



Commonwealth of Massachusetts
Office of the State Auditor
Suzanne M. Bump

Making government work better

Official Audit Report – Issued January 18, 2019

Department of State Police— Fusion Center Operations

For the period July 1, 2014 through December 31, 2017





Commonwealth of Massachusetts
Office of the State Auditor
Suzanne M. Bump

Making government work better

January 18, 2019

Lieutenant Colonel Dermott J. Quinn, Division Commander
Homeland Security and Preparedness
Department of State Police—Commonwealth Fusion Center
470 Worcester Road
Framingham, MA 01702

Dear Lieutenant Colonel Quinn:

I am pleased to provide this performance audit of the Department of State Police—Fusion Center Operations. This report details the objective our audit was intended to accomplish for the audit period, July 1, 2014 through December 31, 2017, and the scope limitations we encountered. My audit staff discussed the contents of this report with management of the agency.

I would also like to express my appreciation to the Department of State Police for the cooperation and assistance provided to my staff during the audit.

Sincerely,

A handwritten signature in blue ink, appearing to read "SMB", written over a light blue circular watermark.

Suzanne M. Bump
Auditor of the Commonwealth

cc: Daniel Bennett, Secretary, Executive Office of Public Safety and Security
Colonel Kerry Gilpin, Superintendent, Department of State Police

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LIST OF ABBREVIATIONS

| | |
|-------|---|
| CFC | Commonwealth Fusion Center |
| CFR | Code of Federal Regulations |
| COC | critical operational capability |
| DHS | Department of Homeland Security |
| EOPSS | Executive Office of Public Safety and Security |
| FBI | Federal Bureau of Investigation |
| NSI | Nationwide Suspicious Activity Reporting Initiative |
| OSA | Office of the State Auditor |
| SAR | suspicious-activity report |
| USC | United States Code |

EXECUTIVE SUMMARY

In accordance with Section 12 of Chapter 11 of the Massachusetts General Laws, the Office of the State Auditor (OSA) has conducted a performance audit of the Commonwealth Fusion Center (CFC) within the Department of State Police for the period July 1, 2014 through December 31, 2017. This audit was undertaken to determine whether CFC gathers and analyzes information on law enforcement, public safety, and terrorism and disseminates it to its stakeholders¹ efficiently and effectively.

During our audit, we encountered scope limitations that prevented us from applying all of the audit procedures we considered necessary to reach a conclusion on our audit objective. Specifically, CFC could not provide direct access to its information systems or share certain types of information regarding CFC activities that we needed in order to conduct audit testing.

In some cases, CFC officials stated that they could not provide us with requested information because doing so was prohibited by state and federal restrictions regarding the dissemination of threat and criminal intelligence information. Specifically, CFC cited two distinct prohibitions against allowing OSA access to certain data and information. First, CFC cited Massachusetts public records law. Under Section 7(26)(n) of Chapter 4 of the General Laws, records related to “emergency preparedness, threat or vulnerability assessments, or . . . the security or safety of persons or buildings, structures, facilities, utilities, transportation or other infrastructure located within the commonwealth” may be exempt from disclosure. Although OSA acknowledges the existence of certain federal prohibitions related to sharing certain public-safety-related information, discussed *infra*, OSA’s enabling statute, Section 12 of Chapter 11 of the General Laws, supersedes any Massachusetts public records exemption. Further, Sections 7.39–7.43 of the US Government Accountability Office’s *Government Auditing Standards*, as well as Chapter 6 of the OSA Audit Policy Manual (“Reporting Confidential or Sensitive Information,” p. 149), prohibit OSA from disclosing confidential and sensitive information that would otherwise be exempt from public disclosure and set forth the procedure with which OSA treats such information.

The second prohibition CFC cited was certain federal regulations. Specifically, CFC cited Section 482 of Title 6 of the United States Code (USC), which prohibits state agencies, such as CFC, from disclosing federal homeland security information despite any state or local law to the contrary. Additionally,

1. Stakeholders either contribute information to, or receive product or analysis from, CFC. They include entities from various functional categories, including emergency management, emergency medical services, fire services, healthcare, law enforcement, public health, public utilities, social services, and transportation.

