

**STATEMENT OF FLOYD ABRAMS BEFORE THE MASSACHUSETTS SPECIAL
COMMISSION ON FACIAL RECOGNITION**

I am an attorney who is representing Clearview AI in a number of pending litigations. My legal background is primarily in the First Amendment area, in which I have represented clients in numerous landmark cases before the U.S. Supreme Court, ranging from the Pentagon Papers Case in 1971¹ to the Citizens United Case in 2010.² I have written three books on the topic, the most recent of which was “The Soul of the First Amendment.”³ I have taught courses through the years at a number of law schools, including courses this year at Yale and Columbia.

On that topic, I would say only that the Supreme Court has, in the clearest and least ambiguous language, held that the “creation and dissemination of information are speech within the meaning of the First Amendment.”⁴ That is precisely what Clearview does. It collects information — photographs posted on the public Internet — and compares those photographs within its search engines to ones provided to it by its law-enforcement clients. So when various law-enforcement entities sought to determine who had participated in the events at the U.S. Capitol this January, they sought Clearview’s assistance in determining if their sometimes partial or fleeting photos of those involved in criminal conduct could be matched with publicly posted photos on the Internet.⁵ That is what Clearview does and the First Amendment protects it when it does so.

My prime purpose in appearing today, though, is not to talk with you about the First Amendment, but Clearview’s indispensable role in helping to bring criminals in general — and child sexual predators in particular — to justice. That is the impact of Clearview’s technology. I am, for your information, enclosing with this testimony three affidavits submitted by law-enforcement personnel from around the country describing investigations where Clearview’s technology was used to rescue young children from the horrors of child rape and sexual exploitation.⁶

I will give but one example here, submitted by Michael Williams, a retired Supervisory Special Agent (“SSA”) who until recently was in charge of the child-exploitation unit at the Homeland Security Investigations office in Portland, Oregon.⁷ In May 2019, SSA Williams received a series of images from the National Center for Missing and Exploited Children depicting

¹ *New York Times Co. v. United States*, 403 U.S. 713 (1971).

² *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010).

³ Abrams, “The Soul of the First Amendment,” Yale U. Press 2017.

⁴ *Sorrell v. IMS Health Inc.*, 564 U.S. 552, 570 (2011).

⁵ *The facial-recognition app Clearview sees a spike in use after Capitol attack*, NEW YORK TIMES, Jan. 9, 2021; *Local Police Force Uses Facial Recognition to Identify Capitol Riot Suspects*, WALL STREET JOURNAL, Jan. 8, 2021.

⁶ See Williams Aff. (annexed as Exhibit 1); Metcalf Aff. (annexed as Exhibit 2); Webb Aff. (annexed as Exhibit 3).

⁷ Williams Aff. ¶ 1.

the brutal sexual abuse of a prepubescent girl by her father.⁸ The child victim was approximately six years old at the time.⁹

Using traditional investigative techniques, agents scoured the photos for clues about the location and identities of the child and her abusive father.¹⁰ Unfortunately, consistent with many child-exploitation cases conducted using traditional investigative techniques, these efforts were unsuccessful and the child was subjected to further sexual abuse by her father.¹¹ At the time, SSA Williams did not have access to the Clearview app, so following this dead end, he sent images of the suspect to an agent at another law-enforcement entity, who was able to run them through Clearview's search engine and find an image of the suspect in the background of a photo taken at a bodybuilding convention.¹²

The agent scrutinized the image and noted that the suspect was standing in a booth selling supplements and other fitness-related items, and that the booth bore the name of a company.¹³ The agent contacted the company and showed its representatives the image of the suspect.¹⁴ The company gave the agent the suspect's name, which enabled the agent to conduct additional fact-finding and eventually learn that the suspect lived in Las Vegas.¹⁵ The agent contacted authorities in Las Vegas, who gathered additional evidence, obtained and executed a search warrant, and arrested the suspect based on probable cause.¹⁶ In September 2020, the suspect was sentenced in Nevada federal court to 35 years in prison for repeatedly sexually assaulting a child, producing images of the sexual abuse, and possessing hundreds of images and videos of child sexual assault.¹⁷

SSA Williams concluded that “[b]ecause there were no other leads in this case, I am confident that the six-year-old victim would have been subjected to further abuse by her father had we not been able to use Clearview's facial-recognition technology.”¹⁸ These sentiments are representative of the other affidavits, which state that hundreds of similar cases would not have been solved had law enforcement not been able to use Clearview's technology. As summarized by another law-enforcement official whose affidavit is annexed, “[w]ithout Clearview's facial recognition technology, hundreds of children would continue to be raped, and the recordings

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.* ¶ 8.

