

## **EXEMPT INFORMATION AND RECORDS REGARDING OFFICER INVOLVED SHOOTING OF PAUL COURTEMANCHE IN BURLINGTON**

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 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). Likewise, images of the decedent's fingerprints and the decedent's personal mail are subject to exemption (c) and have been withheld.

Our case file also includes sensitive and highly graphic images of the decedent's 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).

Medical records for one of the witnesses involved in the investigation have been withheld, as they are exempt from disclosure under exemption (c). G. L. c. 4, § 7(26)(c).

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").

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.