

1A22. 33P11.4/2

# *The* Review

*Trends in  
Government  
Disclosure*



*Public Records Division  
Office of the Massachusetts Secretary of State  
Michael J. Connolly, Secretary*

*The*  
**Review**

---

*Trends in Government Disclosure*

---

Volume IV

Number 2

April 1986

---

Office of the Secretary of State, Michael J. Connolly, Secretary

# Table of Contents

---

<u>DETERMINATION</u>	<u>PAGE</u>
SPR 85/248	1
SPR 85/296	2
SPR 85/287	2
SPR 85/229	3
SPR 85/291	3
SPR 85/64	4
SPR 86/03	4
SPR 85/61	5
SPR 86/01	5
SPR 85/267	6
SPR 85/198	6
SPR 86/15	7
SPR 85/192	7
SPR 86/49	8
SPR 86/10	8
SPR 86/14	9
SPR 86/37	9
SPR 85/246	10
SPR 85/193	10
SPR 86/33	11

<u>APPELLATE COURT DECISIONS</u>	<u>PAGE</u>
<u>Seigle v. Barry</u>	12

# Subject Index

---

<u>KEY PHRASE</u>	<u>OPINION NUMBER</u>	<u>PAGE</u>
Applicants		
-persons identified at open meeting	86/14	9
Appraisals	85/267	6
Computerized Records		
-computer tape, disk	86/33	11
-software capabilities	85/192	7
Crime Journal	86/49	8
Eminent Domain	85/267	6
Executive Session Minutes	85/287	2
Fees		
-computer tape, disk	86/33	11
Fire Abatement Orders	86/37	9
Investigatory Records		
-board of registration in Medicine	85/291	3
Legal Memoranda	85/248	1
Mass Torts Claims Act	85/64	4
Medical Records		
-Dept of Health & Hospitals	85/296	2
Opinion Poll	85/198	6
Police Reports	86/01	5
Possession of Records		
-constructive receipt	85/61	5
-non-existent records	86/10	8
Public Employees		
-assault complaint	85/248	1
-salary information	86/15	7
-1099 forms	85/193	10
Rape Reports		
-sexual assault on child	86/03	4
-statement of subject	85/229	3
Tax Records	85/193	10
Telephone Records	85/246	10

# Determinations

PR 85/248

ISSUE: Requester sought release of a city employee's statement to the city solicitor regarding an alleged threat made to the employee while carrying out his duties.

ALD: Exemption (b), (d), and (f) do not apply. The statement is a public record.

RATIONALE: Exemption (b) is designed to relieve agencies from the burden of assembling and maintaining for public inspection matters in which the public could not reasonably be expected to have an interest. Department of the Air Force v. Rose, 452 U.S. 352, 369-370 (1976) (Interpretation of the cognate provision of the Federal Freedom of Information Act). The Massachusetts statute is even more restrictive. To invoke exemption (b) in Massachusetts there must be an additional showing that the performance of a necessary governmental function requires such withholding. G.L. c.4, s.7 (26) (b). Since the requested record neither relates solely to internal personnel rules or practices nor interferes with the proper performance of a governmental function exemption (b) cannot apply.

Exemption (d) protects inter-agency and intra-agency memoranda or letters discussing legal and/or policy issues during the deliberative process. Vaughn v. Rosen, 523 F.2d 1136, 1144 (D.C. Cir. 1975). The information requested is not an inter-agency or intra-agency memorandum or letter. Further, it is a factual statement and it does not contain legal or policy analyses or recommend any course of action. Therefore, exemption (d) does not apply.

Finally, exemption (f), the exemption for investigatory materials, protects against premature disclosure of confidential investigative techniques, procedures, or sources of information. Bougas v. Chief of Police of Lexington, 371 Mass. 59, 62 (1976). The rationale for the exemption does not apply to complaints filed by public officials regarding threats made to them while performing their job. Part of the officials duty is to report incidents of unlawful conduct which occur in this manner. Therefore, this complaint is a public record and must be disclosed.

PR 85/296

ISSUE: Requester sought access to a medical report of the Department of Health and Hospitals pertaining to the death of a friend.

ELD: The information is exempt under exemption (a).

