

March 15, 2018

The Right-To-Know Officer
Philadelphia Police Department
750 Race Street, Room 203
Philadelphia, PA 19106-1587

Re: Pennsylvania Right to Know Law Request

Dear Sir or Madam:

This is a request under the Pennsylvania Right to Know Law (“RTK”)¹ on behalf of our client, Muslim Advocates, for records pertaining to the Philadelphia Police Department’s (“PPD”) collaboration with state and/or federal law enforcement regarding counterterrorism investigations and intelligence operations.

Background

Following the attacks of September 11, 2001, state and local law enforcement agencies assumed new counterterrorism responsibilities in addition to their traditional roles of investigating crimes and patrolling neighborhoods. Law enforcement agencies in virtually every major jurisdiction across the country now engage in a range of counterterrorism efforts designed to prepare for and foil terrorist attacks; these agencies have also increased their coordination and collaboration with their federal counterparts through fusion centers, task forces, and similar entities. In light of recent events suggesting possible increased surveillance of Muslim communities by various law enforcement agencies in the context of counterterrorism efforts, Muslim Advocates seeks information from the PPD.

Request

We hereby request the following records under the RTK:

- All memoranda of understanding, contracts, policy manuals, or executed agreements between the PPD and Pennsylvania Criminal Intelligence Center and/or the Delaware Valley Intelligence Center (Philadelphia).

¹ Pa. Stat. and Con. Stat. Ann. §§ 67.101 *et seq.* (West 2018).

- All documents, procedures, training materials, charts, statistics, reports, and audits provided to the PPD by the Pennsylvania Criminal Intelligence Center and/or the Delaware Valley Intelligence Center relating to:²
 - “Violent extremism” or “countering violent extremism.”
 - “Islam,” “radical Islam,” radical Islamic terrorism,” “sharia,” or “jihad.”
 - Counterterrorism investigations and intelligence operations.
- All documents, procedures, training materials, charts, statistics, and reports displayed or provided by the PPD or its agents, employees, consultants, representatives, or independent contractors that refer or relate to “violent extremism” or “countering violent extremism.” We request only copies of materials shown, presented, displayed or provided since January 1, 2016.
- All training materials shown, presented, displayed or provided by the PPD or its agents, employees, consultants, representatives or independent contractors to PPD personnel that refer or relate to the Muslim community, Islam, “radical Islam,” radical Islamic terrorism,” “sharia,” or “jihad”. We request only copies of materials shown, presented, displayed or provided since January 1, 2016.
- All documents, procedures, training materials, charts, statistics, reports, and audits relating to the Delaware Valley Intelligence Center (Philadelphia) that:
 - describe its nature and purpose;
 - describe its procedures for collecting, receiving, analyzing, disseminating, or storing intelligence information; or
 - describe its procedures for conducting limited intelligence investigations.

Response Within 5 Business Days

Consistent with the RTK, we ask that you make a determination within 5 days of receiving this request of the records in your possession that are responsive to the request and also determine whether the documents are subject to disclosure.³ Please promptly notify us of the determination and the reasons thereof.⁴ To the extent that your department chooses to withhold any record, please list, in writing, each and every document that is withheld as well as the reasons for doing

² The words “relating to” should be interpreted to encompass the terms “containing information about, reflecting, identifying, mentioning, referring to, or summarizing.”

³ Pa. Stat. and Con. Stat. Ann. § 67.901 (West 2018).

⁴ *See id.*

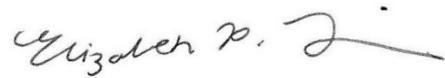
so.⁵ For those documents subject to disclosure, please provide an approximate date of delivery.⁶ Should a part of any document contain information that is exempt from disclosure, please segregate and provide the non-exempt portion of the document.⁷ We also request that you provide us with the documents in electronic format where possible. We further request any available cost waiver, and agree to pay only the direct costs of duplication up to \$100.

Should you have questions concerning this request, please contact Ahsan Shaikh by telephone at (650) 815-7506 or via e-mail at ashaikh@mwe.com. Thank you for your attention and I look forward to hearing from your office.

Very truly yours,



Ahsan A. Shaikh
Partner



Elizabeth Lewis
Partner, Pro Bono & Community Service

⁵ See *id.*

⁶ See *id.*

⁷ See Pa. Stat. and Con. Stat. Ann. § 67.708 (West 2018).