



July 17, 2017

Boston Police Department

Records Access Officer

Via email

To Whom it May Concern,

The ACLU of Massachusetts has received information suggesting that members of the Boston Police Department were flying a surveillance drone in the Lenox-Martell parking lot at 89 Heath Street in Jamaica Plain on Saturday, July 15, 2017. We are concerned about law enforcement use of drones.

In order to permit the public to understand how the Boston Police Department ("BPD") is using drones, also known as unmanned aerial vehicles or UAVs, the American Civil Liberties Union of Massachusetts ("ACLU") is making this request under the Massachusetts public records law, G.L. c. 66, § 10, for the following records:

1. Any document containing technical specifications for any UAV or drone in the possession of the Boston Police Department on Saturday, July 15, 2017;
2. Any document showing how much the Boston Police Department paid for the UAV its officers were seen flying on Saturday, July 15, 2017, or, if the UAV was borrowed or loaned, any document describing the terms of the BPD's temporary possession of the device;
3. Any internal BPD policy or memoranda describing how officers may use drones or UAVs, including any privacy and civil liberties protections or requirements;
4. Any internal BPD policy or memoranda describing how long data produced by UAVs may be retained, who may access the data under what circumstances, and/or any auditing mechanisms in place to detect unauthorized access;
5. Any document showing how many drones or UAVs are or have been in the possession of the BPD;
6. Any document describing the legal justification for the BPD's operation of the drone or UAV on Saturday, July 15, 2017; and
7. Any images, video, audio, and/or other data collected by the BPD-operated drone or UAV on Saturday, July 15, 2017.

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 fees. 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 fees, we request that you permit us to examine, at our election, the responsive documents before deciding which portions to copy. We would prefer the documents in electronic format.

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.

If you have questions about this request, please contact me at (617) 482-3170 x346 or kcrockford@aclum.org.

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

Sincerely,

Kade Crockford

Director

Technology for Liberty Program

ACLU of Massachusetts