

Executive Office of Public Safety and Security



Facial Recognition Annual Report

2024

Secretary Terrence M. Reidy

Executive Office of Public Safety and Security

<p>Facial Recognition Searches Annual Report M.G.L. c. 6, § 220</p>

On December 31, 2020, “*An Act Relative to Justice, Equity and Accountability in Law Enforcement in the Commonwealth*” (the Act), was signed into law. The Act created G.L. c. 6, § 220, which became effective on July 1, 2021, and imposes limitations and requirements on law enforcement agencies requesting or performing facial recognition searches and establishes reporting requirements for law enforcement agencies and the Executive Office of Public Safety and Security (EOPSS).

A “facial recognition search” is defined in the statute as “a computer search using facial recognition to attempt to identify an unidentified person by comparing an image containing the face of the unidentified person to a set of images of identified persons; provided, however, that a set of images shall not include moving images or video data.” G.L. c. 6, § 220(a). As of July 1, 2021, law enforcement agencies requesting or performing a facial recognition search may only do so via written request and only based on two statutory justifications: court order or emergency. G.L. c. 6, § 220(b). This requirement of a written request for limited purposes does not apply “to the department of state police when performing investigatory functions related to the issuance of identification documents by the registrar of motor vehicles.” G.L. c. 6, § 220(b).

Beginning July 1, 2021, law enforcement agencies were required to document certain information about facial recognition searches requested by law enforcement agencies, and report that information to EOPSS on a quarterly basis. G.L. c. 6, § 220(c). The Act requires law enforcement agencies to provide the following information¹:

¹Such documentation shall not be a public record. G.L. c. 6, § 220(c).

- (i) a copy of any written request made for a facial recognition search;
- (ii) the date and time of the request;
- (iii) the number of matches returned, if any;
- (iv) the database searched;
- (v) the name and position of the requesting individual and employing law enforcement agency;
- (vi) the reason for the request, including, but not limited to any underlying suspected crime;
- (vii) the entity to which the request was submitted; and
- (viii) data detailing the individual characteristics included in the facial recognition request.

The Act requires EOPSS to publish on its website annually the documentation provided to EOPSS on a quarterly basis by law enforcement agencies and the following information:

- (i) the total number of facial recognition search requests made by other law enforcement agencies to the department of state police, disaggregated by law enforcement agency;
- (ii) the total number of facial recognition searches performed by the department of state police, disaggregated by law enforcement agency on whose behalf the search was performed; an
- (iii) the total number of facial recognition searches requested and performed by the state police;
- (iv) the total number of facial recognition search requests made by the department of state police to the Federal Bureau of Investigation, disaggregated by law enforcement agency on whose behalf the requests were made; and

- (v) the total number of facial recognition searches performed by the Federal Bureau of Investigation on behalf of Massachusetts law enforcement agencies.

Quarterly Documentation and Information About Facial Recognition Searches Requested and Performed by Law Enforcement Agencies Between September 1, 2023, and October 1, 2024, Pursuant to G.L. c. 6, § 220(c) & (d).

The department of state police received a total of forty-five requests to utilize facial recognition technology between September 1, 2023, and September 30, 2024. Of the forty-five requests, thirty-seven were written requests, pursuant to a court order. The other seven searches were the result of exigent circumstances. Photographs were submitted with all of the requests received and the department's database, Issuance 360, was used to perform all of the searches. Fourteen of the searches yielded one potential match. The department of state police did not make any facial recognition requests of any type to the Federal Bureau of Investigation between September 2023 and October 2024.

Table 1 below includes the information required by G.L. c. 6, § 220(c) & (d) broken down by category.

