

TESTIMONY FOR HB0223

Criminal Procedure - Facial Recognition Technology - Requirements, Procedures, and Prohibitions

Bill Sponsor: Delegate Moon

Committee: Judiciary

Organization Submitting: Lower Shore Progressive Caucus

Person Submitting: Jared Schablein, Chair

Position: FAVORABLE WITH AMENDMENTS

I am submitting this testimony in favor of HB0223 on behalf of the Lower Shore Progressive Caucus. The Caucus is a political and activist organization on the Eastern Shore, unaffiliated with any political party, committed to empowering working people by building a Progressive movement on the Lower Eastern Shore.

Throughout the world today, where a significant portion of a person's privacy is surrendered over to electronic surveillance equipment, we appear to be drifting closer to a more Orwellian society. Understanding that someone with the necessary access may track your whereabouts as you go about your day is tremendously frightening. There must be boundaries for new technology so that it can be used effectively for its intended purpose without violating the rights of people whose rights are incidental to that goal.

In that respect, the constraints on the use of facial recognition technology in this law are very well understood by our members. It limits the use of face recognition technology's findings as evidence to situations when they are utilized in connection with a warrant application or preliminary hearing in a criminal case. It is not permitted to utilize facial recognition as the only justification for finding probable cause. Additionally, the measure severely limits when technology can be used for analysis of videos or recordings of members of the public who are not the subject of criminal investigations as well as during investigations. These, in our opinion, are reasonable precautions that will safeguard the public's rights and privacy while not impairing the technology's effectiveness.

We support this bill and recommend a **FAVORABLE WITH AMENDMENTS** report in committee.