

**BRENNAN  
CENTER  
FOR JUSTICE**

Brennan Center for Justice  
*at New York University School of Law*

161 Avenue of the Americas  
12th Floor  
New York, NY 10013  
646.292.8310 Fax 212.463.7308  
www.brennancenter.org

June 30, 2015

**Via E-Mail and Certified Mail**

Chaun Eason  
U.S. Department of Justice  
Office of Community Oriented Policing Services  
Attn: Legal Division  
145 N Street NE  
Washington, DC 20530

**Re: Freedom of Information Act Request**

Dear Ms. Eason,

This is a Freedom of Information Act (FOIA) request on behalf of the Brennan Center for Justice at NYU School of Law.

The Brennan Center seeks information from the Office of the Community Oriented Policing Services (COPS) regarding COPS grants awarded to entities for the purpose of Countering Violent Extremism (CVE) from FY 2010 to the present. COPS has funded at least four projects supporting the White House's Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the U.S.<sup>1</sup> It has also provided funding for CVE-related projects through the Community Policing Development funding stream since FY 2010. The Brennan Center seeks copies of successful Grant Agreements and supporting documentation pertaining to these awards.

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<sup>1</sup> See U.S. DEPARTMENT OF JUSTICE 2014 PERFORMANCE BUDGET, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES 37 (2014), <http://www.justice.gov/sites/default/files/jmd/legacy/2014/07/01/cops-justification.docx>.

## **Formal Request**

According to the Grant Monitoring Standards and Guidelines issued by the COPS office, grant recipients are required to submit the following documents related to their grant at the time of application, and maintain these documents through the duration of the grant period:<sup>2</sup>

- Approved grant abstracts and supplemental appropriations
- Signed grant application and attachment
- Budget worksheet
- List of verifiable sources used to obtain financial information to develop budget (including current pay scale, fringe benefits, copies of current job announcements, locally budgeted sworn positions and supporting documentation)
- Worksheets and other supporting information to document points of contact and other sources used to develop application.
- Grant award modification requests and COPS office approvals
- Requests for budget modifications and COPS Office approvals for budget modifications
- General correspondence between the COPS office and the grant recipient (including general letters, emails faxes and scanned documents)

COPS grant recipients are also required to submit the following documents on a quarterly basis to the COPS office for monitoring and evaluation purposes:

- Periodic programmatic progress reports
- Quarterly financial reports<sup>3</sup>

We therefore request the above-mentioned documents pertaining to COPS funding for the following grants:

1. In FY 2010, the “Role of Law Enforcement in Homeland Security” (COPS-CPD-2010-1) was approved as an application topic area for Community Policing Development funding.<sup>4</sup> The Brennan Center requests all successful grant applications that specified this topic area as their goal. The Brennan Center also requests all supporting documents pertaining to these grant applications, as described above.
2. In FY 2011, the “Role of Community Policing in Homeland Security” (COPS-CPD-2011-4) was approved as an application topic area for Community Policing Development funding.<sup>5</sup> The Brennan Center requests all successful grant applications that specified

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<sup>2</sup> COPS OFFICE, GRANT MONITORING STANDARDS AND GUIDELINES FOR ALL COPS GRANTS AND COOPERATIVE AGREEMENTS, 10-11 (2014), [http://www.cops.usdoj.gov/pdf/e081420661\\_Grant%20Monitoring\\_Final.pdf](http://www.cops.usdoj.gov/pdf/e081420661_Grant%20Monitoring_Final.pdf).

<sup>3</sup> COPS OFFICE, GRANT MONITORING STANDARDS AND GUIDELINES FOR ALL COPS GRANTS AND COOPERATIVE AGREEMENTS, 20 (2014), [http://www.cops.usdoj.gov/pdf/e081420661\\_Grant%20Monitoring\\_Final.pdf](http://www.cops.usdoj.gov/pdf/e081420661_Grant%20Monitoring_Final.pdf).

