



MICHAEL G. BELLOTTI
SHERIFF

The Commonwealth of Massachusetts
County of Norfolk

OFFICE OF THE
SHERIFF



P.O. BOX 149
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www.STATE.MA.US/SHERIFF/NORFOLK

August 2, 2018

Kade Crockford, Director
Technology for Liberty program
ACLU of Massachusetts

Re: Public Records Request

Dear Mr. Crockford:

I am writing in response to the public records request related to the use of facial recognition products or services.

Please be advised, the Norfolk Sheriff's Office does not have facial recognition products and/or services, nor do we have any plans at this time to purchase products or services. As such, we have no documentation to provide.

Sincerely,


Jessica A. Cherry
Attorney

JAC/kd

Kerrie Devlin

From: Microsoft Outlook
To: kcrockford@aclum.org
Sent: Thursday, August 2, 2018 12:31 PM
Subject: Relayed: Response from Norfolk Sheriff's Office for public records request

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

kcrockford@aclum.org (kcrockford@aclum.org)

Subject: Response from Norfolk Sheriff's Office for public records request

July 27, 2018

Sent via U.S. Mail

Sheriff Michael Bellotti
Norfolk County Sheriff's Office
200 West Street
P.O. Box 149
Dedham, MA 02027

2018 AUG 1

Re: Public records request related to the use of facial-recognition products or services

Dear Sheriff Bellotti,

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").

The ACLU seeks records¹ relating to the Norfolk County Sheriff's Office's plans for, acquisition of, and/or use of facial-recognition² technology, including but not limited to products and services like Amazon Rekognition, Microsoft Face API, or NEC NeoFace.

Records requested

The ACLU requests all such records created on or after January 1, 2016, including but not limited to:

1. Communications between any representative of the Norfolk County Sheriff's Office and any representative of any vendor offering any facial-recognition product or service.
2. Internal communications between representatives or employees of the Norfolk County Sheriff's Office relating to any facial-recognition product or service.
3. Documents relating to the Norfolk County Sheriff's Office's purchasing 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.

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.

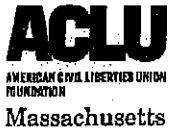
² In this letter, "**facial recognition**" means the automated or semi-automated process by which a person is identified or attempted to be identified based on the characteristics of his or her face.

4. Materials relating to how any facial-recognition product or service functions (or functions improperly), including e-mails, handouts, PowerPoint presentations, advertisements, or specification documents.
5. 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, identification photos, or arrest photos;
 - c. Policies or procedures relating to the legal standard, if any, (e.g., probable cause, court order, relevance, consent) that is required before using any facial-recognition product or service.
 - d. Procedures the agency follows after a positive match, such as requiring independent or in-person verification;
 - e. Permitted uses of the information created from a positive match.
6. Training materials related to any facial-recognition product or service by employees of the Norfolk County Sheriff's Office.
7. Records relating to any mobile application related to any facial-recognition product or service.
8. Records relating to any public process or debate about any facial-recognition product or service, including meeting agendas or minutes, public notice, analyses, or communications between the Norfolk County Sheriff's Office and elected leaders or county officials.

Because this request involves a matter of public concern and because it is made on behalf of a nonprofit organization, we ask that you waive any fees. ACLU 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.

Should you determine that some portion of the documents requested are exempt from disclosure, 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 black ink, appearing to be "Kade Crockford". The signature is stylized, with the first letters of the first and last names being prominent.

Kade Crockford
Director
Technology for Liberty Program
ACLU of Massachusetts