Sections 23.20(e) and 23.20(f) of Title 28 of the Code of Federal Regulations (CFR) limit the recipients of criminal intelligence information to law enforcement officials with a need and a right to know such information. OSA agrees with CFC that both 6 USC 482 and 28 CFR 23.20(e) and 23.20(f) created irreconcilable obstacles that prohibited OSA from achieving certain of its stated audit goals. See also Appendix C.

In other cases, CFC asserted that requested information was not available. Although we received survey responses from 29 stakeholders that received information from CFC during our audit period indicating that CFC was providing timely and useful information, we could not perform the additional testing we deemed necessary to adequately assess whether CFC gathered, analyzed, and disseminated information on law enforcement, public safety, and terrorism to its stakeholders efficiently and effectively.

OVERVIEW OF AUDITED ENTITY

Background

The Department of State Police's Commonwealth Fusion Center (CFC) operates within the Criminal Information and Intelligence Section of the Massachusetts State Police, under the direction of the Executive Office of Public Safety and Security (EOPSS). According to Executive Order 476, CFC is the principal state repository for threat-related information, including criminal activity, threats to public safety, and terrorist activity. Its components (see [Appendix A](#)) provide a variety of functions for federal, state, regional, and local public-safety agencies, as well as a variety of public- and private-sector entities, to facilitate the receipt, analysis, and sharing of this critical information.

According to the US Department of Homeland Security (DHS) website, as of the time of our audit, there were 79 state and major urban area fusion centers across the United States. Fusion centers are focal points for the sharing of information between federal agencies and state and local governments. Information is gathered at the state and local levels; analyzed; and, when warranted, disseminated to the appropriate federal, state, local, tribal, or private-sector officials. In turn, federal agencies such as the Federal Bureau of Investigation and DHS share intelligence and analysis with fusion centers, which may issue bulletins, briefings, and assessments on general criminal or intelligence information to their stakeholders, alerting them to emerging threats.

In accordance with the Fusion Center Guidelines issued jointly by the US Department of Justice and DHS, CFC develops an annual production plan outlining the types of intelligence products it intends to provide to stakeholders. Many of these intelligence products are developed in collaboration with CFC stakeholders; some examples are Boston Marathon and Fourth of July special event planning, quarterly summaries of suspicious-activity reports, statistical crime reports, and hate-crime reports. In addition, CFC distributes other intelligence products, including periodic bulletins, to stakeholders regarding police officer safety, situational awareness, high-profile-incident reports, and opioid-related arrests.

In addition to producing intelligence products, in 2007 CFC purchased and implemented a software product (CopLink) that collects information from dissimilar law enforcement agency record management systems and organizes them into a single database. CopLink also includes information from other entities, including the Sex Offender Registry Board and the Registry of Motor Vehicles. CopLink combines the information gathered into a single, searchable database, enabling users to analyze large

volumes of information to identify trends and provide support for criminal investigations and other law enforcement activities. According to CFC management, as of February 21, 2018, law enforcement personnel from 414 agencies across the state had access to the information in the CopLink database. An additional 26 agencies outside Massachusetts also had CopLink access. CFC management also stated that they frequently provide training and technical assistance on CopLink to law enforcement stakeholders.

CFC operations are funded through the Department of State Police's state appropriation. Additionally, during our audit period, the Department of State Police was awarded four separate grants, totaling \$3.5 million, through EOPSS's Office of Grants and Research to support CFC operations.

As of December 31, 2017, there were 37 employees assigned to CFC, which operates 24 hours a day, seven days a week, and has two locations: one in Maynard and one at the Department of State Police headquarters in Framingham.

Oversight of CFC Operations

Executive Order 476

Executive Order 476 requires the Commonwealth's Secretary of Public Safety to conduct reviews of CFC policies and procedures, have discussions with CFC stakeholders, and regularly report their findings to the Governor:

Section 7: In order to guarantee that the Commonwealth Fusion Center functions with maximum effectiveness, methods of collecting, analyzing, and disseminating information must be constantly reviewed and updated. Accordingly, the Secretary of Public Safety shall regularly review the policies, procedures, guidelines, and organizational structure of, as well as the resources allocated to, the Commonwealth Fusion Center. The Secretary of Public Safety shall identify areas where efforts by the Commonwealth Fusion Center to gather, analyze, and share information can be strengthened.

