



April 26, 2012

Michael Price
Counsel, Liberty & National Security Program
Brennan Center for Justice
161 Avenue of the Americas
12th Floor
New York, New York 10013

RE: Freedom of Information Act Request Dated February 13, 2012 Concerning the Joint Terrorism Task Force Memorandum of Understanding Between the City of Detroit Police Department and the Federal Bureau of Investigation

Dear Mr. Price:

This letter serves as the City of Detroit's response to the above-referenced matter. Your letter was received at the City of Detroit Law Department Governmental Affairs Section on March 8, 2012. In accordance with Section 5(2)(d) of the Michigan Freedom of Information Act (the "Act"), MCL 15.235(2)(d), we sent a letter extending the City's time to respond until April 2, 2012. Thank you for your patience regarding this matter.

Your letter requests:

“. . . a copy of the JTTF [Joint Terrorism Task Force] MOU [Memorandum of Understanding] between the DPD [Detroit Police Department] and the FBI [Federal Bureau of Investigation]. . .”

Your request is denied, pursuant to Section 5(4)(b) of the Act, MCL 15.235(4)(b), for the reason that the City of Detroit does not possess such a record. Based on information provided by DPD personnel, although the DPD was required to sign the MOU, the Department did not retain a copy of the agreement. Therefore, you may wish to contact the FBI for the requested record.

Please note that pursuant to Section 10 of the Michigan Freedom of Information Act, being MCL 15.240, a person receiving a written denial of a request may do one of the following:

- 1) Submit a written appeal to the head of the public body denying the request. Such appeal, if submitted, should specifically state the word "appeal" and identify the reason or reasons for reversal of the denial. MCL 15.240(1)(a); or



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- 2) Commence an action in the circuit court to compel the disclosure of the public records within 180 days after the public body's denial of the request. MCL 15.240(1)(b). If a court finds that the information withheld by a public body is not exempt from disclosure, the requesting party may receive the requested record and, at the discretion of the court, reasonable attorney fees and /or costs. MCL 15.240(6) and (7).

Very truly yours,

Ellen Ha, Senior
Assistant Corporation Counsel
Governmental Affairs Section
(313) 237-5067

EH/