

Laura Rótolo, Staff Counsel
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July 1, 2015

Via First Class Mail

Metropolitan Law Enforcement Council, Inc.
c/o Peter McGowan
Dover Police Department
3 Walpole Street
Dover, MA 02030

Re: Public records request

To the custodian of records:

This is a request for public records under M.G.L. c. 66, § 10 made on behalf of the American Civil Liberties Union Foundation of Massachusetts (ACLUM).

Law Enforcement Councils such as the Metropolitan Law Enforcement Council (MetroLEC) are subject to the Massachusetts public records laws. A recent judgment in a lawsuit against the North Eastern Massachusetts Law Enforcement Council (NEMLEC) confirmed this obligation. That lawsuit settled with a declaration that NEMLEC's records were subject to the public records law, and with the court "agree[ing] that NEMLEC is an entity whose records are subject to G.L. c.4 § 7, Twenty-sixth, and G.L. c. 66, § 10."

In compliance with Massachusetts laws, please provide the following public records:

Documents relating to METROLEC

1. Any organizational chart or other document that shows all units, sections or departments within METROLEC.
2. Any document that shows the budget for METROLEC from 2012 to present.

3. All METROLEC by-laws in effect as of the date of this letter.
4. All interagency mutual aid agreements with law enforcement entities or other entities.
5. All documents relating to the structure of METROLEC, including participating communities, staff, and leadership.
6. Any document relating to the mission of METROLEC.
7. Any current list of METROLEC vehicles and equipment.
8. Any document that provides a listing or index of all current METROLEC policies.
9. Any policy relating to unbiased policing, community policing, or use of force.
10. All grant applications, award letters or other documents relating to grants for funding or equipment.

Documents relating to the METROLEC SWAT team

11. All incident reports, after action reports, or other reports documenting each time the METROLEC SWAT team was deployed from 2012 to present.
12. All procedures, regulations, manuals or guidelines relating to the SWAT, including protocols for SWAT team activation, responding to "high risk" situations, and use of force.
13. All training materials used to instruct the SWAT team in any aspect of its operation and all other materials relating to SWAT training. This includes materials relating to training with military units and other outside agencies and contractors, including when and where training sessions took place, and who conducted them.

If any records are available electronically, please provide them as such. Because this request involves a matter of public concern and is made on behalf of a nonprofit organization, I ask that you waive any copying costs pursuant to 950 C.M.R. 32.06(5), which encourages all custodians of public records to "waive fees where disclosure would benefit the public interest."

Metropolitan Law Enforcement Council, Inc.

July 1, 2015

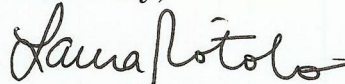
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Should you withhold some portions of the requested documents on the grounds that they are exempt from disclosure, please specify which exemptions and release any portions of the records for which you do not claim an exemption.

As you know, a custodian of public records shall comply with a request within ten days of receipt.

Lastly, please do not hesitate to contact me if I can clarify or further focus any part of this request.

Sincerely,

A handwritten signature in black ink that reads "Laura Rótolo". The signature is written in a cursive style with a long horizontal flourish at the end.

Laura Rótolo

[Encl.]

NOTICE

COMMONWEALTH OF MASSACHUSETTS

6-17 / 6-18

8

SUFFOLK, ss.

SUPERIOR COURT

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF MASSACHUSETTS,

Plaintiff

v.

NORTHEASTERN MASSACHUSETTS LAW
ENFORCEMENT COUNCIL, INC.,

Defendant

Notice sent
6/18/2015
J. J. R.
M. S.
A.C.L.U.
C. V.
C. E. & K.

Civ. A. No. 2014-02035-G

(sc)

JOINT MOTION FOR ENTRY OF JUDGMENT

Pursuant to Massachusetts Rule of Civil Procedure 58(a)(2), plaintiff American Civil Liberties Union Foundation of Massachusetts (ACLUM) and defendant Northeastern Massachusetts Law Enforcement Council, Inc. (NEMLEC) jointly move this Court to enter judgment in the form of the Proposed Form of Judgment attached hereto as Attachment A.

NORTHEASTERN MASSACHUSETTS
LAW ENFORCEMENT COUNCIL, INC.

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF MASSACHUSETTS

By its attorney,

By its attorneys,

Carl Valvo / CR (w/permission)

Jessie J. Rossman, Laura Rótolo, Matthew R. Segal

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American Civil Liberties Union
Foundation of Massachusetts
211 Congress Street
Boston, MA 02110
(617) 482-3170 ex. 337
jrossman@aclum.org

DATED: June 15, 2015

6/16/15 - ALLOWED - The Court agrees that NEMLEC is an entity whose records are subject to G.L.c.4 97, Twenty-sixth, and G.L.c.166, §10 - William J. =

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss

SUPERIOR COURT

_____)
 AMERICAN CIVIL LIBERTIES UNION)
 FOUNDATION OF MASSACHUSETTS,)
)
 Plaintiff,)
)
 v.)
)
 NORTHEASTERN MASSACHUSETTS)
 LAW ENFORCEMENT COUNCIL, INC.,)
)
 Defendant.)
 _____)

Civ. No. 2014-02035-G

~~PROPOSED FORM OF~~ JUDGMENT

Plaintiff American Civil Liberties Union Foundation of Massachusetts (ACLUM) and defendant Northeastern Massachusetts Law Enforcement Council, Inc. (NEMLEC) hereby agree that the final and complete judgment for this action may be entered as follows:

1. Upon agreement of the parties, it is hereby declared as follows:

NEMLEC is an entity whose records are subject to the Massachusetts Public Records Law, comprised of G.L. c. 4, § 7, *Twenty-sixth*, and G.L. c. 66 § 10.

*noted
6/19/15
2015
MS
CV*

2. Count II is dismissed as moot in light of the parties' agreement on Count I and in light of NEMLEC's provision to ACLUM of documents sought in the public records request underlying this matter.

3. Each party shall bear its own costs.

[signatures on the following page]

JUDGMENT ENTERED ON DOCKET 6/19 2015
 PURSUANT TO THE PROVISIONS OF MASS. R. CIV. P. 60(a)
 AND NOTICE SEND TO PARTIES PURSUANT TO THE PRO-
 VISIONS OF MASS. R. CIV. P. 77(d) AS FOLLOWS
 TRUE COPY OF JUDGMENT DAILY ENTERED ON 6-19-15