



Windsor Police Department

1890 Route 9 Suite 3
WINDSOR, MASSACHUSETTS 01270



CHIEF OF POLICE
Thomas Barnaby

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April 7, 2020

Emiliano Falcon
Policy Counsel
Technology for Liberty Program
ACLU of Massachusetts

Dear Emiliano,

This letter is the initial agency decision and acknowledgment letter on your April 6, 2020 request under Massachusetts Public Records law, GL.c. 66, § 10 for.

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

- 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;
- 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;
- 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;
- Records referencing the operational effectiveness or accuracy rate of any facial recognition service or product. These records include but are not limited to e-mails, handouts, Power Point presentations, advertisements, audits, and specification documents.
- Training materials related to facial recognition products or services;
- Policies and procedures pertaining to the use of facial recognition products or services, or the data they produce; and
- 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.

After conducting a reasonable search, we have concluded that the Windsor Massachusetts Police Department does not have records responsive to your request. Courts have determined the reasonableness of an agency's search can depend on whether the agency properly determined where responsive records were likely to be found and searched those locations. [See laoe v. IRS, No. 98-C-0466, 1999 WL 675322, at *4 (E.D. Wis. July 23, 1999) (recognizing that agency "diligently searched for the records requested in those places where agency expected they could be located". Record search inquiries were made to the appropriate office. The Windsor Police Department conducted a search for documents responsive to your request. The search was conducted by using my personal knowledge that we have no software of any kind for facial recognition, or have entered into an discussion with any company for a product like this, and the conclusion of the search, a "no records" response was provided for responsive records to your request.

If you have any further questions, please feel free to contact me at (413)344-6871, or by email at buoymaster.kip@gmail.com.

Sincerely,
Kip Buoymaster
Sergeant
Windsor Police department