

STATEMENT OF JESSICA MEDEIROS GARRISON BEFORE THE MASSACHUSETTS SPECIAL COMMISSION ON FACIAL RECOGNITION

July 30, 2021

I have so little time and so many things to convey so please forgive me if I talk fast. I would like to take my time to quickly address a few common misunderstandings surrounding our technology.

1. FACIAL RECOGNITION TECHNOLOGY IS SURVEILLANCE.

This is not correct. Surveillance is the live monitoring of behavior, activities, or information. A platform like Clearview AI is used to generate leads connected to an incident after an event has occurred. The process of uploading an image of a suspect, victim, or person of interest after an incident occurs is not “monitoring” or “surveillance” of an individual. Rather, it is an information gathering step in the investigative process equivalent to having an eyewitness review images to see if they recognize a face (although arguably the AI will be more accurate than the eye witness). Significant bias exists in the human eye: 70% of wrongful convictions result from eyewitness lineups, according to the Innocence Project.^[1] Facial recognition, allows this process to be advanced and accurate, thus delivering more timely and reliable leads.

2. FACIAL RECOGNITION TECHNOLOGY IS RACIALLY BIASED.

Nearly every facial recognition platform exhibits demographic differentials, but advanced AI-driven solutions, used by Clearview AI, are trained on a diverse dataset of ethnicities to mitigate racial bias. Unlike older algorithms which use manual measurements, advanced algorithms use a form of artificial intelligence called a “neural network”. A facial recognition solution built on a diverse data set will, in fact, help communities of color. Eyewitness identification and testimony is historically unreliable due to uncontrolled elements such as age, distance, eyesight, memory, stress, fear, chaos, time lapse, and potential persuasion. In direct contrast, modern facial recognition has advanced far beyond the human eye and can largely eliminate misidentifications. The facial recognition algorithm produces a set of potential matches that are then reviewed by human investigators and trained analysts who serve as peers in the review process. At this time Clearview AI is unaware of any wrongful arrests by law enforcement using its technology.

3. WHY IS OUR DATASET SO CRUCIAL TO HELP SOLVE CRIMES AND RESCUE VICTIMS?

A search against the DMV data set is extraordinarily limiting. Quite simply, this will not identify deceased children, adolescent victims, or violent crime suspects traveling through the state that do not exist in the DMV data set. The State of Maine is a low crime, low population state. The probability of identifying a dangerous suspect against its own DMV dataset is minimal. Citizens of Maine, just like the citizens of Massachusetts, should be concerned if the only data set its government wants to make available for law enforcement

is restricted to only that of its own community. This significantly increases the likelihood of misidentifications and completely omits the important work being done with facial recognition to identify children who are abused and whose images appear online.

4. LOCAL LAW ENFORCEMENT SHOULD BE BANNED FROM USING THIS TECHNOLOGY.

In most instances, where a police response is required, it is local law enforcement who responds. Whether that be a crime in progress, a child gone missing or sadly, when an unidentified deceased person is found, it is local police who most often respond. In order to do their jobs well, time is never on their side, especially when a crime is in progress such as an Amber alert situation. Local police should not be required to “go through” either the state police or the FBI to access crucial information which may save lives. Please see a case study reiterating this point I will submit to the commission .

5. LATELY, THERE IS A MISCONCEPTION THAT LAW ENFORCEMENT’S USE OF FACIAL RECOGNITION IS A “FREE FOR ALL”.

Clearview AI has features in place to foster compliance with policies, regulations and industry best practices. We believe agencies should establish policies when using the technology. We have built our solution to allow for greater system oversight, intake reporting and administrative tools to ensure responsible use, integrity checks and agency accountability.

In conclusion, we are proud of the steps we have taken to set what we believe should be a model for the use of facial recognition technology and look forward to working with this commission to solidify those best practices. Clearview AI has built an industry-leading investigative platform, meeting the four principles of compliance, responsibility, transparency, and performance as outlined in the recently published framework by the GAO for law enforcement agencies considering the use of facial recognition technology. We welcome all opportunities to be part of the public policy dialogue in building out the best AI tools to enhance public safety.

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^[1] <https://innocenceproject.org/eyewitness-identification-reform/>