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 Thomas Manger, Chief  
 Montgomery County Police Department  
 100 Edison Park Drive  
 Public Safety Headquarters  
 Gaithersburg, MD 20878

2. Article Number  
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FOR JUSTICE

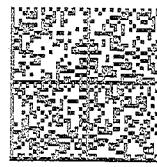
at New York University School of Law

161 Avenue of the Americas  
12th Floor  
New York, New York 10013

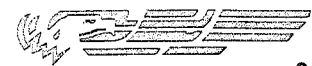
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Thomas Manger, Chief  
Montgomery County Police Department  
100 Edison Park Drive  
Public Safety Headquarters  
Gaithersburg, MD 20878

# BRENNAN CENTER FOR JUSTICE

February 17, 2015

## Via Certified Mail and E-Mail

Thomas Manger, Chief  
Montgomery County Police Department  
100 Edison Park Drive  
Public Safety Headquarters  
Gaithersburg, MD 20878  
Phone: 240-773-5000  
Email: mcpd@montgomerycountymd.gov

Brennan Center for Justice  
at New York University School of Law

161 Avenue of the Americas  
12th Floor  
New York, New York 10013  
212.998.6730 Fax 212.995.4550  
www.brennancenter.org

## Re: Maryland Public Information Act Request

Dear Chief Manger:

This is a request under the Maryland Public Information Act (“PIA”), GP § 4-101 *et seq.*, on behalf of the Brennan Center for Justice at New York University School of Law.

## Background

The Brennan Center seeks records pertaining to “countering violent extremism” (“CVE”) efforts in Montgomery County, MD. The Montgomery County Model (“MCM”) has been described as a “public-private partnership” between the Montgomery County Police Department (“the Department”), the Montgomery County Executive’s Office of Community Partnerships, and the World Organization for Resource Development and Education.<sup>1</sup> The MCM reportedly seeks to “facilitat[e] effective community policing by fostering social cohesion amongst diverse county residents and creating bottom-up strategies to promote public safety and reduce violence.”<sup>2</sup> The MCM has been described as a model for the nation<sup>3</sup> as CVE pilot programs are debuted in 3 cities nationwide.<sup>4</sup>

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<sup>1</sup> DEP’T OF JUSTICE, FY 2016 PERFORMANCE BUDGET: OFFICE OF COMMUNITY ORIENTED POLICING SERVICES 27 (2015), *available at* [http://www.justice.gov/sites/default/files/jmd/pages/attachments/2015/02/02/29\\_community\\_oriented\\_policing\\_services\\_cops.pdf](http://www.justice.gov/sites/default/files/jmd/pages/attachments/2015/02/02/29_community_oriented_policing_services_cops.pdf).

<sup>2</sup> *Id.*

<sup>3</sup> *See, e.g.* John Cohen, Acting Under Secretary of Homeland Sec. for Intelligence and Analysis, Dep’t of Homeland Sec., Policy Forum at The Washington Institute: Revisiting U.S. CVE Efforts One Year After the Boston Bombing (Mar. 28, 2014), *available at* <http://www.washingtoninstitute.org/policy-analysis/view/revisiting-u.s.-cve-efforts-one-year-after-the-boston-bombing>.

<sup>4</sup> Press Release, Dep’t of Justice, Attorney General Holder Announced Pilot Program to Counter Violent Extremists, Sept. 15, 2014, *available at* <http://www.justice.gov/opa/pr/attorney-general-holder-announces-pilot-program-counter-violent-extremists>.

## Records requested

Specifically, the Brennan Center requests the following records:

1. Legal memoranda, procedures, policies, directives, practices, guidance or guidelines pertaining to the Department's acquisition, collection, use, retention and dissemination of information concerning members of the public in the course of assessments, investigations, programs, events and other activities conducted pursuant to the MCM;
2. Records concerning the training for the Department's officers, investigators, and other relevant law enforcement personnel regarding Islam, Muslim culture, and/or Muslim, Arab, South Asian, or Middle Eastern communities, including but not limited to any training materials, outlines, instructions or other documents used by or provided to the Department's officers, investigators, and other relevant law enforcement personnel, and any records showing the names and titles of participants and trainers, dates, hours, and locations of trainings, and any evaluations or related material; and
3. Records created by the Montgomery County Police Department since Feb 1, 2013 describing, listing or discussing the goals, aims, targets and/or objectives of the MCM, including any correspondence, electronic or written.

