

## Massachusetts – State Public Record Laws

<b>Citations</b>	M.G.L. 66 § 10 et seq. ( <a href="https://malegislature.gov/Laws/GeneralLaws/PartI/TitleX/Chapter66">https://malegislature.gov/Laws/GeneralLaws/PartI/TitleX/Chapter66</a> )
<b>Exemptions to Disclosure</b>	<p>The following records are exempt:</p> <ul style="list-style-type: none"> <li>• “Policy deliberation” (for example inter-agency or intra-agency memoranda or letters relating to policy positions being developed by the agency; but this subclause shall not apply to reasonably completed factual studies or reports on which the development of such policy positions has been or may be based)</li> <li>• Notebooks and other materials prepared by an employee of the commonwealth which are personal to him and not maintained as part of the files of the governmental unit</li> <li>• Trade secrets or other proprietary information of the University of Massachusetts, including trade secrets or proprietary information provided to the University by research sponsors or private concerns</li> </ul>
<b>Access Rights</b>	<ul style="list-style-type: none"> <li>• Any person</li> <li>• At reasonable times and w/o unreasonable delay</li> <li>• One copy to be furnished upon payment of reasonable fee</li> <li>• Custodian shall respond w/in 10 days</li> <li>• Requests must be either hand-delivered or mailed via first class</li> <li>• If custodian refuses access, requestor must go to supervisor of records; if custodian doesn’t listen to supervisor, supervisor may notify Attorney General or appropriate district attorney, and court can order compliance</li> <li>• Purpose irrelevant</li> <li>• Massachusetts has strong protections against disclosure of public employee personnel info, but very weak protections against disclosure of entity business matters (strong protections for human persons, not for non-human “persons”)</li> <li>• Timeframe shall not exceed 15 days following the initial request for the public records</li> <li>• Itemized good faith estimate of the fees associated with producing the requested documents</li> </ul>
<b>Destruction of Public Records</b>	All records may be destroyed w/in 7 years of creation, but no such paper shall be destroyed without the written approval of the supervisor of records. M.G.L. § 8.