



Access Public Records

Requesting Public Records from MA Government Offices

All state government offices are bound by the MA Public Records Law to make available records and documents generated by that office. For a thorough overview of the requesting process and limitations, please refer to:

Title	Call Number
<i>A Guide to the Massachusetts Public Records Law</i> (available online at http://www.sec.state.ma.us/pre/prepdf/guide.pdf)	Ref/974.4/Mass

This publication was prepared by the Public Records Division of the Office of the Secretary of the Commonwealth. Some main points of this publication are outlined below:

1. Anyone can get public records upon request
2. Requests can be written (letter, fax, email) or oral (in person only, not over the phone), and must be explicitly stated as a request for public records (although written requests are not required, they are a good idea)
3. If information in a public record is redacted, the records official must cite the exemption that applies, as well as explain how the exemption applies
 - a. the legal exemptions are listed and explained in the state's *A Guide to the Massachusetts Public Records Law*
4. A records official cannot ask the requestor their identity or their motivation for requesting the records (however, for practical purposes, providing your contact information will be helpful in delivering the requested records to you)
5. There may be a reasonable fee charged for providing records, including reproduction and labor costs
6. A response must be provided in writing within ten days of the original request
 - a. The response does not need to be the requested records - it may just be an acknowledgement of the receipt of the request
 - b. Responses should include an estimated timetable for fulfilling the request and any associated fees, or else an explanation of why the request was denied
 - c. In the case where a fee is assessed, records will not be provided until after the fee has been paid
7. Any denied request may be appealed to the Public Records Division of the Office of the Secretary of State
 - a. Appeals must be filed in writing, and must include a copy of the request, a copy of the response, and a cover letter explaining the situation
 - b. At this stage, the requestor may need to explain why the request was submitted
 - c. An appeal may be turned down for privacy issues, safety issues, or rejected for commercial or harassment reasons

Library staff can assist patrons in requesting public records, but we have no more right to access them than the general public. Although we may assist in locating the office that holds particular records, it is best if the patron makes the request for records directly. Additional information about this process can be answered by the Public Records Division.

Library Records as Public Records

Up until 1988, Exemption (k) excluded patron records from public libraries from public record. In 1988, the state repealed this exemption in order to make it a separate law until itself. MA General Law chapter 78 section 7 reads in part:

"...[T]hat part of the records of a public library which reveals the identity and intellectual pursuits of a person using such library shall not be a public record..."

This is also covered by the library's policy on Providing Patron Information (http://www.chelmsfordlibrary.org/library_info/policies/on-line_information.html). Requests for non-patron records will be handled along the guidelines above and in the *A Guide to the Massachusetts Public Records Law* publication.

If you have questions on this, or need help requesting public records, please contact the Reference Desk at 978-256-5521 x111 or <http://www.chelmsfordlibrary.org/reference>.

Public Records Contact Information

Secretary of the Commonwealth

One Ashburton Place, Room 1611
Boston, MA 02108-1512

Phone: (617) 727-7030
Toll Free: 1-800-392-6090
TTY: (617) 878-3889
Fax: (617) 742-4528

E-mail: cis@sec.state.ma.us
<http://www.sec.state.ma.us>

Public Records Division

McCormack Building, Room 1719
One Ashburton Place
Boston, MA 02108

Phone: (617) 727-2832
Fax: (617) 727-5914

Email: pre@sec.state.ma.us
<http://www.sec.state.ma.us/pre/>

Chelmsford Public Library

25 Boston Road
Chelmsford, MA 01824
<http://www.chelmsfordlibrary.org>

Phone: 978-256-5521
Fax: 978-256-8511
Email: askus@mvlc.org