May 9, 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 April 4, 2016 Questions and to Public Records Appeal (SPR 15-787)

Dear Mr. Musgrave:

Enclosed please find the Boston Police Department’s answers to the questions you posed to the Mayor’s Office via email on April 4, 2016. Also, enclosed please find the remaining responsive, public documentation in the possession, custody, or control of the Boston Police Department.

Request Number 1: The City directs you to M.G.L. ch. 4 s. 7(26)(a) which exempts from disclosure anything that is "specifically or by necessary implication exempted from disclosure by statute."

Request Number 2: From 2009 to 2014, the technology was utilized on three (3) occasions: one domestic violence investigation, one kidnapping investigation, and one time the technology was used to assist an outside state or local law enforcement agency with an investigation. Assuming responsive documentation exists identifying these agencies, any further details regarding the deployment of cell site simulators for other law enforcement agencies is exempt from disclosure by M.G.L. c. 4 s. 7(26)(f). Disclosure of the information contained in these documents would not be in the public interest and would prejudice the possibility of effective law enforcement. The protection of such investigatory materials is essential to ensure that the Department can continue to effectively monitor and control criminal activity and thus protect the safety of private citizens.

Request Number 3: The Department has not been able to identify any search warrant documentation completed as part of an investigation utilizing a cell site simulator.

Request Number 4: The Department has not been able to identify any search warrant documentation completed as part of an investigation utilizing a cell site simulator.

Request Number 5: As previously indicated, of the nineteen (19) post 2014 deployments, ten (10) were done at the request of an outside law enforcement agency. Nine (9) different agencies have requested the Department’s assistance through the use of the equipment. Of these agencies, five (5) were state or local law enforcement and four (4) were federal entities. Assuming responsive documentation exists identifying these agencies, any further details regarding the

Mayor Martin J. Walsh
deployment of cell site simulators for other law enforcement agencies is exempt from disclosure by M.G.L. c. 4 s. 7(26)(f). Disclosure of the information contained in these documents would not be in the public interest and would prejudice the possibility of effective law enforcement. The protection of such investigatory materials is essential to ensure that the Department can continue to effectively monitor and control criminal activity and thus protect the safety of private citizens.

Request Number 6: This request has been answered numerous times.

In addition to the above responses, the City is attaching invoices, shipping requests, and purchase orders for the 2013 and 2014 purchases of equipment which are responsive to your original public records request and corresponding public records appeal. With respect to the enclosed documents, portions are exempt from disclosure by M.G.L. c. 4 s. 7(26)(a) and (g) and USC s. 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 s. 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 USC s. 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.

Additionally with respect to your original public records request, please be advised that the Boston Police Department is in possession of training materials on the use of the equipment. The Department is objecting to production of these materials pursuant to M.G.L. ch. 4 s. 7(26)(f). Release of this material would compromise future law enforcement investigations; as such, public dissemination is not in the public interest. In order to ensure that such equipment, and any information related to its functions, operation and use, is protected from potential compromise it is not subject to disclosure as a public record.

Please do not hesitate to contact Media Relations if you have any questions about the information contained herein. If you have been denied 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,

Katherine Hoffman
### Invoice

**Bill To:**
City of Boston PD  
Auditing Department  
One City Hall  
Room M-4  
Boston MA 02201

**Ship To:**
City of Boston PD  
BPD New Police Headquarters  
One Shroeder Plaza  
Roxbury MA 02120

**Disclosure:**
Disclosure of the content of the information contained in this document is strictly prohibited by federal law (18 U.S.C. § 2512). This document contains Harris trade secrets and confidential business or financial information exempt from disclosure under the Freedom of Information Act. This document may contain technical data and software under the Export Administration Regulations (EAR), 15 CFR Parts 730-774. This document and the information contained may not be exported or shared with a foreign national without valid export authorization. Before making or permitting any disclosure of this document or the information it contains, whether in full or in part, Harris shall be entitled to notice and the opportunity to challenge such disclosure under applicable law.

