



PUBLIC RECORDS

OFFICE OF THE RECORDS ACCESS OFFICER

Martin J. Walsh, Mayor

October 16, 2019

Adriana Lafaille
Staff Attorney
ACLU Foundation of Massachusetts
211 Congress St.
Boston, MA 02110
alafaille@aclum.org

Re: March 7, 2019 Public Records Request

Dear Adriana:

The City of Boston (City) has received your request for public records from the Boston Police Department (Department). This response applies only to records that exist and are in the custody of the City. See *A Guide to the Massachusetts Public Records Law*, p. 32, n.115. It is expected that a custodian of records must use her superior knowledge of her records with respect to responses to public records requests. 950 CMR 32.04(5). All records responsive to this request are located here. Government records custodians are permitted to redact or withhold portions of public records, so long as a specific exemption to the law is cited. See G. L. c. 4, § 7 (26). Portions of records responsive to your request contain information that is exempt from disclosure. Specifically, you requested:

1. *All documents relating to the creation, purpose, membership, management, responsibilities, operations, effectiveness, and/or desirability of a BPD-ICE task force, or any other grouping or designation of BPD officers who communicate with ICE more frequently than their colleagues do.*
2. *All documents relating to the designation and/or role of particular BPD officers as points of contact or liaisons for ICE, and/or the responsibilities of said officers.*
3. *All communications between Boston City Hall and the BPD regarding the BPD's cooperation and/or communication with ICE, including communications about the BPD-ICE task force.*
4. *Any document describing the BPD's cooperation and/or communication with ICE.*
5. *Any document relating to specific circumstances in which BPD or other City of Boston employees are restricted in cooperating or sharing information with ICE.*

Response to Requests 1, 2, 4, 5: The responsive records are provided herein in files entitled *boston_ma_0* and *DHS MOU 2014*. These documents are provided without redaction.

Response to Request 3: The responsive record is provided herein in a file entitled *Subject: Fwd: FW: ACLU of Massachusetts seeks information about "BPD-ICE task force."* This record is provided without redaction.

This record is redacted to omit the identifying information of federal employees pursuant to the investigative exemption to the public records law. G. L. c., 4, § 7 (26) (f). The public or undercover status of such federal employees is not known by the City; therefore, we suggest you consider seeking such information directly from the U.S. Department of Homeland Security (DHS) - U.S. Immigration and Customs Enforcement (ICE). The record is redacted to omit Criminal Offender Record Information and information associated with criminal investigations. The record is redacted to omit identifying information regarding detainees as defined by federal regulation. G. L. c. 4, § 7 (26) (a) (f); G. L. c. 6, § 167; 8 CFR § 236.6.

No records were withheld or redacted other than those identified above. All fees have been waived. You may appeal this response to the Supervisor of Records in the Office of the Secretary of the Commonwealth. G. L. c. 66, § 10A (c); G. L. c. 66, § 10(b)(ix); 950 CMR 32.08; 950 CMR 32.08(1)(h) (in petitioning the Supervisor, the requester shall provide a copy of such petition to the records access officer associated with such petition). You may also appeal to the Superior Court. 950 CMR 32.06(3)(c).

Very truly yours,

A handwritten signature in black ink, appearing to read "Shawn Williams". The signature is fluid and cursive, with the first name "Shawn" written in a larger, more prominent script than the last name "Williams".

Shawn A. Williams, Esq.
Director of Public Records