Section 8: Whenever the Secretary of Public Safety deems appropriate, he shall confer with representatives from Federal, state, local, and private sector entities that contribute information to, or receive product or analysis from, the Commonwealth Fusion Center. In this way, agencies that are contributors to, and consumers of information from, the Commonwealth Fusion Center can provide input regarding the strategic planning for center operations and future enhancements, assist in identifying obstacles to the efficient exchange of information between stakeholders, and propose solutions to remove those obstacles.

Section 9: The Secretary of Public Safety shall regularly report his findings to the Governor.

We asked EOPSS to provide information about the type and scope of the reviews conducted and whether any reports had been issued to the Governor since CFC's inception. We also requested clarification regarding EOPSS's involvement in the strategic planning of CFC operations. We received a letter from the EOPSS Undersecretary of Homeland Security and Commonwealth's Homeland Security Advisor providing insight into the level of oversight activities and communication that occurs among EOPSS, CFC, and CFC stakeholders. The letter (see [Appendix B](#)) indicates that these activities are intended to enhance information sharing and inform CFC operations. Although there does not appear to be a formal periodic reporting mechanism for EOPSS to update the Governor on CFC operations, it appears that there is frequent communication between EOPSS and CFC and that meetings attended by stakeholders occur regularly.

DHS Annual Fusion Center Assessments

In 2010, officials from fusion centers for states and major urban areas, as well as the federal government, together developed fusion center baseline capabilities, which include four critical operational capabilities² (COCs) reflecting the operational priorities of fusion centers. Beginning in 2011, DHS, in coordination with its interagency partners, began conducting annual assessments to evaluate the success of fusion centers for states and major urban areas in achieving these baseline capabilities. As part of these assessments, fusion centers completed online self-assessments, which were then validated by DHS through a review of fusion center submissions and, when necessary, interviews with fusion center staff. CFC's 2015 individual assessment by DHS concluded that CFC complied with all of the requirements, with a passing score of 96.7%. Further, the 2015 National Network of Fusion Centers assessment found that all fusion centers had reached the "mature stage," meaning that each had established adequate policies and procedures needed to achieve baseline capabilities, which include the four COCs. This closed out the capability-based assessments in favor of performance-measure-based assessments. In 2016, DHS reported on performance measures for the National Network of Fusion Centers and did not report performance for fusion centers for states or major urban areas. The DHS 2017 fusion center assessment had not yet been published during our audit.

2. These are the abilities to (1) receive, (2) analyze, (3) disseminate, and (4) gather information.

AUDIT OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with Section 12 of Chapter 11 of the Massachusetts General Laws, the Office of the State Auditor (OSA) has conducted an audit of certain activities of the Commonwealth Fusion Center (CFC) within the Department of State Police for the period July 1, 2014 through December 31, 2017.

We performed this audit in accordance with generally accepted government auditing standards, except Sections 6.56–6.59 of Chapter 6 of the US Government Accountability Office’s Government Auditing Standards, which pertain to obtaining sufficient, appropriate evidence to meet the audit objective. See “Scope Limitations” below for details on the data access constraints that prevented us from addressing the audit objective and developing findings and conclusions.

Below is our audit objective, indicating the question we intended our audit to answer and the conclusion we reached regarding our objective.

| Objective | Conclusion |
|---|---|
| 1. Does CFC gather and analyze information on law enforcement, public safety, and terrorism and disseminate it to its stakeholders efficiently and effectively? | Undetermined; see <u>Scope Limitations</u> |

Scope Limitations

Section 7.11 of Chapter 7 of the US Government Accountability Office’s Government Auditing Standards states,

Auditors should . . . report any significant constraints imposed on the audit approach by information limitations or scope impairments, including denials or excessive delays of access to certain records or individuals.

During our audit, CFC imposed significant limitations on the audit process because CFC was concerned about the confidentiality of information related to criminal intelligence. Specifically, CFC did not provide access to its information systems or provide specific information regarding its activities that OSA needed in order to conduct audit testing. The following subsections describe the audit procedures we performed and the limitations we encountered.

