

## The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth Public Records Division

Rebecca S. Murray Supervisor of Records

April 4, 2019 **SPR19/0624** 

Lt. Joseph W. Casey City of Medford Police Department 100 Main Street Medford, MA 02155

Dear Lt. Casey:

I have received the petition of Ms. Kade Crawford appealing the nonresponse of the City of Medford Police Department (Department) to a request for public records. G. L. c. 66, § 10A; see also 950 C.M.R. 32.08(1). Specifically, Ms. Crawford requested:

- "1. Communications between any representative of the Medford Police Department and any representative of any vendor offering any facial-recognition product or service.
- 2. Internal communications between representatives or employees of the Medford Police Department relating to any facial-recognition product or service.
- 3. Documents relating to the Medford Police Department purchasing or use of facial recognition, including but not limited to: purchase orders, RFPs, licensing agreements, invoices, and contracts (including non-disclosure agreements) related to any facial-recognition product or service.
- 4. Materials relating to how any facial-recognition product or service functions (or functions improperly), including e-mails, handouts, PowerPoint presentations, advertisements, or specification documents.
- 5. Manuals, policies, procedures, and practices governing the use or monitoring of a facial-recognition product or service or related information or databases. This request includes, but is not limited to:
  - a. Procedures for using, deleting, or retaining photos of subjects to be identified;
  - b. Materials identifying any sources of such photos, such as mobile devices, body cameras, surveillance videos, identification photos, or arrest photos;
  - c. Policies or procedures relating to the legal standard, if any, (e.g., probable cause, court order, relevance, consent) that is required before using any facial recognition product or service.
- d. Procedures the agency follows after a positive match, such as requiring independent or in-person verification;
  - e. Permitted uses of the information created from a positive match.

- 6. Training materials related to any facial-recognition product or service by employees of the Medford Police Department
- 7. Records relating to any mobile application related to any facial-recognition product or service.
- 8. Records relating to any public process or debate about any facial-recognition product or service, including meeting agendas or minutes, public notice, analyses, or communications between the Medford Police Department and elected leaders or county officials."

Subsequent to the intervention by a member of the Public Records Division, I learned that the Department had provided Ms. Crockford a response to her request. Accordingly, I will now consider this administrative appeal closed. Ms. Crockford may appeal the substantive nature of the Office's response within ninety days. See 950 C.M.R. 32.08(1).

Sincerely,

Rebecca S. Murray
Supervisor of Records

cc: Kade Crockford