<table>
<thead>
<tr>
<th>Purchase Order No.</th>
<th>Customer ID</th>
<th>Salesperson</th>
<th>Shipping Method</th>
<th>Print Terms</th>
<th>Req Ship Date</th>
<th>Harris Ord No.</th>
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<td>BOSTON PD</td>
<td>WPG3</td>
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<td>7/23/2013</td>
<td>ORP7779-02354</td>
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<th>Unit</th>
<th>Item Number</th>
<th>Description</th>
<th>Discount</th>
<th>Unit Price</th>
<th>Ext. Price</th>
</tr>
</thead>
</table>
| 1       | 1       |      | MT-KF       | Maintenance KingFish  
Purchase of this Extended Maintenance Agreement will provide coverage for 12 months for KingFish S/N 498. | 0%       | $4,000.00  | $4,000.00  |
| 1       | 1       |      | Serial Number #1103 | | 0%       | $10,488.00 | $10,488.00 |
| 1       | 1       |      | Serial Number #2052 | | 0%       | $18,054.00 | $18,054.00 |

KF-SW  
Shipping this software is contingent on authorization and approval of the FBI NDA.

P# 63/333  
Receipt  
250340  
Process for Payment  
$4,000  

Please reference the Invoice number with your payment.  
Harris Tax ID:  

**Remit Payment To:**
Electronic Funds Transfer (EFT):  
Harris Corporation, GCSD  
Chase Bank Delaware  
Philadelphia, PA  
Account No: [redacted]  
ABA Rif No: [redacted]  

**Payment Details:**  
Subtotal: $4,000.00  
Deposit: $0.00  
MRC: $0.00  
Tax: $0.00  
Freight: $0.00  
Trade Discount: $0.00  
Purchasing Price: $4,000.00  

Total: $4,000.00
# Shipping Request

## 1. TO BE COMPLETED BY SHIPPER:
- **Request Date:** 05/20/13
- **Contract Number and Delivery Order or Purchase Order Number:** BOSTN-0000S31333
- **FOB Domestic or BC/ International:** FOB Domestic
- **Responsible for Freight Charges:** Prepaid (Harris pays)
- **Prime Contractor:** HARRIS CORPORATION, GCSD
  - P.O. BOX 37
  - MELBOURNE, FL 32902
- **Shipped From:** HARRIS CORPORATION, GCSD
  - 407 N. JOHN RODES BLVD
  - MELBOURNE, FL 32934
- **Shipped To:** BPD NEW POLICE HEADQUARTERS
  - ONE SCHROEDER PLAZA
  - ROXBURY, MA. 02120

## 2. SHIPPING DOCUMENT TYPE
- **H-17 Harris Shipper**

## 3. SOURCE INSPECTION
- **Source Acceptance Point (Source vs. Destination):** N/A

## 4. REQUIRED DELIVERY DATE (Days to determine the mode of transport, air vs. ground)
- **05/20/13**

## 5. SUPPLEMENTS OR CHANGE ORDERS

## 6. REASON FOR SHIPMENT
- **Contractual**

## 7. CARRIER NAME AND ACCOUNT NUMBER

## 8. PRIME CONTRACTOR ADMINISTERED BY

## 9. PAYMENT WILL BE MADE BY

## 10. CONTACT INFORMATION FOR BLOCK #8
- **Attn:** LT. DET ROBERT HARRINGTON
- **RMA:**
- **Ph:** 617-343-5200
- **Fax:**

## 11. ITEM # | DESCRIPTION | CITY TO SHIP | UNIT OF MEASURE | UNIT PRICE | EXTENDED PRICE
--- | --- | --- | --- | --- | ---
001 | [Redacted] | 1 | EA | $10,486.00 | $10,486.00
002 | [Redacted] | 1 | EA | $18,054.00 | $18,054.00
003 | [Redacted] | 1 | EA | $0.00 | $0.00
004 | [Redacted] | 1 | EA | $0.00 | $0.00
005 | [Redacted] | 1 | EA | $0.00 | $0.00
006 | [Redacted] | 1 | EA | $0.00 | $0.00
007 | [Redacted] | 1 | EA | $0.00 | $0.00
008 | [Redacted] | 1 | EA | $0.00 | $0.00
009 | [Redacted] | 1 | EA | $0.00 | $0.00
010 | [Redacted] | 1 | EA | $0.00 | $0.00

**Certified as Received:**

- **Subtotal:** $28,540.00

- **ECD Required?** No

### Approved for Payment

- **Receive Date:** 06/30/13

### Request Prepared By (Email & Phone #)

### Request Verified By (Email & Phone #)

### 12. TO BE COMPLETED BY DIVISION/OPERATIONS
- **Quality Acceptance:**
- **Customer Inspection:**
- **Government Inspection:**

