# Suffolk County Sheriff's Department

STEVEN W. TOMPKINS
SHERIFF

Jail
200 Nashua Street
Boston, MA 02114
(617) 635-1100

House of Correction
20 Bradston Street
Boston, MA 02118
(617) 635-1000


**Via Email: kcrockford@aclum.org**

July 30, 2018

Kade Crockford
Director
Technology for Liberty Program
ACLU of Massachusetts
211 Congress Street
Boston, MA 02111

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

Dear Ms. Crockford:

This letter confirms receipt of your public records request today, July 30, 2018, seeking disclosure of public records maintained by the Suffolk County Sheriff's Department ("Department"). Your request specifically seeks

> "The ACLU seeks records[1] relating to the Suffolk County Sheriff's Department's plans for, acquisition of, and/or use of facial-recognition[2] 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 2, 2016, including but not limited to:
>
> 1. Communications between any representative of the Suffolk County Sheriff's Department and any representative of any vendor offering any facial –recognition product or service.
> 2. Internal communications between representatives or employees of the Suffolk County Sheriff's Department relating to any facial-recognition product or service.
> 3. Documents relating to the Suffolk County Sheriff's Department's purchasing or use of facial recognition, including but not limited to: purchase orders, RFPs, licensing

[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.

agreements, invoices, and contracts (including non-disclosure agreements) related to any facial-recognition product or service.

4. Materials relating to how any facial-recognition product or service functions (or functions improperly), including emails, handouts, PowerPoint presentations, advertisements, or specification documents.
5. Manuals, policies, procedures, and practices governing the use of 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 Suffolk County Sheriff's Department.
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 Suffolk County Sheriff's Dep0artment and elected leaders or county officials."

**Response:** The Department does not have any documents in its possession, custody or control that are responsive to your request.

If you wish to challenge this response, you may appeal to the Supervisor of Public Records following the procedure set forth in 950 CMR 32.08(1), and you have the right to seek judicial review of any unfavorable decision by commencing a civil action in the superior court pursuant to G.L. c. 66, §10(A)(c).

Very truly yours,

Maria F. Romero

Maria F. Romero, Esq.
Assistant General Counsel
(617) 704-6684
mromero@scsdma.org