

ACLU sues Bristol County Sheriff for access to incident recordings

Chris Van Buskirk

State House News Service

The ACLU of Massachusetts and the law firm Foley Hoag sued the Bristol County sheriff's office Monday in an attempt to obtain information surrounding a violent altercation between officers and detainees at the Bristol County House of Correction in early May.

The civil liberties organization filed a public records request on May 7 seeking audiovisual recordings, reports, and other records linked to the May 1 incident, according to a press release from the group. The statement said the sheriff's office issued a "blanket denial" of the request.

"The public deserves to know what happened in Bristol County's immigration detention facility," Carol Rose, executive director of the ACLU of Massachusetts, said. "That is especially true when the leader of that government institution has been accused of personal misconduct during the incident, and given ongoing controversy about potentially unsafe conditions there. This oversight should be a foundation upon which we hold sheriffs accountable to the job voters elect them to do, namely preserving public safety."

The ACLU of Massachusetts has previously called for an independent investigation into the altercation between correction officers and immigrant detainees. Bristol County Sheriff Thomas Hodgson has said the incident began when a group of about 10 Immigration and Customs Enforcement detainees refused to be moved for COVID-19 testing, rushed

Hodgson and corrections officers, and damaged equipment and walls in the facility.

Three detainees were taken to the hospital at the time, and some of the prisoners have accused Hodgson of assault.

A spokesperson for the Bristol County Sheriff's Department said the denial of ACLU's public records request was based on two exemptions in the public records law related to "investigatory material" and documents concerning internal layout and security measures, among other things. The matter remains under investigation by the Sheriff's Office and the Department of Homeland Security's Office of the Inspector General, the spokesperson said.

"Disclosure of video and/or photographs of the interior of the secure facility would be akin to releasing the internal layout of the facility, which the statute expressly forbids. Releasing interior videos and/or photographs would jeopardize the operational security required to maintain the effective, safe, and secure operation of the jail," the department wrote in an emailed response to ACLU, which was provided to the News Service. "It would provide the BCSO's tactical and strategic 'playbook' for responding to emergency situations and inmate/detainee disturbances, which would compromise the BSC0's ability to respond in a timely, effective and safe manner."

A Senate Committee announced an investigation into the altercation earlier this month. The Senate Post Audit and Oversight Committee has said its review will focus on both the incident and why a state lawmaker, Sen. Sonia Chang-Diaz, was not permitted to enter the facility the day after.