CFC Watch Center Activity

The CFC Watch Center, located at the Department of State Police headquarters in Framingham, is the central point of contact for all information coming into CFC. It is also the conduit by which CFC disseminates time-sensitive information on threats and suspicious activities. Therefore, it is the most critical operational CFC position.

From discussions with CFC management, OSA understood that all incoming communications, requests for CFC assistance, and Watch Center personnel activity were recorded electronically. In an attempt to assess, and reach a conclusion on, the timeliness of the analysis and dissemination of the information, we requested and obtained the activity log for our audit period.

Limitations

Because CFC redacted personally identifiable information and other classified data, the data in the log lacked sufficient detail to allow for appropriate analysis of the timeliness of analysis and dissemination of (suspicious-activity reports) SARs. We could not determine who (e.g., federal, state, local, or private-sector entities) originated Watch Center activities, when the activities were assigned, when they were completed, or what were their final outcomes (e.g., CFC issued an alert, assisted in an investigation, or provided requested information). In addition, we were not given descriptions for all the activity categories in the log. Examples of these activity categories include open case support, database checks, geographic information system requests, missing persons, threat assessments, wanted persons, requests for information, and open advisories. CFC management cited system limitations and the above-described statutory prohibitions in relation to its inability to provide additional information.

Suspicious-Activity Reports

The Nationwide Suspicious Activity Reporting Initiative (NSI) is a federal program³ for the collection and sharing of reports of suspicious activity by people in the United States. According to NSI's *Information Sharing Environment Functional Standard—Suspicious Activity Reporting*, "suspicious activity" is "observed behavior reasonably indicative of pre-operational planning associated with terrorism or other criminal activity." Suspicious activity might be observed by citizens and reported

3. The Department of Homeland Security; the Federal Bureau of Investigation; and state, local, tribal, and territorial law enforcement partners collaborated to form NSI.

to local law enforcement, or it might be observed directly by state or local law enforcement personnel during routine interactions with the public. Fusion centers play a critical role in the process of managing SARs by collecting, vetting, and analyzing SARs. They also ensure that SARs that are determined to have a connection to terrorism are submitted to the Federal Bureau of Investigation (FBI) and made available to all NSI participants, including law enforcement and Department of Homeland Security (DHS) personnel, for further review.

SARs are typically submitted to CFC via telephone, email, or fax and are analyzed by trained intelligence analysts or investigators. Upon receipt, the information in a report is entered in CFC's case management system, ACISS, for processing. If, based on the criteria used, the reported activity is determined to have a potential connection to terrorism, a CFC supervisor is responsible for approving the transfer of the relevant information to the FBI and making it available to all NSI participants for further review. The transfer is done via eGuardian, the FBI's sensitive but unclassified system for receiving and tracking SARs and sharing them with federal and state law enforcement agencies. If the SAR is determined not to have a potential connection to terrorism, it is closed, but if there is reasonable suspicion of criminal activity, it is entered into a criminal intelligence database. In an attempt to assess, and reach a conclusion on, the timeliness of the analysis and dissemination of SARs, we requested and obtained a list of 1,061 SARs received by CFC during the audit period.

Limitations

The data provided lacked sufficient detail to allow for appropriate analysis. The log did not specifically list the date each SAR was analyzed by a CFC intelligence analyst or the date of supervisory review; however, CFC management stated that every CFC supervisor is notified of, and immediately reviews, every SAR upon receipt. Additionally, the date of transfer to the FBI—or, if a SAR was determined not to have a potential connection to terrorism, the date it was closed and the final outcome—could not be provided. Multiple attempts to obtain additional SAR data fields were unsuccessful. CFC management cited discussions with, and recommendations provided by, FBI officials (see [Appendix C](#)), as well as the above-described statutory prohibitions, in relation to their inability to provide additional information.

