

Facial Recognition

AO 2023-XX

March 1, 2023

Facial Recognition

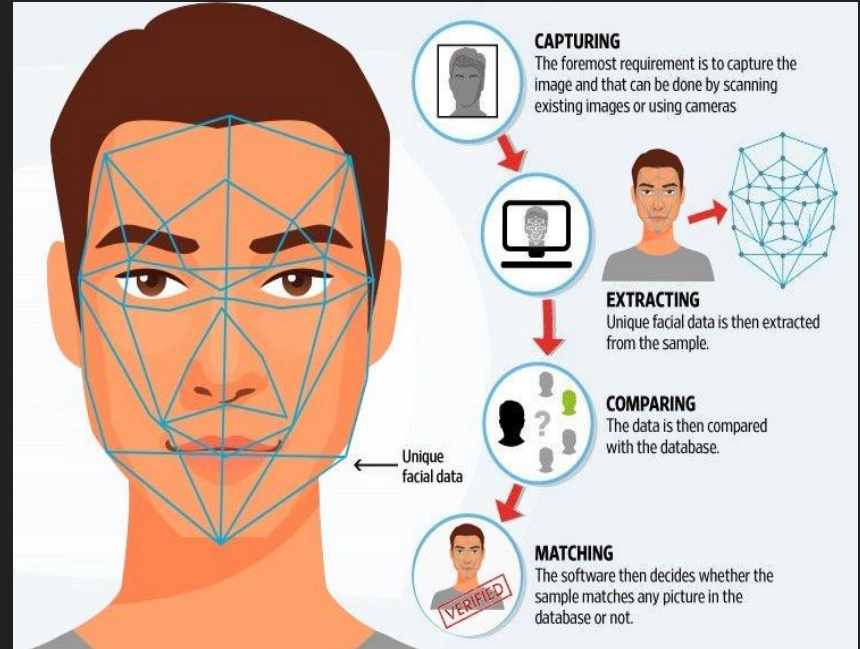
Increasingly common in society

Pervasive, yet not well-known

No federal regulations, guidelines

How it works:

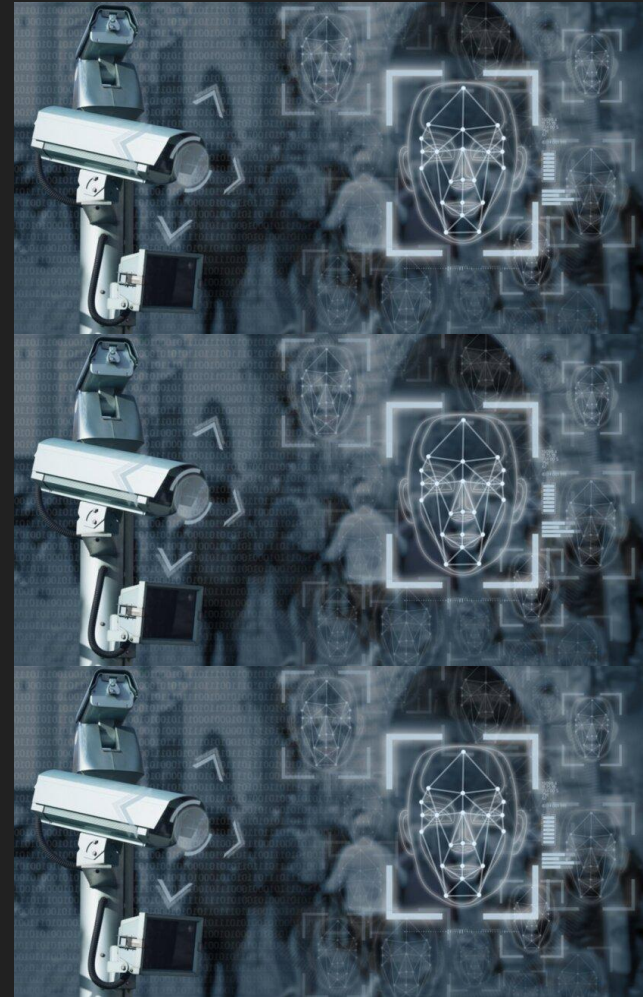
- Maps your face; Most systems assign it a mathematical identifier
- Compares it to some kind of database (driver's license, mug shots, private)