¹¹ *Id.*

¹² *Id.* ¶¶ 9-10.

¹³ *Id.* ¶¶ 10-11.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.* ¶ 12.

¹⁸ *Id.* ¶ 11.

shared on the Internet for the world to see.”¹⁹ There is a child’s face associated with every one of those cases.

New technology often raises new privacy concerns. Photography itself was controversial in its earlier days. A *New York Times* article published on August 18, 1899, entitled “*Kodak Fiends*” *At Newport*, observed that a summer resident of Newport, Rhode Island, “went to his lawyer this morning to ascertain if the laws were so framed that an assault could be charged against those who use a kodak against the will of the people who object to being so photographed.”²⁰

Clearview has gone to extraordinary lengths to address these concerns, limiting its technology to legitimate law-enforcement and investigative purposes by government agencies, and implementing several state-of-the-art safeguards to secure its data. Taken together, these safeguards demonstrate that Clearview has taken account of the legitimate privacy concerns of the public and the interests of law enforcement in rescuing children who are being violently raped and sexually exploited, often by their own parents. Facial-recognition technology is controversial. Clearview’s technology is protected by the First Amendment and is being used — as I speak — to help bring these children to safety.

¹⁹ Metcalf Aff. ¶ 19.

²⁰ “*Kodak Fiends*” *At Newport*, NEW YORK TIMES, Aug. 18, 1899.

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

*In re Clearview AI, Inc. Consumer Privacy
Litigation*

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) Case No. 1:21-cv-00135
)
) Judge Sharon Johnson Coleman
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) Magistrate Judge Maria Valdez
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**AFFIDAVIT OF MICHAEL WILLIAMS IN OPPOSITION TO
PLAINTIFFS’ MOTION FOR A PRELIMINARY INJUNCTION**

COUNTY OF WASHINGTON)
) ss.:
STATE OF OREGON)

MICHAEL WILLIAMS, being duly sworn deposes and says:

1. My name is Michael Williams, and I am a retired Group Supervisor/Supervisory Special Agent from the Homeland Security Investigations (“HSI”) office in Portland, Oregon. I was an investigative and law-enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7) and was empowered by law to conduct investigations and make arrests for felony offenses. At the time of my retirement in December 2019, I had been a federal law enforcement officer for more than 23 years. I spent the last ten years of my career as a manager, and the first 13 years as a Special Agent/Criminal Investigator. Before I began working in federal law enforcement, I was a Deputy Sheriff for the Clackamas County Sheriff’s Office in Oregon City, Oregon.

2. I have received extensive training and practical experience relating to federal criminal procedure, federal criminal statutes, U.S. immigration and nationality law, U.S. customs

laws and regulations, and other federal and state laws. I have attended the Criminal Investigator Training Program and the Immigration Officer Basic Training Course at the Federal Law Enforcement Training Center in Brunswick, Georgia. I also attended the Basic Police Academy at the Oregon Department of Public Safety Standards and Training in Monmouth, Oregon.

3. From June 2014 through December 2019, I supervised HSI's investigative group handling child-exploitation, anti-money laundering, intellectual-property rights, customs fraud, and counter-proliferation investigations. During that time, I also supervised the computer forensics program and the agents who worked in that program. From July 2013 through April 2014, I served as the Acting Assistant Special Agent in Charge of the HSI Portland office, which included the supervision of all personnel in Oregon and southwest Washington. From May 2012 through June 2014, I supervised the investigative group for narcotics, bulk cash, and contraband smuggling. From December 2009 through May 2012, I supervised the investigative group handling national security, public safety, and critical infrastructure. Finally, from April 1996 through December 2009, I was a Special Agent/Criminal Investigator within HSI's Portland office working in a variety of investigative case areas.

