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FOR JUSTICE**

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BOSTON, MA

Brennan Center for Justice
at New York University School of Law

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December 23, 2014

Via E-Mail and Certified Mail

Maureen Feeney
City Clerk, City of Boston
1 City Hall Square, Room 601
Boston, MA 02201-2014

Re: Massachusetts Public Records Request

Dear Ms. Feeney,

This is a request under the Massachusetts Public Records Law ("PRL") (M. G. L. Chapter 66, §10) on behalf of the Brennan Center for Justice at NYU School of Law.

The Brennan Center seeks copies of fully executed Grant Contracts and supporting documentation related to the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, administered by the federal Office of Justice Programs (OJP), for Fiscal Year (FY) 2014 (Catalog of Federal Domestic Assistance No. 16.738). The City of Boston has been the direct recipient of funds from the JAG program, and has also received funds as a sub-grantee through other jurisdictions.

Formal Request

According to the OJP Grant Manual,¹ and EOPSS regulations,² all grant recipients and sub-recipients are required to receive and maintain the following forms of supporting documentation for each sub-grant.

¹ Office of Justice Programs, 2014 Financial Guide, 95-97 (2014) available at http://ojp.gov/financialguide/PDFs/OCFO_2014Financial_Guide.pdf

- A fully-executed Grant Contract.
- The final work plan or program narrative submitted as part of grant application
- A budget narrative and a final line item budget.
- Budget revision requests, if any, since grant implementation.
- Quarterly progress and financial reports.

We therefore request the following documents as they pertain to the JAG grant disbursement and agreements listed below:

1. The Massachusetts Executive Office of Public Safety ("EOPSS") applied for federal funding through the JAG Program for FY 2014.³ OJP approved the application and awarded Massachusetts \$3,898,445 under award number 2014-DJ-BX-1152. We understand the City of Boston applied for funding as a sub-recipient. We request a copy of the responsive fully-executed Grant Agreement, along with relevant supporting documentation, as detailed above.
2. The Boston Police Department JAG Program was also a direct recipient of a \$492,334 Byrne JAG award.⁴ We request the successful grant application submitted to OJP to obtain this grant, along with relevant supporting information, as listed above. We also request copies of any successful sub-recipient grant applications, along with relevant supporting documentation, if the BPD has utilized grant funds to authorize grants to sub-recipients. 2014-DJ-BX-0711

Response Requested Within Ten Business Days

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. Because this request involves a matter of public interest and because it is made on behalf of a nonprofit organization, we ask that you waive any copying costs pursuant to 950 C.M.R. § 32.06(5).

Consistent with the PRL, we ask that you provide a written response within ten days of the receipt of this request.⁵ Should a part of any document contain information that is exempt from disclosure, please segregate and provide the non-exempt portion of the document. We also request that you provide us with the documents in electronic format, where possible.

² Massachusetts EOPSS, Availability of Grant Funds for Local Units of Government: Edward J. Byrne Memorial Justice Assistance Grant Program (2014) available at <http://www.mass.gov/eopss/docs/ogr/justiceprev/jag-2014-local-equipment-narrative-agf-rev.pdf>

³ BUREAU OF JUSTICE ASSISTANCE, EDWARD J. BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM IN THE COMMONWEALTH OF MASSACHUSETTS (2014), available at <http://grants.ojp.usdoj.gov:85/SelectorServer/awards/pdf/award/2014-DJ-BX-1152/2014-H2859-MA-DJ/2014>.

⁴ City of Boston, City Record: Dec. 22, 2014, 326 (2014) available at <http://www.cityofboston.gov/purchasing/pdfs/1.pdf>

⁵ M.G.L. Chpt. 66, §10 (b).

Should you have any questions, please feel free to contact me by email at
[REDACTED] or by phone at (646) 292-8382.

Sincerely,

Meghan Koushik

Meghan Koushik
Research Associate, Liberty and National Security
Brennan Center for Justice at NYU Law
(646) 292-8382



OFFICE OF THE CITY CLERK

Maureen Feeney, City Clerk

January 2, 2015

Meghan Koushik, Research Associate
Brennan Center for Justice
New York University School of Law
161 Avenue of the Americas, 12 Floor
New York, NY 10013

RE: Public Records Request dated 12/23/2014 re: various public records related to the Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

Dear Ms. Koushik:

I am responding to your email dated on December 23, 2014 relative to a Public Records request for information relative to public records as referenced above. The information you have requested is not in the custody of the City Clerk's Office. Therefore, your request has been forwarded to the Boston Police Department to respond to your request.

Kindly note that pursuant to the Massachusetts Public Records Law, the City follows a formula for the search, segregation, review and copying of each requested document. \$0.20 per page is the allowed charge for photocopies of public records, \$0.50 per standard page for computer printouts and there will be a per hour charge if needed relative to the processing time for the public records request based on the hourly wage of the employee capable of performing this task.

After completing its initial search for your requested records, the staff at the Boston Police Department will provide you with an estimate of the total cost of producing the documents you requested be it paper or electronic. To receive the documents, you will need to forward a check in the amount stated payable to the City of Boston.

Upon receipt of your payment, the Boston Police Department will forward to you the requested documents.

Very truly yours,

Maureen Feeney
City Clerk

cc: Edward Callahan, Chief, BPD Bureau of Administration and Technology