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September 15, 2026

VIA ELECTRONIC MAIL

Mr. Clayton F. Lory, II
Chairman, Unflock Bellingham
Regional Coordinator
Unflock Massachusetts
unflockmassachusetts@gmail.com

Re: Fee and Time Petition
FOIA Direct #2026-0410

Dear Mr. Lory,

On August 31, 2026, the following FOIA request was received by the City of Malden:

Pursuant to the Massachusetts Public Records Law, G.L. c. 66, § 10, I request the following records concerning Flock Safety or any other license plate reader ("LPR") system used, considered, solicited, solicitations received, purchased, contracted for, or administered by the Police Department or town/city administration.

The requested period is January 1, 2021 through the date of this request.

1. Communications

Please provide all email communications, including solicitations received, between any Police Department or town/city officer, official, or employee and Flock Safety or any other LPR manufacturer, vendor, representative, contractor, or service provider.

2. Contracts and Agreements

Please provide all contracts, agreements, amendments, and renewals concerning any Flock Safety or other LPR system.

Response

Based on the City's initial review and given the broad scope of the request, the City will be filing a time petition for an additional thirty (30) business days to reply to the request pursuant to G.L. c. 66, § 10(b)(vi).

In an effort to narrow the scope of your request, the City contacted you on September 8, 2026, to explain that the Malden Police Department's initial search for records responsive to Item #1 of your public records request yielded a voluminous number of results. As of today, the City has not received a response from you regarding the proposed narrowing of the request.

Fee Petition

Pursuant to *M.G. L. c. 66, § 10(d)(iii) et seq.*, "if a municipality is required to devote more than 2 hours of employee time to search for, compile, segregate, redact or reproduce a record requested, the records access officer may include as part of the fee an hourly rate equal to or less than the hourly rate attributed to the lowest paid employee who has the necessary skill required to search for, compile, segregate, redact or reproduce the record requested."

In this case, the lowest paid employee who has the necessary skill required to segregate and redact the records requested is a salaried employee whose hourly rate exceeds \$25 per hour. In accordance with *950 CMR 37.02(2)(m)(1)*, you will not be charged for the first two (2) hours of those services and will only be charged at a rate of \$25 per hour.

A search of electronic communications was conducted using the search term "flock."

- This search identified approximately **40,626 emails** potentially responsive to the request. A sample review determined that it will take an average of two minutes to review and redact each email. Defining a timeframe for this search could potentially reduce the fee.
 - Based on this estimate, the total time required to review and redact emails is approximately **1354.20 hours**: $40,626 \text{ emails} \times 2 \text{ minutes per email} = 81,252 \text{ minutes} \div 60 \text{ minutes/hour}$

The City estimates the total time to review and redact all available emails responsive to this request will take approximately 1354.20 hours, less the 2 first two hours at no charge equals **1352.20 billable hours**. Therefore, at the rate of \$25 per hour, an estimated fee would equal **\$33,805.00**. Should it take less time, your fee will be reduced and refunded. Should it take longer, we will reach out to you before continuing.

The records sought in the request need to be reviewed, and potentially redacted. The City seeks the ability to charge for redactions under Exemption (c). These documents require redactions in accordance with the exemption set forth at G.L. c. 4, § 7(26)(c).

Right of Appeal

Please be advised that pursuant to *M.G.L. c. 66, § 10(b)(ix)*, you have the right of appeal to the Supervisor of Records under *M.G.L. c. 66, § 10A(a)* and the right to seek judicial review by commencing a civil action in the Superior Court under *M.G.L. c. 66, § 10A(c)*.

Respectfully,

Joanne Perperian

Joanne Perperian
Records Access Officer

CC: Carol Ann Desiderio, City Clerk
Peter Mitchell, Malden Police Lieutenant