October 7, 2019

Sent via email

Primary Records Access Officer
Patricia M. Scanlan
Executive Office of Health and Human Services
One Ashburton Place, 11th Floor
Boston, MA 02108
ehs.rao@state.ma.us

Re: Public records request related to the relationship between the Executive Office of Health and Human Services and Lan-Tel Communications Inc.

Dear Record Access Officer,

This is a request under the Massachusetts Public Records Law, G.L. c. 66, § 10, made on behalf of the American Civil Liberties Union Foundation of Massachusetts ("ACLU").

LAN-TEL Communications, Inc. ("LAN-TEL") is a prominent vendor that provides security systems for municipalities all across the Commonwealth of Massachusetts. On May 12, 2019, LAN-TEL announced a partnership with AnyVision.[1] The aim of this partnership is to give LAN-TEL's clients access to facial recognition[2] technology by means of a "plug-and-play" solution update to its systems.

The ACLU seeks records[3] relating to the Executive Office of Health and Human Services ("EOHHS") relationship with LAN-TEL. These records relate to any plan for, acquisition of, and/or use of services and/or technology provided by LAN-TEL. This includes any service that might have been impacted by its partnership with AnyVision and the facial-recognition technology it provides.

Records requested

[1] See LAN-TEL Communications, Inc. Partners with AnyVision for Its Recognition Platform, available at https://www.pr.com/press-release/784748
[2] In this letter, "**facial recognition**" means the automated or semi-automated process by which a person is identified or attempted to be identified based on the characteristics of his or her face.
[3] Throughout this request, the term "**records**" includes but is not limited to any paper or electronic information, reports, evaluations, memoranda, correspondence, letters, emails, charts, graphs, flyers, meeting agendas, meeting minutes, training materials, diagrams, forms, DVDs, tapes, CDs, notes, or other similar materials.

ACLU Massachusetts

The ACLU requests all such records created on or after January 1, 2015, including but not limited to:

1. All communications between or among any representative of the EOHHS and any representative of LAN-TEL, including text messages and emails;
2. All EOHHS communications referencing LAN-TEL or any of its products or services, including text messages and emails;
3. Documents relating to the EOHHS purchase or use of LAN-TEL systems or technologies. This request includes but is not limited to: purchase orders, RFPs, licensing agreements, invoices, and contracts (including non-disclosure agreements);
4. Materials relating to how LAN-TEL's services and products—including those provided in partnership with AnyVision for the provision of facial-recognition products or services—functions (or functions improperly), including e-mails, handouts, PowerPoint presentations, advertisements, or specification documents;
5. Training materials related to LAN-TEL's products or services, including if available AnyVision's facial-recognition products and services;
6. Records relating to any mobile application(s) related to LAN-TEL's products or services; and
7. Records relating to any public process or debate about any LAN-TEL's products or services, including meeting agendas or minutes, public notices, analyses, or communications between the EOHHS and elected officials.

Because this request involves a matter of public concern and 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, the ACLU of Massachusetts 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.

If you believe that some portion of the documents requested are exempt from disclosure or require redaction, 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.

ACLU Massachusetts

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

Sincerely,

Kade Crockford
Director
Technology for Liberty Program
ACLU of Massachusetts