



Daniel L. McFadden  
Managing Attorney

May 8, 2024

**Via Electronic Mail**

Susan Audette  
Records Access Officer  
Town of Amherst  
Town Hall  
4 Boltwood Ave.  
Amherst, MA 01002  
townclerk@amherstma.gov

Joy Jolie  
Records Access Officer  
Amherst Police Department  
111 Main St.  
Amherst, MA 01002  
joliej@amherstma.gov

**Re: Public Records Request**

Dear Records Access Officers:

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

We understand that, on the evening of May 7 and/or morning of May 8, 2024, the Amherst Police Department (the “APD”) participated in an action to remove and arrest protestors at the University of Massachusetts Amherst (the “UMass Amherst Action”).

Please provide the following records:

1. Any written instructions or briefing materials provided to APD personnel in connection with the UMass Amherst Action;
2. All reports concerning the UMass Amherst Action, including any police reports, incident reports, and use of force reports;

3. All video and audio recordings of or concerning the UMass Amherst Action, including any footage from body-worn cameras and vehicle cameras, any audio recordings of any dispatch or other radio communications, and any 911 calls or other recorded phone calls;
4. All records concerning any criminal charges arising from or related to the UMass Amherst Action, including any criminal complaints or other charging documents;
5. All records concerning any injuries sustained by police, protestors, or anyone else in connection with the UMass Amherst Action, including any prisoner injury reports;
6. All records of any determinations or discussions in connection with the UMass Amherst Action of whether an unlawful assembly existed, whether under G.L. ch. 269, sec. 1, or otherwise;
7. All records of any instructions or commands given during the UMass Amherst Action, including any instructions to disperse under G.L. ch. 269, sec. 1;
8. All records of any complaints of officer misconduct and internal affairs investigations relating to the UMass Amherst Action;
9. All communications between the APD and the University of Massachusetts, including the UMass Police Department, concerning the UMass Amherst Action;
10. All communications between the APD and state departments, offices, and agencies, including the Massachusetts State Police, concerning the UMass Amherst Action; and
11. All communications between the APD and the Hampshire County Sheriff's Office concerning the UMass Amherst Action.

To the extent you contend that any of the requested records are not public records or are otherwise exempt from disclosure in response to this request, please take steps to ensure that such records are preserved and not modified, deleted, or destroyed pending our review of your contention and the resolution of any resulting dispute.

We ask that that you waive any fees and copying costs, including pursuant to 950 C.M.R. 32.07. ACLUM is a not-for-profit, non-partisan organization dedicated to the principles of liberty and equality. As the Massachusetts affiliate of the national ACLU, a not-for-profit, non-partisan organization, ACLUM distributes information both within and outside of Massachusetts. Gathering and disseminating current information to the public is a critical and substantial component of ACLUM's mission and work. ACLUM publishes reports and other written materials that are disseminated to the public at no cost. ACLUM also disseminates information

through its website<sup>1</sup> and regular posts on social media sites such as Facebook, Instagram, and X. Accordingly, disclosure of the above-referenced records serves the public interest, and not the commercial interest of ACLUM.

Thank you for your attention to this matter.

Sincerely,

*/s/ Daniel L. McFadden*

Daniel L. McFadden  
dmcfadden@aclum.org

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<sup>1</sup> [www.aclum.org](http://www.aclum.org)