Copy of Written Request	Date and Time of Request	Matches Returned	Database Searched	Name/ Position/ Department	Requesting Case/File #	Reason/ Suspected Crime	Entity to Which Submitted	Data Detailing Individual Characteristics
Yes	09/03/2023, 1900	0	Issuance 360	Det. Dave Kornacki, Ludlow PD	23-1155-OF	ATM Skimming	MSP	Photos were submitted with request
Yes	09/18/2023, 1440	0	Issuance 360	Det. Starzynski, Gardner PD	23GAR-1590-OF	Check Fraud	MSP	Photos were submitted with request
Yes	10/17/2023, 1450	0	Issuance 360	Tpr. Derek Grout, MSP	2023-OCX-009845	Failure to Identify	MSP	Photos were submitted with request
No, Deceased Person	10/25/2023, 1346	0	Issuance 360	Officer Brian Kelley, Amtrak	23-012406	Deceased Person	MSP	Photos were submitted with request
Yes	10/26/2023, 1400	0	Issuance 360	Officer Steven Reed, Amesbury PD	23AME-1998-OF	Larceny	MSP	Photos were submitted with request
Yes	11/28/2023, 1400	1 Potential	Issuance 360	Officer Kristen Gates, Maynard PD	23-934-OF	Check Fraud	MSP	Photos were submitted with request
Yes	12/08/2023, 1400	1 Potential	Issuance 360	Officer Travis Rushford, Orange PD	2023-109-463	Narcotics	MSP	Photos were submitted with request
Yes	12/29/2023, 0830	0	Issuance 360	Officer Viktor Sabha, Norwood PD	23NWD-1415-OF	Check Fraud	MSP	Photos were submitted with request
Yes	01/5/2024, 1530	0	Issuance 360	Tpr. Eric Choi, Troop F	2024-FTRP-4	Malicious Destruction	MSP	Photos were submitted with request
Yes	01/15/2024, 1030	0	Issuance 360	Det. Sgt. Ian Toland, Walpole PD	24WAL-1781-OF	B&E, Theft, Fraud	MSP	Photos were submitted with request

Yes	01/19/2024, 0840	0	Issuance 360	Det. Stephen Carroll, Stoneham PD	2316252	Financial Fraud	MSP	Photos were submitted with request
Yes	01/20/2024, 1115	0	Issuance 360	Det. Stephen Carroll, Stoneham PD	2315954	Financial Fraud	MSP	Photos were submitted with request
Yes	01/20/2024, 1130	0	Issuance 360	Det. Stephen Carroll, Stoneham PD	2315954	Financial Fraud	MSP	Photos were submitted with request
No, Fraudulent License	01/24/2024, 1320	0	Issuance 360	Det. Michael Schlitter, Needham PD	24NEE-104-OF	Fraudulent License	MSP	Photos were submitted with request
Yes	01/31/2024, 1852	1 Potential	Issuance 360	Sgt. Robert Noonan, MSP	2023-034-221	Warrants (Fentanyl)	MSP	Photos were submitted with request
Yes	02/05/2024, 0800	0	Issuance 360	Officer Brooke O'Leary, Billerica PD	24-0191	Fraudulent Passport, Bank Fraud	MSP	Photos were submitted with request
Yes	02/20/2024, 1420	0	Issuance 360	Det. Sgt. Ian Toland, Walpole PD	24WAL-1781-OF	B&E, Theft, Fraud	MSP	Photos were submitted with request
Yes	03/01/2024, 1340	0	Issuance 360	Det. Michelle O'Neil, Walpole PD	23WAL-1793-OF	Bank Fraud	MSP	Photos were submitted with request
No, Deceased Person	03/01/2024, 1430	1 Potential	Issuance 360	Tpr. Alex Boswell, Bristol SPDU	2024-104-3	Deceased Person	MSP	Photos were submitted with request
Yes	03/01/2024, 1420	1 Potential	Issuance 360	Tpr. Jason Abromoski, Troop F Det.	2024-FTRP-28	Narcotics Investigation	MSP	Photos were submitted with request
Yes	03/07/2024, 1425	0	Issuance 360	Det. Mark Ney,	24-483-OF	Larceny of Motor Vehicle	MSP	Photos were submitted with request

