

July 30, 2021

Commission on Facial Recognition  
Senator Jamie Eldridge and Representative Michael S. Day, Co-Chairs

Public Comment  
Government Use of Facial Recognition Technology

Dear Senator Eldridge, Representative Day, and members of the Commission,

My name is Maty Cropley, and I am a union librarian that works with teenagers in the City of Boston. I am also a member of Library Freedom Project (LFP), an organized group of librarians that advocate for and educate our colleagues in the library and library users in our communities on issues of technology and power. I am writing to provide some comments about the use of facial recognition technology in Massachusetts. I have previously testified before the Judiciary Committee and the Boston City Council in support of proposed bans and moratoriums on the use and acquisition of facial recognition technology at the state and city level on behalf of both my union and LFP.

Today I am here to testify, not on behalf of any of the professional or advocacy groups in which I claim membership, but from my own perspective. I am here today to urge you to consider both bills H.135 and S.47, because of what I see going on with this tech from where I am at: the extension of the anti-youth bias prevalent in the US, via technology, into the lives of young people and the institutions who are nominally tasked with their enrichment and education. We are shaping a world, by deploying technologies like facial recognition and other types of biometric surveillance into our institutions, in which young people will have to more perfectly perform the dominant paradigm and submit to invasive surveillance and scrutiny just to be able to participate in their own education and enrichment. Or otherwise face the consequences.

You might be like what is this person talking about? We are here to talk about facial recognition and police. Please do not misunderstand me: along with many of the other folks here I also want to keep this tech out of the hands of police.

But restricting or banning the use of facial recognition technology by police only does not go far enough. You'll note that in the omnibus bill signed by Governor Baker in December 2020- "An Act Relative To Justice, Equity And Accountability In Law Enforcement In The Commonwealth" – the bill only regulates facial recognition technology as used by police. It neither prohibits nor regulates when this technology can or cannot be used by public agencies of a different nature, for example schools or local parks departments – even libraries? – all places where young people go.

I do a lot of reading and research on surveillance and technology as part of my work to bring programs and workshops to the library. I read about test proctoring applications like Proctorio, which use facial analytics including recognition, to administer exams online. I read about employers using facial analytics like affect recognition that purports to be able to determine applicants' mood and emotions during a job interview. And I read about face analysis tech being deployed for access to social benefits; in housing, medicine and finance.

Let me get to the point: is this the kind of world do we want to leave for these young people? We have to go further than what has already been done on restricting this technology. Whatever regulation or bans we water down now and whatever we punt on, these young people are going to have to deal with now and fight later. Are we really going to prioritize the interests of police, who just want more power and money, and tech companies who want more power and profit, over a future for these young people coming up behind us that is free of the type of scrutiny they are selling?

Let's face it: they talk about slippery slopes but we are on the slope and we are slipping. This type of tech is ubiquitous and moving into more and more sectors. Its getting smaller, more portable and connected to more types of databases of personal information. These kids are going to be confronted with it every step they take through life if we don't act now.

If we want safety, we have to find another way to it than police and surveillance: a cop or a manager with a camera and a computer cannot do safety. If we want safety, look to the work of the abolitionists; see the work being done to develop alternatives to police in some communities in the US. Let's make that here. And we can do that by moving money away from systems of punishment and into communities to fund the work on prosperity and safety already being done by leaders there.

We have to do the right thing for these kids: on surveillance, on police, on capitalism, on climate change- or they are going to be smoking our bleached out bones in a decade or two.

In the meantime, I urge you to consider and pass bills H.135 and S.47. Thanks for your time.

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