



Law Department

Martin J. Walsh, Mayor

June 1, 2016

Carmen M. Ortiz
United States Attorney
District of Massachusetts
John Joseph Moakley United States Federal Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210

Dear U.S. Attorney Ortiz,

Pursuant to an Order of the Massachusetts Superior Court dated May 31, 2016, attached hereto, the City of Boston has been directed to provide a copy of the court's decision to your office. It is the City of Boston's priority to protect the integrity of any investigations being led by law enforcement and, as directed by the court, we respectfully request that your office notify the City if compliance with this Order may compromise any ongoing work being conducted by your office.

The City of Boston is acutely aware of its obligation under the Massachusetts Public Records Law to provide records whenever requested by members of the public, including the media. It is with this obligation in mind, however, that the City has had to weigh that duty to the public against the competing duty to not interfere with the important and essential work of your office. The potential tension between these obligations is highlighted by the fact that your office typically requests that the recipient of a subpoena not disclose its existence at the risk of impeding or interfering with an ongoing investigation.

The City intends to comply with the court's order to produce documents unless your office responds prior to June 14, 2016, at which time we will begin reviewing any responsive records under the lens of the Public Records Law. The City continues to feel that making any decisions related to your investigations is outside its purview as a municipal government and we therefore look forward to your response.

Sincerely,

Eugene L. O'Flaherty
Corporation Counsel