RATIONALE: Exemption (a) permits the non-disclosure of records or materials that are specifically or by necessary implication exempted from disclosure by statute. The Department of Health and Hospitals relied upon G.L. c.111, s. 70 as the basis for non-disclosure of the requested data. It states in part:

Hospitals and clinics subject to licenses by the department of public health ... shall keep records of the treatment of the cases under their care ... . Section ten of chapter sixty-six shall not apply to such records; ... provided such records may be inspected by the patient to whom they relate, or by his attorney upon delivery of a written authorization from said patient ... (emphasis added).

Since the requester is not the patient's attorney or the patient himself, the records are exempt from disclosure by G.L. c.111, s. 70 through exemption (a).

PR 85/287

ISSUE: An advisory opinion was sought to determine the public records status of executive session minutes of the board of health.

ELD: Disclosure of the minutes would defeat the purpose for which the executive session was held, therefore, they are exempt.

RATIONALE: Exemption (a) exempts from disclosure records which are specifically or by necessary implication protected from disclosure by statute. G.L. c.39, s.23B, The Open Meeting Law, provides in part:

The records of any executive session may remain secret as long as publication may defeat the lawful purpose of the executive session, but no longer.

The executive session in question was called to discuss complaints and charges brought against an individual. One of the purposes of the Open Meeting Law is to protect the privacy of the person who is the subject of such executive sessions. Mandatory disclosure of such information would be an invasion of that person's privacy and would defeat the purpose of the statute. Therefore, the minutes are exempt.

ISSUE: Requester sought records concerning the alleged sexual assault of her child.

HELD: Exemption (a) and (f) protect information provided to the authorities regarding an alleged sexual assault.

RATIONALE: Exemption (a) exempts records which are specifically or by necessary implication protected from disclosure by statute. G.L. c.43, s.97D is such a statute. It provides in part: all reports of rape and sexual assault or attempts to commit such offenses and all conversations between police officers and victims of said offenses shall not be public records...(emphasis added). Therefore, reports of an alleged sexual assault provided to the authorities by the alleged victim or by the witnesses to an assault are exempt from public disclosure by G.L. c.41, s.97D through exemption (a).

Exemption (f) is designed to prevent the premature disclosure of the Commonwealth's case prior to trial. Disclosure of a statement provided by an alleged assailant during an on-going investigation prior to trial is the type of information which falls within the parameters of exemption (f).

ISSUE: Requester sought disclosure of complaints filed with the Board of Registration in Medicine against a physician.

HELD: G.L. c.112, s.5 exempts from disclosure complaints currently under investigation. Therefore, currently pending complaints are exempt under exemption (a). All resolved complaints, however, are public records.

RATIONALE: An agency is justified in withholding disclosure of specific records under exemption (a) if the language of the statute relied upon was meant to restrict the public's right to access under the public records law. Attorney General v. Collector of Lynn, 377 Mass. 151, 154 (1974). G. L. c. 112, s.5 specifically instructs the Board of Registration to: "keep confidential any complaint ... in connection with an investigation ... except... after the board has disposed of the matter ... by taking final action.

Therefore, the statute permits the board to withhold all unresolved complaints from disclosure. All other complaints must be disclosed.

SPR 85/64

**ISSUE:** An advisory opinion was requested to determine the public record status of a G.L. c.258, s.4 demand letter, a third party complaint brought against the town, and a memorandum provided to the selectmen which discusses litigation strategy. Copies of the third party complaint and the memorandum were provided for an in camera review.

**HELD:** The records are public.

**RATIONALE:** G.L. c.4, s.7(26) defines public records as documents "made or received" by an officer or employee of any governmental agency. The demand letter, third party complaint and memorandum fall within the broad definition of public records. The only exemptions from disclosure available for public records are those listed in G.L. c.4, s.7 (26) (a)-(1). Bougas v. Police Chief of Lexington, 371 Mass 59 (1976). The demand letter does not fall within any of the exemptions listed in G.L. c.4, s.7(26) (a)-(1). The only possible exemption applicable to the third party complaint is exemption (c). If the records contain information which if disclosed creates an unwarranted invasion of a person's privacy the records, or portions thereof, may be exempt. Hastings & Sons Publishing Co. v. City Treasurer of Lynn, 374 Mass. 812, 818-819(1979). Memorandum discussing litigation strategy may be exempt from disclosure under exemption (d).  
SPR 84/25.

SPR 86/03

**ISSUE:** Requester sought a copy of an investigative report, interviews with witnesses, and any physical evidence in the possession of the police department concerning the alleged sexual assault of her client.