<sup>4</sup> For the specific COPS Community Policing Development FY 2010 solicitation request, *see* COPS OFFICE, FY 2010 APPLICATION GUIDE: COMMUNITY POLICING DEVELOPMENT (CPD) 3 (2010) <http://www.cops.usdoj.gov/pdf/CPD/CPD-Application-guide.pdf>.

<sup>5</sup> For the specific COPS Community Policing Development FY 2011 solicitation request, *see* OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, COPS FY 2011 APPLICATION GUIDE: COMMUNITY POLICING DEVELOPMENT (CPD) 6, U.S. DEPARTMENT OF JUSTICE (2011), *available at* [http://www.cops.usdoj.gov/pdf/cpd/e051014277\\_2011CPD-APP.pdf](http://www.cops.usdoj.gov/pdf/cpd/e051014277_2011CPD-APP.pdf).

this topic area as their goal. The Brennan Center also requests all supporting documents pertaining to these grant applications, as described above.

3. In FY 2014, the “Microgrant Initiative for Law Enforcement” was identified as an application topic area for Community Policing Development funding.<sup>6</sup> Under this topic area, “Countering Violent Extremism” was approved as one of the four areas in which law enforcement agencies could propose pilot projects or demonstrations. The Brennan Center requests all successful grant applications that specified Topic Area C, “Countering Violent Extremism,” as their intended topic area. The Brennan Center also requests all supporting documents pertaining to these grant applications, as described above.
4. In FY 2014, the “Microgrant Promising Practices Coordinator” was identified as an application topic area for Community Policing Development funding.<sup>7</sup> Under this topic area, “Countering Violent Extremism” was approved as one of the four areas in which law enforcement agencies could propose pilot projects or demonstrations. The Brennan Center requests all successful grant applications that specified CVE as their intended topic area under this grant. The Brennan Center also requests all supporting documents pertaining to these grant applications, as described above.
5. In FY 2014, “Using Community Policing to Combat Violent Extremism” was approved as an application topic area for Community Policing Development funds.<sup>8</sup> The Brennan Center requests all successful grant applications that specified this topic area as their goal. The Brennan Center also requests all supporting documents pertaining to these grant applications, as described above.
6. The Brennan Center requests the grant application submitted by the International Association of Chiefs of Police (IACP) to the COPS Office, mentioned in the COPS FY Performance Budget for 2014.<sup>9</sup> The IACP received funding from COPS (Award No. 2011-CK-WX-K010) to develop a guidebook on the threats developed in the social media environment, supporting the White House’s Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States. The Brennan Center requests a copy of the successful grant application from IACP to COPS for the guidebook funding, and all supporting documentation, as described above.
7. The Brennan Center requests the grant application submitted by the Vera Institute to the COPS Office, mentioned in the COPS Performance Budget for FY 2014.<sup>10</sup> The Vera Institute received funding from COPS (Award No. 2011-CK-WX-K104) to develop a guidebook and “teach police departments how to engage in Arab and Muslim communities.” The Brennan Center requests a copy of the successful grant application

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<sup>6</sup> For the specific COPS Community Policing Development FY 2014 solicitation request, *see* OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, COPS FY 2014 APPLICATION GUIDE: COMMUNITY POLICING DEVELOPMENT (CPD) 5, U.S. DEPARTMENT OF JUSTICE (2011), *available at* <http://www.cops.usdoj.gov/pdf/2014AwardDocs/CPD/2014-CPD-AppGuide26.pdf>.

<sup>7</sup> *Id.* at 6.

<sup>8</sup> *Id.* at 8.

<sup>9</sup> *See* U.S. DEPARTMENT OF JUSTICE FY 2014 PERFORMANCE BUDGET, *supra* note 1, at 37.

<sup>10</sup> *Id.*

from the Vera Institute to COPS for the guidebook funding and funding received to promote their teaching program, and all supporting documentation, as described above.

