City of Boston, Massachusetts
Office of the Mayor
MICHELLE WU

July 6, 2026

TO THE CITY COUNCIL

Dear City Council:

This is the response to the 17F Order requesting certain information under Section 17F regarding the City of Boston's efforts to address drink spiking and drug-facilitated sexual assault in nightlife establishments, including safety training programs, prevention initiatives, communications with licensed venues, and the status of records maintained by the City regarding these efforts. (Docket #0595 passed by Council on 3/18/2026 and Docket #0874 passed by Council on 4/29/2026).

Given the breadth of the inquiry, City staff are able to best respond to the request by asking relevant agencies to compile policy materials responsive to your request for "[i]nformation regarding the City of Boston's efforts to address drink spiking and drug-facilitated sexual assault in nightlife establishments, including safety training programs, prevention initiatives, communications with licensed venues, and the status of records maintained by the City regarding these efforts." These materials are attached.

The Section 17F authority of the Boston City Council was introduced in Chapter 376 of the Acts of 1951 as an amendment to Chapter 452 of the Acts of 1948, and provides: "The city council at any time may request from the mayor specific information on any municipal matter within its jurisdiction, and may request his presence to answer written questions relating thereto at a meeting . . ." Section 17F was further amended by Section 16 of Chapter 190 of the Acts of 1982 to include the following (in relevant part), to clarify that "specific information" does not include records "exempt from disclosure under clause Twenty-six of section seventy-seven [*sic*] of chapter four of the General Laws," which has long been interpreted to reference the Public Records Law.[1] As such, any record provided under Section 17F is subject to the Massachusetts Public Records Law, including its exemptions.

[1] There is likely a clerical error in the statute. Massachusetts courts have consistently held that: "[w]here, as here, a statute contains an obvious clerical error, a court may depart from the statute's literal meaning in order to effectuate legislative intent." *Com. v. Maloney*, 447 Mass. 577 (2006), citing *Cohen v. Commissioner of Div. of Med. Assistance*, 423 Mass. 399, 409 (1996).

Public Records Law, including its exemptions.

Thus, the Section 17F framework provides the Council access to records and testimony on topics within the Council's jurisdiction and within the parameters established by the Public Records Law, including the reasonableness standard recently restated in *Friedman v. Div. of Admin. L. Appeals*, 103 Mass. App. Ct. 806 (2024).[2] "Reasonableness" in the context of the Public Records Law means that it must be clear which specific records are requested and City staff must be able to identify responsive records without incurring significant burdens, conducting research, or being required to make precise judgments about which records are responsive.

Sincerely,

Michelle Wu

Mayor Michelle Wu

[2] In *Friedman*, the Court focused on the reasonableness standard contemplated throughout the Public Records Law. The Court recognized that the reasonable description requirement is necessary under the Public Records Law because the law "was not intended to reduce government agencies to full-time investigators on behalf of requestors." *Friedman*, quoting *Assassination Archives & Research Ctr., Inc. v. Central Intelligence Agency*, 720 F. Supp. 217, 219 (D.D.C. 1989).