				Marlborough PD				
Yes	03/14/2024, 1109	1 Potential	Issuance 360	Tpr. Toumilovich, Troop F Det.	2024-FTRP-30	Indecent Exposure	MSP	Photos were submitted with request
No, Deceased Person	04/14/2024, 1226	0	Issuance 360	Tpr. Pina, Bristol SPDU	2024-104-3	Deceased Person	MSP	Photos were submitted with request
Yes	04/12/2024, 1037	0	Issuance 360	Officer Kyle Berube, Dartmouth PD	24-548-OF	Larceny Over 1200	MSP	Photos were submitted with request
Yes	04/18/2024, 0908	0	Issuance 360	Officer Curtis Weaver, Northfield PD	2023-NOF-118-OF	B&E Motor Vehicle	MSP	Photos were submitted with request
Yes	05/16/2024, 0930	0	Issuance 360	Offcier Jonathan Monahan, Leominster PD	23-56725-OF	Larceny	MSP	Photos were submitted with request
Yes	05/20/2024, 1437	0	Issuance 360	Officer Martin Cook, South Hampton PD	24-96-OF	Shoplifting	MSP	Photos were submitted with request
Yes	05/28/2024, 0931	1 Potential	Issuance 360	Tpr. Andy Mason, VFAS	2024-121-0001	Rape	MSP	Photos were submitted with request
Yes	06/10/2024, 1440	1 Potential	Issuance 360	Det. William Stilwell, Lynn PD	24034330	Larceny, B&E	MSP	Photos were submitted with request
Yes	06/18/2024, 1410	0	Issuance 360	Det. Nick Ciaramella, Tewksbury PD	24TEW-9322-OF	B&E Daytime	MSP	Photos were submitted with request

Yes	07/15/2024, 1320	1 Potential	Issuance 360	Trooper Jose Depena, Gaming Unit	2024-GEU-212	Forgery, ID Theft	MSP	Photos were submitted with request
Yes	07/17/2024, 1620	1 Potential	Issuance 360	Trooper Louis Williams, Essex SPDU	2024-106-529	Homicide	MSP	Photos were submitted with request
No	07/21/2024, 1950	1 Potential	Issuance 360	Trooper John Pina, Bristol SPDU	2024-104-372	Deceased Person	MSP	Photos were submitted with request
Yes	07/23/2024, 0915	1 Potential	Issuance 360	Detective Ron Sweeney, Simmons PD	24-0191	Larcent Over \$1200	MSP	Photos were submitted with request
No, Deceased Person	07/23/2024, 1054	1 Potential	Issuance 360	Trooper Langley, Bristol SPDU	2024-104-376	Deceased Person	MSP	Photos were submitted with request
Yes	07/24/2024, 1030	0	Issuance 360	Det. Michael Hanley, North Reading PD	24-7651	Larcney Over \$1200	MSP	Photos were submitted with request
Yes	07/31/2024, 0950	1 Potential	Issuance 360	Trooper Hopkins, MSP	2024-104-291	Trafficking Narcotics	MSP	Photos were submitted with request
Yes	08/13/2024, 0900	0	Issuance 360	Trooper Tim Burns, MSP	2010-114-681	Homicide	MSP	Photos were submitted with request
No, Deceased Person	08/20/2024, 0715	0	Issuance 360	Tpr. Alex Boswell, Bristol SPDU	2024-104-427	Deceased Person	MSP	Photos were submitted with request
Yes	08/26/2024, 1752	0	Issuance 360	Tpr. Greg Sulser, Troop F Detectives	2024-FINV-48	Larceny Over 1200	MSP	Photos were submitted with request

Yes	09/04/2024, 0903	0	Issuance 360	Det. Frank Daly, Lawrence PD	24004848	Larceny, Skimming Device	MSP	Photos were submitted with request
Yes	09/10/2024, 0952	0	Issuance 360	Tpr. Jeremy Young D Troop CAT	2024-0D4-005302	Drug Distribution	MSP	Photos were submitted with request
No, Deceased Person	09/18/2024, 1240	0	Issuance 360	Sgt. Leonard Imbracsio, JTTF	985285	Deceased Person	MSP	Photos were submitted with request
Yes	09/19/2024, 0910	0	Issuance 360	Det. Paul Politsopoulos, Foxboro PD	24FOX-574-OF	Identity Fraud	MSP	Photos were submitted with request
Yes	09/20/2024, 1155	0	Issuance 360	Deputy Mason Krieger, Rockingham, NH	2401-334-AR	False Name	MSP	Photos were submitted with request