

[External]: FW: Written Testimony | Special Commission on Facial Recognition

Bryan Cole <bcolemilford@gmail.com>

Fri 7/30/2021 10:23 AM

To: Williams, Dianna (HOU) <Dianna.Williams@mahouse.gov>; Prendergast, Patrick (HOU) <Patrick.Prendergast@mahouse.gov>

To Whom It May Concern:

I would like to submit the below as written testimony for today's special commission hearing; I just received an automatic reply that Jacqueline is out of the office today.

Please confirm receipt.

Thank you,
-Bryan Cole

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From: Bryan Cole <bcolemilford@gmail.com>**Date:** Friday, July 30, 2021 at 10:13 AM**To:** "jacqueline.o.manning@mahouse.gov" <jacqueline.o.manning@mahouse.gov>**Subject:** Written Testimony | Special Commission on Facial Recognition

To Whom It May Concern:

I am writing to express my support for a ban on facial recognition technologies in Massachusetts, both by public and private entities.

Apart from the usual Fourth Amendment concerns arising from what is in essence a warrantless search, my background in machine learning has made me painfully aware of the cost associated with false alarms. With that in mind, I was concerned when I read the recent ACLU of Massachusetts report showing a 14 percent false alarm rate when testing a common facial recognition technology, erroneously matching 27 Boston professional athletes to a database of mugshots. (See link #1 below for more information.) Nor is this an isolated incident: This effect has been demonstrated time and again in both peer-reviewed studies (see links #2 and 3) and reports produced by federal agencies (see link #4, with summary at link #5).

In a real-world application, these false alarms can have catastrophic results, subjecting innocent community members to unjust prosecutions. To make matters worse, these false alarms disproportionately affect people of color, as demonstrated by a recent study by ACLU of California that incorrectly matched members of Congress to mugshots. (See link #6 below.)

To paraphrase William Blackstone, it is better to miss 100 detections than to have one false alarm. For this reason, I urge the General Court to follow the lead of municipalities across the commonwealth in banning facial surveillance.

Thank you for the opportunity to testify before this commission.

Sincerely,
-Bryan Cole

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Milford, Mass.

REFERENCES

1. <https://www.aclum.org/en/news/facial-recognition-technology-falsely-identifies-famous-athletes>
2. <https://www.nytimes.com/2019/01/24/technology/amazon-facial-technology-study.html>
3. <http://proceedings.mlr.press/v81/buolamwini18a.html>
4. <https://nvlpubs.nist.gov/nistpubs/ir/2019/NIST.IR.8280.pdf>
5. <https://privacysos.org/blog/five-fast-facts-from-the-federal-study-of-demographic-bias-in-facial-recognition/>
6. <https://www.fastcompany.com/90389905/aclu-amazon-face-recognition-falsely-matched-ca-lawmakers>