

From Town Clerk <townclerk@egremont-ma.gov>
Subject **RE: ACLU Public Records Request**
To Emiliano Falcon-Morano <efalcon@aclum.org>
Date Thu, 9 Apr 2020 19:16:37 +0000

Your request has been received. I am going to have to forward it to the Office Administrator who will work with the Police Department to locate this information.

Juliette Haas

Town of Egremont
Town Clerk
PO Box 368
South Egremont, MA 01258
(413) 528-0182 x 11
Business Hours: Monday – Thursday 12:30 – 3:00 pm
Or by appointment

From: Emiliano Falcon-Morano <efalcon@aclum.org>
Sent: Thursday, April 09, 2020 3:07 PM
To: Town Clerk <townclerk@egremont-ma.gov>
Subject: Re: ACLU Public Records Request

Yes, sure.

Here it goes:

Re: Public records request pertaining to facial recognition

Dear Records 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 of Massachusetts (“ACLUM”).

Clearview AI (“Clearview”), a facial recognition technology start-up, makes available to law enforcement a product that attempts to match photos of unknown people to images in a database.^[1] Clearview AI’s database reportedly contains billions of pictures scraped from social media sites like Facebook, YouTube, and Venmo.^[2] According to newspapers, Clearview AI markets this product to federal, state, and local law enforcement agencies.^[3] This company is just one of many that market their facial recognition technology to government agencies.

ACLUM has significant concerns about the use of facial recognition in Massachusetts. We therefore seek records pertaining to Clearview AI and other facial recognition companies and products.

Records requested

This request includes but is not limited to the following records created on or after January 1, 2019:

1. All communications, including text messages and emails, between or among any staff member or representative of the police department and any representative of any company that manufactures or sells any facial recognition product, including but not limited to Clearview AI;
2. All internal communications, including text messages and emails, referencing any company that manufactures or sells any facial recognition product or service, including but not limited to Clearview AI;
3. Records evidencing or describing any existing or potential relationship between the police department and all companies that manufacture or sell any facial recognition product, including but not limited to Clearview AI. These records include but are not limited to MOUs, purchase orders, RFPs, licensing agreements, invoices, non-disclosure agreements, project proposals, and other contracts;
4. Records referencing the operational effectiveness or accuracy rate of any of facial recognition service or product. These records include but are not limited to e-mails, handouts, PowerPoint presentations, advertisements, audits, and specification documents;
5. Training materials related to facial recognition products or services;
6. Policies and procedures pertaining to the use of facial recognition products or services, or the data they produce; and
7. Records relating to any public process, meeting, or debate about any facial recognition products or services. These include but are not limited to meeting agendas or minutes, public notices, analyses, and communications between the police department 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 determining which portions to copy. We 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. Also, 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 x402 or efalcon@aclum.org

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

Sincerely,



Emiliano Falcon
Policy Counsel
Technology for Liberty Program
ACLU of Massachusetts

Best,
Emiliano

Emiliano Falcon-Morano
Pronouns: he, him, his

Policy Counsel
Technology for Liberty Program
American Civil Liberties Union of Massachusetts
211 Congress Street, Boston, MA 02110
617.482.3170 x402 | efalcon@aclum.org

[Website](#) | [Twitter](#) | [Facebook](#) | [Instagram](#) | [Youtube](#)

From: Town Clerk <townclerk@egremont-ma.gov>
Date: Wednesday, April 8, 2020 at 1:03 PM
To: Emiliano Falcon-Morano <efalcon@aclum.org>
Subject: RE: ACLU Public Records Request

Again, I do not open attachments from unfamiliar sources. Send as an email – not as an attachment.
Kindly,

From: Emiliano Falcon-Morano <efalcon@aclum.org>
Sent: Wednesday, April 08, 2020 8:46 AM
To: Town Clerk <townclerk@egremont-ma.gov>
Subject: Re: ACLU Public Records Request

Hi. Please see attached.

Best,

Emiliano

Emiliano Falcon-Morano
Pronouns: he, him, his

Policy Counsel
Technology for Liberty Program
American Civil Liberties Union of Massachusetts
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From: Town Clerk <townclerk@egremont-ma.gov>
Date: Tuesday, April 7, 2020 at 12:19 PM
To: Emiliano Falcon-Morano <efalcon@aclum.org>
Subject: RE: ACLU Public Records Request

I'm sorry but I do not open attachments from unfamiliar sources. If you would resend as an email, I will address it.
Thank you.

From: Emiliano Falcon-Morano <efalcon@aclum.org>
Sent: Monday, April 06, 2020 5:07 PM
To: Kade Crockford <kcrockford@aclum.org>; Taisha Lazare <tlazare@aclum.org>
Subject: ACLU Public Records Request

Good Afternoon,

Please see attached.

Best,

Emiliano

Emiliano Falcon-Morano
Pronouns: he, him, his

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[1] See Clearview AI, available at <https://clearview.ai/>

[2] The Secretive Company That Might End Privacy as We Know It, Kashmir Hill, The New York Times, Jan. 18, 2020, available at <https://www.nytimes.com/2020/01/18/technology/clearview-privacy-facial-recognition.html>

[3] Florida Cops Use This Facial Recognition Tech That Could Be Pulling Your Pics, Allison Ross, Malena Carollo and Kathryn Varn, Tampa Bay Times, Feb. 11, 2020, available at <https://www.tampabay.com/florida-politics/buzz/2020/02/11/florida-cops-use-this-facial-recognition-tech-that-could-be-pulling-your-pics/>