

July 18, 2019

David Yost, Attorney General
Office of the Attorney General
30 East Broad Street, 14th Floor
Columbus, Ohio 43215

SENT VIA E-MAIL & U.S. MAIL

RE: OHLEG review & facial recognition database

Dear Attorney General Yost:

ACLU

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

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Hasan Kwame Jeffries
President

J. Bennett Guess
Executive Director

Via recent news media reports, the ACLU of Ohio understands your office has undertaken a review of federal law enforcement access to Ohio's facial recognition database. The ACLU of Ohio welcomes this review and we look forward to its conclusions and recommendations.

Per your public statements on this issue, we understand you also expressed concern about Ohio blossoming into a surveillance state. The ACLU of Ohio shares that concern. Accordingly, we encourage you to look beyond the issue of federal law enforcement access to Ohio's facial recognition database and examine other ways Ohioans' personal information can and is accessed via the Ohio Law Enforcement Gateway (OHLEG) system.

To accomplish that, the ACLU of Ohio has the following suggestions we strongly urge your office to research and report regarding OHLEG:

- 1) The number of federal agencies, departments and entities with access to OHLEG.
- 2) Which federal agencies, departments and entities have access to OHLEG.
- 3) For what purposes these federal agencies, departments and entities access OHLEG.
- 4) Restrictions, if any, on what may be done with information and data obtained via OHLEG by these federal agencies, departments and entities
- 5) What security protocols and policies (if any) each of these federal agencies, departments and entities utilize to ensure Ohioans' information and data is not misused, stolen or abused.

We believe an examination of this sort of OHLEG access will provide answers Ohioans seek about what is being done with their private, personal information and data when it is obtained by the federal government. As we trust you know, our federal government's appetite for access to information about all us is insatiable and, for many years, involves numerous strategies, tactics, and technologies, many of which we contend are unconstitutional and deeply troubling.

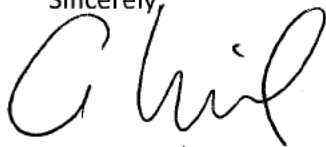
Along these same lines, the ACLU of Ohio also believes your office's review should study non-OHLEG access to Ohioans' drivers' license photos and information obtained by private third parties via the Bureau of Motor Vehicles. Our understanding is the State of Ohio BMV routinely sells and provides this information to numerous non-government entities under Ohio's public records laws.

Our concern is the dissemination of such information can and may lead to private entities partnering with government agencies to share such information for unknown purposes. In other words, what good are potential restrictions on federal government access to Ohio's facial recognition database and/or OHLEG if they can obtain the same information themselves or via private, third parties in other ways?


As always, our goal is to preserve Ohioans' privacy and inform them regarding the variety of ways information about themselves is given, sold, shared or traded with other government and non-government entities and what those entities do with that information.

We wish you and your office the best regarding your ongoing review and encourage you to contact us if you have any questions, concerns or would like additional information.

Sincerely,



Gary Daniels
Chief Lobbyist
ACLU of Ohio



Jocelyn Rosnick
Advocacy Director
ACLU of Ohio

