



The Commonwealth of Massachusetts *Department of State Police*

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LIEUTENANT GOVERNOR

THOMAS A. TURCO, III
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COLONEL CHRISTOPHER S. MASON
SUPERINTENDENT

November 28, 2019

Mr. Emiliano Falcon
Technology and Civil Liberties Policy Counsel
Technology for Liberty Program
American Civil Liberties Union of Massachusetts
211 Congress Street
Boston, MA 02110

RE: PUBLIC RECORDS REQUEST

Dear Mr. Falcon:

The Massachusetts Department of State Police ("Department") has received your request for records relating to "State Police use of RMV's facial-recognition technology." It should be noted that correspondence subsequent to your request limited the time period of the records sought to January 1, 2017 – November 7, 2019. As a preliminary matter, please be advised that the Department does not have any documents responsive to numbers 2 or 3 of your request.

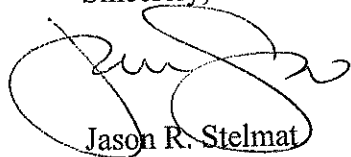
With respect to request #1, it is important to note that while the Department utilizes the Massachusetts Registry of Motor Vehicles ("RMV") facial recognition technology, it also utilized another facial recognition software through the COPLINK database during the relevant time period. Therefore, while the Department is able to run an audit of facial recognition searches performed by members of our Watch Center, we cannot definitively say which database was used in every case. As a result, we cannot provide an accurate count of how many times MSP has used its access to the RMV facial recognition system to perform searches from the Commonwealth Watch Center. Given that the RMV controls its own facial recognition technology, it may be possible to obtain this information by submitting a public records request directly to the RMV.

If you wish to challenge any aspect of this response, you may appeal to the Supervisor of Public Records following the procedure set forth in 950 C.M.R. 32.08, a copy of which is available at <http://www.mass.gov/courts/case-legal-res/law-lib/laws-by-source/cmr/>. You may also file a civil action in accordance with M.G.L. c. 66, § 10A.

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Your attention to this matter is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason R. Stelmat", written over a circular stamp or seal.

Jason R. Stelmat
Privacy Officer
Commonwealth Fusion Center
(978) 451-3752

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