



Cities Take Lead On Blocking Facial Recognition Tech

Because there are no federal regulations to limit the spread of facial recognition technology, local activists across the nation are demanding action from cities, counties and states to stop it. □ TN Editor

Cities and states are leading the crackdown on using facial recognition as lawmakers in Congress struggle to find a path to address concerns over the emerging technology.

Privacy and civil rights advocates have castigated facial recognition as overly invasive and potentially discriminatory. But with Washington appearing slow to act, critics are now targeting their efforts at the state and local level, where they believe legislation to restrict the technology can move faster and tougher action is likelier.

Their campaign has been bolstered by a series of wins in recent weeks. San Francisco last month became the first city to ban local government

agencies from using facial recognition technology, followed last week by Somerville, Mass.

Meanwhile, several states are weighing proposals that would limit or temporarily halt the government's use of the sensitive tech.

"The value of cities, and states as well, is that they are the laboratories of democracy," Jacob Snow, an attorney with the American Civil Liberties Union (ACLU), told The Hill in a phone interview. "It's been heartening to see that right now they are leading the charge to limit face surveillance."

On Capitol Hill, lawmakers have pledged they will offer bipartisan legislation on facial recognition technology sometime this year, but so far the most substantive action has been limited to a series of House Oversight Committee hearings.

"Congress is still in the early stages of educating itself about facial recognition," Sen. [Ron Wyden](#) (D-Ore.), who has been raising concerns over the technology for years, said in a statement to The Hill. "And I fear by the time it does, the train will have left the station."

Activists are hoping to ultimately direct the local grassroots passion toward Congress as they push for a temporary ban or at least more regulation.

Facial recognition technology, which scans people's faces for the purpose of identifying them, has swept across the country in recent years without any government regulation or oversight. There is no federal law that provides safeguards on face scanning, a form of biometric surveillance.

While it's difficult to determine how many law enforcement agencies currently use facial recognition technology, a 2016 study by the Georgetown Center on Privacy and Technology found that at least one on in four police agencies can run facial recognition searches. And according to market research firm Grand View Research, the government "facial biometrics" market is expected to spike from \$136.9 million in 2018 to \$375 million by 2025.

Skeptics of the government's use of the technology - a coalition that includes civil liberties and civil rights activists and some leading tech companies - warn that it can provide authorities with unprecedented access to the daily lives of every person in the U.S., opening the door to a litany of privacy violations that could erode freedoms and raise the specter of constant surveillance.

And multiple studies have shown that some facial recognition technology is more likely to misidentify women and people of color, an issue that emerges when the software is trained on datasets of largely white men.

As airlines set up face scanners and police officers deploy the technology to find criminals, critics uniformly are calling for a halt.

"If we don't act quickly and harness the growing backlash to this technology ... and get real restrictions in place at both the local, state and federal level, then I think this technology will spread very quickly," Evan Greer, deputy director of digital rights group Fight for the Future, said. "And that will normalize a type of surveillance that is incredibly invasive."

Activists have launched a number of grassroots campaigns over the past year in states including Washington, California, and Massachusetts to push for local and state crackdowns, tallying up wins despite pushback from law enforcement and some tech trade groups.

Massachusetts is considering a bill that would bar state government agencies from obtaining or using facial recognition technology until the legislature passes regulations.

And in California, legislation that would bar the installation of facial recognition software in police body cameras is making its way through the Senate.

"By adding facial recognition software to police body cams, you are deploying thousands of cameras in California immediately and surveilling ordinary citizens 24 hours a day," California Assemblyman Phil Ting told The Hill, explaining the impetus behind the bill. "I don't know that ordinary citizens like [that surveillance]."

There are no states actively considering all-out bans, largely due to a delicate strategy employed by the coalition of privacy activists across the country, driven by the ACLU. They have targeted cities for bans while calling for a temporary pause, also known as a moratorium, at the state and federal level.

“States and the federal government can do things that cities can’t do in terms of setting up regulatory frameworks,” Ben Ewen-Campen, the city council member who introduced Somerville’s facial recognition ban, told The Hill. “The state has control of our criminal justice system in a way that cities never can.”

San Francisco and Somerville are offering a model for other cities, including Oakland and Berkley, which are considering their own bans.

Ewen-Campen, who cited national polls indicating most voters are skeptical of facial scanning, said he believes cities are acting in the vacuum left by Congress.

“Cities have no choice,” Ewen-Campen said. “Given the fact that right now, there are no regulations at the state or federal level and the technology is light years ahead of any kind of regulation, I don’t see another option.”

[Read full story here...](#)