



*The Commonwealth of Massachusetts*  
*Department of State Police*

CHARLES D. BAKER  
GOVERNOR

KARYN E. POLITO  
LIEUTENANT GOVERNOR

DANIEL BENNETT  
SECRETARY

COLONEL TIMOTHY P. ALBEN  
SUPERINTENDENT

*Office of the Chief Legal Counsel*  
*470 Worcester Road*  
*Framingham, Massachusetts 01702*

**Via Email Only:**  
**[todd.wallack@globe.com](mailto:todd.wallack@globe.com)**

April 9, 2015

Mr. Todd Wallack  
The Boston Globe  
P.O. Box 55819  
Boston, MA 02205

RE: Your Public Records Request

Dear Mr. Wallack,

The Massachusetts Department of State Police ("Department") has received your public records request for a "February 25, 2014 incident report involving Judge Patricia Curtin, who was reportedly spotted on surveillance tape taking a \$4,000 watch at Logan airport in Boston... [and] a copy of any criminal complaints that were issued (if any) regarding the matter."

As you may know, the Criminal Offender Record Information ("CORI") statute operates through exemption (a) under the Massachusetts Public Records law to require a records custodian to withhold records "compiled by a criminal justice agency which concern an identifiable individual and relate to the nature or disposition of a criminal charge, an arrest, a pre-trial proceeding, or other judicial proceedings, sentencing, incarceration, rehabilitation, or release." See G.L. c.6, §§167-68 and G.L. c.4, §7, cl.26. Incident reports and applications for criminal complaints constitute "information...recorded as the result of the initiation of criminal proceedings or any consequent proceedings" and are protected by CORI. See SPR12/033 (attached). Here, the only records potentially responsive to your request concern an identifiable individual and relate to the nature or disposition of a criminal charge. Accordingly, such material is entirely exempt from public disclosure pursuant to G.L. c.4, §7, cl.26(a)(statutory exemption)(CORI).

Mr. Todd Wallack  
April 9, 2015  
Page 2

If you object to the Department's response to your request, you may file an appeal in accordance with G.L. c.66, §10(b) and 950 CMR 32.00. Your attention to this matter is appreciated.

Sincerely,

A handwritten signature in black ink that reads "Jaclyn Zawada". The signature is written in a cursive, flowing style.

Jaclyn Zawada  
Staff Counsel  
Massachusetts State Police  
(508) 820-2341

JRZ/st