**HELD:** The records are exempt from disclosure by exemption (a).

**RATIONALE:** An agency may withhold records from disclosure under exemption (a) when the language of the statute relied upon was meant to restrict the public's access to records under the Public Records Law. Attorney General v. Collection of Lynn, 375 Mass. 151, 154 (1979); Ottaway Newspaper Co. v. Appeals Court, 372 Mass. 539, 545-546 (1977). G.L. c.41, s.97D, states in part: "reports of rape and sexual assault, or attempts to commit such offenses and all conversations between police officers and victims shall not be public records and shall be maintained in such a way that assures their confidentiality." Therefore, the requested records are specifically exempted by statute from mandatory disclosure.

SPR 85/61

**ISSUE:** An advisory opinion was requested to determine the public records status of video tapes neither made nor received by a governmental agency or employee. The issue raised was whether a town can have constructive receipt of records.

**HELD:** The statute does not permit constructive receipt.

**RATIONALE:** G.L. c.4, s.7(26) states that a public record is one made or received by any officer or employee of a governmental agency subject to Public Records Law. Although the intent of the statute is to provide broad public access, the term "received" has been narrowly construed by the courts. A record must be received in fact. Westinghouse Broadcasting Co. v. Sergeant-at-Arms of the General Court, 375 Mass. 179, 182-184 (1978). Therefore, the fact that a governmental agency is entitled to receive records, but does not exercise that right, does not subject the record to disclosure.

Since it has been determined that the video tape is not a public record, the Supervisor of Public Records does not have the authority to order its disclosure under G.L. c.66, s.10.

SPR 86/01

**ISSUE:** Requester sought a copy of a report prepared by the police department in connection with an incident at the school department.

**HELD:** The report is a public record.

**RATIONALE:** Investigatory materials may be exempt from disclosure under exemption (f). The purpose of exemption (f) is to prevent the disclosure of confidential investigative techniques, procedures, or sources of information, to encourage individual citizens to come forward and speak freely with the police, and to allow the investigating officers to be candid in recording their observations. Bougas v. Chief of Police of Lexington, 371 Mass. 59, 61-62 (1976). However, the present case does not involve an on-going investigation and no future investigations are planned. Furthermore, no charges have or will be filed against the individual involved in the incident. Finally, since the witness whose name, address, and comment appear in the report is a state employee who has an obligation to report such incidents, the danger of disclosure inhibiting other state employees from coming forward in the future to assist in investigations is not present. Therefore, the report is a public record.

SPR 85/267

ISSUE: Requester sought disclosure of appraisals on a piece of land that was the subject of eminent domain proceedings.

HELD: When the parcel ceased being the subject of eminent domain proceedings the appraisals became public records.

RATIONALE: The appraisals requested were compiled as part of an eminent domain proceeding. Therefore, exemption (i) merits consideration. The purpose of this exemption is to provide governmental agencies engaged in acquiring real property, by purchase or eminent domain proceedings, with the same degree of confidentiality afforded to private parties. It permits withholding of real property appraisals until either an agreement is entered into, any litigation relative to such appraisal has ended or the time within which to commence litigation has expired. Since the parcel was no longer the subject of an eminent domain proceeding the requested appraisals are public records.

The incorporation of a public record into a record that is exempt does not automatically give that information exempt status. Globe Newspaper Co. v. Commissioner of Education, NO. 26128 at 2 (Suffolk Superior Court, 1978). Therefore, even if the requested data forms the basis for future appraisals, which themselves would be exempt from disclosure, that same data remains a public record.

SPR 85/198

ISSUE: Whether an opinion poll conducted exclusively by a constitutional officer's political campaign organization is a public record within the definition of G.L. c.4, s.7(26).

HELD: No.

RATIONALE: The mandatory disclosure provisions of G.L. c.66, s.10(a) only apply to "any person having custody of any public record." The term custody has been narrowly construed. A record must be in the actual custody of a governmental official who is subject to the Public Records Law. Westinghouse Broadcasting Co. v. Sergeant-at-Arms of the General Court, 375 Mass. 179, 182-184 (1978). The raw data of the requested poll was compiled by a candidate's political committee rather than a governmental entity and it was never in the custody of an official who is subject to the Public Records Law. Consequently, the mandatory disclosure provisions of G.L. c.66, s.10 do not apply.

SPR 86/15

ISSUE: Whether records of a public employee's merit pay increases are exempt from disclosure under exemption (c)?

