**EXEMPT INFORMATION AND RECORDS REGARDING OFFICER INVOLVED SHOOTING OF ANDREW STIGLIANO IN ASHLAND**

The following information and records concerning this officer involved shooting have been redacted or are wholly exempt from disclosure under the Massachusetts Public Records Law, G.L. c. 66, § 10; G.L. c. 4, § 7(26).

Certain information such as names, addresses, phone numbers, and dates of birth for witnesses and other parties involved in the investigation that are contained in the reports is subject to exemption (c) (medical and personal privacy) and has been redacted as disclosure of this information would constitute an unwarranted invasion of privacy. G. L. c. 4, § 7(26)(c). Private and medical information relating to one of the witnesses has likewise been withheld.

The photographs produced during the investigation also include sensitive and highly graphic photos of the body and the scene. These are exempt from disclosure under exemption (c) as medical information, and as public disclosure would constitute an unwarranted invasion of privacy. There is a “strong public policy in Massachusetts that favors confidentiality as to medical data about a person’s body,” and the courts have found that this policy extends to information about a decedent’s body and medical condition. See Globe Newspaper Co. v. Chief Medical Examiner, 404 Mass. 132, 134-35 (1989). In addition, medical information regarding the decedent before his death has been redacted, as it is also exempt from disclosure under exemption (c).

Also exempt from disclosure are the case notes and internal memoranda created by the assigned Assistant District Attorney. These records are subject to exemption (d) (deliberative process) as they constitute work product. G. L. c. 4, § 7(26)(d); see DaRosa v. City of New Bedford, 471 Mass. 446, 448 (2015). In addition, these materials are protected from disclosure by the attorney work product and attorney-client privileges.

Our case file for this matter further includes the autopsy report and other reports produced by the Office of the Chief Medical Examiner, which are exempt from disclosure by this Office under exemption (a). See G. L. c. 38, § 2; 505 C.M.R. 1.00 (“Disclosure of Autopsy Reports”).

Information relating to previous incidents involving the parties, including information relating to arrest warrants for the decedent, is subject to exemption under exemption (c), as disclosure of this information would constitute an unwarranted invasion of privacy. G. L. c. 4, § 7(26)(c). Information relating to specific previous incidents is also barred from disclosure by this Office. See G. L. c. 41, §97D.

Cell phone data and cell phone carrier records retrieved as part of the investigation is subject to exemption under exemption (c), as disclosure of this information would constitute an unwarranted invasion of privacy. G. L. c. 4, § 7(26)(c).

Our investigatory file contains documents concerning court appearances by various civilian parties obtained in the course of the investigation. These records are exempt from public disclosure pursuant to exemption (a) (statutory) of the Public Records Law, M.G.L. c. 4, § 7, cl. twenty-sixth, as they constitute Criminal Offender Record Information (CORI). CORI is defined in relevant part as “records and data in any communicable form compiled by a Massachusetts criminal justice agency which concern an identifiable individual and relate to the nature or disposition of a criminal charge… [or] other judicial proceedings.” M.G.L. c. 6, § 167; see also 803 C.M.R. 2.03.

Inquiries into licenses to possess or carry firearms issued to the decedent are subject to exemption under exemption (j) of the Public Records Law. G. L. c. 4, § 7(26)(j).

Our investigatory file further contains documents from the Registry of Motor Vehicles. These records are barred from disclosure pursuant to 18 U.S.C. § 2721. Other forms of identification for the decedent and witnesses retrieved during the investigation are subject to exemption (c), as disclosure of this information would constitute an unwarranted invasion of privacy. G. L. c. 4, § 7(26)(c).