, the cost associated with your request was $3,625.00 based on 40 hours of search and segregation and 100 hours of review and redaction. These figures are a conservative estimate of the time required to search for, review and redact 10 years of Internal Affairs records and the accompanying data requested, most of which exists in paper form and requires a hand search.

As previously provided, for the time period requested there are approximately 100 files that must be prepared for production and include an estimated 2500 pages. Further, any files prior to 2017 are maintained in individual officers’ files and, as a result, require a hand search of personnel files to identify responsive records.

The following is a summary of the calculations used to arrive at the cost estimate.

In response to the determination issued on November 24, 2020, we have performed a further review of the time required to complete your request. The lowest hourly rate of a person capable of performing these tasks is greater than $25.00 per hour, therefore the hourly rate charged for the response is the maximum allowable rate of $25.00 per hour. Also, as previously provided, you will not be charged for the first two (2) hours of work required to complete the request.

The updated cost associated with the production of the requested materials is $3,225.00. This is based on the following calculation:

* Search and Segregation $1,000
  + Total files: 100
  + 2.5 files per hour: 40 hours
* Review and Redaction $2,100
  + Total pages: 2,500
  + 30 pages reviewed/redacted per hour: 84 hours
* Photocopy Costs $125
  + Total pages: 2,500
  + .05 per page

If you have any questions or would like to discuss further narrowing your request, please do not hesitate to contact me.

Please be advised that you have the right to appeal this determination to the Commonwealth of Massachusetts, Supervisor of Records at the following address:

Supervisor of Records

Office of the Secretary of the Commonwealth

McCormack Building, Room 1719

One Ashburton Place

Boston, MA 02108

Sincerely,

Lt. Kevin L. Ware

Braintree Police Department

282 Union St

Braintree, MA 02184

1-781-794-8638