



id. However, there, the law enforcement privilege clearly applied to the documents, as the field reports at issue contained detailed information about the undercover operations of the NYPD, and the Second Circuit held that “providing information about the nature of the NYPD's undercover operations will only hinder the NYPD's ability to conduct future undercover investigations.” Id. The Second Circuit further concluded that the field reports contained law enforcement techniques and procedures, as well as the identities of undercover officers. Id. Here, respondents do not allege the existence of any undercover or otherwise inherently sensitive operations.

To show that the [law enforcement] privilege applies, the party asserting the privilege must demonstrate that the documents contain information that the law enforcement privilege is intended to protect. Specifically, the party asserting the privilege must show that the documents in question contain (1) information pertaining to “law enforcement techniques and procedures,” (2) information that would undermine “the confidentiality of sources,” (3) information that would endanger “witness and law enforcement personnel,” (4) information that would undermine “the privacy of individuals involved in an investigation,” or (5) information that would seriously impair “the ability of a law enforcement agency to conduct future investigations.”

In re The City of New York, 607 F.3d at 948.

Here, respondents merely repeat the above standard without analyzing its application to the facts of this case. Instead, they rely on boilerplate conclusory language, such as, “obvious public safety concerns associated with premature disclosure.” In other words, respondents have not met their burden of demonstrating that the documents sought contain information that the privilege is intended to protect. Accordingly, respondents motion to quash is DENIED.

Dated this 13<sup>th</sup> day of November, 2015, at Bridgeport, Connecticut.

/s/Warren W. Eginton  
WARREN W EGINTON  
SENIOR UNITED STATES DISTRICT JUDGE