

# McDermott Will & Emery

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Strategic alliance with MWE China Law Offices (Shanghai)

March 20, 2018

Hennepin County Sheriff's Office  
Data Practices Requests  
350 South 5th Street  
Minneapolis, MN

Re: Minnesota Data Practices Act

Dear Sir or Madam:

This is a request under the Minnesota Government Data Practices Act (“MGDPA”)<sup>1</sup> on behalf of our client, Muslim Advocates, for records pertaining to the Minneapolis Police Department’s (“MPD”) 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 MPD.

## **Request**

We hereby request the following records under the MGDPA:

- All memoranda of understanding, contracts, policy manuals, or executed agreements between the MPD and the Minnesota Fusion Center.

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<sup>1</sup> MINN. STAT. § 13 et seq. (West 2016).

- All documents, procedures, training materials, charts, statistics, reports, and audits provided to the MPD by the Minnesota Fusion Center 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 MPD 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 MPD or its agents, employees, consultants, representatives or independent contractors to MPD 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.

### **Response as Soon as Reasonably Possible**

Consistent with the MGDPA, we ask that you make a determination as soon as reasonably possible after 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 as soon as reasonably possible.<sup>5</sup> For those documents subject to disclosure, please provide an approximate date of delivery.<sup>6</sup> 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>7</sup> 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.

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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.”

<sup>3</sup> See MINN. STAT. § 13.03 (West 2016).

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

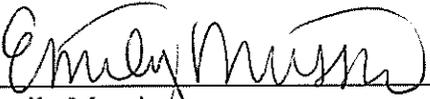
<sup>5</sup> See *id.*

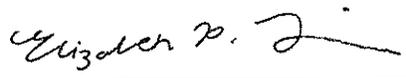
<sup>6</sup> See *id.*

<sup>7</sup> See *id.*

Should you have questions concerning this request, please contact Emily Mussio by telephone at (312) 984-3632 or via e-mail at [emussio@mwe.com](mailto:emussio@mwe.com). Thank you for your attention and I look forward to hearing from your office.

Very truly yours,

  
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Emily Mussio  
Associate

  
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Elizabeth Lewis  
Partner, Pro Bono & Community Service