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PRESS RELEASE

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NLG-MASSACHUSETTS CHAPTER FILES COMPLAINT AGAINST BOSTON POLICE DEPARTMENT AND BOSTON REGIONAL INTELLIGENCE CENTER (BRIC) FOR VIOLATIONS OF MASSACHUSETTS FREEDOM OF INFORMATION ACT (MassFOIA)

Boston, May 21, 2015 — On Wednesday, May 13, 2015, the Massachusetts Chapter of the National Lawyers Guild (NLG) filed a lawsuit with Suffolk Superior Court against the Boston Police Department (BPD) and its Boston Regional Intelligence Center (BRIC) for their violations of the Massachusetts Freedom of Information Act (MassFOIA).

The lawsuit claims that both BPD and BRIC systematically violated at least three provisions of MassFOIA by: (1) refusing to release documents, (2) not responding to information requests within a 10-day period, and (3) charging prohibitive fees for requested documents.

NLG attorney David Kelston stated that “while BPD/BRIC had promised us that they would stop engaging in surveillance of peaceful, First Amendment-protected protests and other activities, when we tried to get documents showing whether or not they have stopped these improper practices, they delayed their responses, almost surely withheld documents, then insisted that a non-profit pay excessive fees to get documents we should be entitled to without charge as a matter of good public policy. BPD/BRIC are frustrating the purpose of MassFOIA, and this has to stop.”

"When the Massachusetts Freedom of Information Act was signed into law, it gave citizens the right to records about them held by the government and also the right to make corrections to inaccurate records," said Urszula Masny-Latos, Executive Director of the National Lawyers Guild-Massachusetts Chapter. "How can citizens of this country exercise their rights if the Boston Police Department and the BRIC make all efforts to prevent people from reviewing records and documents in the possession of these two agencies, either by refusing to release their records or by charging thousands of dollars for the documents? Since the government easily spends millions of dollars on overreaching surveillance and spying on the citizens, it should be able to allocate proper funds to fulfill requests for documents under the MassFOIA."

"... to the ends that human rights shall be regarded as more sacred than property interests."
Preamble to the Constitution of the National Lawyers Guild, 1937.