



Laura Rótolo  
Staff Attorney  
ACLU of Massachusetts  
211 Congress Street  
Boston, MA 02110  
(617) 482-3170  
lrotolo@aclum.org

-- FREEDOM OF INFORMATION APPEAL --

August 4, 2011

Director, Office of Information Policy  
U.S. Dep't of Justice  
1425 New York Avenue, NW  
Suite 11050  
Washington, DC 20530-0001

**Re: Appeal of FOIA Request No. 1141754-001**

Dear Sir or Madam,

This letter constitutes an appeal pursuant to 6 C.F.R. § 5.9 of the determination in response to request number 1141754-001. The underlying request, for JTTF agreements between New England law enforcement agencies and the FBI, was made jointly by the American Civil Liberties Union Foundation of Massachusetts (ACLUM) and Political Research Associates (PRA) on December 30, 2009. Exhibit A.

The Federal Bureau of Investigation responded to our remanded request on July 12, 2011, attaching 265 pages of MOU agreements between New England law enforcement agencies and the FBI. Exhibit B. The requesters challenge the adequacy of this search.

The FBI sent the requesters sixteen Memoranda of Understanding between local law enforcement agencies and the FBI. The Town of Amherst, Massachusetts was not represented among the local law enforcement agencies in the documents the FBI

released. But the ACLU of Massachusetts has reason to believe that the Amherst Police Department indeed has a working partnership with the FBI through a JTTF. In an application to the Massachusetts Executive Office of Public Safety and Security (EOPSS) for the procurement of Automatic License Plate Reader technology, the Chief of Amherst police stated: "...the Amherst Police Department participates with the Federal Bureau of Investigations as a partner of the Joint Terrorism Task Force." Exhibit C.

Given the example of existing documentation cited above, it is unlikely that this agency would not have records in its possession that describe this relationship. The discrepancy between the responsive documents released by the FBI and this statement by the Amherst Chief of Police suggests that there may be other omissions to the records the requesters received. Additionally, one of the MOUs the FBI released, that between the Bureau and the Springfield Police Department, was missing the first page. Please also search for and release that page.

We urge you to conduct an adequately thorough review of documents relating to this request.

Thank you for your consideration.

---

Laura Rótolo  
ACLUM Staff Attorney

Thomas R. Cincotta  
PRA Civil Liberties Project Director