



January 10, 2017

Public Records Officer
Massachusetts State Police
470 Worcester Road
Framingham, MA 01702

To Whom It May Concern:

This is a request under the Public Records Law, G.L. c. 66, § 10.

We are interested in learning more about the use of face recognition technology (also known as “facial recognition” technology) at the Massachusetts State Police (“MSP”) and its fusion center, the Commonwealth Fusion Center. Please provide us with the following documents at your earliest convenience. Please note that unless otherwise noted we are asking for all documents related to the following created or dated between the year 2011 and the present.

1. Any and all contracts or MOUs referencing or pertaining to any face recognition technology, including but not limited to any MSP agreement with the Massachusetts Registry of Motor Vehicles, Department of Transportation, and/or Federal Bureau of Investigation (FBI).
2. Any audits, annual reports, or other administrative reports referencing face recognition technology or searches.
3. All training materials, including but not limited to PowerPoint presentations, used to train officials in the use of face recognition tools or capabilities.
4. Any document containing the Massachusetts State Police’s legal analysis for any use of face recognition technology.
5. Any internal policy referencing or pertaining to the use of face recognition technology or searches, including policies governing how the Massachusetts State Police Compliance Unit performs facial recognition searches of the drivers license database held by the Registry of Motor Vehicles.
6. All communications between or among members of the Massachusetts State Police Compliance Unit and employees of the FBI pertaining to facial recognition searches or capabilities, including emails describing or referencing the Registry of Motor Vehicles Enforcement Services Unit.
7. All communications between or among members of the Massachusetts State Police Compliance Unit and the Registry of Motor Vehicles Enforcement Services Unit, including but not limited to emails, policy memos, and official forms, between January 1, 2014 and the present day.

Beginning January 1, 2017, Records Access Officers must permit inspection or furnish a copy of a requested public record within 10 business days following receipt of a public records

request. If your office withholds portions of the requested documents on the grounds that they are exempt from disclosure, please specify which exemptions and release any portions of the records for which you do not claim an exemption. I ask that you waive any assessed fees pursuant to 950 C.M.R. 32.07(k), which allows Records Access Officers to waive or reduce the amount of any fee upon a showing that (1) disclosure of a requested record is in the public interest; (2) the request for records is not primarily in the commercial interest of the requester; or (3) the requester lacks the financial ability to pay the full amount of the reasonable fee. ACLUM is a nonprofit organization with no commercial interest in the records, and these matters are squarely within the public interest.

Should you determine that some portion of the documents requested are exempt from disclosure, please release any reasonably segregable portions that are not exempt. In addition, please note the applicable statutory exemption and explain why it applies to the redacted portions. As you know, a custodian of public records shall comply with a request within ten days after receipt.

Please reply to this request to by contacting Kade Crockford at 617-482-3170 x346 or kcrockford@aclum.org.

Thank you for your assistance. We look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kade Crockford', with a stylized, cursive flourish at the end.

Kade Crockford
Director
Technology for Liberty Project
ACLU of Massachusetts