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**From:** Kathy Spofford <kspofford@townsend.ma.us>  
**Sent:** Tuesday, September 19, 2017 11:05 AM  
**To:** 'Stephen Sheldon'  
**Subject:** RE: Overdue Public Records request

Dear Mr. Sheldon,

There is a document in the town's possession that is responsive to your request but it is exempt from disclosure pursuant to exemption (c) the so called "privacy exemption" as described below.

The document involves matters that are considered "personnel ...files or information" concerning Mrs. Clark, and as such, are exempt from disclosure under exemption (c), the so-called "privacy exemption":

Personnel and medical files or information; also any other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy. G.L. c.4, §7, cl.26(c)

Records constituting "personnel" records, i.e., information with regard to a particular candidate or employee that would be "useful in making employment decisions," may be withheld as "personnel information" under the first clause of exemption (c) of the Public Records Law. Wakefield Teachers Association v. School Committee of Wakefield, 431 Mass. 792 (2000)

The town further asserts that even if the town could provide you a redacted copy that the amount of material needing to be redacted would render the remainder of the document relatively meaningless.

Pursuant to 950 CMR 32.08, you may appeal this response to the Supervisor of Public Records within 90 calendar days.

Sincerely,

Kathleen M. Spofford  
Town Clerk  
Town of Townsend  
272 Main Street  
Townsend, MA 01469  
978-597-1704  
FAX: 978-597-8135

This message (including any attachments) contains confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this message. In Massachusetts, the term "public record" is broadly defined to include all documentary materials or data created or received by any officer or employee of any governmental unit, regardless of physical form or characteristics unless it falls under one of the statutory exemptions to the Public Records Law MGL c. 4, s. 7(26). Consequently, email is subject to the disclosure, retention and maintenance provisions as required by law. MGL c. 66.

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**From:** Stephen Sheldon [mailto:sjs488@comcast.net]  
**Sent:** Tuesday, September 19, 2017 10:13 AM  
**To:** rao@townsend.ma.us; jkreidler@townsend.ma.us; pre@sec.state.ma.us  
**Cc:** Kellymkelly@comcast.net  
**Subject:** Overdue Public Records request

To Whom it may concern;

On September 1, 2017, I sent in a public records request asking for the correspondence from Patricia Clark to Carolyn Smart, referenced in the MCAD complaint filed against the Townsend Police Department.

The letter Specifically referenced Former Police Chief Robert DeMoura.

Please note that the MCAD is now a public document and Mrs. Clark withdrew her MCAD complaint to file a Civil Suit in Massachusetts Superior Court.

It now has been 19 days and I have yet to receive the letter I am asking for, or a reason why the delay.

I have copied the state, as once again the Town of Townsend continues not to comply with the States Public Record Law by releasing information in a timely manner.

Sincerely

Stephen Sheldon



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