HELD: No

RATIONALE: In order to be exempt as "personnel files or information," the record must be one which is usually found in an employee's personnel file, it must relate to a specifically named individual and it must be of a personal nature. Public employees as a class have a diminished expectation of privacy in matters relating to their public employment. Names, salaries and addresses of public employees are not the type of personal facts the Legislature intended to protect under exemption (c). G.L. c.7, s.30 provides further evidence of this legislative intent as it specifically states:

"... a record, open to public inspection, showing the name, residence, designation, rate of compensation and date of appointment or qualification of every such official and employee, and any increase in rate of salary or compensation paid him during the preceding fiscal year."

The records sought in this particular request are only monetary in nature. Merit pay increases are merely the result of the evaluative process and do not by themselves constitute the type of evaluative information which is exempt from disclosure.

SPR 85/192

ISSUE: Must a public records custodian disclose computer data in any form desired by requester?

HELD: Yes, if the desired format can be generated by existing programs.

RATIONALE: As long as the governmental agency has the computer software capability to generate a record in the particular format requested, it must do so, regardless of whether such data would ever be created in that form for its own purposes. The actual cost incurred for reproduction of computerized data (i.e. cost of computer tape and computer time used in reproduction) maybe charged as a reproduction fee.

SPR 86/49

ISSUE: Is an administrative journal of a State Police Crime Prevention and Control Unit (CPAC) located in a District Attorney's Office a public record?

HELD: Yes

RATIONALE: G.L. c.41, s.98F requires police departments to maintain a daily log and make all entries available to the public unless otherwise provided by law. CPAC investigates matters which are referred to it by state and local police. Therefore, CPAC is no more a separate "police department" within the meaning of G.L. c.41, s.98F than any other detective division of state and local police departments. CPAC has no lock-up facility and all persons arrested are taken to state and local police barracks. Consequently, the information required to be kept by G.L. c.41, s.98F (i.e. names, addresses and charges brought) will be noted in logs of a state and local police barracks. Accordingly, an administrative journal maintained by CPAC is not subject to mandatory disclosure under the police log statute.

Nevertheless, an administrative journal maintained by CPAC falls within the broad definition of public records. G.L. c.4, s.7 (26). The only exemption that merits consideration is exemption (f). This applies to any information contained in a CPAC administrative journal which if disclosed could prejudice the possibility of effective law enforcement. However, non-exempt, segregable portions of records are subject to mandatory disclosure. G.L. c.66, s.10(a). Therefore, the public records status of the individual entries noted in the CPAC administrative journal must be determined on a case by case basis before any denial of disclosure takes place.

SPR 86/10

ISSUE: The public records status of a record which is no longer in the possession of the custodian to whom the request was made.

HELD: There is no obligation to recreate a record.

RATIONALE: A record custodian has a mandatory duty to provide access to any requested public records that exist which is within his custody. A custodian is not obliged, however, to create a new record in order to respond to a request for information which he or she no longer possesses.

SPR 86/14

**ISSUE:** Whether the names of individuals who are general applicants for a public position are considered public records and if not, whether mention of the names at a public meeting makes them public record.

**HELD:** The names of general applicants are not public record but their mention at a public meeting would make them public record.

**RATIONALE:** Disclosure of the names of such applicants implicates their privacy interests. Therefore, exemption (c) merits consideration. The first clause of exemption (c) absolutely exempts personnel records which relate to a particular individual if such records are of a personal nature. The records in question obviously relate to particular individuals and the employment screening process is an integral part of the personnel process. "Personal nature" is commonly interpreted as information which would not be shared with strangers or which could harm the subject if disclosed. A career change is a personal matter and disclosure could harm the individual's relationship with a present employer. Accordingly, the names of general applicants are not a matter of public records.

G.L. c.39, s.23B, the Open Meeting Law, makes records of public meetings public records upon their creation. Consequently, the names of individuals which are revealed in this fashion are public records by virtue of the Open Meeting Law.

SPR 86/37

**ISSUE:** Requester sought disclosure of abatement orders issued by the fire department.

**HELD:** The information is a public record.

**RATIONALE:** Exemption (f), the investigatory exemption, was considered when determining the public records status of the abatement orders. Exemption (f) recognizes that the disclosure of certain investigatory materials could prejudice effective law enforcement. However, the ability to enforce fire code abatement orders is enhanced, not hindered, by disclosure. Therefore, abatement orders do not fall within the confines of exemption (f).

