

BRENNAN
CENTER
FOR JUSTICE

Brennan Center for Justice
at New York University School of Law

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July 5, 2018

Via Online Form

Records Access Officer
New York City Comptroller's Office
One Centre Street, Room 602
Municipal Building
New York, NY 10007
foil@comptroller.nyc.gov

Via Certified Mail

Records Access Officer
NYC Police Department
F.O.I.L. Unit – Legal Bureau
One Police Plaza, Room 110-C
New York, New York 10038

Re: Freedom of Information Law Request

Dear Sir or Madam:

This is a request under the New York Freedom of Information Law (“FOIL”), N.Y. Pub. Off. Law §§ 86, 87 on behalf of the Brennan Center for Justice at NYU Law (“Brennan Center”). The Brennan Center seeks information regarding the input data used to generate predictions through the New York Police Department’s (“NYPD”) predictive policing software.

Background

At least as of 2013, NYPD has employed predictive policing algorithms to help determine resource allocation and crime analysis.¹ As of 2017, predictive policing algorithms were deployed for six distinct areas of crimes - “shootings, burglaries, felony assaults, grand larcenies, grand larcenies of motor vehicles, and robberies” – with an independent algorithm

¹ E. S. Levine et al., “The New York City Police Department’s Domain Awareness System,” *Interfaces* (2017): 4.

assigned to each type of crime.² These algorithms are built to allow easy visualization of the records driving their predictions for officers employing the technology.³ Each algorithm employs different types of records of events occurring within the previous three years (such as 911 calls for shots fired and the NYPD's shootings database for future shootings predictions).⁴

The Brennan Center is a non-partisan law and policy institute dedicated to protecting the values of Constitutional democracy. Information received pursuant to this request will inform our research and public education efforts on the use of modern policing technologies.

Request

The Brennan Center specifically requests the following records under FOIL:

1. **Input Records for the Predictive Policing Algorithm Used to Predict Shootings:** Any and all records fed into the shooting algorithm for the purposes of training said algorithm and/or generating predictions from said algorithm, beginning on January 1, 2013, or the earliest date on which such algorithm was first deployed for the purposes of determining resource allocation at the NYPD, through December 31, 2017.
2. **Input Records for the Predictive Policing Algorithm Used to Predict Burglaries:** Any and all records fed into the burglaries algorithm for the purposes of training said algorithm and/or generating predictions from said algorithm, beginning on January 1, 2013, or the earliest date on which such algorithm was first deployed for the purposes of determining resource allocation at the NYPD, through December 31, 2017.
3. **Input Records for the Predictive Policing Algorithm Used to Predict Felony Assaults:** Any and all records fed into the felony assaults algorithm for the purposes of training said algorithm and/or generating predictions from said algorithm, beginning on January 1, 2013, or the earliest date on which such algorithm was first deployed for the purposes of determining resource allocation at the NYPD, through December 31, 2017.
4. **Input Records for the Predictive Policing Algorithm Used to Predict Grand Larcenies:** Any and all records fed into the grand larcenies algorithm for the purposes of training said algorithm and/or generating predictions from said algorithm, beginning on January 1, 2013, or the earliest date on which such algorithm was first deployed for the purposes of determining resource allocation at the NYPD, through December 31, 2017.
5. **Input Records for the Predictive Policing Algorithm Used to Predict Grand Larcenies of Motor Vehicles:** Any and all records fed into the grand larcenies of motor vehicles algorithm for the purposes of training said algorithm and/or generating predictions from said algorithm, beginning on January 1, 2013, or the earliest date on which such algorithm was first deployed for the purposes of determining resource allocation at the NYPD, through December 31, 2017.

² *Id.* at 7.

³ *Id.* at 8-9.

⁴ *Id.* at 13.

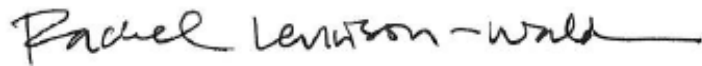
6. **Input Records for the Predictive Policing Algorithm Used to Predict Robberies:** Any and all records fed into the robberies algorithm for the purposes of training said algorithm and/or generating predictions from said algorithm, beginning on January 1, 2013, or the earliest date on which such algorithm was first deployed for the purposes of determining resource allocation at the NYPD, through December 31, 2017.

Response Required

The Brennan Center looks forward to the NYPD's response to this request within five days of receipt, or the alternate "reasonable" date on which the response will be provided, per the statute.⁵ Where records contain a mixture of exempt and non-exempt material, we ask that you release the records with appropriate redactions, as required by FOIL and related case law.⁶ We also request records in electronic format where possible.

Thank you for your prompt attention to this request. If you have any questions, please contact me by phone at (202) 249-7193 or by email at levinsonr@brennan.law.nyu.edu.

Sincerely,



Rachel Levinson-Waldman
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Brennan Center for Justice at NYU Law School
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⁵ N.Y. Pub. Off. Law § 89(3)(a)

⁶ *See, e.g.* Gould v. New York City Police Dep't, 89 N.Y.2d 267, 275 (1996) ("blanket exemptions for particular types of documents are inimical to FOIL's policy of open government").