4. I earned a Bachelor's Degree from Portland State University in Administration of Justice in 1994.

5. Since then, I have completed numerous trainings to hone my law enforcement skills. For example, in 2018, I attended the Intellectual Property & Trade Enforcement Investigations Course at the National Intellectual Property Rights Coordination Center in Arlington, Virginia. In 2015, I successfully completed the Internet Crimes Against Children Unit Supervisor Training Program at the U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, in Alexandria, Virginia. In addition, I completed

trainings in federal asset forfeiture through the Oregon Narcotics Enforcement Association in 2012; supervisory leadership trainings at the Immigration and Customs Enforcement Academy in Dallas, Texas, in 2010 and 2011; and other law-enforcement-related training sessions in various program areas. Given the nature of my work, I received a Top Secret/Sensitive Compartmented Information security clearance from the U.S. government that remains valid until November 2023.

6. As a Group Supervisor/Supervisory Special Agent for the HSI Portland office supervising the child-exploitation program, between June 2019 and December 2019 (when I retired), I directly supervised a Special Agent within the group who was authorized to access and use the Clearview AI (“Clearview”) app to investigate crimes involving child-exploitation.

7. Clearview’s facial-recognition technology has been instrumental in bringing victims of child sexual exploitation to safety, and their abusers to justice. For example, in May 2019, HSI received a series of images from the National Center for Missing and Exploited Children depicting the brutal sexual abuse of a prepubescent child by her father. The child victim was approximately six years old at the time.

8. Agents scoured the photos for clues about the location and identities of the child and her abusive father. Unfortunately, consistent with many child-exploitation cases conducted using traditional investigative techniques, these efforts were unsuccessful, and the child was subjected to further sexual abuse at the hands of her father.

9. Following this dead end, images of the suspect were sent to other groups specializing in child sexual exploitation cases within other HSI offices (including HSI Task Force Officers) asking for their assistance in identifying this person. One of these agents worked on a taskforce with the New York City Police Department and was able to have the suspect’s face run through the Clearview app (which, at the time, my agency did not have access to) by a member of

the police department.

10. Clearview's facial-recognition technology returned an image of the suspect in the background of a photo of other people attending a bodybuilding convention. Although the suspect was not the focus of the photo, Clearview's facial-recognition technology identified him standing in a booth in the background selling supplements and other fitness-related items. The agent used this image as our first lead in the case.

11. The agent scrutinized the image and noted that the booth the suspect was in bore the name of a company. The agent then contacted the company and showed representatives from the company an image of the suspect. The company gave the agent the suspect's name, which enabled the agent to conduct additional fact-finding and eventually learn that the suspect lived in Las Vegas. The agent then contacted HSI Las Vegas, which worked with the Las Vegas Metropolitan Police Department to gather additional evidence, obtain and execute a search warrant, and arrest the suspect based on probable cause and the evidence gathered at the scene of the search warrant in June 2019. This was only days after the suspect had been identified by Clearview's facial-recognition technology. Because there were no other leads in this case, I am confident that the six-year-old victim would have been subjected to further abuse by her father had we not been able to use Clearview's facial-recognition technology.

12. In September 2020, the suspect was sentenced in the U.S. District Court for the District of Nevada to 35 years in federal prison for repeatedly sexually assaulting a child, producing images of the sexual abuse, and possessing hundreds of images and videos of child sexual assault.

13. This example is representative of numerous other investigations throughout HSI where Clearview's facial-recognition technology was used to create leads where none existed.

These leads are always followed up with traditional investigative techniques, which ultimately confirm whether the person identified in Clearview's search results is, in fact, the victim or the suspect. Being able to identify victims is just as important as identifying a suspect because once victims are identified and located, they can be offered the services and benefits so desperately needed to help with what is many times ongoing traumatic physical and sexual abuse.