SPR 85/246

**ISSUE:** Requester sought a copy of the order requiring the police department to answer the phone with the message "you are being recorded."

**HELD:** Exemption (b) does not apply. The requested record is public and subject to disclosure.

**RATIONALE:** Exemption (b) is very narrow in scope. The exemption is designed to spare the government the trouble of disclosing "matters in which the public could not reasonably be expected to have an interest." Department of the Air Force v. Rose, 452 U.S. 352, 369 (1976) (Interpreting the cognate provision Federal Freedom of Information Act). The Massachusetts statute is even more restrictive. Along with the above guideline, there must be an additional showing that the proper performance of necessary governmental functions requires withholding of the data.

The record in question contains information which is of legitimate public interest. The public has a right to know when an order was issued and whether the order was properly enacted. The required recording is not merely a housekeeping matter in which the public could not reasonably have an interest. On the contrary, the public has a strong interest in protecting its expectation of privacy when contacting the police. The record is public and subject to disclosure.

SPR 85/193

**ISSUE:** Requester sought disclosure of the W-2 and 1099 forms of former public employees receiving accident disability pension benefits.

**HELD:** W-2 and 1099 forms contain both exempt and non-exempt information. Exemption (c) exempts Social Security numbers and the amount of salary withholdings.

**RATIONALE:** Social Security numbers and the amount of state, federal, and retirement withholdings are "intimate details" of a "highly personal nature." See SPR 84/40. Data classified as such are exempt under exemption (c). Attorney General v. Collector of Lynn, 377 Mass. 151, 157 (1979). The remaining information contained in the W-2 and 1099 forms are public records subject to mandatory disclosure.

SPR 86/33

**ISSUE:** The public records status of a computer tape or disc. The fee that may be charged for a copy of a computer tape or disc.

**HELD:** Computer tapes and discs are public records and the actual cost of duplication may be charged.

**RATIONALE:** Physical form or characteristics of a record is irrelevant. A computer tape or disc is a public record subject to mandatory disclosure as long as the information contained within the record is public. G.L. c.4, s.7 (26). There appears to be no difference between providing information through computer software or the lease of a terminal in the government agency's computer and providing it through more conventional methods. 1970/71 Op. Atty Gen. 7 p.46.

Copies of public records shall be furnished upon payment of reasonable fees. G.L. c.66 s.10(a). For public records not susceptible to ordinary means of reproduction, the actual cost incurred may be assessed. 950 C.M.R. 32.06(1)(f). If the fee is expected to exceed ten (\$10.00) dollars, the custodian must furnish the requester with a written good faith estimate of total cost prior to complying with the request, 950 C.M.R. 32.06(2).

# Appellate Court Decisions

---

Seigle v. Barry  
422 So. 2d 63 (Fla. App. 1982)

- FACTS:** Requester sought information stored in a school board's computers. The school board was willing to grant access in one format. The requester, however, wanted the information in another format. Requester offered to design and pay for the creation of such a program or to reimburse the school board for doing so. The school board refused. The circuit court ordered the school board to run the new program designed at the requester's expense. The school board appealed.
- ISSUE:** Whether there is right under the Public Records Law to obtain information in a particular format.
- HELD:** No. Access to computerized records shall be given through the use of programs currently in use by the public official responsible for maintaining public records. Access by the use of a specially designed program may be permitted within the discretion of the custodian. The custodian, however, may be required to create a new program where:
1. available programs do not access all of the public records stored in the computer;
  2. available programs include exempt information necessitating a special program to delete the exempt information;
  3. the format offered does not fairly and meaningfully represent the records;
  4. the court determines other extraordinary circumstances exist warranting this special remedy.

