



Nashwa Gewaily
Legal Fellow
ACLU of Massachusetts
211 Congress Street
Boston, MA 02110
(617)482-3170, x310
ngewaily@aclum.org

August 5, 2014

Celia Blue
Registrar, Registry of Motor Vehicles Division
Executive Office of Transportation
10 Park Plaza, Suite 6620
Boston, MA 02116

Re: Public Records Request / personal information dissemination and facial recognition procedures

Dear Ms. Blue:

This letter constitutes a request under the Public Records Law, Mass. Gen. Laws ch. 66, §10 for documents made or received by the Registry of Motor Vehicles. The request is made on behalf of the American Civil Liberties Union Foundation of Massachusetts (“ACLUM”).

This request seeks documents related to the RMV’s use of facial recognition technology, the dissemination of licensees’ photographs and information to law enforcement and other agencies, and procedures related to the distribution and retention of facial recognition search results.

Please provide copies of the following public records:

1. All records, including written communications, legal memos, memoranda of understanding, training materials, and operating procedures, describing the dissemination, sharing, or disclosure of personal and biometric information to or with the National Counterterrorism Center. This includes the Center’s Directorate of Terrorist Identities.
2. Any written communications, including memoranda of understanding or agreement, between the RMV and the FBI relating to the use of facial recognition technologies or the dissemination of licensee photographs.
3. Any written communications, including memoranda of understanding or agreement, between the RMV and any other federal, state, or local agencies, or any private corporation, relating to the use of facial recognition technologies.
4. All records of grants and grant applications relating to facial recognition technologies and their use for FY 2015 and preceding years.
5. Records describing standards and procedures relating to requests by law enforcement or any government agency for licensee photographs, facial recognition searches, or access to the

photograph repository by law enforcement personnel. "Law enforcement" includes federal, state, and local law enforcement agencies.

6. Training materials (including trainer notes, outlines, curricula, and/or PowerPoint presentations) describing the dissemination, deletion, or retention of both faceprints and facial recognition search results.
7. Any audits or reports relating to the use of facial recognition technologies.
8. Records concerning complaints about, investigations of, and/or disciplinary actions related to the misuse or abuse of facial recognition technologies.
9. Legal justifications or memos concerning the dissemination of licensee photographs, faceprints, and or facial recognition outputs to outside agencies.
10. Privacy policies, guidelines, or directives regarding the use of facial recognition technologies, and the retention and dissemination of data produced by such technologies.

Because this request involves a matter of public concern and because it is made on behalf of a nonprofit organization, we ask that you waive any copying costs pursuant to 950 C.M.R. § 32.06(5). ACLUM is a nonprofit §501(c)(3) organization dedicated to the protection of civil rights and liberties for all persons in the Commonwealth of Massachusetts. As the state's affiliate of the American Civil Liberties Union, ACLUM is part of a nationwide network of advocates dedicated to defending and expanding the civil liberties of all.

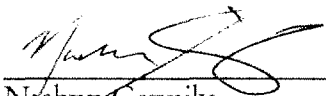
If you decide not to waive copying costs, we request that you permit us to examine, at our election, the responsive documents before deciding which portions to photocopy. We request that you send documents in electronic form whenever possible.

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 Nashwa Gewaily at (617)482-3170, x310 or through email at ngewaily@aclum.org.

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

Sincerely,



Nashwa Gewaily
Legal Fellow
ACLU of Massachusetts

CC: Jean Berke, Chief Legal Counsel, Registry of Motor Vehicles