![ACLU American Civil Liberties Union Foundation Massachusetts]

August 16, 2019

Via Email

William Maloney
City Clerk
200 Common Street, Suite 107
WMaloney@cityoflawrence.com

      Re: Public records request related to the use of facial-recognition technology

To Whom It May Concern,

This is a request under the Public Records Law, G.L. c. 66, § 10, on behalf of the American Civil Liberties Union of Massachusetts ("ACLUM"). ACLUM seeks records relating to the use of facial recognition[1] technology by any part of the Lawrence Public Schools ("LPS").

We request documents pertaining to LPS's use of facial recognition technology in schools, administrative buildings, and other LPS properties across the City of Lawrence. The records we seek include but are not limited to those pertaining to or describing any relationship with any public and private entities as it relates to this technology.

ACLUM requests the following records created on or after January 1, 2015, unless another time period is otherwise specified:

1. Documents relating to LPS purchase, trial, testing, piloting or use of facial recognition, including but not limited to: purchase orders, RFPs, licensing agreements, invoices, and contracts (including non-disclosure agreements) related to any facial-recognition product or service;
2. All records referencing facial recognition, including but not limited to emails, text messages, memoranda, and notes;
3. All records referencing or describing privacy or other concerns about the use of a facial recognition system, including but not limited to emails, text messages, memoranda, and notes;
4. Any internal policy referencing or pertaining to the use of face recognition technology or facial images;

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[1] 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.

5. All communications between employees of the LPS and representatives of any private vendor or company offering or soliciting any facial-recognition product or service.
6. Materials relating to how any facial-recognition product or service functions (or functions improperly), including e-mails, handouts, PowerPoint presentations, advertisements, or specification documents.
7. Manuals, policies, procedures, and practices governing the use or monitoring of a facial-recognition product or service or related information or databases. This request includes, but is not limited to:
   a. Procedures for using, deleting, or retaining photos of subjects to be identified;
   b. Materials identifying any sources of such photos, such as mobile devices, body cameras, surveillance videos, or identification photos;
8. Training materials related to any facial-recognition product or service.
9. Records relating to any mobile application related to any facial-recognition product or service.
10. Records relating to any public process or debate about any facial-recognition product or service, including meeting agendas or minutes, public notices, analyses, or communications between the LPS and elected leaders or county or state officials, including but not limited to the Secretary of Education, members of the Board of the Department of Elementary and Secondary Education (DESE), and the Commissioner of DESE;
11. All contracts or MOUs with local, state, and/or federal agencies referencing or pertaining to facial recognition technology;
12. All audits, annual reports, and other administrative reports referencing facial recognition technology or searches. This request includes but is not limited to all records containing or pertaining to:
   a. Statistics and other reports that reflect how facial recognitions tests worked;
   b. Statistics and other reports that reflect how frequently facial recognition is used;
   c. Statistics and other reports that show the evolution of facial recognition use over time;
   d. Statistics and other reports that show the number of times the LPSs misidentified an individual using facial recognition;
13. All training materials, including but not limited to PowerPoint presentations, used to train staff in the use of face recognition tools or capabilities.
14. Any document containing any LPS legal analysis or justification for any use of face recognition technology.

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.

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

Sincerely,

Kade Crockford
Director
Technology for Liberty Program
ACLU of Massachusetts

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