If Facial Recognition Comes to Body Cameras, How Will Government Respond?

Dawn Kawamoto | May 1, 2018

Axon, the nation's largest distributor of police body worn cameras, is interested in adding facial recognition capabilities to its body camera technology, its CEO stated at the company's first Artificial Intelligence (AI) Ethics Board meeting last week in Arizona, according to a *Washington Post* report.

But for local governments, such a move raises questions about whether municipalities will impose policies and requirements tied to the use of such technology.

Facial recognition technology is not without its controversy. Civil rights and privacy groups are concerned with the technology's ability to accurately identify individual's faces. Axon is interested in combining facial recognition technology and artificial intelligence to perform such tasks as comparing an individual's face against an expansive law enforcement photo database of known criminals, but civil rights, privacy groups, researchers and other organizations are anxious it could lead to misidentifying innocent people as suspects.

Axon, the *Post* reported, has yet to build a face-recognition system and tie it to its AI technology but its founder and Chief Executive Officer Rick Smith said it is "under

active consideration." Facial recognition software is currently in use as an investigative tool, such as in Harris County, Texas, where the sheriff's department uses it to help in potentially identifying people when conducting surveillance, but its use in police body cameras has yet to be seen.

Last week, a group of 42 civil rights organizations, privacy groups, technology and legal representatives sent a letter to the Axon AI Ethics Board to express their concerns with Axon's potential direction with its products.

"Axon has a responsibility to ensure that its present and future products, including AI-based products, don't drive unfair or unethical outcomes or amplify racial inequities in policing. Axon acknowledges this responsibility — the company states that it 'fully recognize(s) the complexities and sensitivities around technology in law enforcement, and (is) committed to getting it right,'" the letter states.

In a statement sent to *Government Technology,* Axon said:

At this point in time, we are not working on facial recognition technology to be deployed on body cameras. While we do see the value in this future capability, we also appreciate the concerns around privacy rights and the risks associated with mis-identification of individuals. Accordingly, we chose to first form the AI Ethics Board to help ensure we balance both the risks and the benefits of deploying this technology. At Axon we are committed to ensuring that the technology we develop makes the world a better, and a safer place.

Police Support Strong Policies Around Facial Recognition

Many police departments serve communities that take a keen interest in the technology used by their public safety agencies, such as, cameras, drones, DNA and facial-recognition software, that give police additional tools to fight crime and identify wanted criminals, Thomas Manger, president of the Major Cities Chiefs Association and chief of police at the Montgomery County, Md., Police Department, told *Government Technology*.

Elected officials, as well as the public, are not shy about weighing in on police use of these tools, Manger said. So the notion of protecting of everyone's rights, particularly privacy, can very likely influence a police policy governing the use of these tools.

The capability of facial recognition is evolving, and it is not yet a precise identifier, Manger said. But, he noted, it remains a good investigative tool.

"As with any strategy employed by the police, it is important that it has the support of the community," said Manger. "So, a strong clear policy, as well as good training, are essential. While any use of this kind of technology must pass judicial review, getting the public to understand the value of its use (and) instilling confidence that it will not be abused are the keys to maintaining the public's trust."

The Major Cities Chiefs Association's technology committee has had some discussions about facial recognition and the benefits of the software are regularly acknowledged, said Rick Myers, the association's executive director. Although he is not aware of any

city governments venturing into establishing a law enforcement policy as it relates to using facial recognition technology, he believes it will likely be an internal policy a police department develops at the time when they decide whether to opt in or out of using this tool.

Cities to Embrace Facial Recognition Policies for Law Enforcement?

Cities have yet to set policies around facial recognition software, according to Yucel Ors, a staff leader of the Public Safety and Crime Prevention committee for the National League of Cities.

"To our knowledge, this is an emerging technology that some cities may be testing but there are no cities that are currently using BWC facial recognition feature for official police activities," Ors said.

He added while city governments are not actively discussing or expressing concerns with their law enforcement using facial recognition technology, all municipalities need to weigh such concerns as privacy, liability and cost before deploying facial recognition technology.

While there could be considerable benefit in identifying suspects, the technology needs to be fully vested to ensure the possibility of false positives are minimized, Ors warns.

"We don't have information on what policies cities will adopt, but the policies will most likely be regulated in accordance with privacy and liability issues," Ors said.

http://www.govtech.com/public-safety/If-Facial-Recognition-Comes-to-Body-Cameras-How-Will-Government-Respond.html