

March 9, 2020

Dennis Farias, City Clerk
133 William Street, Room 118
New Bedford, MA 02740

Re: Massachusetts Public Records Request

Dear Dennis Farias,

This is a request under the Massachusetts Public Records Law (M. G. L. Chapter 66, Section 10), for documents in the possession of City of New Bedford regarding the municipality's information sharing, gang monitoring, stop and frisk and school policing policies. Much of this information may be found at the local police department and public school administration office; we have reached out to these entities separately and extend our inquiry to your office too. This request is made on behalf of the Citizens for Juvenile Justice as part of ongoing research specifically focused on sanctuary and immigration-related policies in Massachusetts.

I am requesting the following records:

Copies of all current municipal and departmental policies related to:

1. Data sharing and cooperation agreements or memorandums of understanding with federal immigration authorities.
2. Data sharing and cooperation agreements or memorandums of understanding with regional intelligence (such as the Boston Regional Intelligence Center ("BRIC") or the Massachusetts Commonwealth Fusion Center).
3. Data sharing and cooperation agreements or memorandums of understanding with school districts or individual schools in your jurisdiction.
4. Gathering and storing of gang information, including:
 - a. Policies for identifying and labeling gang members or individuals suspected of gang affiliation
 - b. Policies for maintaining and verifying information contained in any "gang database"
 - c. Policies for individuals to appeal listing on such a database
 - d. Policies related to the sharing of database information with other local or federal authorities
5. Stop and frisk policies, and field interrogation policies.
6. School policing policies and, to the extent available on the municipal level:
 - a. School discipline policies

- b. School policies regarding information sharing with law enforcement
 - c. School policies related to undocumented children or children of undocumented parents.
7. All documents closely related to but not specified above.
 8. Where no such document or policy in the above category exists, please provide a written statement to that effect.

Data regarding the following:

1. For the time period September 1, 2014 to the date of this request, all New Bedford Public School (“NBPS”) documents received from and/or generated by NBPS and sent to, transmitted to, or otherwise made available or accessible to BRIC and/or the Massachusetts Commonwealth Fusion Center.
2. For the time period September 1, 2014 to the date of this request, all NBPS documents received and/or generated by NBPS that New Bedford Police Department (“NBPD”) sent to, transmitted to, or otherwise made available or accessible to BRIC and/or the Massachusetts Commonwealth Fusion Center and/or Immigration and Customs Enforcement (“ICE”) and/or any of their employees or agents.
3. For the time period September 1, 2014 to the date of this request, all NBPS documents generated by NBPD that NBPD sent to, transmitted to, or otherwise made available or accessible to BRIC and/or the Massachusetts Commonwealth Fusion Center and/or ICE and/or any of their employees or agents.
4. Data from 2015 through when the search is conducted concerning the number of incidents when a student’s behavior at school led to the student’s being reported to BRIC and/or the Massachusetts Commonwealth Fusion Center and/or federal immigration authorities including, but not limited to ICE.
5. Copies (redacted as necessary to protect student identity) of all school related matters and documents sent to, transmitted to, or otherwise made available or accessible to NBPD, BRIC, and/or the Massachusetts Commonwealth Fusion Center and/or with federal immigration authorities including but not limited to ICE.
6. Stop and frisk and field interrogation data for all stop and frisk / field interrogation incidents from 2015 through when the search is conducted in 2020 is requested. To the extent possible, we are requesting raw data with personal identifying information and addresses redacted to protect privacy. However, we request that any redactions of personally identifiable information do not extend any further than necessary, and in particular, that demographic information such as gender, race, national origin, citizenship, language status, gender, and age (to the extent noted on documents) not be redacted. We also request location, time of incident, and outcome of field interrogation be

included in the release. Even where not specifically indicated, this request includes documents that are in electronic format, such as emails.

7. Data regarding how many people have been identified by your department as gang affiliated, or gang involved. We request that any redactions of personally identifiable information do not extend any further than necessary, and in particular, that demographic information such as gender, race, national origin, citizenship, language status, gender, and age (to the extent noted on documents) not be redacted.

This request also includes documents in electronic format, meeting minutes, and other circulations that may contain these and related policies.

Disclosure of the requested policies is in the public interest because it is likely to contribute significantly to public understanding of the intersection of immigration policy and the juvenile justice system. To the extent there are the costs associated with the production of these documents, we request they be waived considering that we are a non-profit organization. Should you determine that some portions of the documents are exempt from disclosure, please release any reasonably segregable portions that are not exempt. In additional, please note for any such redactions the applicable statutory exemption and explain why it applies to the redacted or withheld information.

If you have any questions or concerns about this request, please contact me at the information below.

Sincerely,

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