Problems

Inaccuracies and Racist Effect

- Does not always accurately recognize the faces of people of color
- Users can lower “confidence levels” if they do not get matches, leading to even lower accuracy for identification
- Disproportionately affect people of color by mis-identifying PoC most frequently of all demographics
 - Robert Williams
 - NIST study: False positive vs. False negative; 10 to 100 times disparity



Problems (cont.)

Lack of existing regulation and oversight

- No regulation requiring transparency from FR companies
- No current Muni policy

Data Privacy concerns

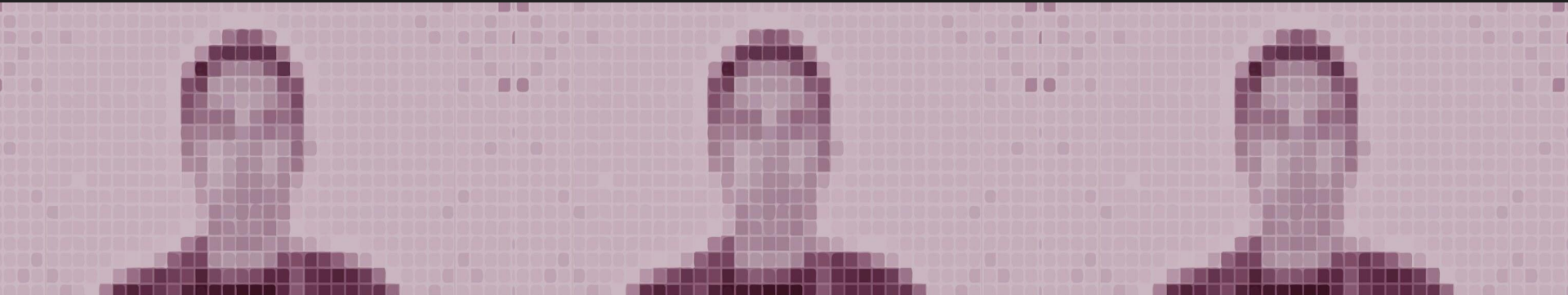
- Unlike other forms of data, faces cannot be encrypted
- Data breach involving facial recognition data would increase potential for identity theft, stalking, and harassment
- Can't change face unlike passwords and financial data
- No consent
- Potential for abuse/misuse



Ordinance Language

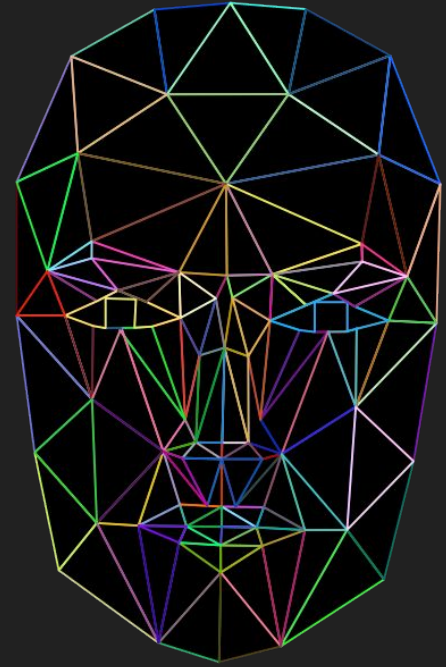
Ban it, allow certain narrow exceptions for limited purposes:

- Prevent the municipality from acquiring the technology and from conducting business with facial recognition companies
 - Provide definitions for FR software
- Financial penalties, employee discipline for using it
- Allow carve-outs for partnerships w/other agencies, personal devices



Goals

1. Protect civil liberties and individual data privacy
2. Prevent the Muni from relying on inaccurate, harmful technologies
3. Avoid potential litigation



Questions?

