

June 9, 2010

Donald McGough,  
Director  
Office of Emergency Preparedness  
City of Boston  
1 City Hall Square, Room 204  
Boston, MA 02201

**Re: Public Records Request / Urban Areas Security Initiative / Boston Regional Intelligence Center**

Dear Director McGough:

This letter constitutes a request under the Public Records Law, Mass. Gen. Laws ch. 66, §10 for documents made or received by the City of Boston, Boston Police Department and Boston Regional Intelligence Center. The request is made on behalf of the American Civil Liberties Union Foundation of Massachusetts (“ACLUM”).

This request seeks documents related to the Urban Areas Security Initiative, a program of the U.S. Department of Homeland Security, which gives funding to the city of Boston under the umbrella of FEMA’s Homeland Security Grant Program (HSGP). We understand that DHS, through FEMA, grants one agency per state the ability to apply for grants through UASI, and that in Massachusetts, that funding is applied for by EOPSS and distributed by the City of Boston.

According to the City, the program “is intended to enhance regional preparedness in major metropolitan areas by developing integrated regional systems, prevention, protection, response and recovery.”<sup>1</sup> UASI combines two areas that are of great interest to the public: the

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<sup>1</sup> City of Boston Press Release, “Mayor announces \$15 million for Boston from the U.S. Department of Homeland Security.” June 18, 2009.

increased sharing of information among local, state and federal law enforcement agencies, and the increased video surveillance of public areas. Despite the substantial amount of funding that has gone into this program, little information is publicly available and there are concerns about how new technologies and systems may affect privacy and civil rights.

We are seeking through this request to understand four main things about the UASI program: how it works; what kinds of equipment it funds; how much money it involves; and how information gathered through UASI is shared between local and federal agencies.

To that effect, we seek documents sufficient to learn about these four areas. The following list of documents is an attempt to gain information about these areas. We are open to having a conversation with you about the specifics of this request and possibly modifying it in order to ensure that we are seeking the documents that will best answer these questions.

### Documents Requested

Please provide copies of the following public records created from January 1, 2004 to the present:

1. Any grant proposals made by EOPSS or the City of Boston to FEMA's Homeland Security Grant Program (HSGP) and any responses from HSGP.
2. Any and all descriptions of equipment purchased or received through the UASI program, especially video surveillance or CCTV technology used in the Metro Boston UASI area.
3. Any policies or procedures and agreements or memoranda of understanding related to the sharing of information gathered through UASI-funded programs, especially video surveillance.
4. Documents and reports showing how UASI funds were spent in the Metro Boston region during the years FY 2007, 2008 and 2009.
5. Documents or reports containing projections of how UASI funds will be spent in FY 2010.
6. The current Metro Boston Homeland Security Regional Plan.
7. The Metro Boston Homeland Security Region (MBHSR) Directory showing members.

Because this request involves a matter of public concern and because it is made on behalf of a nonprofit organization, we ask that you waive any copying costs pursuant to 950 C.M.R. § 32.06(5). ACLUM is a nonprofit §501(c)(3) organization dedicated to the protection of civil rights and liberties for all persons in the Commonwealth of Massachusetts. As the state's affiliate of the American Civil Liberties Union, ACLUM is part of a nationwide network of advocates dedicated to defending and expanding the civil liberties of all.

If you decide not to waive copying costs, we request that you permit us to examine, at our election, the responsive documents before deciding which portions to photocopy.

Should you determine that some portion of the documents requested are exempt from disclosure, please release any reasonably segregable portions that are not exempt. In addition, please note the applicable statutory exemption and explain why it applies to the redacted portions. As you know, a custodian of public records shall comply with a request within ten days after receipt.

Please reply to this request to by contacting Laura Rótolo at (617) 482-3170 x311 or through email at [lrotolo@aclum.org](mailto:lrotolo@aclum.org).

Thank you for your assistance. We look forward to your response.

Sincerely,

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Laura Rótolo  
ACLUM Staff Attorney