# Cumulative Subject Index

<u>KEY PHRASE</u>	<u>ISSUE</u>	<u>PAGE</u>	<u>DETERMINATION</u>
Abandoned Property Lists	1,4-85	2	84/221
Absentee Ballot Applications	10-84	11	84/118
Access Procedures	7-83	1	82/155
	7-83	3	82/117b
	4-84	8	84/14
	10-84	3	84/125
	1,4-85	2	84/221
	7-85	11	85/78
	7-85	1	85/80
	7-85	2	85/95
	10-85	9	85/92
	10-85	11	85/97
	1-86	4	85/206
	1-86	11	85/69
Agenda for a Public Meeting	10-83	1	82/205
Allegations of Misconduct			
-public employees	10-84	12	83/205
	10-84	8	84/91
	10-84	5	84/139
	10-84	6	84/151
-public officers	7-85	10	84/222
Applicants for Public Positions			
-background investigation report	7-85	11	85/78
-current employment status	4-84	1	83/125
-finalists	7-84	5	84/66
-names	1-84	7	83/48
	4-84	2	83/94
-persons identified at Open Meeting	4-86	9	86/14
Applicants to Public Board	7-85	3	84/17
Applications for Public Employment	10-84	7	84/115
Appraisals	10-85	12	85/104
	1-85	11	85/211
	4-86	6	85/267
Assessors			
-field assessment cards	10-83	6	82/196
	7-85	3	85/18
	10-84	5	84/142
-residential data collection cards	4-84	4	83/146
-worksheets	4-84	2	83/131
Attorney-Client Privilege	1,4-85	15	84/125
Attorney-Work Product Doctrine	1,4-85	15	84/125
Audits			
-management reports	10-83	6	83/22
-recommendations pursuant to	4-84	7	83/196
	10-83	3	82/170

Auto License Suspension Hearing	7-85	8	85/71
Ballistic Reports	7-84	10	83/194
Bias	1,4-85	8	1038
Bids	10-83	3	82/170
	10-84	9	84/155
	1-86	3	85/135
	1-86	1	85/150
Boxing Commission			
-citizen complaints	7-83	5	82/154
Breathalyzer Test Results	4-84	9	84/22
Budget			
-police department	20-84	7	83/191
-proposals	7-85	13	85/12
Cable Television Commission			
-Revenue and expense report	4-84	8	84/04
Census Data	1-84	2	82/194
	1-86	9	86/007
Certification of Teachers	1-84	3	83/134
Checks			
-endorsements on cancelled checks	7-85	5	85/06
Children			
-investigatory report	7-84	7	84/65
-names, addresses, birthdates	7-84	1	84/23
Citizen Complaints			
-Boxing Commission	7-83	5	82/154
-regarding police officers	10-83	5	83/19
-town landfill	10-84	5	84/139
Civil Service Records	1,4-85	5	84/156
Computerized Records	1,4-85	10	84/140
	10-85	4	85/144
-computer tape, disk	4-86	11	86/33
-software capabilities	4-86	7	85/192
Consent to Disclosure	7-85	7	85/47
	10-85	3	85/62
	10-85	1	85/76
Consultants			
-as government unit	7-83	4	82/141
Correspondence	7-84	8	83/199
Creation of Records	7-83	3	82/114
Crime Journal	4-86		86/49
Day Care Centers	1-86	8	85/131
Disciplinary Hearing	7-85	6	85/14
Dog Lists	1-84	9	83/55 & 83/60
Education Collaboratives			
-as state agency	7-83	5	82/148
Eminent Domain	4-86	6	85/267
Employers			
-delinquent employment security taxes	7-83	1	82/54
Employment Contract	1-84	10	83/69
Employment Disputes	1-84	1	82/179
	7-85	6	85/14
Environmental Quality Engineering, Dept of	4-84	4	83/159

Executive Session Minutes	1,4-85	18	84/157
	10-85	10	85/147
	4-86	2	85/287
	10-85	3	85/62
Expenditures, projected and trial balances	7-84	5	82/106
Factual Reports	1-84	5	83/84
Fair Information Practices Act	10-83	5	82/206
	7/85	11	85/78
Fees	7-83	3	82/139
	7-83	5	82/148
	7-83	6	82/156
	7-83	7	82/169
	10-83	8	82/221
	10-83	7	83/24
	1-84	1	83/78
	4-84	9	83/145
	7-84	11	84/15
	7-84	9	84/17
	7-84	3	84/78
	1,4-85	7	84/46
	7-85	7	85/79
	7-85	1	85/80
	10-85	6	85/86
	4-86	11	86/33
Financial Disclosure Statements	10-83	3	83/30
Fire Abatement Orders	4-86	9	86/37
Foam Insulation Repurchase Requests			
-names and addresses of requesters	7-83	2	82/108
Food Stamp Data	10-83	2	83/29
Foster Care Records	10-85	2	85/100
Gasoline Usage Reports	1-84	2	83/90
Grand Jury			
-transcripts and exhibits	10-84	10	84/123
Grievances	1-84	11	83/36
	1-84	2	83/90
Hearings			
-disciplinary	7-85	6	85/14
Homes Tested for Formaldehyde	7-83	2	1017
Housing Authority Tenants			
-former addresses	4-84	7	84/24
-in camera review	10-85	3	85/62
Industrial Accident Board			
-cases	1,4-85	19	999
Industrial Accident Records	10-84	3	84/51
Inspection Records of Institutions Using			
Animals for Research Purposes	10-84	13	83/43
Inspector General			
-investigations	1,4-85	9	85/41

