

FACE SURVEILLANCE & GOVERNMENT INTRUSION

FACE SURVEILLANCE TECHNOLOGY THREATENS OUR PRIVACY AND BASIC FREEDOMS.

Face surveillance technology gives the government **unprecedented power** to track who we are, where we go, what we do, and who we know.

- Face surveillance threatens to create a world where people are watched and identified as they attend a protest, congregate at a place of worship, visit a medical provider, and go about their daily lives.
- Every US city has public surveillance cameras. With a simple software update, each camera could be supercharged, serving as merely one node in a network of ubiquitous face surveillance.
- Using face surveillance, the government doesn't need to stop and question you to observe you in public and identify you. They don't need personal documents, fingerprints, or your phone — they just need to see you on camera.
- All this happens at a distance, without your knowledge. You can't refuse this kind of search. You can leave an ID card at home; you can't leave your face.
- Without safeguards, face surveillance enables individual agents to identify a person and learn highly private and sensitive information about them, with nothing more than an image of that person's face.

FACE SURVEILLANCE TURNS ORDINARY PEOPLE INTO SUSPECTS.

Face surveillance technology threatens to create a secret, **perpetual lineup** — in which ordinary people are implicated without their knowledge.

- Since 2006, the Massachusetts Registry of Motor Vehicles (RMV) has made their driver's license database available to state and federal agencies for facial recognition searches. The RMV never disclosed this information to the public.
- This means that millions of people who applied for driver's licenses were not told they would be submitting their biometric information to a database of faces — one that is now being used for criminal investigations.
- Federal agencies can request face recognition scans of the RMV's database, which means millions of ordinary people are at risk of being misidentified or deemed suspicious by unregulated software, without knowing why.
- We don't know what standard, if any, these agencies have to meet for the RMV to grant a face scan request. With no laws, regulations, or public disclosure, we simply do not have a full picture of the government's use of face surveillance.

WE CAN'T LET TECHNOLOGY GET OUT AHEAD OF OUR BASIC CIVIL RIGHTS AND CIVIL LIBERTIES.

We need to **press pause** on government use of face surveillance.

- This technology is being used right here, right now by state and federal agencies. It's proliferating largely in secret, without any legislative, judicial, or public oversight.
- The Fourth Amendment protects us from "unreasonable searches and seizures," but face surveillance enables the government to violate that protection with disturbing ease, using our faces to track us automatically — no matter where we are or where we've been — without judicial oversight.
- The 14th Amendment requires "due process of law" for everyone, but police and prosecutors have not disclosed their use of face surveillance technology in court. This leaves people in the dark about evidence that might have been used to detain, arrest, or incriminate them — a clear violation of due process.

Face surveillance technology is developed and sold by **unscrupulous tech companies**, with no mandate or incentive to protect our privacy and liberty.

- As documents uncovered by the ACLU show, these companies will often pursue profits despite full knowledge of their products' flaws and dangers.

- One CEO admitted that his face surveillance product had severe problems, but nevertheless marketed it aggressively to the Plymouth Police Department.
- Companies update their programs constantly, and there is no legal mechanism to ensure adequate independent testing and vetting.
- This means Bay State residents — our lives and our liberty — are at the mercy of unreliable and potentially buggy software.

Face surveillance has a **chilling effect** on our lives, creating an atmosphere of suspicion and fear.

- Face surveillance is already being used by the world's most repressive regimes to surveil and control ethnic minorities and dissidents.
- In the autonomous region of Xinjiang, the Chinese government uses a vast surveillance network — of which face surveillance is a core component — to control ethnic minorities, such as the Uighurs. In towns like Kashgar, every face is a de facto ID card.
- Just as in the US, this technology comes from private companies who sell their products enthusiastically and without regard to its flaws or dangers.
- Xinjiang offers a frightening glimpse of a world in which the unregulated sale and deployment of face surveillance is left unchecked.

According to an ACLU of Massachusetts poll, **76% of Massachusetts voters** do not think the government should be able to monitor and track people with this technology.