Stakeholder Surveys

In 2006, the US Department of Justice, the FBI, and DHS developed a document called *Fusion Center Guidelines—Developing and Sharing Information in a New Era*. Their intent was to provide a consistent, unified message and comprehensive guidelines for developing and operating fusion centers. The guidelines outline the types of entity that should receive information and intelligence from fusion centers and recommend that fusion centers identify their permanent and temporary stakeholders. As a starting point, the guidelines recommend establishing stakeholders in the following functional categories:

- *Agriculture, Food, Water, and the Environment*
- *Banking and Finance*
- *Chemical Industry and Hazardous Materials*
- *Criminal Justice*
- *Education*
- *Emergency Services (non-law enforcement)*
- *Energy*
- *Government*
- *Health and Public Health Services*
- *Hospitality and Lodging*
- *Information and Telecommunications*
- *Military Facilities and Defense Industrial Base [e.g., military bases, the US Army National Guard, and defense contractors]*
- *Postal and Shipping*
- *Private Security*
- *Public Works*
- *Real Estate*
- *Retail*
- *Social Services*
- *Transportation*

We selected a judgmental sample of 38 stakeholders out of a list of 484 identified stakeholders provided by CFC to assess the extent of each stakeholder's relationship with CFC and whether the stakeholders were satisfied with CFC products and services. We applied a nonstatistical sampling approach and, as a result, were not able to project our results to the entire population.

From our sample of 38 stakeholders, CFC was able to provide OSA with a contact person for only 29. CFC management indicated that it was difficult for them to get in touch with every stakeholder as requested because some people were unavailable while they were attending training sessions, taking vacations or other approved leaves, or occupied with their agencies' operational needs. The 29 stakeholder contacts provided by CFC represented the following categories: 16 criminal justice, 4 emergency services (non-law enforcement), 2 education, 2 health and public health services, 1 hospitality and lodging, 1 banking and finance, 1 energy, 1 retail, and 1 transportation. The 9 stakeholders whose contacts could not be identified were in the following categories: 6 criminal justice, 1 government, 1 emergency services (non-law enforcement), and 1 transportation.

Our survey results indicated that the federal, state, and local law enforcement agencies surveyed generally provide information to CFC through information technology systems such as CopLink or other methods of communication such as email, telephone, or fax, which are typically funneled through the Watch Center. These law enforcement agencies typically receive information from CFC that includes email bulletins dealing with situational awareness, intelligence, crime, and counterterrorism. The non-law enforcement state and private-sector entities surveyed indicated that they typically did not provide information to CFC, but did receive information that could include general awareness bulletins. CFC management told us that non-law enforcement state and private-sector entities generally did provide other information, including SARs, subject matter expertise, and other types of information from a variety of sources, such as members of the public, private-sector organizations, and other non-law enforcement agencies.

The stakeholders surveyed all provided positive feedback and reported general satisfaction regarding their relationships with CFC. All stakeholders surveyed indicated that the information received by CFC was timely, relevant, and useful. Of the 29 stakeholders surveyed, 27 indicated that CFC information had influenced their decision-making. The other 2 indicated that the information received was for informational purposes only and therefore did not influence decision-making.

Of the 29 stakeholders surveyed, 17 provided suggestions on how the relationship could improve. The overriding theme of these suggestions was a desire to increase communication and information available to stakeholders. The suggestions included the following:

- bulletins from CFC discussing its capabilities
- annual seminars and user groups within certain functional categories to expand capabilities and inform stakeholders
- CFC hosting stakeholder visits and meeting with stakeholders more frequently to open channels of communication and maintain relationships fractured by personnel changes
- stakeholders' inclusion on a daily email distribution list
- a smartphone application for even quicker dissemination of information

Auditee's Response

On December 14, 2017, the OSA advised the [Department of State Police] that they would be conducting an audit of the CFC for the period July 1, 2014 to December 31, 2017. . . . Throughout the audit which concluded in September 2018, the CFC acted in good faith and provided the OSA with as much information and data as it could without violating any existing state or federal laws, policies or directives that were enacted to protect the privacy, civil rights and civil liberties of individual citizens or the safety and security of the public. . . .

