



THOMAS M. QUINN III
DISTRICT ATTORNEY

The Commonwealth of Massachusetts

OFFICE OF THE
DISTRICT ATTORNEY
BRISTOL DISTRICT

888 Purchase Street
P.O. Box 973
New Bedford, MA 02740
(508) 997-0711

August 9, 2017

Kade Crockford
American Civil Liberties Union of Massachusetts
211 Congress Street
Boston, MA 02110

Re: Public Records Request/ G.L. c. 271, § 17B

Dear Ms. Crockford:

I am writing with the following response to your February 2017 request for records relating to our use of administrative subpoenas under General Law ch. 271, §17B.

1. Any written description of the procedure for approval of the issuance of an administrative subpoena by the district attorney pursuant to the provisions of §17B;
We do not possess a record that is responsive to this request.
2. A sample form of a §17B administrative subpoena used by [this] office;
Please see enclosed sample letter.
3. Records showing the number of §17B administrative subpoenas used by [this] office in each year for the years 2014, 2015, and 2016;
We do not possess a responsive record for years 2014, and 2015. In 2016, this office sent 107 administrative subpoenas.
4. Records showing the particular offenses or category of offenses which were the subject of "ongoing criminal investigations" justifying the issuance of a §17B administrative subpoena in each year for the years 2014, 2015, and 2016, and the number of such subpoenas issued for each offense or category of offense;
We do not possess a record that is responsive to this request.
5. Records showing whether in any case the recipient of a §17B administrative subpoena was requested not to disclose to the subject of the records that a subpoena for his records had been received;

Please see enclosed sample letter.

6. Records showing the names of the common carriers or services providers to whom a §17B administrative subpoenas was issued by [this] office and the number of such subpoenas issued to each in year for the 2014, 2015, and 2016;

We do not possess a record that is responsive to this request.

7. Any motions to quash a §17B subpoena which have been filed since January 2017; and

We do not possess a record that is responsive to this request.

8. Records showing the name and court docket number of any case in which a motion to suppress evidence obtained as a result of a §17B subpoena has been filed.

We do not possess a record that is responsive to this request.

The delay in providing you with this response was due to my own oversight. It was not the intention of this office to decline to provide you with a response. If you should have further questions about this matter or have any other need for public records, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Yul-mi Cho', written in a cursive style.

Yul-mi Cho
Assistant District Attorney

Cc: David Ehrens <uncafeine@autistici.org>



The Commonwealth of Massachusetts

Office of the District Attorney

BRISTOL DISTRICT

THOMAS M. QUINN III
DISTRICT ATTORNEY

186 South Main Street
Fall River, MA 02721
Phone: 774-627-1618
Fax: 508-676-0108

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

To Whom It May Concern:

Please be advised that, upon investigation, this Office has acquired reasonable grounds to believe that you, as a common carrier of telecommunications, have been used, are being used or may be used by another for an unlawful purpose. Accordingly, this administrative subpoena is served upon you pursuant to Chapter 271, Section 17B of the Massachusetts General Laws for all the following records pertaining to telephone number(s):

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

To assist in preserving the integrity of this criminal investigation, you are requested not to disclose your knowledge of this demand to any third parties, including the customer(s).

Please know that your compliance with this demand, under Massachusetts law, cannot be the cause for any civil or criminal liability.

COMPLIANCE with this subpoena may be made by forwarding the requested materials on or before [REDACTED] to the attention of [REDACTED] at the above address. You may submit any responsive documents via Email to [REDACTED] or faxed to [REDACTED]. *Written certification is needed from the Keeper of Records that this information is kept in accordance with your normal course of business.*

Thank you for your anticipated cooperation.

With kindest regards,

[REDACTED]
Assistant District Attorney

[REDACTED]