



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Bureau of Infectious Disease and Laboratory Sciences
305 South Street, Jamaica Plain, MA 02130

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

Office of Integrated Surveillance and Informatics Services

Tel: (617) 983-6801

Fax: (617) 983-6813

MARYLOU SUDDERS
Secretary

MARGRET R. COOKE
Acting Commissioner

Tel: 617-624-6000
www.mass.gov/dph

August 25, 2021

Via email to: 117383-57122200@requests.muckrock.com

Ramola Dharmaraj
MuckRock News
DEPT MR 117383
411A Highland Ave
Somerville, MA 02144-2516

Re: Public Record Request BIDLS-2021-140

Dear Ramola Dharmaraj:

This letter is in regard to the above referenced public record request received by the Massachusetts Department of Public Health (the "Department" or "DPH") on August 10, 2021. This request has been assigned a tracking number: **BIDLS-2021-140**. Specifically, you requested:

Request for all Scientific White Papers, Reports, Studies Related to

- 1) the Isolation of SARS-COV-2 Virus/COVID-19 Virus in human beings and
- 2) the Isolation of SARS-COV-2 Virus/COVID-19 Virus, "Delta Variant" in human beings directly from a sample taken from a labeled COVID-Diseased or COVID-Dead Patient (diseased or dead only due to SARS-COV-2 Virus/COVID-19 Virus or Delta Variant of SARS-COV-2 Virus/COVID-19 Virus), where the sample was not first combined in any way with any other genetic material, and where the Patient did not have any other disease such as Pneumonia, Influenza, etc;
- 3) the Inducement of the COVID-19 disease in a healthy person using this Isolate of the SARS-COV-2 Virus/COVID-19 Virus proving Koch's postulates of Disease Transmission;
- 4) the Inducement of the COVID-19 disease in a healthy person using this Isolate of the

“Delta Variant” of the SARS-COV-2 Virus/COVID-19 Virus proving Koch's postulates of Disease Transmission;

and forming the basis for all ill-advised restrictions and advisories--particularly regarding public transport, masking and vaccines in schools and colleges--previously made, being made, or planned by the Massachusetts Department of Public Health, the Massachusetts Governor, the CDC, and the US Dept of Health and Human Services citing the Existence of a Virus, a Variant, a Pandemic, and a Public Health Emergency.

Clarification 1: This is a request for full disclosure of all scientific studies, reports, and white papers related to the isolation of the SARS-COV-2/COVID-19 virus and Delta Variant in human beings, which form the Proof of Virus, Proof of Pandemic, and Reason for Use/Basis used for all the questionable “Public Health” “mandates” “guidances” “advisories” and “requirements” issuing forth from the Massachusetts Dept of Public Health, the Governor's office, and the CDC, for wearing hazardous health-destroying masks, feudally directing human behavior in distancing six feet, and coercing the taking of an experimental and deadly mRNA vaccine (Which has now been recorded, as of August 3, 2021 by the CDC, EudraVigilance, MHRA Yellow Card Scheme and other Vaccine Adverse Reactions Databases to have now jointly caused 35,227 DEATHS and 3,679,601 INJURIES (as reported to CDC VAERS (USA) through to July 23, 2021, to EudraVigilance (which covers 27 countries only in the EU reporting to the EU EMA EudraVigilance) through to July 31, 2021, and to the Yellow Card System (U.K.) through to July 21, 2021.”--Sources:

CDC: 11,940 DEAD 618,648 Injuries and 1,175 Unborn Babies DEAD Following COVID-19 Shots/Health Impact News, August 1, 2021;

20,595 DEAD 1.9 Million Injured (50% SERIOUS) Reported in European Union’s Database of Adverse Drug Reactions for COVID-19 Shots/Health Impact News, August 3, 2021)

Clarification 2: Isolate means “to separate something from other things with which it is connected or mixed”--Cambridge Dictionary definition.

Clarification 3: This request is not for information on something procured by means of

- 1) Culturing something,
- 2) Nasally swabbing something from any randomly sick (with some other disease) or healthy person,
- 3) Amplifying something via PCR Test (Which its inventor Dr. Kary Mullis has clearly stated is not to be used to diagnose any disease),
- 4) the Sequencing of something,
- 5) or the Computer-Generated Sequencing of something.

The Department has no responsive records to your request.

DPH now considers this public records request closed. If you wish to challenge this response, and your request was received in writing, you may appeal to the Supervisor of Records following the procedure set forth in 950 CMR 32.08, a copy of which is attached. Pursuant to G.L. c. 66, §10A, you may also seek judicial review by commencing a civil action in Suffolk Superior Court.

Please contact Ann Scales, Director of Media Relations at 617-624-5253 with any questions. In any communication regarding this request, please reference the assigned tracking number: **BIDLS-2021-140**.

Sincerely,
Gillian Haney, MPH
Director of Office of Integrated Surveillance and Informatics Services (ISIS)
Bureau of Infectious Disease and Laboratory Sciences, Massachusetts Department of Public Health

CC: Helen Rush-Lloyd
Records Access Officer

Ann Scales
Director of Media Relations

950 CMR 32.08
32.08: Appeals

32.08: Appeals

(1) Appeals to the Supervisor.