[At our initial meeting with the audit team], the CFC recognized and advised the OSA that a performance based audit of the CFC by a non-law enforcement agency would be problematic because of existing (state and federal) laws, policies and directives enacted to safeguard the sharing of intelligence data and to protect the privacy, civil rights and civil liberties of individual citizens as well as the safety and security of the public. The CFC also advised the OSA that these same (state and federal) laws, policies and procedures would preclude the CFC from lawfully sharing certain types of information with them and that the CFC would not be able to provide the OSA with direct access to its databases because of these preclusions.

Auditor's Reply

As detailed above, the time it took OSA to complete this audit was protracted by CFC's inability to provide the information necessary to meet our audit objective. Although we acknowledge that CFC told us there might be limits to the information it could provide, OSA continued to conduct audit work because CFC's staff indicated that it would work with OSA to try to develop a strategy or workaround that would allow OSA to obtain the information we would need to meet our audit objective. Unfortunately, alternative strategies that would allow OSA to conclude on our audit objective could not be developed.

APPENDIX A

Components of the Commonwealth Fusion Center⁴

Criminal Information Section

This section is responsible for activities associated with the protection of critical infrastructure, missing persons, and drug enforcement.

Intelligence Services Unit

This unit is staffed with intelligence analysts who are assigned to the Watch Center located in Framingham and the Commonwealth Fusion Center Maynard office. Intelligence analysts perform Watch Center functions, intelligence analysis, case support, special event support, and suspicious-activity vetting.

Watch Center Unit

The Watch Center performs situational awareness functions and provides tactical intelligence during critical incidents.

Anti-Terrorism Unit

This unit performs investigatory functions, and its members serve on a Federal Bureau of Investigation Joint Terrorism Task Force.

4. These descriptions are based on information provided by management at the Commonwealth Fusion Center.

APPENDIX B

Letter from the Executive Office of Public Safety and Security Undersecretary of Homeland Security and Commonwealth's Homeland Security Advisor



CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security
One Ashburton Place, Room 2133
Boston, Massachusetts 02108

Tel: (617) 727-7775
TTY Tel: (617) 727-6618
Fax: (617) 727-4764
www.mass.gov/eops

DANIEL BENNETT
Secretary

September 19, 2018

State Auditor Suzanne Bump
State House, Room 230
Boston, MA 02133

Dear State Auditor Bump:

This letter is in response to an inquiry from your office to the Executive Office of Public Safety and Security (EOPSS), with respect to the activities of the Commonwealth's Fusion Center (CFC). As you may be aware, I am the Undersecretary of Homeland Security. In my capacity as Undersecretary, I am responsible for providing oversight to the CFC, which is a program housed within the Department of the Massachusetts State Police (MSP).

In addition to my role as Undersecretary, I have also been designated as the Commonwealth's Homeland Security Advisor. In that capacity, it is my responsibility to provide advice, counsel and guidance to Secretary Bennett, Governor Baker and other senior state officials on matters related to public safety and homeland security. This responsibility requires me to be regularly updated and informed by the CFC of any and all developments in homeland security related matters that could potentially impact public safety.

The inquiry submitted by your office poses the following two questions:

1. "We are asking that you please advise whether or not EOPSS has conducted any reviews of the CFC since its inception. If so, we would like to obtain and document information regarding the type and scope of the reviews conducted, and whether any reports have been issued to the Governor."
2. "In addition, we would like to clarify the level of involvement EOPSS has regarding the strategic planning of Commonwealth Fusion Center operations."

In response to the questions posed by your office, the Secretariat respectfully submits the following information for your consideration. Please note that due to the overlapping nature of your two-part inquiry, I have combined the Secretariat's response to both questions into a single statement.

The CFC and EOPSS share a strong working relationship. Both myself and other senior officials at EOPSS, including Secretary Bennett, Assistant Undersecretary of Homeland Security Hans Olson, and the Homeland Security Division Director, are in constant communication with senior members of the CFC and the MSP regarding CFC operations. Although the topics of these communications can range from day to day, they always include any instance in which there are real time significant events occurring, significant threat reporting, and/or homeland security investigations have uncovered information that may have an impact on the safety and security of the citizens of the Commonwealth.

