

EXHIBIT 1

VIA EMAIL¹

Susan H. Cote
shcote@sanfordmaine.org

February 3, 2026

RE: Request for Inspection and Copying of Public Records Pursuant to the Maine Freedom of Access Act, 1 M.R.S. § 408-A

Dear Ms. Cote:

This is a request for inspection and copying of public records under 1 M.R.S. § 408-A submitted by the American Civil Liberties Union of Maine Foundation (ACLU of Maine). I am an attorney with the American Civil Liberties Union Foundation, which represents the ACLU of Maine in this request.

It has come to our attention that across Maine, law enforcement agencies are performing traffic stops of individuals and calling U.S. Immigration and Customs Enforcement (“ICE”) or U.S. Customs and Border Protection (“CBP”) to the scene of the stop, leading ICE or CBP to take the person into custody. We request public records related to all traffic stops performed by the Sanford Police Department since December 1, 2024 that resulted in an individual being taken into ICE or CBP custody.

Specifically we request:

1. Incident reports detailing all traffic stops of individuals by the Sanford Police Department from December 1, 2024 to present in which the individual was taken into ICE or CBP custody;
2. All documentation associated with the above-referenced traffic stops;
3. From December 1, 2024 to present, any communications between the Sanford Police Department and ICE or CBP concerning transportation of aliens.

Maine’s Freedom of Access Act (FOAA) must “be liberally construed and applied to promote its underlying purposes” of promoting openness and transparency in governance, and exceptions to the law are interpreted narrowly. 1 M.R.S. § 401. The law broadly defines the term “public records” to include:

¹ This request was previously sent to City Manager Steven Buck at srbuck@sanfordmaine.org on January 22, 2026. That request was never acknowledged.

any written, printed or graphic matter or any mechanical or electronic data compilation from which information can be obtained, directly or after translation into a form susceptible of visual or aural comprehension, that is in the possession or custody of an agency or public official of this State or any of its political subdivisions, . . . and has been received or prepared for use in connection with the transaction of public or governmental business or contains information relating to the transaction of public or governmental business.

1 M.R.S. § 402(3).

The term “public records” includes, but is not limited to, electronic data stored on computers and electronic communications such as e-mails and text messages. Information “received or prepared for use in connection with the transaction of public or governmental business or contains information relating to the transaction of public or governmental business” includes, but is not limited to, information stored on the home computers, phones, and other devices of government officials and employees.

Under FOAA, you are required to acknowledge this request within five working days. You are further required, within a reasonable time, to provide an estimate of the time frame for your response. 1 M.R.S. § 408-A(3). Failure to comply in good faith with the requirements of FOAA can result in substantial penalties. *See, e.g., Human Rights Defense Center v. MCCA Risk Pool*, (Super. Ct. No. 21-131) (ordering government entity to pay over \$130,000 in attorneys’ fees and costs based on its bad faith failure to comply with FOAA request for records); *see also* 2023 ME 56, 301 A.3d 782 (affirming trial court’s decision finding that government entity acted in bad faith and that requester was therefore entitled to attorney’s fees).

Any exceptions to the FOAA must be strictly construed and a governmental entity invoking a FOAA exception bears the burden to show just and proper cause. *MaineToday Media, Inc. v. State*, 2013 ME 100, ¶ 9, 82 A.3d 104. If a FOAA exception applies to only a portion of a requested record, you must produce the record with only that portion of the record redacted. *See, e.g., Anttil v. Dep’t of Corrections*, 2017 ME 233, ¶¶ 6, 23; *Doyle v. Town of Falmouth*, 2014 ME 151, ¶ 9, 106 A.3d 1145.

If you deny all or any part of this request, please provide written notice of the denial and the asserted basis for that denial within five working days of the receipt of the request, as required by law. 1 M.R.S. § 408-A(4). Please cite each specific FOAA exemption that you assert as a basis for your denial. To the extent that you deny this request on the basis of 16 M.R.S. § 804, please indicate which subsection of the statute is applicable to the withheld records.

Under 1 M.R.S. § 408-A(11)(B), ACLU of Maine is entitled to a waiver of any fees because release of the requested records is in the public interest. Release of the requested records is “likely to contribute significantly to public understanding of the operations of activities of government and is not primarily in the commercial interest of the requester.” 1 M.R.S. § 408-A(11)(B). To the extent that a fee waiver is not granted, please provide the justification for that denial. If a fee will be charged for any part of the request, please also provide a cost estimate within a reasonable time as required by law. *See* 1 M.R.S. § 408-A(3), (9).

If any records responsive to this request are stored electronically, please produce them in the medium in which they are stored. *See* 1 M.R.S. § 408-A(7).

Please provide the requested records and any required acknowledgments, written notices, or time or cost estimates to me by email at asotoohi@aclumaine.org. Please also cc Paralegal Emma Gerber on any such communications at egerber@aclumaine.org.

If the requested records cannot be provided by email, please mail them to:

Anahita D. Sotoohi
ACLU of Maine
P.O. Box 7860
Portland, ME 04112

Thank you for your anticipated cooperation. We look forward to hearing from you as soon as possible and no later than five working days from your receipt of this request.

Respectfully,



Anahita D. Sotoohi
Staff Attorney
ACLU of Maine
asotoohi@aclumaine.org
207.613.4350

