

AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION OF MASSACHUSETTS  
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John Reinstein  
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October 31, 2003

Chancellor John V. Lombardi  
University of Massachusetts  
374 Whitmore Administration Building  
Amherst, Massachusetts 01003

Dear Chancellor Lombardi:

This is a request under the Public Records Law, G.L. c. 66, § 10.

In the aftermath of the terrorist attacks of September 11, 2001, the U.S. 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.

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.

Even apart from the specific information that was sought by the FBI agents in their interviews at the University, the enlistment of campus security officers to serve the intelligence interests of the FBI within the academic community raises concerns for First

Amendment freedoms. In the interests of public disclosure of the nature and scope of this program, the American Civil Liberties Union of Massachusetts hereby requests that you provide it with a copy of each of the following records made or received by the University of Massachusetts:

1. All records made or received after September 11, 2001 of communications between the FBI and the University of Massachusetts or any officer or employee of the University of Massachusetts concerning participation in the JTTF by the University of Massachusetts or its police or security officers, or cooperation or liaison between the FBI and university police or security officers; and
2. Any formal intergovernmental agreements, memoranda of understanding or memoranda of agreement concerning participation in the JTTF by the University of Massachusetts or its police or security officers, or cooperation or liaison between the FBI and university police or security officers.

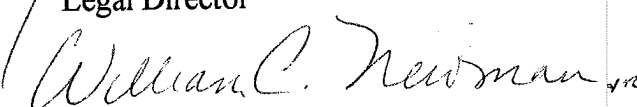
The purpose of this request is to allow the requester to assess the nature and scope of FBI activities at the University of Massachusetts. As the information contained in the requested documents is being sought by a public interest organization, and its disclosure would contribute significantly to the public understanding of the operations and activities of the government, we request that you waive any copying costs pursuant to 950 CMR § 32.06(5).

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. If you wish to discuss the request, Mr. Newman may be reached by telephone at (413) 584-7331, and Mr. Reinstein may be reached at (617) 482-3170, ext. 324.

Sincerely yours,



John Reinstein  
Legal Director



William C. Newman  
Director, Western Massachusetts Office