

March 20, 2018

Director of Public Information  
Boston Police Department  
One Schroeder Plaza  
Boston, MA 02120  
Attn: Martha DeMaio

Re: Massachusetts Public Records Request

Dear Sir or Madam:

This is a request under the Massachusetts Public Records Law (“MPRL”)<sup>1</sup> on behalf of our client, Muslim Advocates, for records pertaining to the Boston Police Department’s (“BPD”) 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 BPD.

## **Request**

We hereby request the following records under MPRL:

- All memoranda of understanding, contracts, policy manuals, or executed agreements between the BPD and the Massachusetts Commonwealth Fusion Center and/or the Boston Regional Intelligence Center.

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<sup>1</sup> MASS. GEN. LAWS ch. 66.

- All documents, procedures, training materials, charts, statistics, reports, and audits provided to the BPD by the Massachusetts Commonwealth Fusion Center and/or the Boston Regional Intelligence Center relating to:<sup>2</sup>
  - “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 BPD 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 BPD or its agents, employees, consultants, representatives or independent contractors to BPD 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 Boston Regional Intelligence Center 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 Ten Business Days**

Consistent with MPRL, we ask that you make a determination within 10 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.<sup>3</sup> Please promptly notify us of the determination and the reasons thereof.<sup>4</sup> 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 so.<sup>5</sup> For those documents subject to disclosure, please provide an approximate date of delivery. Should a part of any document contain information that is exempt from disclosure, please segregate and provide the non-exempt portion of the document.<sup>6</sup> We also request that you

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

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](mailto:ashaikh@mwe.com). Thank you for your attention and I look forward to hearing from your office.

Very truly yours,

*Ahsan A. Shaikh*

Ahsan A. Shaikh  
Partner

*Elizabeth P. Lewis*

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Elizabeth Lewis  
Partner, Pro Bono & Community Service

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<sup>3</sup> See MASS. GEN. LAWS ch. 66 § 10(a-b) and 950 MASS. CODE REGS. 32.02

<sup>4</sup> See *id.*

<sup>5</sup> See *id.*

<sup>6</sup> See *id.*