

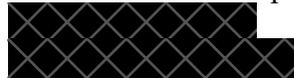


November 5, 2019

**BY FEDERAL EXPRESS AND ELECTRONIC MAIL**

@frpd.org

Sgt. Anthony Elumba  
C/O Records Access Officer  
Fall River Police Department



Dear Sgt. Elumba:

On August 29, 2019, we submitted a request for information pursuant to the Massachusetts Public Records Law, M. G. L. c. 66 § 10 on behalf of the Joyful Heart Foundation (“Joyful Heart”) in connection with its End The Backlog project (the “Request Letter”).

On September 25, 2019, we received a response from you indicating that the Fall River Police Department is working with the Bristol County District Attorney’s Office on an audit of all rape kits in its possession and because the audit is not complete, the Fall River Police Department is unable to provide the requested information at this time.

In 2018, Massachusetts enacted An Act Relative to Criminal Justice Reform, Chapter 69 of 2018 (the “Act”) mandating that a report be submitted annually, on or before September 1<sup>st</sup>, to the executive office of public safety and security by law enforcement agencies that receive, maintain, store or preserve sexual assault evidence kit. Under Section 18Y of the Act, the “*report shall contain: (i) the total number of all kits containing forensic samples collected or received; (ii) the date of collection or receipt of each kit; (iii) the category of each kit;....(vi) the status of the kit; (viii) the total number of all kits remaining in possession of the...law enforcement...; (viii) the total number of kits destroyed by...law enforcement...and reason for destruction.*”

While we understand that the records requested in the Request Letter may not have been available within ten (10) business days of the date of the Request Letter, the Fall River Police Department as required by law, must have collected the information listed in Section 18Y of the Act referenced above.

At your earliest convenience, could you please provide a description of the records available at this time and a timeline for the production of the information collected in accordance with Section 18Y of the Act referenced above?

We appreciate your immediate attention to this matter and look forward to working with you to obtain the requested information.

Fall River Police Department

November 5, 2019

Page 2

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



# FW: MA Public Records Request (8/29/2019)

8 messages

Tue, Nov 5, 2019 at 3:31 PM

To: [redacted]@goodwinlaw.com> [redacted]@joyfulheartfoundation.org>, [redacted]@joyfulheartfoundation.org" [redacted]@joyfulheartfoundation.org>

Cc: [redacted]@goodwinlaw.com>, [redacted]@goodwinlaw.com>

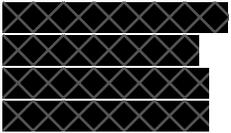


Below is the response we received from the Fall River Police Department. Attached is a proposed response letter. Let us know if you have any comments or questions on the response letter or if we can send this out.

Thanks,



Goodwin Procter LLP



[redacted]@goodwinlaw.com | goodwinlaw.com

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**From:** Christine M. Matton [redacted]@frpd.org>  
**Sent:** Wednesday, September 25, 2019 1:10 PM  
**To:** [redacted]@goodwinlaw.com

Cc: Captain Jeffrey Cardoza <[REDACTED]@frpd.org>

Subject: MA Public Records Request (8/29/2019)

Good Afternoon:

Currently the Fall River Police Department is working with the Bristol County District Attorney's Office on an audit of all rape kits in our possession. Because this audit is not complete, we are unable to provide the requested data **at this time**. We would not want to provide you with inaccurate information.

As soon as this audit is complete, we will provide the information that you requested. Please feel free to contact me with any questions at [REDACTED]. We appreciate your patience with this matter.

Sincerely,

Christine Matton

MCD Clerk

Fall River Police Department

\*\*\*\*\*

This message was sent from Goodwin Procter LLP and is intended only for the designated recipient(s). It may contain confidential or proprietary information and may be subject to the attorney-client privilege or other confidentiality protections. If you are not a designated recipient, you may not review, copy or distribute this message. If you receive this in error, please notify the sender by reply e-mail and delete this message. Thank you.

\*\*\*\*\*

 **Response Letter to Fall River, MA for Joyful Heart Foundation 11-5-2019.DOCX**  
58K

[REDACTED]@joyfulheartfoundation.org>

Wed, Nov 6, 2019 at 11:22 AM

To: '[REDACTED]@goodwinlaw.com'  
Cc: '[REDACTED]@joyfulheartfoundation.org', [REDACTED]@joyfulheartfoundation.org>, [REDACTED]@goodwinlaw.com>, [REDACTED]@goodwinlaw.com>

Thanks!!

