February 26, 2016

Shawn Musgrave
Muckrock
DEPT MR 17075
PO Box 55819
Boston MA 02205
17075-50618678@requests.muckrock.com

Re: Boston Police Department’s Follow Up Response to Public Records Appeal (SPR 15-787)

Dear Mr. Musgrave:

You have requested documents in the possession, custody, or control of the Boston Police Department under the Massachusetts Public Records Request Act (M.G.L. c. 66 §10). Specifically, you requested information regarding the use of Cell Site Simulators. On January 13, 2016 and February 5, 2016, the Boston Police Department responded to your public records request by providing responsive documentation. Enclosed please find the remaining responsive documentation in the possession, custody, or control of the Boston Police Department.

With respect to the first and fifth enumerated requests in your letter, enclosed please find the public portions of the records responsive to this portion of your request. Portions of the documents are exempt from disclosure by M.G.L. c. 4 § 7(26)(a) and (g) and 5 U.S.C. § 552(b)(4) and (7)(E). The redacted portions of these records contain trade secrets or commercial or financial information voluntarily provided by Harris Corporation to the Boston Police Department for use in developing governmental policy and upon a promise of confidentiality. See M.G.L. c. 4 § 7(26)(g). Release of this proprietary data and competition sensitive information could cause severe and significant competitive harm. In addition, the records have been redacted to protect technical specifications. Cell Site Simulators are “techniques and procedures for law enforcement investigations or prosecutions;” accordingly, technical specifications are protected from disclosure by 5 U.S.C. § 552(b)(7)(E) as release of this information could reasonably be expected to cause a circumvention of the law. As such, disclosure would not be in the public interest and would prejudice the possibility of effective law enforcement.

Request number nine (9) seeks any training materials for the use of Cell Site Simulators. Members of the Department have received training regarding the use of this equipment and a search is being conducted to identify any related documents in our possession, custody, or control.

Please do not hesitate to contact me if you have any questions about the information contained herein or would like a status on the remaining portions of the request. If you have been denied

Mayor Martin J. Walsh
records by the Boston Police Department, you have the right to appeal this decision with the Supervisor of Public Records at the Public Records Division of the Secretary of the Commonwealth.

Sincerely,

[Signature]
Katherine Hoffman

c: Public Records Division, One Ashburton Place, Room 1719, Boston, MA 02108 (via email)