

EXEMPT INFORMATION AND RECORDS REGARDING OFFICER INVOLVED SHOOTING OF WILLIAM OMAR SANTIAGO IN CHELMSFORD

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, dates of birth, and phone numbers for witnesses that are contained in the police reports and other materials 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, information such as addresses and date of birth for the civilian party involved in this incident has been withheld.

Information concerning previous incidents at the location of the incident is exempt from disclosure under exemption (c), as disclosure of this information would constitute an unwarranted invasion of privacy.

The photographs and video produced during the investigation also include sensitive and highly graphic images of the crime 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.” See Globe Newspaper Co. v. Chief Medical Examiner, 404 Mass. 132, 134-35 (1989).

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.

Information concerning the underlying criminal offense, such as police reports and witness interviews, are barred from disclosure by this Office. See M.G.L. c. 41, §97D.

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.