

Massachusetts Department of Correction
Kate Silvia, Primary Records Access Officer
Director of Public Records
50 Maple Street
Milford, MA 01757
(508) 422-3436
doc.ra@state.ma.us

To whom it may concern:

On behalf of Muslim Advocates (“Requestor”), I submit this letter to the Massachusetts Department of Correction (“DOC”) as a request under the Massachusetts Public Records Act (“MPRA”) Mass. Gen. Laws ch. 66. I ask that Muslim Advocates be granted a fee waiver pursuant to Mass. Gen. Laws 66 § 10(d)(v). In the event that a fee waiver is not granted, I ask that an estimate of fees be sent to me before any records are processed. I also ask that the DOC refer the requests contained in this letter to any other agency as appropriate.

I. Instructions

Muslim Advocates requests disclosure of the following records¹ that were prepared, received, transmitted, collected and/or maintained by DOC.

With respect to the form of production, Muslim Advocates requests that electronic records be provided electronically in their native file format, if possible. In particular, electronic records are to be produced in an electronic, native format that contains the original metadata of the files.² If the records cannot be produced in their native format, the Requestor asks (1) an

¹ The terms “records” is intended in the broadest possible sense and includes without limitation all records or communications preserved in electronic or written form, including but not limited to correspondence, regulations, directives, documents, data, videotapes, audiotapes, e-mails, faxes, files, guidance, guidelines, standards, evaluations, instructions, analyses, legal and policy memoranda, minutes or notes of meetings and phone calls, memoranda, agreements, notes, orders, policies, procedures, protocols, reports, rules, manuals, technical specifications, text communications between phones or other electronic devices (including, but not limited to, communications sent via SMA or other text, Blackberry Messenger, iMessage, WhatsApp, Signal, Gchat, or Twitter direct message), training materials or studies, including records kept in written form, or electronic format on computers and/or other electronic storage devices, electronic communications and/or videotapes, as well as any reproductions thereof that differ in any way from any other reproduction, such as copies containing marginal notations. No category of material should be omitted from search, collection, and production.

² As a non-exhaustive list of examples: Microsoft Excel spreadsheets are to be produced as files that open in Excel, with all original data and formulas intact; Microsoft Word documents are to be produced in the same file format they are stored in, such that they contain all tracked changes and comments present in the documents; and emails are to be produced with all metadata fields

explanation why the records cannot be so produced; and (2) that the records be provided electronically in a text-searchable, static-image format (PDF), in the best image quality in the agency's possession, and that the records be provided in separate, Bates-stamped files.

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

If this request is denied in whole or in part, the Requestor asks that you justify all denials by reference to specific statutory exemptions. The Requestor reserves the right to appeal a decision to withhold any information or deny a waiver of fees.

Additionally, in order to avoid delays in receiving records, the Requestor requests that records be produced seriatim as they become available.

Where possible, please provide responsive material in electronic format by email to matthew@muslimadvocates.org. Please furnish any responsive material being sent by mail to:

Matthew Callahan
Muslim Advocates
P.O. Box 66408
Washington, DC 20035

II. Description of Records

1. All grievances (as well as emails, letters, and other correspondence about the grievances), created on or after January 1, 2017, submitted by incarcerated persons regarding any and all religious and/or faith-based services in any Massachusetts Department of Correction facility.
2. All complaints (as well as emails, letters, and other correspondence about the complaints), created on or after January 1, 2017, submitted by prison chaplains regarding any and all religious and/or faith-based services in any Massachusetts Department of Correction facility.
3. The operative version of the Massachusetts Department of Correction Religious Services Manual.

intact, including but not limited to the date and time the email was sent, the full names and email addresses of all recipients, any data contained in the bcc: field, and all attachments.

4. Any and all records containing operative regulations and guidance governing religious practices in Massachusetts Department of Correction facilities.
5. Records created on or after January 1, 2017, containing the number of incarcerated persons of each religion in Massachusetts Department of Correction facilities (e.g., the number of Christian inmates, the number of Sunni Muslim inmates, the number of atheist inmates, etc.).
6. Records created on or after January 1, 2017, containing the number of chaplains employed by the Massachusetts Department of Correction, including what religion the chaplains belong to and which facilities those chaplains service.
7. Records describing the processing of this request, including but not limited to records sufficient to identify the search terms used; records sufficient to identify the locations and custodians searched; any tracking sheets used to track the processing of this request; and any questionnaires or certifications completed by individual custodians or components used to determine whether they possess responsive materials or to describe how they conducted searches.

III. Application for Waiver or Limitation of Fees

Muslim Advocates requests a waiver of fee. The records may waive or reduce fees when the “disclosure of a requested record is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requestor.” Mass. Gen. Laws ch. 66 § 10(d)(v).

Muslim Advocates is a 501(c)(3) non-profit that seeks the records not for any commercial purpose, but to educate the public and inform its advocacy for Americans of all faiths. It regularly releases records obtained through public records act requests to the general public.

In the event that a fee waiver is not granted, I ask that an estimate of fees be sent to me before any records are processed.

I would welcome the chance to discuss this matter with you. If you would like to discuss any part of this request, please contact Matthew Callahan at matthew@muslimadvocates.org or (202) 897-2622.

Thank you for your prompt attention to this matter.

Very truly yours,



Matthew Callahan
Muslim Advocates
P.O. Box 66408
Washington, DC 20035