



August 21, 2019

BY FEDERAL EXPRESS AND ELECTRONIC MAIL

 [@brocktonpolice.com](mailto: [REDACTED]@brocktonpolice.com)

Sergeant Brenda Perez
Brockton Police Department



Re: Massachusetts Public Records Request

Dear Sergeant Perez:

We represent the Joyful Heart Foundation (“Joyful Heart”) in connection with its End The Backlog project and submit this letter to you on its behalf. Joyful Heart is a non-profit organization focused on preventing and remediating sexual assault, domestic violence and child abuse. As part of the End the Backlog project, Joyful Heart is collecting information throughout the country concerning policies and procedures on evidence processing for the crime of rape, as well as information on the processing of rape kits each year. The ultimate goal of this initiative is to end the backlog of untested rape kits throughout the United States and to work with jurisdictions to develop and implement survivor-centered reforms. Joyful Heart is hoping to collaborate with the Brockton Police Department (“BPD”), as well as other local authorities, in pursuit of this goal.

This letter is a request for information from Joyful Heart pursuant to the Massachusetts Public Records Law, M. G. L. c. 66 § 10 (the “Public Records Law”). As you are aware, the Public Records Law provides that the public must have access to public records not specifically exempt from disclosure.

Joyful Heart hereby requests that the BPD provide public records regarding each of the following:

1. Any documentation regarding the number of all sexual assault evidence kits received by the BPD broken down by year;
2. Any documentation regarding the number of sexual assault evidence kits received by the BPD that have been sent to a crime lab for DNA analysis broken down by year;
3. Any documentation regarding the number of sexual assault evidence kits received by the BPD that have not been sent to a lab for DNA analysis and remain in any storage facilities currently under the BPD’s jurisdiction and control, and the reason the kit remains untested;

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4. Any documentation regarding the number of sexual assault evidence kits received by the BPD that have been destroyed or lost; and
5. Any written policies or procedures regarding the BPD's practices on the handling of sexual assault evidence kits, including testing protocols, and also including any documents defining the meaning of any terms or abbreviations used by the BPD pertaining to sexual assault evidence kits and evidence tracking systems, if applicable.

Please note that *no* private information of individual suspects or victims is being requested, as we fully respect the privacy interests of those individuals. We are happy to work with you to ensure that all privacy regulations are upheld.

Joyful Heart presumes that as the Records Access Officer, you will be the individual whom it can communicate regarding this request. To the extent there are any other individuals to include, please advise.

We appreciate your immediate attention to this matter. We understand that the records requested in this letter may not be available within ten (10) business days and in that event, pursuant to Subsection 10(b) of the Public Records Law, we look forward to receiving a written response stating the time reasonably necessary to produce the records or information.

In addition, pursuant to Subsection 10(d) of the Public Records Law, we understand that a fee may be imposed in connection with this request. We would kindly request that you waive any such fee based on the public interest in the requested disclosure. If the fee cannot be waived, please provide an estimate of the fees for the above listed documentation prior to incurring any such fee.

If you have any questions, please do not hesitate to contact me at [REDACTED]@goodwinlaw.com or

[REDACTED]

Sincerely,

[REDACTED]

cc (via email): Joyful Heart Foundation



Fwd: FW: FOIA Request for Joyful Heart Foundation

[Redacted]@joyfulheartfoundation.org>
[Redacted]@joyfulheartfoundation.org>

Fri, Sep 13, 2019 at 4:18 PM

[Redacted]

----- Forwarded message -----

From: [Redacted]@goodwinlaw.com>
Date: Fri, Sep 13, 2019 at 2:35 PM
Subject: RE: FOIA Request for Joyful Heart Foundation
To: [Redacted]@joyfulheartfoundation.org>
Cc: [Redacted]@goodwinlaw.com>, [Redacted]@goodwinlaw.com>, [Redacted]@goodwinlaw.com>

[Redacted]

I received a letter back from Brockton noting that they are working on a response. I will follow-up with them.

Thanks,



[Redacted text block]

From: [Redacted]
Sent: Friday, September 13, 2019 10:00 AM
To: [Redacted] <[\[Redacted\]@joyfulheartfoundation.org](mailto:[Redacted]@joyfulheartfoundation.org)>
Cc: [Redacted] <[\[Redacted\]@goodwinlaw.com](mailto:[Redacted]@goodwinlaw.com)>; [Redacted] <[\[Redacted\]@goodwinlaw.com](mailto:[Redacted]@goodwinlaw.com)>; [Redacted] <[\[Redacted\]@goodwinlaw.com](mailto:[Redacted]@goodwinlaw.com)>; [Redacted] <[\[Redacted\]@goodwinlaw.com](mailto:[Redacted]@goodwinlaw.com)>
Subject: FW: FOIA Request for Joyful Heart Foundation



[Quoted text hidden]

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Brockton Police

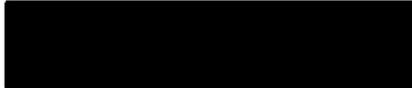
Department

7 Commercial St. Brockton, MA 02302

Internal Affairs Division

(508) 941-0223

To:



I have received the attached request, note that said request was delivered to my office on July 23, 2019. I will begin the steps as to fill said request and will provide you with an estimate as to the cost of same prior to any work beginning, so as to ensure no monetary cost is incurred without prior notice. If for any reason your request should change in status please notify my office as soon as is possible. Please accept this correspondence as notice per the applicable Mass General Law.



Capt. William Hallisey
Brockton Police Department
Internal Affairs Division