### **Fees**

The Brennan Center is exempt from search and review fees as a noncommercial scientific institution, an educational institution, and a representative of the new media. 28 C.F.R. § 16.11(c)-(d). The Brennan Center is a non-profit, non-partisan public policy and law institute at the NYU School of Law that conducts research and disseminates to the public information about issues affecting justice and democracy. It is engaged in social science research and therefore meets the definition of a noncommercial scientific institution entitled to a waiver of search and review fees. In addition, the Brennan Center's affiliation with NYU Law School (which is plainly an educational institution) means that the Center is exempt from review or search charges. Finally, the Brennan Center qualifies for a waiver as a representative of the news media under 5 U.S.C. § 552(a)(4)(A)(ii)(II) based on its track record of publishing reports and papers, including nine this year alone.

In addition, as a noncommercial requester acting in the public interest, the Brennan Center is eligible for a waiver of duplication fees, or at the very least, a reduction of these fees under § 552(a)(4)(A)(ii)(II). For the same reason, we are entitled to the first 100 duplicated pages free of charge, 28 C.F.R. § 16.11(d)(3)(i), and to waiver or reduction of any remaining duplication costs under 28 C.F.R. § 16.11(k).

### **Expedited Processing**

Please provide expedited processing pursuant to 28 C.F.R. § 16.5(d)(1). The criteria for expedited processing are satisfied because there is an “urgency to inform the public about an actual or alleged federal government activity,” *id.* § 16.5(d)(1)(ii), and the Brennan Center is primarily involved in disseminating information to the public. In this case, the grant program identified above provides funding for research targeted toward preventing acts of domestic terrorism by using a “countering violent extremism” approach, which continues to be a subject of national importance and debate.<sup>11</sup>

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<sup>11</sup> See, e.g., Department of Justice, Pilot Programs are Key to Our Countering Violent Extremism Efforts, Feb. 18, 2015, available at <http://www.justice.gov/opa/blog/pilot-programs-are-key-our-countering-violent-extremism-efforts>; The Associated Press, *Boston Shooting Raises Questions About Anti-Extremism Plans*, N.Y. TIMES (June 12, 2015, 3:11 PM), <http://www.nytimes.com/aponline/2015/06/12/us/ap-us-fighting-extremism-boston.html>; Juliet Eilperin, *Trying to Counter Extremism at Home, U.S. Faces a Risk: Sowing Mistrust*, WASHINGTON POST (Feb. 16, 2015) [http://www.washingtonpost.com/politics/trying-to-counter-extremism-at-home-us-faces-a-risk-sowing-more-mistrust/2015/02/16/43f742d8-b58b-11e4-aa05-1ce812b3fdd2\\_story.html](http://www.washingtonpost.com/politics/trying-to-counter-extremism-at-home-us-faces-a-risk-sowing-more-mistrust/2015/02/16/43f742d8-b58b-11e4-aa05-1ce812b3fdd2_story.html) (last visited Jun. 12, 2015).

**Response Requested in 10 Days**

Your attention to this request is appreciated, and I will anticipate your determination of our request within ten (10) calendar days pursuant to 28 C.F.R. 16.5(d)(4). Should you have any questions regarding this request, please contact me at your earliest convenience via e-mail at [michael.price@nyu.edu](mailto:michael.price@nyu.edu) or by telephone at (646) 292-8335.

Sincerely,



Michael Price  
Counsel, Liberty & National Security Program  
Brennan Center for Justice at NYU Law  
161 6th Ave., 12th Floor  
New York, NY 10013  
[michael.price@nyu.edu](mailto:michael.price@nyu.edu)  
(646) 292-8335



Meghan Koushik  
Research Associate, LNS Program  
Brennan Center for Justice at NYU Law  
161 6th Ave., 12th Floor  
New York, NY 10013  
[meghan.koushik@nyu.edu](mailto:meghan.koushik@nyu.edu)  
(646) 292-8382