- (a) 950 CMR 32.08 shall not apply to records in which an individual, or a representative of the individual, has a unique right of access to the records through statutory, regulatory, judicial or other applicable means.
- (b) a requester may petition the Supervisor for failure by a records access officer to comply with a requirement of 950 CMR 32.00.
- (c) an oral request, while valid as a public record request, shall not be the basis of an appeal under 950 CMR 32.08.
- (d) petitions for appeal of a response by a records access officer must be made within 90 calendar days of the date of the response by a records access officer.
- (e) petitions for appeal of a failure to respond within the timeliness requirements of 950 CMR 32.00 must be made within 90 calendar days of the request.
- (f) all petitions for appeal shall be in writing and shall specifically describe the nature of the requester's objections to the response or failure to timely respond.
- (g) requesters shall provide to the Supervisor complete copies of all correspondence associated with the petition, including:
 1. a complete copy of the letter by which the request was made, including in the case of electronic communications all header information indicating time, date, subject, sender and recipient email addresses; and
 2. a complete copy of all written responses associated with requests subject to the petition for appeal, including in the case of electronic communications all header information indicating time, date, subject, sender and recipient email addresses.
- (h) in petitioning the Supervisor, the requester shall provide a copy of such petition to the records access officer associated with such petition.
- (i) if the requester's petition for appeal is related to a previous appeal to the Supervisor, the requester's petition shall refer to the previous appeal number.
- (j) petitions under 950 CMR 32.08 received before 4:00 P.M. shall be opened on the day of receipt. Petitions received after 4:00 P.M. shall be opened on the following business day.

(2) Dispositions of Appeals

- (a) the supervisor shall issue a written determination regarding any petition submitted in accordance with 950 CMR 32.08(1) not later than ten business days following receipt of the petition.
- (b) the Supervisor may deny an appeal for, among other reasons if, in the opinion of the Supervisor:
 1. the public records in question are the subjects of disputes in active litigation, administrative hearings or mediation;
 2. the request is designed or intended to harass, intimidate, or assist in the commission of a crime;
 3. the public records request is made solely for a commercial purpose;
 4. the requester has failed to comply with the provisions of 950 CMR 32.08(2).

32.08: continued

- (c) upon a determination by the Supervisor that a violation has occurred, the Supervisor shall order timely and appropriate relief.
- (3) Hearings and Conferences.
- (a) the Supervisor may conduct a hearing pursuant to the provisions of 801 CMR 1.00: *Standard Adjudicatory Rules of Practice and Procedure*. The decision to hold a hearing shall be solely in the discretion of the Supervisor.
 - 1. said rules shall govern the conduct and procedure of all hearings conducted pursuant to 950 CMR 32.08.
 - 2. nothing in 950 CMR 32.08 shall limit the Supervisor from employing any administrative means available to resolve summarily any appeal arising under 950 CMR 32.00.
 - (b) the Supervisor may order conferences for the purpose of clarifying and simplifying issues and otherwise facilitating or expediting the investigation or proceeding. The decision to hold a conference shall be solely in the discretion of the Supervisor.
- (4) In Camera Inspections and Submissions of Data.
- (a) the Supervisor may require an inspection of the requested record(s) in camera during any investigation or any proceeding initiated pursuant to 950 CMR 32.08.
 - (b) the Supervisor may require the records access officer to produce other records and information necessary to reach a determination pursuant to 950 CMR 32.08.
 - (c) the Supervisor does not maintain custody of documents received from a records access officer submitted for an in camera review. The documents submitted for an in camera review do not fall within the definition of public records. M.G.L. c. 4, §7(26).
 - (d) upon a determination of the public record status of the documents, they are promptly returned to the custodian, and no copies shall be retained by the Supervisor.
 - (e) any public record request made to the Division for records being reviewed in camera would necessarily be denied, as the office would not be the custodian of those records.
 - (f) attorney-client privileged records voluntarily submitted to Supervisor:
 - 1. a records access officer may voluntarily submit documents to the Supervisor for in camera review;
 - 2. such submission shall not waive any legally applicable privileges claimed by the agency or municipality.
- (5) Custodial Indexing of Records
- (a) the Supervisor may require a records access officer or custodian to compile an index of the requested records within the context of a public records appeal number under 950 CMR 32.08.
 - (b) said index shall be a public record and shall meet the following requirements:
 - 1. the index shall be contained in one document, complete in itself;
 - 2. the index shall adequately describe each withheld record or redaction from a released record;
 - 3. the index must state the exemption or exemptions claimed for each withheld record or each redaction of a record; and
 - 4. the descriptions of the withheld material and the exemption or exemptions claimed for the withheld must be sufficiently specific to permit the Supervisor to make a reasoned judgment as to whether the material is exempt.
 - (c) nothing in 950 CMR 32.08 shall preclude the Supervisor from employing alternative or supplemental procedures to meet the particular circumstances of each appeal.