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Chief Michael Whalen
Dennis Police Department
90 Bob Crowell Road
South Dennis, MA 02660

Dear Chief Whalen,

This is a public records request on behalf of the American Civil Liberties Union Foundation of Massachusetts (“ACLUM”) for records made or received by the Cape Cod Regional Law Enforcement Council concerning its SWAT Team. ACLUM makes this request under the Massachusetts Public Records Law, G.L. c. 66, § 10.

In order to learn more about the Cape Cod SWAT team, its activation and the allocation of resources to it, ACLUM requests the following public records from when the SWAT team was formed until the present:

1. Any incident reports or other written reports documenting each time a SWAT team was deployed. Any reports showing breakdowns of SWAT deployments by crime, requesting agency, or purpose for the raid (i.e. to serve a warrant, arrest someone, diffuse a hostage crisis, etc.) and any post-deployment documentation.
2. Any procedure, regulations and guidelines relating to SWAT teams, including protocols for SWAT team activation, responding to “high risk” situations, and use of deadly force.

3. Any documents relating to the structure or mission of the SWAT team, including participating communities, chain of command, and the selection of team personnel.
4. Any documents or training materials used to instruct the SWAT team in any aspect of its operation. Please include information about training with military units and other outside agencies and contractors, including when and where training sessions took place, and who conducted them.
5. Any records relating to the procurement, maintenance or deployment of SWAT team weapons and other equipment, including guns, vehicles, personal protective equipment and uniforms, surveillance and reconnaissance equipment, less than lethal devices, forced entry tools and weapons and equipment that may have been obtained through the Defense Department's "1033 Program." Please include documents showing how and when SWAT equipment is used, whether it was purchased, leased or borrowed from outside agencies, how it is stored, and who has access to it.
6. Any written mutual aid agreements or memoranda of understanding with federal, state and local agencies, including any branch of the US Armed Forces and private entities concerning SWAT teams.
7. Any budget for the operation of the Cape Cod Regional Law Enforcement Council from its formation to the present. Any records relating to funding sources and grants for SWAT teams.
8. Any internal or external audits of SWAT performance or records of cost effectiveness.

Because this request involves a matter of public concern, and because it is made on behalf of a nonprofit organization, we ask that you waive any copying costs pursuant to 950 C.M.R. § 32.06(5). ACLUM is a nonprofit 501(c)(3) organization dedicated to the protection of civil rights and liberties for all persons in the Commonwealth of Massachusetts. As the state's affiliate of the American Civil Liberties Union, ACLUM is part of a nationwide network of advocates dedicated to defending and expanding the civil liberties of all.

If you decide not to waive copying costs, we request that you permit us to examine, at our election, the responsive documents before deciding which portions to photocopy.

Should you determine that some portion of the documents requested are exempt from disclosure, we ask you to release any reasonably segregable portions that are not exempt. In addition, please note the applicable statutory exemption and explain why it applies to the redacted portions.

Thank you for your assistance. We look forward to your response.

Sincerely,