Testimony

of

The Honorable Larry Amerson
Sheriff of Calhoun County, Alabama

Before the United States Senate Judiciary Committee

Subcommittee on Privacy, Technology and the Law

on

"What Facial Recognition Technology Means
for Privacy and Civil Liberties"

On Behalf Of

The National Sheriffs' Association
1450 Duke Street
Alexandria, VA 22314
703-836-7827

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226 Dirksen Senate Office Building
Washington, DC 20510

Mr. Chairman, Senator Coburn, and Members of the Subcommittee:

Thank you for inviting me to testify today on behalf of the National Sheriff's Association. Chartered in 1940, the National Sheriffs' Association is a professional association dedicated to serving the Office of Sheriff and its affiliates through law enforcement education, training, and information resources. NSA represents thousands of sheriffs, their deputies and other law enforcement professionals, and concerned citizens nationwide.

I applaud the Subcommittee for holding this important hearing on the implications of facial recognition for privacy and civil liberties. These are critical concerns that rightfully need to be debated and the rights of innocent citizens protected from unwarranted interference in their privacy or everyday lives.

On the other hand, advances in technology, and especially facial recognition, which has already been implemented in law enforcement, national defense and the fight against terrorism, are a critical tool in protecting the rights of citizens, in ensuring the accurate identification of suspects, prisoners and potential terrorists is almost immediately ascertained, while protecting the safety of our citizens and law enforcement officers.

There is a critical balance between protecting the rights of law abiding citizens and providing law enforcement agencies with the most advanced tools to combat crime, properly identify suspects, catalog those incarcerated in prisons and jails, and in defending America from acts of terrorism.

Most importantly, advances in facial recognition technology over the last 10 years will result in the end of the total reliance on fingerprinting, where it takes hours and days to identify a suspect, fugitive or person being booked into a jail, to the immediate identification of those known to have criminal records, or who are wanted by law enforcement. It will surprise many in the room today to know that there is no national database of those incarcerated in America's jails at any one time. The use of facial recognition to provide instant identification of those incarcerated or under arrest will eliminate many problems while protecting innocent civilians and law enforcement officers.

For instance, utilizing facial recognition in law enforcement would:

- Interconnect law enforcement and Intel organizations to instantly share vital information with accurate identification results.

- Establish a national database of those incarcerated present and past, fugitives, wanted felons, and persons of interest among all law enforcement agencies.

- Allow officers to quickly determine who they are encountering and provide notification if a suspect is wanted or a convicted felon.

- A simple, cost effective, software based solution delivered in Windows based computers with inexpensive non-proprietary off the shelf cameras provide a huge cost savings.

- Demonstrate new capabilities in alias detection, fugitive apprehension, and speed of suspect recognition

- Ensure correct identification prisoners being released and reduce costs associated with conducted administrative procedures.

- Establish a complete national database of incarcerated persons in for the first time in U. S. history no longer could wanted criminals escape detection and arrest due to inefficient processes.

While fingerprints take hours and days for analysis, some advanced facial recognition in use today by U.S. law enforcement, is as accurate as fingerprints but results are obtained in seconds not hours in identifying criminals and perpetrators attempting to use false identities and aliases.

It is also important to point out that facial recognition comes in two forms, 2D and 3D. Only All-aspect 3D Facial systems can protect the privacy of participants who agree to be enrolled, except for in law enforcement or Homeland Security applications. All-aspect 3D cannot search on 2D facial photographs and cannot be invasive of privacy by design. Advanced facial recognition systems remove skin color and facial hair and therefore have no profiling capability.

Currently, the National Sheriffs' Association, Bureau of Prisons and United States Marshalls Service are all in support of utilizing this new three dimensional, holographic imaging technology to eliminate errors in identification; detecting false identities; and immediately identifying dangerous suspects, fugitives or terrorists rather than learning after they are released on traffic offenses or let go without suspicion because immediate identification is not possible.

Accidental releases, sometimes of dangerous felons, would also be eliminated.   This technology has been in use for over 8 years in Georgia Detention Facilities with data bases of approximately 5 million inmates

without a single erroneous release.

And just last year, a dangerous murderer was released from the District of Columbia jail by switching a wrist band with another inmate.   This cannot happen with facial recognition.

In closing, the proper utilization of facial recognition for intelligence or law enforcement uses, can protect civil liberties, save millions of dollars, and instantly identify fugitives, felons, dangerous suspects and save lives.

Thank you Mr. Chairman and I'll be glad to answer any questions you may have.