Insurance			
-claims	10-83	1	82/217
-Division of Insurance Records	10-84	11	84/47
-findings and orders of the Board of Appeal on Motor Vehicle	10-84	9	84/43
-merit rating determinations	4-84	5	83/166
	4-84	5	83/170
-vouchers	1-84	6	82/107
Investigatory Records			
-Board of Registration in Medicine	1-84	9	82/110
	4-86	3	85/291
-legal bills	10-85	6	85/86
Landlords, Section 8	1-86	13	85/107
Legal Memoranda	4-86	1	85/248
Library Users	7-83	1	82/119
Licences			
-boxing	7-83	5	82/154
-mail delivery	10-85	11	85/97
-mail lists	10-85	5	85/81
Lists	1-86	7	85/43
Loans	1-86	10	85/152
Mass Technological Corp			
-financial information	1,4-85	4	84/152
Mass Torts Claim Act	4-86	4	85/64
Medicaid	1-86	7	85/213
Medical Records	7-85	10	84/222
-Dept. of Health & Hospitals	4-86	2	85/296
Medical Standards for Correctional Employees	10-83	9	82/198
Medical Treatment	10-85	8	85/94
Microfiche Copies	10-84	8	84/102
Minority Business Certification Applications	7-84	6	83/70
Minutes of Meetings			
-duty to create	1-86	12	85/118
-Housing Authority	10-83	9	82/216
-School Committee	7-85	2	85/37
	10-85	11	85/98
-Selectman	1,4-85	12	84/215
-transcription of	10-83	4	83/04
-Welfare Office	7-83	3	82/114
Mortgages	1-86	5	85/113
Motor Vehicle Reports	10-83	10	82/171
	10-83	8	82/225
	10-83	7	83/28
	7-84	2	84/39
Municipal Bank Statements	4-84	1	83/165
Municipal Contracts	1,4-85	5	84/156
Opinion Poll	4-86	6	85/198
Parole Board Vote	1-84	5	83-50
	10-84	8	84/91
PCB Test Results	7-84	10	82/102
Pension Payments	1,4-85	3	84/219
Pension Recipients	7-83	6	82/167

Personnel Records	1-86	10	85/151
	1-84	9	82/95
Pistol Permit	7-84	3	84/42
Police Investigations			
-background of potential employee	7-85	11	85/78
-internal investigation	7-85	10	84/222
	10-85	1	85/76
-telephone calls	4-84	8	83/193
	7-85	5	85/06
-witness interviews	7-85	10	84/222
Police Logs			
-chronologically maintained logs	10-83	10	83/27
-entries related to burglaries	7-85	4	85/32
-entries related to rape	10-83	2	82/224
-names and addresses of burglary victims	4-84	6	84/20
-persons arrested for lewd behavior	1-84	7	83/61
Police Officers			
-attendance	1-86		85/105
-citizen complaints against	10-83	5	83/19
-expenditures	10-85	8	85/145
-discharge notice	7-85	6	85/14
-identification	1,4-85	17	83/88
-names, badge numbers and positions	10-83	10	83/27
-photographs	10-83	9	82/172
-sick days	10-85	8	85/145
-test scores	1-86	14	85/83
Police Reports	10-83	11	82/99
	10-83	10	82/171
	10-83	9	82/172
	10-83	8	82/174
	10-83	8	82/183
	10-83	5	83/19
	7-84	11	84/77&78
	1,4-85	17	83/88
	1,4-85	14	84/46
	1,4-85	9	84/161
	7-85	14	84/198
	7-85	10	84/222
	7-85	11	85/78
Possession of Records			
-constructive receipt	1,4-85	14	84/165
	4-86	5	85/61
-non-existent records	4-86	8	86/10
Prisons	10-84	10	84/123
Private Fund Raisers	1-86	12	85/85
Proposals	10-83	1	82/187
	10-85	11	85/20
Public Boat Moorings	10-85	10	85/110
	1,4-85	11	84/182
	7-85	13	85/12

