

Good morning. My name is Jordan Menter, and I am a citizen of Massachusetts and a data scientist with advanced degrees in mathematics and computer science. I am pleased to see the formation of this commission and their charge to survey the usages of facial recognition technologies by law enforcement agencies, for public surveillance, and in the Commonwealth in general.

I urge the commission to engage with the work of BIPOC activists and scholars regarding whether facial recognition systems should exist in the first place. It is important to recognize that the way in which these technologies are deployed immediately calls into question whether they can ever be used fairly.

Most deployed facial recognition systems are trained using mugshot databases. As a result of the over-policing of Black and brown communities, these databases contain a disproportionate number of digitized Black and brown faces (Garvie, Bedoya, and Frankle 2016). At the same time, academic research has shown that imaging systems see Black and brown faces less well than others (Buolamwini and Gebru 2018). In concert, these phenomena mean that facial recognition systems deployed by law enforcement are less able to distinguish among the Black and brown faces that they surveill. This will only further the over-policing and criminalization of these communities.

Given this, should these technologies even be built? This is not a new question in scholarship (Browne 2015; Benjamin 2019). From a technical perspective, one may propose simply diversifying the training data fed into facial recognition systems. However, in the words of Damien Patrick Williams, “[merely] putting more Black faces in the training data will not change the fact that, at base, these systems themselves will most often be deployed within a framework of racialized and gendered carceral justice” (Williams 2020).

In other words, “debiasing” a system will not render absent the power structures within which it is deployed. A state that surveills “unbiasedly” still surveills.

This commission has an opportunity to follow the precedent set by the cities of Northampton and Springfield, which have taken strong action to ban the usage of facial recognition technologies by the government. I hope that the members of this commission will push themselves to be critical of both these technologies and the social phenomena that inform them. Thank you.

## **References**

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