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October 26, 2009

Seattle Police Department
Public Request Unit
610 Fifth Avenue
P.O. Box 34986
Seattle, WA 98124-4986

Re: Public Records Request

Dear Public Request Supervisor:

This is a request for public records pursuant to the Washington Public Records Act, RCW 42.56, made by the American Civil Liberties Union of Washington.

Pursuant to the Public Records Act, please provide any copies of the following records,¹ that were prepared, received, transmitted, collected and/or maintained by the Seattle Police Department ("SPD"). For each request, we seek records created or collected from January 1, 2005 to the present.

JESSE WING
BOARD PRESIDENT
KATHLEEN TAYLOR
EXECUTIVE DIRECTOR

705 2ND AVENUE, 3RD FL.
SEATTLE, WA 98104
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1. Any records describing enforcement of Seattle Municipal Code 14.12.10 *et seq.*, regarding "Collection of Information for Law Enforcement Purposes;"
2. Any records describing SPD involvement any "Suspicious Activity Reporting" program, including:
 - a. Records describing guidelines for what constitutes "suspicious activity" or "suspicious circumstances;"
 - b. Records describing community or citizen involvement in "Suspicious Activity Reporting;"
 - c. Any records of Suspicious Activity Reports or Suspicious Circumstances Reports prepared or received by any SPD officer.
3. All records regarding any Auditor Reports issued pursuant to Seattle Municipal Code 14.12.330

¹ The term "records" includes all records or communications preserved in any form, including: correspondence, documents, data, e-mails (including all attachments and history), text messages, web searches (including search histories), audio/visual tapes, faxes, files, guidance, analyses, notes, procedures, rules, manuals, and technical information.

4. Any records relating to responses to Auditor Reports issued under SMC 14.12.330;
5. Any records relating to communication between any employee, contractor or agent of the SPD and the Washington Joint Analytical Center (WAJAC), the Washington State Fusion Center (WSFC), any Regional Intelligence Office or Group (RIG), or any Regional Intelligence Analysts;
6. All records relating to the SPD's relationship to the Washington Joint Analytical Center, Washington State Fusion Center, and/or any Regional Intelligence Group (collectively, "the fusion center"), including:
 - a. Any records describing how many SPD officers participate in the fusion center, and each officer's title, rank and responsibilities;
 - b. Any records that describe the purpose or primary task of the fusion center, including any job descriptions or agreements between the SPD and other agencies referencing their relationship with the fusion center;
 - c. Any records of fusion center privacy policies governing the collection, storage or dissemination of information about expressive activity;²
 - d. Any records relating to fusion center training;
 - e. Any records referring to the relationship between SPD participation in the fusion center, and SMC 14.12.10 *et seq*;
 - f. Any documents describing the relationship between WAJAC and WSFC.
7. Any records regarding Law Enforcement Terrorism Prevention Program (LETPP) grants issued to or sought by SPD;
8. Any records describing how, why or when an activist or expressive activity was selected as a surveillance target;
9. Any records indicating whether any SPD employee, private contractor or agent engaged in any of the following efforts regarding expressive activity:

² The term "expressive activity" includes writing, speeches, demonstrations, protests, marches, drawing, note-taking, photography or any other activity protected by the First Amendment. This also

includes information about individuals engaged in expressive activity related to the following causes:

1) pro- and anti- military or militarization; 2) abortion rights; 3) pro-peace or world-peace; 4) anarchism or socialism; 5) pro- and anti- immigrant rights; 6) anti- death penalty; and 7) anti-war.

- a. Infiltrated political activist groups or meetings in an undercover capacity;
 - b. Gathered information via informants;
 - c. Collected information from websites, e-mail, text message, electronic mailing list or physical mailing list operated by any political activist;
 - d. Attended any expressive activities organized by a target of surveillance;
 - e. Participated in any Suspicious Activity or Suspicious Circumstance Reporting program.
10. Any directives or policies describing the process for handling information about expressive activity;
 11. A list of all databases that contain information about expressive activity;
 12. A list of third-party databases or lists, accessible by your agency, that contain information about expressive activity, along with records relating to database access;
 - ~~13.~~ Any records describing how and why information about expressive activity is entered into each database;
 14. Any records relating to the retention or destruction of records containing information about expressive activity;
 15. Any records relating to the following events in (including the planning of the events):
 - a. September 3rd, 2009 protest activity and rally at Westlake Park, in Seattle;
 - b. September 3rd, 2009 protest activity and demonstration outside the federal courthouse at 101 5th Ave, on the corner of 5th and Madison, in Seattle;
 - c. July 11th, 2009 protest outside the Washington State Convention and Trade Center in Seattle;
 - d. June 13th, 2009 protest activity at IMA Stadium on 25th Ave, just north of Husky Stadium and Bank of American Arena, in Seattle;

- e. May 1st, 2009 protest activity and march beginning near St. Mary's Church, going through Westlake Center and the International District, ending at Occidental Park in Pioneer Square, in Seattle;
- f. April 24th, 2009 book signing at Hidmo Eritrean House, 2000 South Jackson, in Seattle;
- g. March 22nd, 2009 protest activity and march beginning at Cal Anderson Park and ending at Victor Steinbrueck Park near Pikes Place Market in Seattle;
- h. March 21st, 2009 protest activity and march beginning at Westlake Park and ending at the Federal Building on the corner of 2nd Ave and Madison St, in Seattle;
- i. February 16th, 2009 protest activity at Westlake Park, 401 Pine St., in downtown Seattle
- j. January 10th, 2009 protest activity at Seattle Central Community College in Seattle;
- k. November 15th, 2008 protest activity and march, starting at Volunteer Park and ending at Westlake Center, in Seattle;
- l. November 9th, 2008 protest activity at the Seattle North Stake Center, on 8th Ave NE and NE 57th St, in Seattle;
- m. May 1st, 2008 protest activity and march in Seattle, starting at Judkins Park, following downtown on 4th, ending at the Seattle Center;
- n. October 22, 2007 protest activity in Seattle;
- o. May 1st, 2007 protest activity, rally and march in Seattle;
- p. March 19th, 2007 protest activity and rally beginning at the federal courthouse on Seventh Ave and Stewart St, and ending at Second Ave and Marion St, in Seattle;
- q. March 19th, 2007 protest activity and rally beginning at Westlake Park, 401 Pine St., and ending at the federal courthouse on Seventh Ave and Stewart St, in downtown Seattle;
- r. March 18th, 2007 protest activity and demonstration in downtown Seattle;
- s. October 5th, 2006 protest activity and demonstration in downtown Seattle;

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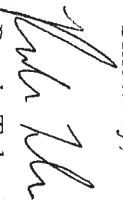
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- t. September 24th, 2006, protest activity in Seattle;
- u. April 10th, 2006 protest activity and march in Seattle;

Please note that RCW 42.56.520 requires agencies to respond to requests for public records within five days. If they are available, we would prefer to receive any responsive records in electronic format. Also, please call or email me at 206-624-2184, ext. 267 or at rtylet@aclu-wa.org, if you have any questions about the scope of this request.

Sincerely,

A handwritten signature in dark ink, appearing to read "Randy Tyler", written in a cursive style.

Randy Tyler, Legal Fellow
ACLU of Washington Foundation