



September 20, 2019

Via Email

Public Records Officer
Department of Criminal Justice Information Services (CJIS)
Commonwealth of Massachusetts
dcjis.rao@state.ma.us

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 records¹ relating to the use of facial recognition² technology by the Department of Criminal Justice Information Services (“DCJIS”)

ACLUM requests the following records created on or after January 1, 2016:

1. Records, including emails and contracts, related to the installation of facial recognition software in the state AFIS system, as shown by Exhibit A;
2. Records, including external and internal communications like emails, relating to or revealing the use of face recognition technology at the agency or by people belonging to the agency or by people not belonging to the agency but using this technology at the request of the agency;
3. Records showing relationships and agreements with local, state, and/or federal agencies pertaining to facial recognition technology. These includes but is not limited to all contracts or MOUs referencing or pertaining to the 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

¹ 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.

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.

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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,

A handwritten signature in blue ink, appearing to read 'Kade Crockford'.

Kade Crockford
Director
Technology for Liberty Program
ACLU of Massachusetts