## Fees

The Brennan Center requests a waiver of all fees for the search for, preparation of, and reproduction of records responsive to this request pursuant to GP § 4-206(e)(1). The Brennan Center is a non-profit, non-partisan public policy and law institute at the New York University School of Law that conducts research and disseminates to the public information about issues affecting justice and democracy.<sup>5</sup> In this case, the records requested concern details of new programs and initiatives that the Department has implemented in conjunction with other county offices, private actors and federal agencies as part of an effort to counter violent extremism.<sup>6</sup> Such programs have been the subject of national importance and debate,<sup>7</sup> especially in the wake

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<sup>5</sup> The Brennan Center for Justice is a nonpartisan law and policy institute that seeks to improve our systems of democracy and justice. Please visit our website for more information. *Our Mission*, BRENNAN CTR. FOR JUSTICE, <https://www.brennancenter.org/about> (last visited Feb. 13, 2015).

<sup>6</sup> J. Thomas Manger, Chief, Montgomery County Police, Remarks at The Washington Institute for Near East Policy: New Strategies for Countering Homegrown Violent Extremism: Preventive Community Policing (Nov. 13, 2013), *available at* <http://www.washingtoninstitute.org/uploads/Documents/other/manger-transcript-20131113.pdf>.

<sup>7</sup> See, e.g. MICHAEL PRICE, BRENNAN CTR. FOR JUSTICE, COMMUNITY OUTREACH OR INTELLIGENCE GATHERING? (2015), *available at* <https://www.brennancenter.org/analysis/community-outreach-or->

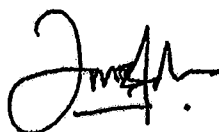
of reports concerning the “homegrown” threat posed by groups like the Islamic State of Iraq and the Levant (ISIL). Members of the public, especially those living in Montgomery, have a significant and urgent interest in knowing how Montgomery County’s Model for countering violent extremism is affecting their communities and their lives. Accordingly, a waiver of all fees arising from this request “would be in the public interest.” GP § 4-206(e)(2).

**Response Requested in 30 days**

Please notify us of your determination of our request and release all responsive records as soon as possible, and no later than 30 days from the receipt of this request. GP § 4-203(b). Please provide us a copy of responsive records in a searchable and analyzable electronic format where possible. GP § 4-205(c)(1). If any part of this request is denied, please immediately notify us of the denial, and provide a written statement of the reasons and legal authority for the denial no later than 10 working days from the receipt of this request. GP § 4-203(b) – (c). If you choose to deny inspection of any portion of the responsive records, please provide the reasons and legal authority for such denial, and portions of the records that are available for inspection.

Should you have any questions concerning this request, please contact Amos Toh by telephone at (646) 292-8380 or via e-mail at [amos.toh@nyu.edu](mailto:amos.toh@nyu.edu).

Sincerely,



Amos Toh  
Counsel/Katz Fellow, Liberty & National Security Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue of the Americas, 12<sup>th</sup> Floor  
New York, NY 10013  
Tel: (646) 292-8380  
[amos.toh@nyu.edu](mailto:amos.toh@nyu.edu)

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[intelligence-gathering](https://firstlook.org/theintercept/2015/02/09/government-develops-questionnaire-see-might-become-terrorist/); Murtaza Hussain, Cora Currier & Jana Winter, *Is Your Child a Terrorist? U.S. Government Questionnaire Rates Families at Risk for Extremism*, INTERCEPT (Feb. 9, 2015), <https://firstlook.org/theintercept/2015/02/09/government-develops-questionnaire-see-might-become-terrorist/>; Naureen Shah, *Terrorist or ... Teenager*, SLATE (Nov. 12, 2014), [http://www.slate.com/articles/news\\_and\\_politics/politics/2014/11/justice\\_department\\_s\\_countering\\_violent\\_extremism\\_program\\_ripe\\_for\\_abuse.html](http://www.slate.com/articles/news_and_politics/politics/2014/11/justice_department_s_countering_violent_extremism_program_ripe_for_abuse.html); *Is This a New War on Terror?*, POLITICO (Sept. 16, 2014), [http://www.politico.com/magazine/story/2014/09/is-this-a-new-war-on-terror-111022\\_Page2.html](http://www.politico.com/magazine/story/2014/09/is-this-a-new-war-on-terror-111022_Page2.html).