In addition to the day to day communications between senior officials at EOPSS, MSP and the CFC, more formalized opportunities for discussion occur at regular meetings with outside law enforcement and intelligence agencies. The purpose of these meetings is to enhance intelligence sharing and to provide an opportunity and forum to discuss important homeland security matters, including the operations of the CFC. Regular meetings held with the following law enforcement and intelligence partners are regularly attended by senior officials at EOPSS, MSP and the CFC:

- Unites States Attorney's Office, District of Massachusetts, Anti-Terrorism Advisory Committee Meetings
- FBI Boston, Joint Terrorism Task Force Executive Board Meetings
- FBI Springfield, Joint Terrorism Task Force Meetings
- Domestic Director of National Intelligence Meetings
- Boston Marathon Public Safety Planning Meetings
- Boston Fourth of July Celebration Public Safety Planning Meetings
- Massachusetts Threat and Hazards Identification Risk Assessment Meetings
- Homeland Security Grant Program Meetings
- Large Venue Security Planning Executive Committee Meetings
- Private sector outreach meetings related to homeland security and public safety issues
- Local, state, and federally sponsored homeland security events, planning meetings, trainings and exercises that are held within the Commonwealth

In addition to attending the meetings outlined above with the CFC and MSP, senior officials at EOPSS also routinely meet with senior officials at the following organizations, independent of the CFC and MSP.

- Federal Bureau of Investigation
- Department of Homeland Security
- United States Secret Service
- Bureau of Alcohol, Tobacco and Firearms
- National Counter Terrorism Center
- United States Coast Guard
- Boston Regional Intelligence Center
- Massachusetts Chiefs of Police Association
- Massachusetts Major City Chiefs of Police Association
- Massachusetts Port Authority
- Other state agencies
- Various local agencies located throughout the Commonwealth

- Private sector / public sector security personnel that protect Critical Infrastructure and Key Resources located throughout the Commonwealth

The purpose of these meetings is to provide myself and other senior officials at EOPSS with the opportunity to discuss CFC operations and other important issues related to public safety and security with key stakeholders. These meetings present an opportunity to gain valuable input on the impact of CFC operations on our key stakeholders, as well as insight into whether the CFC is achieving its intended objectives. By doing so, the stakeholder meetings outlined above help to inform decision making by EOPSS and improve oversight of the CFC.

In addition to meeting regularly with the stakeholders most effected by the CFC's operations, both myself and other senior officials at EOPSS also regularly discuss and review annual performance assessments of the CFC's operations that are conducted by the Department of Homeland Security (DHS). These assessments are also reviewed with senior members of the CFC and the MSP to ensure compliance with all applicable policies, regulations, and law. Similar to the stakeholder meetings discussed above, the annual assessments conducted by DHS provide important insights into CFC operations that help to inform decision making at EOPSS, the CFC and the MSP.

Please feel free to contact me with any additional questions or if you require additional information. Thank you for your time and attention to this matter.

Sincerely,



Patrick McMurray

Undersecretary of Homeland Security & Commonwealth's Homeland Security Advisor
Executive Office of Public Safety and Security



U.S. Department of Justice

Federal Bureau of Investigation

Office of the Division Counsel

201 Maple Street, Chelsea, MA 02150

October 17, 2018

Michael Halpin
Chief Legal Counsel
Massachusetts State Police
470 Worcester Road
Framingham, MA 01702

Attorney Halpin,

The FBI has reviewed the spreadsheet that could potentially be produced to the Massachusetts State Auditor's Office. After review, the FBI has concerns about production of some of the content. We recommend redaction of the names in Column H, and we request complete redaction of Columns E, J, K, and L.

Column H lists the names of individual Massachusetts State Police personnel. We recommend redaction of the names. Some of those personnel are assigned to the Joint-Terrorism Task Force (JTTF). As a result of the threat risk, we strive not to reveal JTTF personnel.

Columns E and J-L contain information regarding or within the e-Guardian and/or Guardian systems. That is FBI information and we have concerns about its exposure. We request that those columns be redacted in their entirety prior to any production or review of the document outside the Department of the State Police.

Respectfully,

Matthew J. Greenberg
A/Chief Division Counsel
Boston Division
Federal Bureau of Investigation
201 Maple Street
Chelsea, MA 02150