



April 1, 2024

VIA ONLINE PORTAL

New York City Police Department Records Access Officer
Lt. Richard Mantellino
Legal Bureau – FOIL Unit
One Police Plaza, Room 110-A
New York, NY 10038
Via Online Portal

Re: Freedom of Information Law Request

Dear Records Access Officer:

Pursuant to the Freedom of Information Law (FOIL), N.Y. Pub. Off. Law §§ 84-90, American Oversight makes the following request for records.

Requested Records

American Oversight requests that the New York City Police Department produce the following records within five business days:

1. Any report of any incidents of white supremacist, white nationalist, white separatist, far-right, alt-right, neo-Nazi, or pro-Nazi activity or ideology among police department personnel.

This includes, but is not limited to, any personnel affiliated with the AC Skins, American Freedom Party, American Patriot Vanguard, Aryan National Army (Aryan Nations), Aryan Strikeforce, Aryan Terror Brigade, Asatru Folk Assembly, Atomwaffen Division, Boogaloo Bois (Boogaloo Boys), Constitutional Coalition, Creativity Movement, Great Millstone, John Birch Society, Liberty State Militia, Light Foot Militia, National Liberty Alliance, National Socialist Order (National Socialist Party, National Socialist Movement), Nationalist Front, New Sons of Liberty, Oath Keepers, Patriot Front, Proud Boys, People's Convoy, Rise Above Movement, Sovereign Citizen, Spicdomwaffen Division, Three Percenters (III%, AP3%, APIII, Threeper), Watchmen, or We Are Change.

2. Records sufficient to identify the number of incidents or reports of white supremacist, white nationalist, white separatist, far-right, alt-right, neo-Nazi, or pro-Nazi activity or ideology among police department personnel, and any ensuing action recommended or executed by your agency, since January 1, 2022, or the earliest date thereafter for which this information is available.



This includes, but is not limited to, any personnel affiliated with the AC Skins, American Freedom Party, American Patriot Vanguard, Aryan National Army (Aryan Nations), Aryan Strikeforce, Aryan Terror Brigade, Asatru Folk Assembly, Atomwaffen Division, Boogaloo Bois (Boogaloo Boys), Constitutional Coalition, Creativity Movement, Great Millstone, John Birch Society, Liberty State Militia, Light Foot Militia, National Liberty Alliance, National Socialist Order (National Socialist Party, National Socialist Movement), Nationalist Front, New Sons of Liberty, Oath Keepers, Patriot Front, Proud Boys, People's Convoy, Rise Above Movement, Sovereign Citizen, Spictomwaffen Division, Three Percenters (III%, AP3%, APIII, Threeper), Watchmen, or We Are Change.

To the extent that this information is aggregated and maintained in a database or spreadsheet, we would accept as responsive a printout from the database containing fields reflecting the date and key facts of each incident or report as well as any ensuing action recommended or executed by the New York City Police Department. American Oversight does not object to the redaction of names, addresses, or other personally identifying information from records responsive to this request.

For parts 1-2 of this request, please provide all responsive records from January 1, 2022, through the date the search is conducted.

3. A complete copy (including any attachments) of any formal or informal policy, guidance, directives, or protocol regarding New York City Police Department personnel with white supremacist, white nationalist, white separatist, far-right, alt-right, neo-Nazi, or pro-Nazi activity or ideology.

This includes, but is not limited to, any personnel affiliated with the AC Skins, American Freedom Party, American Patriot Vanguard, Aryan National Army (Aryan Nations), Aryan Strikeforce, Aryan Terror Brigade, Asatru Folk Assembly, Atomwaffen Division, Boogaloo Bois (Boogaloo Boys), Constitutional Coalition, Creativity Movement, Great Millstone, John Birch Society, Liberty State Militia, Light Foot Militia, National Liberty Alliance, National Socialist Order (National Socialist Party, National Socialist Movement), Nationalist Front, New Sons of Liberty, Oath Keepers, Patriot Front, Proud Boys, People's Convoy, Rise Above Movement, Sovereign Citizen, Spictomwaffen Division, Three Percenters (III%, AP3%, APIII, Threeper), Watchmen, or We Are Change.

For part 3 of this request, please provide all responsive records from January 1, 2021, through the date the search is conducted.

Fee Waiver Request

American Oversight requests that your agency consider waiving any fees associated with processing this request for records pursuant to 21 NYCRR § 1401.8(g). American Oversight is a 501(c)(3) nonprofit with the mission to promote transparency in

government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses information gathered through research and public records requests, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and Twitter.com.¹

The public has a significant interest in police department personnel with extremist ties or affiliations.² Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the New York City government, including the number of police officers with extremist ties, and any subsequent actions taken by the New York City Police Department.

Accordingly, American Oversight respectfully requests a fee waiver.

To the extent your agency anticipates charging any fees in connection with this request for records, American Oversight requests that you inform us in advance of doing so.

Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics.
- In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions.
- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all

¹ American Oversight currently has approximately 16,000 followers on Facebook and 111,400 followers on Twitter.com. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Feb. 20, 2024); American Oversight (@weareoversight), Twitter.com, <https://twitter.com/weareoversight> (last visited Feb. 20, 2024).

² See, e.g., Dan Mihalopoulos et al., *Chicago Police With Extremist Ties Have Troubling Records*, Chicago Sun Times, Oct. 22, 2023, <https://graphics.suntimes.com/extremism-ranks/2023/oathkeepers-investigation-chicago-police-extremism-insurrection/>.

prior messages sent or received in that email chain, as well as any attachments to the email.

- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages.
- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.
- Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

Conclusion

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Emma Lewis at records@americanoversight.org or 202.919.6303. Also, if American Oversight's request

for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Emma Lewis

Emma Lewis
on behalf of
American Oversight