

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF MASSACHUSETTS
99 CHAUNCY STREET, SUITE 310 BOSTON, MASSACHUSETTS 02111

John Reinstein
Legal Director

(617) 482-3170
Fax (617) 451-0009

October 31, 2003

Chief, FOIA and Privacy Act Section
Federal Bureau of Investigation
Room 6296 JEH
J. Edgar Hoover Building
935 Pennsylvania Avenue, N.W.
Washington, D.C. 20535

To the Chief of the FOIA and Privacy Act Section:

I am writing on behalf of the Valley Advocate to request certain records under the Freedom of Information Act.

In the aftermath of the terrorist attacks of September 11, 2001, the Department of Justice significantly expanded the activities of Joint Terrorism Task Forces ("JTTF") across the country. These task forces include representatives of state and local law enforcement agencies, and, in a number of states, officers drawn from college and university police departments. It has been reported that local law enforcement officers assigned to these task forces report are required to obtain security clearance and work under the direction and control of the Federal Bureau of Investigation. Published reports have indicated that a number of campus police departments are participating in this program, including, among others, police at such major universities as the University of Massachusetts, the University of Florida, the University of Texas, the University of Colorado, the University of North Carolina, the University of Illinois and the University of Wisconsin.

Last year, officials at the University of Massachusetts in Amherst acknowledged that one of its campus police officers, Barry Flanders, had been assigned to work with, and under the supervision of, the JTTF in Massachusetts. The FBI's arrangement with Officer Flanders and the University of Massachusetts police came to light after FBI agents, apparently acting on the basis of information provided by Flanders, questioned a faculty member and an organizer for a campus union about their political views and organizations in which they may have been involved. It was reported at the time that Officer Flanders, while designated as a campus police "liaison" with the FBI and paid by

the University, in fact worked under the direction and control of the FBI for several days each week and was not permitted to inform his commanding officer about the nature of his activities, as she did not have the required security clearance.

The purpose of this request is to obtain information about the nature and scope of the participation of campus police officials in JTTF activities, both in Massachusetts and nationwide. I hereby request that you provide the Valley Advocate with the opportunity to inspect and, if requested, to obtain a copy of each of the following records of the Federal Bureau of Investigation, including records of its regional offices.

1. All records created after September 11, 2001 authorizing, describing the nature and purpose of or setting guidelines for FBI cooperation or liaison with campus police or security officers at colleges and universities in the United States or for the participation of such officers in the activities of a JTTF;
2. All records created after September 11, 2001 of (a) communications from the FBI to any college or university in the United States soliciting, proposing or discussing cooperation or liaison between the FBI and the college or university police or security officers or the participation of such officers in the activities of a JTTF, and (b) communications from any college or university in the United States to the FBI responding thereto;
3. Records sufficient to show the names and locations of each and every college or university that is participating in a JTTF or has cooperated and/or is cooperating with the FBI in gathering intelligence and/or investigating students, faculty and/or employees of the college or university through the use of college or university campus police or security officers since September 11, 2001; this request includes but is not limited to any formal intergovernmental agreements, memoranda of understanding or memoranda of agreement;
4. Records sufficient to show the name of each and every college or university campus police or security officer who has been and/or is under the direction and control of the FBI, in whole or in part, and/or who has reported and/or reports directly to the FBI since September 11, 2001;
5. Records sufficient to show the name of each and every college or university campus police or security officer who has received security clearance for work in cooperation with the FBI since September 11, 2001; and

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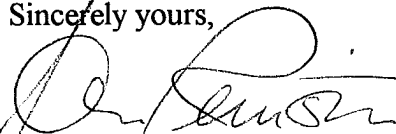
6. Any records received by the FBI from Officer Barry Flanders of the University of Massachusetts police and any records of communications between Officer Barry Flanders of the University of Massachusetts police and the FBI.

The purpose of this request is to allow The Valley Advocate to assess the nature and scope of FBI activities at U.S. colleges and universities. To the extent that a response to the foregoing request would require the review or copying of large volumes of essentially duplicative materials, we would certainly be willing to consider narrowing specific categories of records which have been requested. If you wish to discuss the request, I may be reached by telephone at (617) 482-3170.

As noted above, I have requested access to the original documents rather than having copies made in order to minimize the expense of obtaining the information they contain. To the extent that there are fees for the production of the requested documents, I hereby request a waiver of all applicable fees. The information contained in the requested documents is being sought by a newspaper, and its disclosure would contribute significantly to the public understanding of the operations and activities of the government. The request is not made for any commercial purpose.

Pursuant to 28 CFR § 16.5(d)(ii), we hereby request that this request be given expedited treatment. The Valley Advocate is a weekly newspaper serving western Massachusetts' Pioneer Valley. It is "primarily engaged in disseminating information."

Sincerely yours,

A handwritten signature in black ink, appearing to read "John Reinstein", written over a horizontal line.

John Reinstein

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Legal Director

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December 9, 2003

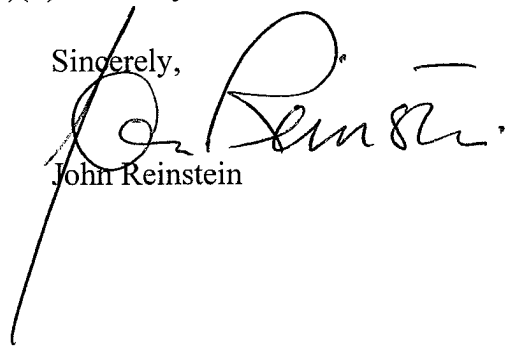
David M. Hardy
Section Chief, Record/Information Dissemination Section
Records Management Division
U.S. Department of Justice
Federal Bureau of Investigation
Washington, DC 20535

Re: Request No. 0986786-000

Dear Mr. Hardy:

I have received your acknowledgment of our FOIA request on behalf of the Valley Advocate. Would please confirm that this request will be given expedited treatment as required by 28 CFR § 16.5(d)(ii). Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "John Reinstein", is written over the typed name. The signature is fluid and cursive.

John Reinstein