



Law Department

February 4, 2014

Ms. Kade Crockford
Director, Technology for Liberty Project
ACLU of Massachusetts
211 Congress Street
Boston, MA 02110

Re: Public Records Request / Urban Areas Security Initiative

Dear Ms. Crockford:

I am writing in response to your letter dated January 27, 2014 whereby you requested that the City of Boston Office of Emergency Management (OEM) waive the fee associated with the public records request made by the ACLU of Massachusetts dated September 17, 2013. Please be advised that OEM will not waive its fee.

By letter dated September 17, 2013, the ACLU of Massachusetts submitted a broad request for public records. Essentially, the ACLU requested all public records including, but not limited to, contracts, communications, budget information, and grant documents relating to the City of Boston's use of surveillance technology between January 1, 2010 and the present. In response, OEM produced a fee estimate which detailed the search and segregation costs and the copying costs required to respond to the ACLU's request.

Given the broad nature of the ACLU's public records request, OEM provided a good faith estimate of the costs associated with complying with the request consistent with the Secretary of the Commonwealth's guidelines. OEM's estimate for search and segregation properly included a fee for time required to search, redact, photocopy, and refile the records. Furthermore, OEM properly applied the hourly rate of the lowest paid employee who has the necessary knowledge or experience to locate and segregate the records. Finally, OEM's estimate properly utilized the rate of \$0.20 per page to calculate a copying fee.

OEM's fee estimate was reasonable given the voluminous nature of the ACLU's public records request. If the ACLU narrows its request, OEM can provide a revised fee estimate.

Please contact me if you should have any further questions about this public records request.

Very truly yours,

Melissa Potvin McCarthy

Melissa Potvin McCarthy
Assistant Corporation Counsel
(617) 635-4064

Cc: OEM
BPD