Public Employees			
-age and sex of	4-84	10	84/09
-assault complaint	4-86	1	85/248
-checks issued to	10-84	6	84/133
-evaluations	10-83	6	84/47
	1-84	6	83/135
	1-84	8	83/87
	4-84	3	84/11
-examination scores	1-84	4	83/92
-names	10-84	2	84/159
-names of references	1-84	4	82/40
-notes	1,4-85	20	920
-personnel records	1-84	6	83/135
	1,4-85	5	84/156
	1,4-85	5	84/182
	1,4-85	11	84/182
-qualifications	7-85	2	85/37
-salary information	4-86	7	86/15
-social security numbers	7-84	2	84/44
-W-2 forms	4-84	10	84/40
-1099 forms	4-86	10	85/193
Public Health Records	1,4-85	7	1032
Public Safety, Dept of			
-criminal investigative reports	4-84	6	83/154
-departmental evaluations	10-84	12&13	83/205
-intelligence data forms	10-84	2	84/52
Rape Reports			
-sexual assault on child	4-86	4	86/03
-statement of suspect	4-86	3	85/229
Recipients of Low Interest Mortgage Loans			
-names and addresses	4-84	3	83/156
Records Barred from Discovery	1,4-85	6	1000
	1-86	10	85/151
Requester as Subject	7-85	11	85/78
Requester Motive	1,4-85	3	84/158
	1,4-85	3	84/216
	1,4-85	3	84/217
	1,4-85	3	84/218
	7-85	4	85/32
	7-85	2	85/37
	10-85	5	85/81
	10-85	2	85/100
Retrieved Stolen Property	7-84	9	82/211
Salary Information	10-84	4	83/116
School Department Evaluations	7-84	4	83/196
Segregation of Records	10-85	2	85/100
Selectmen	1-86	2	85/58
	1-86	16	85/65
Service of Process	7-85	13	85/09
Settlement Agreement	7-85	7	85/47
Sociological Thesis	1,4-85	14	84/165
State Ethics Commission	1,4-85	12	1031

Student Records			
-names and addresses	7-83	1	82/117A
	7-83	3	82/117B
	7-84	6	84/27
-fees	7-83	6	82/156
	7-83	7	82/169
-parents and guardians of	7-83	7	82/169
	7-84	6	84/77
Subsidized Housing Applications	7-84	8	84/50
Suicide Note	10-84	10	84/123
Survey of University Security Department	7-84	7	84/28
Tape Recorded Police Calls	1-84	3	83/96
	1-84	3	83/115
Tax Abatement			
-applications	7-83	1	82/115
	10-84	1	84/136
-blind exemption	10-85	12	85/87
-total amounts	7-85	8	85/71
Tax Delinquents	7-83	5	82/149
	7-85	8	85/71
Tax Records	10-83	4	82/188
	10-83	4	82/204
	7-85	8	85/71
	4-86	10	85/193
Telephone Records	1-86	9	85/133
	4-86	10	85/246
Termination from Health Insurance Carrier	10-85	9	85/154
Trade Secrets	1,4-85	8	1038
Veterans	7-84	12	83/62
Veteran's Benefits	7-83	3	82/125
Vital Statistics	1,4-85	3	84/121
	10-85	4	85/144
Voter Registration Information	10-83	11	82/176
Votes of the Board of Fisheries and Wildlife	10-84	4	84/110
Voting List	1-84	10	83/81
Warrants	7-85	8	85/71
Water Contamination Study	7-84	12	83/62
Water Tested for Nitrate Contamination	10-84	1	84/72
Witnesses	7-85	10	84/222
	10-85	1	85/76

If you or anyone on your staff is interested in receiving copies of *The Review*, published quarterly, please detach the order form below or call the Division of Public Records at (617) 727-2832 to reserve a free subscription.

NAME: \_\_\_\_\_

AGENCY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

NUMBER OF SUBSCRIPTIONS REQUESTED (Limit of three): \_\_\_\_\_

Return to: *The Review*  
Office of the Secretary of State  
Division of Public Records  
One Ashburton Place, Room 1701  
Boston, MA 02108

THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE SECRETARY OF STATE  
DIVISION OF PUBLIC RECORDS  
ONE ASHBURTON PLACE, ROOM 1701  
BOSTON, MASSACHUSETTS 02108