

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

PROPERTY OF THE PEOPLE, INC., and)
RYAN NOAH SHAPIRO,)
c/o Law Office of Jeffrey L. Light)
1712 Eye St., NW, Suite 915)
Washington, DC 20006,)

PLAINTIFFS)

vs.)

DEPARTMENT OF JUSTICE)
950 Pennsylvania Ave., NW)
Washington, DC 20530)

DEFENDANT)

) Judge _____
) Civil Action No. _____

COMPLAINT

THE PARTIES

1. Property of the People, Inc. is a 501(c)(3) charitable organization dedicated to governmental transparency in the service of democracy.
2. Plaintiff Ryan Noah Shapiro is a founder of Property of the People and a Ph.D. candidate in the Department of Science, Technology, and Society (HASTS) at the Massachusetts Institute of Technology, as well as a former Research Affiliate at the Berkman Klein Center for Internet & Society at Harvard University. Plaintiff Ryan Noah Shapiro is a historian of national security, the policing of dissent, and governmental transparency.
3. Defendant Department of Justice (DOJ), is an agency of the United States.
4. The Federal Bureau of Investigation (FBI) is a component of Defendant DOJ.
5. The FBI has possession, custody, and control of the records Plaintiffs seek.

JURISDICTION AND VENUE

6. This action arises under the Freedom of Information Act (“FOIA”), 5 USC § 552.
7. This Court has jurisdiction over the parties and subject matter pursuant to 5 USC § 552(a)(4)(B).
8. Venue is proper in this district pursuant to 5 USC § 552(a)(4)(B).

STATEMENT OF FACTS

Background

9. The FBI’s Gravestone system is a new cyber and electronic surveillance system about which the public knows extremely little. It is a system consisting of an IP based camera, routers, firewalls, and a workstation to review surveillance video. The system provides Video Surveillance data to FBI field offices and is used by case agents.

10. The FBI has a long, dark history of utilizing new surveillance technologies to facilitate violations of Americans’ civil liberties and privacy. In the interest of democracy and transparency, the public requires access to documents about this new, cyber-enabled FBI surveillance platform.

Plaintiffs’ FOIA Requests

11. On March 19, 2017, Plaintiffs submitted to FBI via fax FOIA request for the following: policies, manuals, and operating procedures for implementing the Gravestone system; Privacy Impact Assessments for the Gravestone system; records pertaining to misuse of

the Gravestone system; contracts for the Gravestone system; and other records referring to the Gravestone system.

12. In a March 23, 2017 letter, FBI acknowledged receipt of the March 19, 2017 FOIA requests and assigned them tracking number 1369465-000.

13. More than 20 business days have elapsed since Plaintiffs submitted the FOIA request to FBI, but as of the filing of this Complaint, Plaintiffs have not received a response from FBI with a final determination as to whether FBI will release the requested records or a determination on the fee waiver.

COUNT I:
VIOLATION OF FOIA

14. This Count realleges and incorporates by reference all of the preceding paragraphs. All documents referenced in this Complaint are incorporated by reference as if set forth fully herein.

15. FBI has improperly withheld responsive records.

16. FBI has failed to grant Plaintiffs a fee waiver.

17. Plaintiffs are deemed to have exhausted their administrative remedies because FBI has not responded within the time period required by law.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Court:

- (1) Declare Defendant's failure to comply with FOIA to be unlawful;
- (2) Order Defendant to immediately process Plaintiffs' FOIA request;
- (3) Order Defendant to grant Plaintiffs' request for fee waivers;

- (4) Grant Plaintiffs an award of attorney fees and other litigation costs reasonably incurred in this action pursuant to 5 USC § 552(a)(4)(E)(i); and
- (5) Grant Plaintiffs such other and further relief which the Court deems proper.

Respectfully Submitted,

/s/ Jeffrey Light

Jeffrey L. Light

D.C. Bar #485360

1712 Eye St., NW

Suite 915

Washington, DC 20006

(202)277-6213

Jeffrey@LawOfficeOfJeffreyLight.com

Counsel for Plaintiffs