14. It is important to note that every law-enforcement agency, whether state, local, or federal, all have policies that their personnel must abide by. Within HSI specifically, licenses for Clearview are being limited within each Special Agent in Charge office to just two for those agents conducting or otherwise supporting child-exploitation investigations within their areas of responsibility. Those that will be using Clearview must complete an online-training course for general use of facial-recognition services, and each user will also need to attend virtual training sessions conducted by HSI headquarters' Cyber Crimes Center. HSI's facial-recognition policy states that the technology may only be used when it is relevant and necessary to an ongoing investigation relating to HSI's statutory authorities, or as part of an established HSI program or task force whose use of facial-recognition technology is assessed for its impacts on privacy, civil rights, and civil liberties. In addition, any facial-recognition systems used by HSI may not be used to surveil the general public or used in real-time. Also, any use of facial-recognition systems must be noted in program or system logs, case files, and the case-management system. Regular audits are conducted by the Office of Professional Responsibility to ensure compliance and correct usage of these systems.

15. Based on my training and experience as a law-enforcement officer, and information relayed to me by the agent under my direct supervision who was an authorized Clearview user, I can confirm that Clearview's app has had a substantial positive impact on the ability of HSI to

bring crime victims to safety and identify and apprehend criminals and online predators.

16. Clearview's facial-recognition technology can be analogized with Suspicious Activity Reports filed by financial institutions for use by law enforcement in financial investigations. Both are used as tools at the beginning of investigations to gather information to use as a starting point in a broader investigation. Both tools are powerful, but they are not meant to be used in a vacuum strictly on their accord, but in conjunction with traditional investigative techniques. When these tools are used judiciously and ethically, and I am aware of no instances where they have not been used in this manner, they serve only to supplement investigations. In all cases, the information generated with these tools must be verified, confirmed, and validated before any law-enforcement action is taken.

17. Without the use of Clearview's facial-recognition technology as an investigative tool in child exploitation investigations, I believe that there are cases that would not have been solved by HSI or would have taken far longer to solve using other investigative techniques. This means that countless child victims would have continued to suffer at the hands of their abusers while awaiting rescue by law-enforcement.

18. In my opinion, reducing Clearview's ability to serve its law-enforcement clients would significantly impair the ability of HSI to conduct successful investigations. Reducing Clearview's ability to serve law-enforcement would make my community in Oregon, and communities throughout the nation and the world, less safe, since there are no borders when it comes to crimes committed through the internet.

Michael P. Williams

Michael Williams

Sworn to before me this 29th day of
April 2021

Jean M Brault
Notary Public

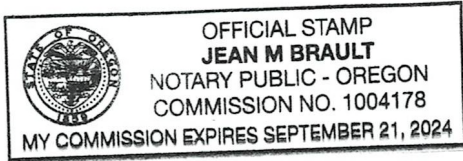


EXHIBIT 2

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

)	
)	Case No. 1:21-cv-00135
)	
<i>In re Clearview AI, Inc. Consumer Privacy</i>)	Judge Sharon Johnson Coleman
<i>Litigation</i>)	
)	Magistrate Judge Maria Valdez
)	

**AFFIDAVIT OF KEVIN METCALF IN OPPOSITION TO
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

COUNTY OF WASHINGTON)	
)	ss.:
STATE OF ARKANSAS)	

KEVIN METCALF, being duly sworn, deposes and says:

1. My name is Kevin Metcalf and, since February 2011, I have been a Deputy Prosecuting Attorney at the Washington County Prosecutor's Office in Arkansas, where I prosecute felonies. I focus on the intersection of technology and crime, which includes substantial work investigating crimes related to the online sexual exploitation of children.

2. In February 2019, I founded the National Child Protection Task Force ("NCPTF") and have been its Chief Executive Officer since that time. The NCPTF is a non-profit organization with approximately 50 volunteers that include active-duty law enforcement officers who volunteer their time to help state, federal, and international law enforcement agencies investigate online child abuse, recover exploited children, and hunt sexual predators and human traffickers. Although the NCPTF sometimes helps law enforcement officers solve technology-related crimes unrelated to child exploitation, including terrorism, their priority is to bring abused and exploited children to safety.

3. The members of the NCPTF help provide detectives, analysts, and officers access to investigative expertise and resources that are unavailable or underfunded in most law enforcement organizations. For example, the NCPTF brings together recognized experts in facial recognition technology, strategic legal applications, open-source intelligence, cellular mapping and analysis, dark-web investigations, and cryptocurrency to aid law enforcement agencies everywhere.

