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N.J. lawmakers look at limiting cops' use of controversial facial-recognition technology

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New Jersey state lawmakers debated cops' use of facial-recognition technology Monday, after the state attorney general ordered police to stop using one controversial company.

The bill (A1210) in front of the the state Assembly's Science, Innovation and Technology Committee would require towns to hold public hearings before officers use any version of the technology.

But many people who testified called for an outright ban.

The hearing partially revolved around one New York-based company called Clearview AI. On Jan. 24, state Attorney General Gurbir Grewal told cops to stop using Clearview until officials better understood the company's tactics.

Clearview scraped more than three billion photos from social media, according to The New York Times, leading Twitter to send the group a cease-and-desist letter and Facebook and LinkedIn to investigate what had been taken, according to spokespeople.

While the size of Clearview's database is unique, other companies have written programs that can also search through mountains of photos to find your face.

Critics raised concerns Monday about whether near-instant identification could end privacy as we know it.

The combination of people dumping personal information online and a general lack of regulation threatens people's ability to walk outside without being watched, said Helen Nissenbaum, an information sciences professor at Cornell Tech.

The use of facial recognition to identify people in public is "not compatible with a free society," she said.

Others said losing that tool completely would hurt officers' ability to quickly gather information about suspects.

Sex traffickers and terrorists had been identified using facial recognition, said Drake Jamali, who works for the Security Industry Association, a group that represents some facial-recognition companies. Jamali acknowledged that there were transparency issues, and he said that they were open to regulation.

Officials with the state attorney general's office said that they were developing rules that would say when police could use the technology. Assistant Attorney General Stephan Finkel said those guidelines would also address how officers should be trained and how the data should be stored.

Lawmakers did not publicly support a ban, but did appear concerned.

"If I'm a dictator, I'd love to have access to this technology," Assemblyman Herb Conaway, D-Burlington, said during the hearing at the Statehouse in Trenton.

Conaway also flagged ways that bias can be written into these programs. Many minority groups, especially black women, were more likely to be falsely identified by current facial-recognition technology than whites, according to a recent federal study by the National Institute of Standards and Technology.

State Police and the Motor Vehicle Commission use facial recognition technology, while some large municipal police departments — Newark, Camden, Jersey City — do not, according to spokespeople.

Officials are still assembling a list of what departments used Clearview specifically.

The Bergen County Prosecutor's office used the software during one investigation into potential child predators, although that operation relied primarily on undercover officers. Clifton police briefly used Clearview's free trial, according to a spokesman, but the department did not pay for a subscription.

Tor Ekeland, an attorney for Clearview AI, said in a statement that they are in contact with Grewal's office and "look forward" to "working with them to answer any questions."

No vote was taken Monday on the public hearings bill.

A few states have regulated the software in general. Across the river, New York lawmakers are weighing several proposals, including one bill that would prohibit the technology from being linked to officer cameras.

New Jersey lawmakers also voiced concerns about a northjersey.com report that listed 30 towns where officers can gain access to doorbell-camera footage from the Amazon-owned Ring company.

Christine Hoffman, deputy director of the criminal justice division, said they would take a closer look at that.