



MAYOR'S OFFICE OF
EMERGENCY
PREPAREDNESS
THOMAS M. MENINO
MAYOR



August 10, 2011

By Mail

Laura Rótolo, Esq.
ACLU Foundation of Massachusetts
211 Congress Street
Boston, MA 02110

RE: Public Records Request

Dear Attorney Rótolo:

Enclosed please find materials responsive to your Public Records Law request dated December 21, 2010 (the "Request"). The Mayor's Office of Emergency Management ("MOEM") also offers the following comments regarding each item within your Request.

- A. Follow-up on previous records
1. Any and all documents pertaining to the "Regional Camera Surveillance Network," which was referenced in the Addendum to MBHSR 2004 Regional Plan, page 8, attached as Exhibit A. The document describes this program as a sub-project of the Harbor Security Initiative. This includes any and all documents describing the Network, including Memoranda of Understanding, licenses with public and private parties, funding sources and budgets for the Network.

Response: The term "Regional Camera Surveillance Network" has been discontinued. We believe your request pertains to the Public Safety Network ("PS Net") and/or the Critical Infrastructure Monitoring System ("CIMS"). Records relating to PS Net/CIMS and responsive to this request are enclosed herein.

MOEM has not produced its quarterly reports to the Commonwealth of Massachusetts and invoices because of the voluminous nature of the materials. An example of a quarterly report is enclosed. If the ACLU would like copies of quarterly reporting between 2004 through the present, that would involve approximately two (2) additional hours of retrieval and copy and approximately 500 documents. If the ACLU would like

copies of invoices between 2004 through the present, that would involve approximately four (4) additional hours of retrieval and copying and approximately 2000 documents.

MOEM has withheld records that reveal the location of cameras because the disclosure of these records is likely to jeopardize public safety. See M.G.L. c. 4, § 7(26)(n).

2. Any and all documents pertaining to the “Surveillance Initiative,” which was referenced in the Addendum to MBHSR 2004 Regional Plan, page 8, attached as Exhibit A. The “Surveillance Initiative” is described as the “parent” to the Regional Camera Surveillance System. This includes any and all documents describing the Network, including the Memorandum of Understanding, licenses with public and private parties, funding sources, and budgets for the Network.

Response: The term “Surveillance Initiative” has been discontinued. We believe your request pertains to the Boston Regional Intelligence Center (“BRIC”). MOEM already produced the grant application to you. MOEM does not have records of Memorandum of Understanding, licenses, funding sources or budgets for BRIC. Records otherwise relating to BRIC and responsive to your request are enclosed herein. See Response No. 1 with regard to the production of quarterly reports to the Commonwealth of Massachusetts and invoices.

3. Any and all Memoranda of Agreement between the Mayor’s/Metro Office of Homeland Security (OHS) and cities and towns, both inside and outside the MBHSR.

Response: Records responsive to your request are enclosed herein.

4. A copy of the Memorandum of Understanding between MBHSR, the MBTA and Commonwealth of Massachusetts, which is referred to in the 2009 Investment Justification worksheet, page 28, attached as Exhibit B.

Response: Records responsive to your request are enclosed herein.

5. Documents describing “PSnet.” See Exhibit C.

Response: Records responsive to your request are enclosed herein. See also Response No. 1.

6. Any and all documents pertaining to “Project D” described on page 26 of Metro Boston Region FY 2004 Homeland Security Plan, attached as Exhibit D, as a project to “[e]stablish/enhance a terrorism intelligence/early warning system, center or task force.” The document further describes that the “MBHSR, with the direction and guidance from the Law Enforcement Committee will work to develop a formal plan for intelligence sharing on WMD threats across MBHSR communities and disciplines, improving upon existing organizational relationships between local, state and federal government.”

Response: The term “Project D” has been discontinued. We believe your request pertains to the BRIC and records pertaining to the BRIC are enclosed herein. See Response No. 2.

7. Any and all documents pertaining to the “Regional Intelligence Initiative,” which is described in the Metro Boston Regional FY 2004 Homeland Security Plan, page 27, attached as Exhibit D, as providing a “centralized and integrated intelligence gathering network in order to provide awareness of, prevent and disrupt possible attacks against critical infrastructure and potential targets.”

Response: The term “Regional Intelligence Initiative” has been discontinued. We believe your request pertains to the BRIC and records pertaining to the BRIC are enclosed herein. See Response No. 2.

8. A copy of the Regional Catastrophic Planning Team (RCPT) Charter. See Exhibit E.

Response: Records responsive to your request are enclosed herein.

9. Any and all documents and reports sent to the Department of Homeland Security and/or FEMA regarding progress or reporting on grant funds used in the MBHSR.

Response: MOEM does not submit documents and reports to the Department of Homeland Security and/or FEMA. MOEM enters funding information electronically to Massachusetts Executive Office of Public Safety and Security (“EOP”). We believe EOP, in turn, submits this information to DHS and/or FEMA.

10. Any and documents and reports showing UASI funds that were spend on intelligence-gathering and intelligence-sharing.

Response: Please see Response Nos. 1 and 2.

11. Any and all responses to MBHSR/OHS UASI grant proposals from FEMA and/or DHS, showing how much money Metro Boston received for each funding area for each year during which Metro Boston has participated in UASI.

Response: Records responsive to your request are available at www.fema.gov/government/grant/nondisaster.shtm. Otherwise, DHS responses to grant applications are enclosed herein.

B. Surveillance Cameras

1. Requests for proposals and contracts related to the procurement of CCTV cameras for the City of Boston (including those cameras in use at MBTA facilities) and the Metro Boston UASI region.

Response: MOEM does not have any records relating to cameras in use at MBTA facilities. Records otherwise responsive to your request are enclosed herein. MOEM has withheld records that reveal the location of cameras because the disclosure of these records is likely to jeopardize public safety. See M.G.L. c. 4, § 7(26)(n).

2. Final memoranda, policies, procedures, directives, guidance, and training materials pertaining to the use of video surveillance and the sharing, retention and destruction of video surveillance data within UASI cities. We are specifically interested in documents setting forth procedures for the sharing of video surveillance data between cities and BRIC or the Commonwealth Fusion Center.

Response: MOEM does not have records responsive to your request. Boston Police Department (“BPD”) records responsive to your request are enclosed herein.

3. Documents and reports showing line item budget spending of the \$4.6 million in DHS funds dedicated toward surveillance cameras for the Metro Boston region.

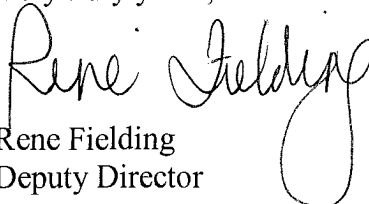
Response: Records responsive to your request are enclosed herein.

C. Suspicious Activity Report Training

1. Any and all documents relating to Suspicious Activity Reporting training, including material and guidelines used during trainings, documents showing who facilitates the trainings and documents showing every agency, institution or group that has received the training. See Exhibit B and F.

Response: MOEM does not have any records responsive to your request. BPD records responsive to your request are enclosed herein. BPD has withheld some of the records used in the SAR training because the disclosure of these records is likely to jeopardize public safety. See M.G.L. c. 4, § 7(26)(n). Additionally, the Sovereign Citizen and Law Enforcement Presentation produced by the Southern Poverty Law Center is not included but we understand it is available on-line. See <http://www.splcenter.org/get-informed/intelligence-report/browse-all-issues/2010/winter/stopping-the-sovereigns>

Very truly yours,


Rene Fielding
Deputy Director