

July 10, 2023

City Councilor Ed Flynn
President
Boston City Council
One City Hall Plaza
Boston, MA 02201

RE: Exigent Use of Technology

Dear Councilor Flynn:

Pursuant to Section 16-63.3(b)(3) of the City of Boston Municipal Code (Ordinance on Surveillance Oversight and Information Sharing), I am writing to report the Boston Police Department's use of "SourceFeed" and "SearchFeed" Databases maintained by SITE Intelligence Group (SITE) under exigent circumstances for 7 days, beginning on May 31, 2023.

SITE provides access to searchable databases that contains content from online forums utilized by domestic violent extremists (DVEs), foreign terrorist organizations (FTOs), and those inspired by FTOs. Within the current threat environment, key focus areas include the DVE sub-categories of racially or ethnically motivated violent extremism (RMVE) and anti-government or anti-authority violent extremism (AGAAVE), as well as the FTO sub-category of global jihad-inspired violent extremism. SITE's methodology of targeted collection means that collected content has been confirmed by human experts to contain violent rhetoric or is associated with these extremist or terrorist groups, and forums are not indiscriminately scraped.

June 2023 Pride Month events began in Boston during this 7-day period and the threat environment targeting the LGBTQ+ community necessitated the exigent use of the technology. The Department in good faith reasonably believed that the volume of online content related to Pride Month events would be high during this period and would require efficient review of threat information that could impact the Boston Metro area. Pride Month events occurred at a time of heightened threat towards the LGBTQ+ community. This heightened threat environment is characterized by a marked increase in online threats and violent rhetoric, as well as multiple high-profile acts of mass violence and/or in person harassment targeting the LGBTQ+ community over the past year.

During the 7-day period, the Department, including the Boston Regional Intelligence Center's (BRIC) Counterterrorism and Threat Assessment team, utilized SITE to identify threatening content across a wide variety of platforms known to be used by DVEs and FTOs. In addition to observing comments on RMVE-aligned Telegram channels about current events, searches related to Boston returned results with content posted around the 2023 Boston Marathon. Awareness of this content allows adjustment of the Department's security posture to protect the City more effectively.

Use of the databases was subject to legal oversight and guidance and in accordance with the United States Constitution, Massachusetts Declaration of Rights, all applicable federal and state laws and case law, all local ordinances, BPD policies and procedures and the BRIC Privacy, Civil Rights, and Civil Liberties Protection Policy (2021).

Further information regarding the use of this application will be provided in the forthcoming Surveillance Technology Impact Report and, if necessary, a Technology-Specific Surveillance Use Policy. The Department requests an additional 30 days to submit these documents and will provide both on or before August 7, 2023.

Please do not hesitate to contact me with any questions you may have. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Cox".

Michael A. Cox
Police Commissioner