\*\*\*\*\*

[REDACTED]

[REDACTED]

[Quoted text hidden]

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[REDACTED]@goodwinlaw.com> Wed, Feb 26, 2020 at 11:34 AM  
To: [REDACTED]@joyfulheartfoundation.org>, [REDACTED]@joyfulheartfoundation.org", [REDACTED]@joyfulheartfoundation.org>  
Cc: [REDACTED]@goodwinlaw.com>, [REDACTED]@goodwinlaw.com>

[REDACTED]

I wanted to follow-up on my email below to see if you had any comments on the attached response letter or if I can send the letter. Please let me know.

Thanks,

[REDACTED]



Goodwin Procter LLP

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

@goodwinlaw.com | goodwinlaw.com

[Quoted text hidden]

[Quoted text hidden]



**Response Letter to Fall River, MA for Joyful Heart Foundation 11-5-2019.DOCX**

58K

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

Wed, Feb 26, 2020 at 12:49 PM

[Redacted] Could you check this out? And can you email [Redacted] at Goodwin? (or maybe you did)

\*\*\*\*\*

[Redacted]

[Redacted]  
[Redacted]  
[Redacted]

[Quoted text hidden]



**Response Letter to Fall River, MA for Joyful Heart Foundation 11-5-2019.DOCX**

58K

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

Wed, Feb 26, 2020 at 1:24 PM

[Redacted]

[Redacted]

To: [Redacted]@joyfulheartfoundation.org>

Wed, Feb 26, 2020 at 2:08 PM

To: [Redacted]@goodwinlaw.com>

Cc: [Redacted]@joyfulheartfoundation.org", [Redacted]@joyfulheartfoundation.org>, [Redacted]@goodwinlaw.com>, [Redacted]@goodwinlaw.com>

It looks good to us. Thanks [Redacted]!

\*\*\*\*\*

[Redacted]

[Redacted]

[Quoted text hidden]

To: [Redacted]@goodwinlaw.com>

Thu, Feb 27, 2020 at 10:20 AM

To: [Redacted]@joyfulheartfoundation.org>, [Redacted]@joyfulheartfoundation.org", [Redacted]@joyfulheartfoundation.org>

FYI – I sent the response letter to Fall River today.

From: [Redacted]

Sent: Thursday, February 27, 2020 10:19 AM

**To:** 'Christine M. Matton' <[REDACTED]@frpd.org>  
**Cc:** Captain Jeffrey Cardoza <[REDACTED]@frpd.org>  
**Subject:** RE: MA Public Records Request (8/29/2019)

All,

Attached please find a response letter regarding the Joyful Heart Foundation's request for information pursuant to the Massachusetts Public Records Law. Let me know if you have any questions, or if you would like to discuss.

Thanks,



Goodwin Procter LLP



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**From:** Christine M. Matton <[REDACTED]@frpd.org>  
**Sent:** Wednesday, September 25, 2019 1:10 PM  
**To:** [REDACTED]@goodwinlaw.com  
**Cc:** Captain Jeffrey Cardoza <[REDACTED]@frpd.org>  
**Subject:** MA Public Records Request (8/29/2019)

Good Afternoon:

Currently the Fall River Police Department is working with the Bristol County District Attorney's Office on an audit of all rape kits in our possession. Because this audit is not complete, we are unable to provide the requested data **at this**

**time.** We would not want to provide you with inaccurate information.

As soon as this audit is complete, we will provide the information that you requested. Please feel free to contact me with any questions at [REDACTED]. We appreciate your patience with this matter.

Sincerely,

Christine Matton

MCD Clerk

Fall River Police Department

[Quoted text hidden]

 **Scan.PDF**  
72K

[REDACTED]@joyfulheartfoundation.org>  
To: [REDACTED]@goodwinlaw.com>  
Cc: [REDACTED]@joyfulheartfoundation.org" <[REDACTED]@joyfulheartfoundation.org>

Thu, Feb 27, 2020 at 11:37 AM

Thanks so much!

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[REDACTED]

[REDACTED]

[Quoted text hidden]

[REDACTED] [REDACTED] [REDACTED]

February 27, 2020

**BY FEDERAL EXPRESS AND ELECTRONIC MAIL**

[REDACTED]@frpd.org

Sgt. Anthony Elumba  
C/O Records Access Officer  
Fall River Police Department  
[REDACTED]

Dear Sgt. Elumba:

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Fall River Police Department  
February 27, 2020  
Page 2

If you have any questions, please do not hesitate to contact me at   
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Sincerely,