4. Before I became a prosecutor, I worked in law enforcement for more than 20 years. From 1990 to 1998, I worked as a police officer at the Fort Smith Police Department in Arkansas. In 1998, I worked briefly for the Border Patrol in San Diego, California, before returning to the Fort Smith Police Department. After the September 11, 2001 attacks, I worked as a Federal Air Marshall from 2002 to 2007. I left the Federal Air Marshall Service to attend law school, during which I worked part-time for the Washington County, Arkansas, Sherriff's Department. I have been a prosecutor in the Washington County Prosecutor's Office in Arkansas since I graduated from law school.

5. Because many of the crimes I investigate and prosecute involve the online exploitation of children, I need to keep up with the latest technological advances. Accordingly, I have undergone extensive training that includes the National Computer Forensics Training Institute, the National White Collar Crime Center ("NW3C"), and the FBI Cellular Analysis Survey Team, among others. I have also developed a system for working with cell phone-related data in criminal cases, which I teach to other members of law enforcement. I also published a series of instructional books about using technology, such as cellphone data, while investigating crimes. I have recently been asked to develop an advanced cyber investigation course for the NW3C.

6. In 2019, I received the Morgan's Choice Award from the Morgan Nick Foundation. This award recognized my work in recovering children, identifying predators, and developing cyber investigation concepts for law enforcement. In 2019, I also received a national Innovative Campaign Award from Homeland Security Today. This award was given to recognize my work in creating innovative investigative methodologies to find missing, exploited, and trafficked children.

7. Through my work as a prosecutor and with the NCPTF, I have assisted with the recovery of hundreds of missing and exploited children and helped identify and apprehend hundreds of sexual predators in multiple states and countries.

8. For the past year, I have trained in using the facial recognition technology created by Clearview AI, Inc. ("Clearview"). Clearview's app has been an essential tool in my efforts to locate exploited children and bring perpetrators of sexual crimes against children to justice.

9. I could give hundreds of examples of children who were being sexually exploited or raped and were rescued solely because of Clearview, but most cases follow the same general fact pattern. Law enforcement officers find videos and photos on the dark web of children being raped—many are produced by parents, siblings, or other close family members. Law enforcement knows nothing about these children other than the fact that they are being raped and that their videos and photos are being traded or sold on the dark web.

10. Using traditional investigative techniques, law enforcement officers have to carefully scrutinize every second of these rape videos hoping that the perpetrators will make a mistake and reveal a clue, such as a street sign, identification card, or receipt, that could give investigators a lead. On the dark web, predators maintain manuals of changes in the law, technological advances, and the methods investigators use to identify other pedophiles. The ready

availability of these how-to manuals means that predators make fewer mistakes that investigators can use to track them, and children continue to be exploited and raped.

11. Most of the time, law enforcement only has images of helpless children's faces with no way to identify them or bring them to safety. It is fruitless to run the faces of child rape victims, many of whom are prepubescent, through traditional law enforcement facial recognition programs because these programs are typically limited to booking photos. Sometimes, the faces of predators are present, but that is still a long shot as many of the abusers have managed to avoid arrest.

12. Traditional techniques are being used to their maximum effect. Still, the results are predictable — many exploited children continue to be raped by their caregivers, making them much more difficult to detect.

13. When law enforcement officers come to us with the faces of child rape victims or child rapists, we turn to Clearview to triage vast amounts of publicly available information. Clearview generally returns several possible matches for each child, which we then carefully analyze, sometimes with the assistance of "super-recognizers," who have special training in matching photos of people's faces.

14. We make it clear to all agencies we work with that Clearview's search results, even with a secondary triage by a super recognizer, are only a lead. The investigator must understand that he or she has the burden of gathering additional independent corroborating evidence before taking any further action. If the investigator cannot corroborate the leads, no further action can be taken.


15. With Clearview's facial recognition technology, we have helped solve hundreds of child exploitation cases fitting this general fact pattern, even though we are just one organization with approximately 50 volunteers.