### 13. TO BE COMPLETED BY SHIPPING INSPECTION AND SHIPPING
- **Shipping Inspection Date:**
- **Packed By Date:**
- **Weight (pounds):**
- **Shipper:**

### 14. DIMENSIONS (INCHES)
- **Height:**
- **Length:**
- **Width:**
- **CTN:**
- **DIMS:**
- **#VALUE:**

---

**Redacted and Blinded Information:**

- **H-17 Harris Shipper**
- **Contractor:** HARRIS CORPORATION, GCSD
- **Shipped From:** HARRIS CORPORATION, GCSD
- **Shipped To:** BPD NEW POLICE HEADQUARTERS
- **Prime Contractor:** HARRIS CORPORATION, GCSD
- **Carrier Name and Account Number:**
- **Contact Information:**
- **Attn:** LT. DET ROBERT HARRINGTON
- **RMA:**
- **Ph:** 617-343-5200
- **Fax:**

---

**Signature:**

**Date:** 05/20/13

---

**Certified as Received:**

- **Subtotal:** $28,540.00

**Approved for Payment:**

- **Receive Date:** 06/30/13

---

**Redacted and Blinded Information:**

- **H-17 Harris Shipper**
- **Contractor:** HARRIS CORPORATION, GCSD
- **Shipped From:** HARRIS CORPORATION, GCSD
- **Shipped To:** BPD NEW POLICE HEADQUARTERS
- **Prime Contractor:** HARRIS CORPORATION, GCSD
- **Carrier Name and Account Number:**
- **Contact Information:**
- **Attn:** LT. DET ROBERT HARRINGTON
- **RMA:**
- **Ph:** 617-343-5200
- **Fax:**

---

**Signature:**

**Date:** 05/20/13

---

**Certified as Received:**

- **Subtotal:** $28,540.00

**Approved for Payment:**

- **Receive Date:** 06/30/13
SHIPPING REQUEST

1. REQUEST DATE: 18-Jul-13
2. request: 6779-3263
3. CONTRACT NUMBER and DELIVERY ORDER: BOSTN-0000631533
4. SUPPLEMENT or CHARGE ORDER N/A
5. SOURCE INSPECTION N/A
6. REQUIRED DELIVERY DATE (this will determine the mode of transport, air or ground): 07/19/13
7. CHASSIS ACCEPTANCE POINT (SOURCE vs DESTINATION): N/A
8. FOB domestic or foreign (International): CONTRACTUAL
9. FOB DESTINATION: N/A
10. RESPONSIBLE FOR FREIGHT CHARGES: PREPAID (Harris pays)
11. PRIME CONTRACTOR: HARRIS CORPORATION, GCSD
   P.O. BOX 37
   MELBOURNE, FL 32902
12. SHIPPED FROM: HARRIS CORPORATION, GCSD
    407 N. JOHN RODES BLVD
    MELBOURNE, FL 32934
13. SHIPPED TO: BPD NEW POLICE HEADQUARTERS
    ONE SCHROEDER PLAZA
    RUXBURY, MA 02120
14. CONTACT INFORMATION FOR BLOCK #16: ATTN: LT DET ROBERT HARRINGTON
    RMA: B17-343-5220
    PH: 817-343-5220
    FAX: 817-343-5220
15. Item #
   001 KINGFISH SOFTWARE
   002
   003
   004
   005
   006
   007
   008
   009
   010
16. DESCRIPTION (NON-FAPT #, Sn, MSTR #):
   001 KINGFISH SOFTWARE
   002
   003
   004
   005
   006
   007
   008
   009
   010
17. QTY TO SHIP: 1 EA
18. UNIT OF MEASURE: EA
19. UNIT PRICE: $0.00
20. EXTENDED PRICE: $0.00
21. ITEM #
   001 KINGFISH SOFTWARE
   002
   003
   004
   005
   006
   007
   008
   009
   010
22. SPECIAL INSTRUCTIONS:
   RECEIVED 6/30/13
   APPROVED FOR PAYMENT
   Special Investigations Unit
   SUBTOTAL:
   NO
23. PACKAGING INSTRUCTIONS: BEST COMMERCIAL
24. SPECIAL INSTRUCTIONS:
   RECEIVED 6/30/13
   APPROVED FOR PAYMENT
   Special Investigations Unit
   SUBTOTAL:
   NO
25. REQUEST PREPARED BY: (Signature & Phone #)
26. REQUEST VERIFIED BY: (Signature & Phone #)
27. TO BE COMPLETED BY DIVISION OPERATIONS
28. QUALITY ACCEPTANCE
29. CUSTOMER INSPECTION
30. GOVERNMENT INSPECTION
31. ACCOMPANYING DOCUMENTATION
   DOD WARNING STATEMENT
   CO/C
   MSDS
   OTHER (explain)
32. TO BE COMPLETED BY SHIPPING INSPECTION AND SHIPPING
33. STAMP & DATE: JUL 18 2013
34. PACKED BY: DATE
35. # OF COST:
36. WEIGHT (pounds): #VALUE!
37. DIMS (in):
   L
   W
   H
38. #DIM:
   0
39. #PCS:
   1
40. #VALUE!
# City of Boston

