Mr. David Brown  
MuckRock  
DEPT MR 28034  
411A Highland Ave  
Somerville, MA 02144  
Email: 28034-73704588@requests.muckrock.com

Re: Public Records Law Request: Police Weapons – SENT VIA EMAIL

Dear Mr. Brown:

This letter responds to your public record request, pursuant to the Massachusetts Public Records Law, M.G.L. c. 66 §10, made via fax on September 1, 2016. We apologize for the delay and appreciate your patience as we were reviewing our records for the requested information.

You had requested the following:

- Any lists, databases, and inventory rosters containing weapons used by officers (i.e., firearms, tasers, batons, etc.).
  
  If no such records exist then you request the alternative records:

- All records pertaining to the weapons that may be carried by officers as determined by the chief of police, or the board, or officer having control of the police under the authority granted in M.G.L. ch.41, §98.

- All records pertaining to the most recent audit of firearms owned the by the department.

A recent decision was made by the Supervisor of Records, last August 2015 (SPR15/544), which upheld a decision by the Massachusetts State Police to not release a “copy of inventory list of all non-lethal and less than lethal directed energy weapons” used by their department. This decision was based upon the M.G.L. Public Records Law Exemption (n) which allows agencies to withhold the following:

“records, including, but not limited to, blueprints, plans, policies, procedures and schematic drawings, which relate to internal layout and structural elements, security measures, emergency preparedness, threat or vulnerability assessments, or any other records relating to the security or safety of persons or buildings, structures, facilities, utilities, transportation or other infrastructure located within the commonwealth, the disclosure of which, in the reasonable judgment of the record custodian, subject to review by the supervisor of public records under subsection (b) of section 10 of chapter 66, is likely to jeopardize public safety.”

Publicly disclosing the number and types of weapons used and deployed by this department would compromise officer and public safety as it relates to security measures and emergency preparedness, and the release of that information would hinder public safety measures.

We feel this response is consistent with the Supervisor’s ruling in last year’s State Police matter, and that this department is not required to divulge any of the information you have requested, though we can tell you that this department’s sworn officers all carry a department issued firearm (either a Glock 21 or Glock

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30 semi-automatic pistol), as well as one baton and one canister of oleoresin capsicum spray. In addition, the department does own patrol rifles, but further information on those will not be released per the reasons stated above. This department also has ample replacement equipment on hand.

Please be advised that pursuant to 950 CMR 32.00 and G.L. c. 66, section 10(b) you have the right to appeal this decision to the Supervisor of Public Records within 90 days. Such appeal shall be in writing, and shall include a copy of the letter by which the request was made and, if available, a copy of the letter by which the custodian responded. The Supervisor shall accept an appeal only from a person who had made his or her record request in writing.

If you have any questions, please do not hesitate to contact me at 781-316-3942.

Sincerely,

Captain Juliann Flaherty
Arlington Police Department
Support Service Commander

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