16. Clearview's technology helps protect children who would otherwise slip through the cracks — children who have not been reported as missing or abused and are being raped by their parents, family members, or others close to the child.

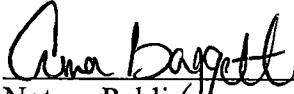
17. Clearview's facial recognition technology helps conserve law enforcement resources by providing possible leads where none exist otherwise. It reduces fatigue and burnout by saving officers from watching hours of footage of children being raped and sexually abused. Investigators, instead of watching every second of these heartbreaking videos trying to find a way to identify the child victims or their rapists, would have another option — they could first run the faces through Clearview's database to generate possible leads.

18. Clearview's facial recognition technology is best used as a way for law enforcement to triage the billions of publicly available photos on the Internet and enable us to cull non-matching images faster and more efficiently than we would otherwise be able to. Clearview has been an essential tool in solving child exploitation cases that are otherwise unworkable. The technology helps bring child rapists to justice, bring children to safety, and save resources in understaffed law enforcement agencies.

19. Without Clearview's facial recognition technology, hundreds of children would continue to be raped, and the recordings shared on the Internet for the world to see. In my opinion, reducing Clearview's ability to serve its law enforcement clients, especially with no other alternatives, would significantly impair law enforcement's ability in Arkansas and nationwide to conduct successful investigations and the ability of law enforcement to make this world a safer place for vulnerable children.


Kevin Metcalf

Sworn to before me this 29 day of
April 2021


Notary Public

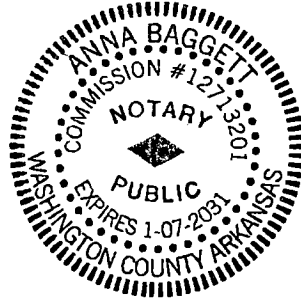


EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

*In re Clearview AI, Inc. Consumer Privacy
Litigation*

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) Case No. 1:21-cv-00135
)
) Judge Sharon Johnson Coleman
)
) Magistrate Judge Maria Valdez
)

**AFFIDAVIT OF JASON WEBB IN OPPOSITION TO
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

COUNTY OF CALHOUN)
) ss.:
STATE OF ALABAMA)

JASON WEBB, being duly sworn deposes and says:

1. My name is Jason Webb, and, since July 2018, I have been a Sergeant at the East Metro Area Crime Center in Oxford, Alabama. From February 2011 to July 2018, I worked as an Investigator, and from October 2007 to February 2011, I worked as a Patrol Officer at the Oxford Police Department in Alabama. From December 2006 to October

2007, I was a Patrol Officer with the Talladega Police Department in Talladega, Alabama. Since May 2015, I have been an FBI-certified law enforcement instructor.

2. I have also been a Board Member of the Alabama Gang Investigator's Association, an organization dedicated to suppressing, understanding, and preventing gang violence and crime. The Alabama Gang Investigator's Association provides elite law enforcement training and intelligence resources to the criminal justice community.

3. I have received several awards throughout my career. When I graduated from the Northeast Alabama Law Enforcement Academy in 2007, I received the Director's Award for graduating first in my class. In 2017, I received the Lifesaver Award from the City of Oxford for saving a citizen's life in the line of duty.

4. In my capacity as Sergeant, my duties include supervising personnel assigned to the East Metro Area Crime Center. Among other things, my work focuses on the intersection of crime and technology. As Sergeant, I am authorized to access and use the Clearview AI ("Clearview") app to investigate a multitude of crimes, including human trafficking and the online exploitation of children.

5. I have conducted nearly 4,000 searches on the Clearview app, and have helped solve numerous crimes that would have remained unsolved had we not been able to use the app. More importantly, there are people alive today who I believe would be dead had we not been able to use the app.

6. My department primarily uses Clearview's app to generate leads in child exploitation cases. Just a few weeks ago, my department, in conjunction with the Internet Crimes Against Children Task Force, solved a case in which we arrested five sexual

predators who were grooming young children on the Internet. In that case, a team of undercover officers posed as prepubescent children in chatrooms and were approached by pedophiles who were seeking to sexually exploit young children. Online sexual predators often send photos of their genitals to young children, and some of these photos include images of the predators' faces. In this case, we were able to run these photos through Clearview's app and immediately determine the identities of the suspects. This gave us a lead, which enabled us to conduct additional fact-finding. Based on our subsequent investigation, we were able to establish probable cause, obtain a warrant, and take these child predators off the street.

