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EXHIBIT A



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Delaware

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Ariel Gruswitz
President

Mike Brickner
Executive Director

Dwayne Bensing
Legal Director

Javonne Rich
Policy & Advocacy
Director

January 15, 2026

VIA ELECTRONIC MAIL

Dewey Police Department
105 Rodney Ave.
Dewey Beach, DE 19971
302-227-1110
Kate@townofdeweybeach.com

Re: Freedom of Information Act Request

Dear Kate Banaszak,

We are seeking information in relation to any and all law enforcement incidents that occurred in Dewey Beach, DE, Sussex County, in the early morning hours of August 25, 2025.

Therefore, pursuant to the Delaware Freedom of Information Act, 29 *Del. C.* § 10001 et seq., I request access to, and copies of the public records referred to below in the possession, custody, or control of the Dewey Police Department:

1. **Body worn camera footage from the following officers listed below from August 25th, 2025, 12:00 am-3:00am**
 - a) **Sgt. Thomas Kashner**
 - b) **L Kelly, badge number 989-53**
 - c) **N Misso, badge number 989-55**
 - d) **A. Medio, badge number 989-54**
 - e) **J. Franqui, badge number 989-52**
 - f) **Kashmir J Swanson, badge number 989-6**

Pursuant to Delaware's Mandatory Standards for Use of Body Worn Cameras (BWC), "Access to and use of a stored BWC recording is permitted...To comply with any other legal obligation to turn over the recording to a person or entity." 1 *Del. Admin. Code* § 801-26.16.6.

If you believe that any of the requested records are exempt and need not be disclosed, and intend to withhold records on that basis, please explain the basis for your belief, and for each record or portion withheld state its date and time of creation, as well as the names of all law enforcement officers relevant to the record, and describe its contents sufficiently to enable an independent evaluation of the possible exemption. Further, if part of a record is not responsive to this request or you believe a portion of the document is exempt from disclosure, please do not withhold the entire record. Instead, please redact those records and produce the portions that are responsive and non-exempt, indicating the specific reasons why the redacted portions were redacted.

We request a waiver of all fees for this request. Disclosure of the requested information is in the public interest because it is likely to contribute significantly to the public understanding of the operations or activities of the government and is not primarily in a commercial interest. The information is being requested on behalf of the American Civil Liberties Union of Delaware, a public interest organization that seeks the information for use in the public interest.

Please produce the documents within 15 business days of your receipt of this letter. (See 29 Del. C. § 10003(h).)

We have attempted to identify with specificity the records we seek. Because we do not have access to information about what records you keep and how you keep them, we request your assistance in framing our request and identifying responsive records that satisfy the purpose of our request. (See 29 Del. C. § 1003(g)(2).)

Please be advised that refusing to produce information because it supposedly requires your office to “create new documents,” is improper as a matter of law where your office maintains in its possession, custody, or control the information and data responsive to our requests. In other words, if your office maintains the relevant and responsive data, you must produce it even if production would require your office to search such data and download it to a spreadsheet or other document. *See Vanella on Behalf of Delaware Call v. Duran*, C.A. No. K24A-02-002, 2024 WL 5201305 at *9 (Del. Super. Dec. 23, 2024) (“It would defeat the letter and spirit of FOIA to not use a computer system in a manner that can isolate and produce only [the requested records] Producing easily disclosable information stored in a computer system does not require the creation of a new record”).

If you have any questions regarding the scope of the request or any other matters, please contact me at jreynolds@aclu-de.org.

Thank you.

Sincerely,

John Reynolds
Deputy Policy & Advocacy Director