## Purchase Order

### Dispatched

<table>
<thead>
<tr>
<th>Purchase Order</th>
<th>Date</th>
<th>Revision</th>
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<th>Payment Terms</th>
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<tbody>
<tr>
<td>Net 30</td>
<td>DES PPD</td>
</tr>
</tbody>
</table>

| Buyer  | Bonacolo, Gerard |

### Bill To:

- Auditing Department
- One City Hall
- Room M-4
- Boston MA 02201

### Ship To:

- BPD New Police Headquarters
- One Schroeder Plaza
- Roxbury MA 02120
- United States

### Attention:

See Detail Below

### Tax Exempt ID: 04-6001380

### Contract ID: 0000000000000000000039102

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<th>Quantity</th>
<th>UOM</th>
<th>PO Price</th>
<th>Extended Amt</th>
<th>Due Date</th>
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<tbody>
<tr>
<td>1 - 1</td>
<td>KING-6LS-KINGFish Upgrade to HailStorm</td>
<td>1.00</td>
<td>EA</td>
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<td>12/31/2014</td>
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Attention: Sgt Paul Murphy, SIU

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<th>Line-Sch</th>
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<th>Quantity</th>
<th>UOM</th>
<th>PO Price</th>
<th>Extended Amt</th>
<th>Due Date</th>
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<td>2 - 1</td>
<td>HARPOON-Harpoon</td>
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<td>16915.00</td>
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Attention: Sgt Paul Murphy, SIU

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<tr>
<th>Line-Sch</th>
<th>Item/Description</th>
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<th>PO Price</th>
<th>Extended Amt</th>
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Attention: Sgt Paul Murphy, SIU

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<td>EA</td>
<td>0.00</td>
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<td>12/31/2014</td>
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</table>

Attention: Sgt Paul Murphy, SIU

### Vendor:

- 000056009
- Harris Corporation, GCSD
- P.O. Box 9800
- M/SR5-11A
- Melbourne FL 32902-9800
- United States
### City of Boston Purchase Order

**Vendor:** 0000056009  
Harris Corporation, GCSID  
P.O.Box 9600  
M/SR5-11A  
Melbourne FL 32902-9800  
United States

**Bill To:** Auditing Department  
One City Hall  
Room M-4  
Boston MA 02201  
United States

**Ship To:** BPD New Police Headquarters  
One Schroeder Plaza  
Roxbury MA 02120  
United States  
Attention: See Detail Below

<table>
<thead>
<tr>
<th>Line-Sch</th>
<th>Item/Description</th>
<th>Quantity</th>
<th>UOM</th>
<th>PO Price</th>
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City of Boston
Purchase Order

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Bill To: Auditing Department
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<td>4.00</td>
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</table>

"<< Training classes are 12 hours (2 days) per product per protocol (unless stated otherwise), 4 students maximum. Please allow 120 days for scheduling training after receipt of PO. >>

Quote # QTE8778-03947 — U12-3.3 - CFDA # 97.067 - order questions to Sgt. Paul Murphy, Boston Police (617-343-6310, paul.murphy@pd.boston.gov) - BILL TO andrew.murphy@pd.boston.gov - AEL # 13L-05-SURV

****The above Purchase Order number must be included on all invoices to ensure accurate and timely payment.****

<table>
<thead>
<tr>
<th>Official Approvals</th>
<th>Approved as to availability of appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gerard Bonaceto</td>
<td>Sally Gloria</td>
</tr>
<tr>
<td>Department Head/Purchasing Agent/BPS Business Manager</td>
<td>City Auditor/BPS Business Manager</td>
</tr>
</tbody>
</table>

This is not a valid purchase order without the above signatures.