



Goodwin Procter LLP



August 26, 2019

**BY FEDERAL EXPRESS AND ELECTRONIC MAIL**

@quincyma.gov

Lieutenant Terence McDonnell  
Quincy Police Department



Re: Massachusetts Public Records Request

Dear Lieutenant McDonnell:

We represent the Joyful Heart Foundation (“Joyful Heart”) in connection with its Accountability 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 Accountability 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 Quincy Police Department (“QPD”), 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 QPD provide public records regarding each of the following:

1. Any documentation regarding the number of all sexual assault evidence kits received by the QPD broken down by year;
2. Any documentation regarding the number of sexual assault evidence kits received by the QPD 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 QPD that have not been sent to a lab for DNA analysis and remain in any storage facilities currently under the QPD’s jurisdiction and control, the date the kit was originally collected 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 QPD that have been destroyed or lost; and
5. Any written policies or procedures regarding the QPD's practices on the handling of sexual assault evidence kits, including testing and destruction protocols, and also including any documents defining the meaning of any terms or abbreviations used by the QPD 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.

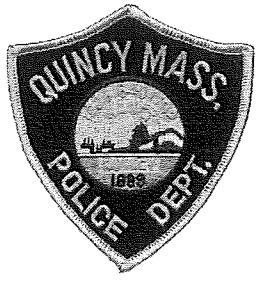
We appreciate your immediate attention to this matter. We understand that the records requested in this letter may not be available within ten (10) business days and in that event, pursuant to Subsection 10(b) of the Public Records Law, we look forward to receiving a written response stating the time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

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.

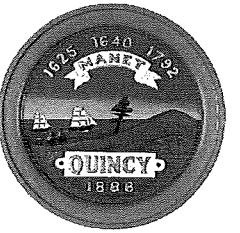
If you have any questions, please do not hesitate to contact me at [goodwinlaw.com](mailto:@goodwinlaw.com) or [REDACTED].

Sincerely,

cc (via email): Joyful Heart Foundation



Quincy Police Department  
1 Sea Street  
Quincy, Massachusetts 02169



Lieutenant Terence McDonnell  
Inspector of Divisions

[REDACTED]

Chief Paul Keenan

[REDACTED]

September 6, 2019

[REDACTED]

[@goodwinlaw.com](mailto:@goodwinlaw.com)

[REDACTED]

This is a response to your recent Public Records request dated August 26, 2019 and received August 27, 2019 (attached). This response is formatted sequentially to your request and represents a full accounting of all sexual assault evidence kits received by the Quincy Police Department. Be advised that given the method by which each kit is documented, time constraints preclude us from providing a break-down by year or dates that the kits were originally collected.

1. There have been a total of **319** sexual assault evidence kits received by the Quincy Police Department.
2. There have been a total of **312** sexual assault evidence kits received by the Quincy Police Department that have been sent to the Massachusetts State Police Lab.
3. There have been a total of **7** unreported sexual assault kits received by the Quincy Police Department that have not been sent to the Massachusetts State Police Lab. These kits remain in storage at the Quincy Police Department.
4. There have been no sexual assault evidence kits received by the Quincy Police Department that have been destroyed or lost.
5. All sexual assault evidence kits in the custody or control of the Quincy Police Department are handled in accordance with An Act Relative to Criminal Justice Reform, Chapter 69 of the Acts of 2018.

Regards,

Lieutenant Terence McDonnell  
Records Access Officer  
Quincy Police Department



[REDACTED]@joyfulheartfoundation.org&gt;

## Fwd: Response from Quincy

1 message

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

Tue, Sep 10, 2019 at 10:39 AM

[REDACTED]

\*\*\*\*\*

[REDACTED]

[REDACTED]

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

From: [REDACTED]@goodwinlaw.com>  
Date: Mon, Sep 9, 2019 at 4:24 PM  
Subject: Response from Quincy  
To: [REDACTED]@goodwinlaw.com>, [REDACTED]@joyfulheartfoundation.org>

Hi [REDACTED],

Maybe my question on today's call conjured up a response from Quincy because I just received the attached! Based on their response and today's call, are there any follow-up questions that you would like for me to send to Lieutenant McDonnell?

Best,

[REDACTED]

[REDACTED]



Goodwin Procter LLP

[REDACTED]

@goodwinlaw.com | goodwinlaw.com

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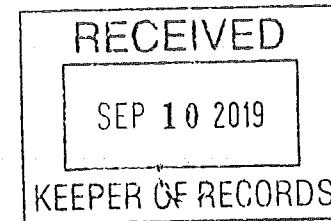
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254K

Reply all  Delete  Junk  Block  ...



## RE: Public Records Request Response

Getting too much email? Unsubscribe

ME > [REDACTED]@goodwinlaw.com

...

Tue 9/10/2019 10:02 AM  
TERENCE M MCDONNELL ✉

Good morning Lieutenant McDonnell,

Thank you very much for your response to the FOIA request, I really appreciate your prompt response. As a follow-up, can you please provide the time period or the break down by year for the total number of kits included in your response?

Thank you very much for your help.

Best,

**From:** TERENCE M MCDONNELL [REDACTED]@quincyma.gov>  
**Sent:** Monday, September 9, 2019 3:38 PM  
**To:** [REDACTED]@goodwinlaw.com>  
**Subject:** Public Records Request Response

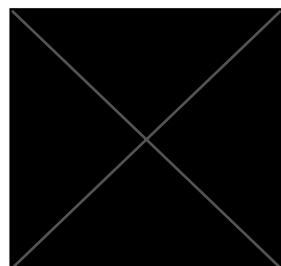
[REDACTED]  
Please find the attached response to your recent Public Records request dated August 26, 2019 and received August 27, 2019.

Regards,

Lieutenant Terence McDonnell

Quincy Police Department

Inspector of Divisions



Year	# SAECK present SIU evidence	# SAECK not sent to lab
1990	1	0
1991	5	0
1992	3	0
1993	1	0
1994	2	0
1995	2	0
1996	2	0
1997	3	0
1998	2	0
1999	3	0
2000	3	0
2001	9	0
2002	8	0
2003	3	0
2004	17	0
2005	21	0
2006	9	0
2007	12	0
2008	17	0
2009	15	0
2010	18	0
2011	19	0
2012	19	0
2013	33	0
2014	17	0
2015	17	0
2016	18	0
2017	12	0
2018	20	3
2019	8	4
<i>Totals</i>	<b>319</b>	<b>7</b>



[REDACTED]@joyfulheartfoundation.org&gt;

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## Fwd: Quincy

1 message

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

Wed, Nov 6, 2019 at 11:31 AM

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A large rectangular block of text has been redacted with a black grid pattern, with a small white rectangular area visible on the left side.

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

From: [REDACTED]@goodwinlaw.com>  
Date: Tue, Nov 5, 2019 at 3:23 PM  
Subject: Quincy  
To: [REDACTED]@joyfulheartfoundation.org>  
Cc: [REDACTED]@goodwinlaw.com>

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Enclosed is a copy of the Quincy email.

Regards,

A small rectangular block of text has been redacted with a black grid pattern.

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**From:** TERENCE M MCDONNELL [REDACTED]@quincyma.gov>  
**Sent:** Friday, September 20, 2019 6:19 AM

**To:** [REDACTED]@goodwinlaw.com>  
**Subject:** Follow-up

[REDACTED]  
Please find the attached response to your email sent September 10, 2019.

Regards,

Lieutenant Terence McDonnell  
Quincy Police Department  
Inspector of Divisions

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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