7. Using traditional investigative techniques, we would have had to go through a lengthy process to try to identify the IP addresses of the sexual predators. While this process generally takes between two to three weeks, if it is successful at all, Clearview's app produces results instantaneously. During those two to three weeks or longer, sexual predators can do untold damage, and ruin the lives of kids I am sworn to protect. Put simply, the harm from sexual crimes committed against children can never be taken away. Clearview prevents these crimes from happening.

8. Although Clearview's facial recognition technology is indispensable in our investigations of the sexual exploitation of children, this is not its only use. In a recent case, a police department in northern Alabama sent me a picture of a man who had committed a violent home invasion. The victims' doorbell camera photographed the man approaching the front door of the house with a gun in his hand. I ran the photo through Clearview's search engine and immediately identified the suspect. I gave this

information to the local police department, and they used it as a starting point in an investigation, which ultimately led to the man's arrest. Because our only evidence in this case was the photograph of the man approaching the door, I believe that this crime would not have been solved had we not been able to use Clearview's facial recognition technology.

9. In another case, in January 2020, my department received a report of multiple car break-ins in the parking lot of a gym. I pulled surveillance footage from the parking lot and determined that the suspect drove a Dodge truck.

10. I tracked the Dodge truck to a local Walmart where the perpetrator exited the vehicle and entered the store. The perpetrator was caught on store cameras purchasing cash cards using credit and debit cards that matched those stolen from the cars in the gym parking lot. Using this surveillance footage, combined with screen capture software, I was able to go frame by frame and find a clear image. I ran the image through the Clearview database and received three positive hits matching the perpetrator to mug shots from a county in Georgia.

11. I then found news reports identifying a man who matched the mug shots. This man had multiple outstanding warrants, and a history of theft from cars at gym parking lots followed by purchases of cash cards from Walmart. I used this lead to pull the suspect's case file from Georgia. Using the case file, I confirmed the perpetrator's identity by matching the perpetrator's arm tattoo from the surveillance footage to the mug shots.

12. I used this information to obtain a warrant, and the suspect was later apprehended

in Georgia for multiple outstanding arrest warrants. A hold was placed for the crimes he had committed in Alabama. This arrest has also led to the resolution of crimes in other locations. I believe that these crimes would have remained unsolved had we not been able to use Clearview's facial recognition technology.

13. In yet another case, following the January 2021 events at the U.S. Capitol, I used Clearview's app to generate a list of approximately 20 suspects, which I provided to the FBI.

14. Clearview's facial recognition technology also helps identify unknown murder victims, which significantly shortens our investigations.

15. We have also used Clearview's facial recognition technology to identify people who have overdosed on narcotics and have been left curbside at hospitals by fellow drug users who are afraid to reveal to authorities that they have been using drugs with, or supplying drugs to, the patient. Clearview's app allows us to identify these people instantaneously so that the doctors can pull their medical records, provide effective treatment, and notify their families.

16. It is critical to note Clearview's search results are just the starting point of an investigation, which law enforcement officers must diligently and thoroughly perform. I am an instructor on how to properly use Clearview's app, and in my training sessions, I emphasize that Clearview search results, standing alone, are not sufficient to establish probable cause. I emphasize that Clearview should be treated like a tip from a reliable source, and that the investigation does not end once a match has been made. I instruct law enforcement that a match on Clearview should be followed up with further

investigation to find corroborating evidence. Only then may officers proceed to get a warrant.

17. Based on my experience and training as a law enforcement officer and a Clearview user, I can confirm that Clearview's app has had a positive impact on the ability of my office to protect crime victims and identify and apprehend perpetrators.

18. Clearview helps my department solve crimes that we would not otherwise be able to solve. Without it, I have no doubt that my community in Alabama — and communities throughout the country — would be more dangerous.



Jason Webb

Sworn to before me this 30 day of
April 2021

Notary Public

My Commission Expires September 18, 2023