March 3, 2021

King County Council
516 3rd Ave, Room 1200
Seattle, WA 98104

Dear King County Councilmembers,

The undersigned organizations write to urge you to support Ordinance No. 2021-0091 – an ordinance that would ban government use of facial recognition technology in King County and protect people's civil rights and civil liberties. We thank Councilmember Jeanne Kohl-Welles and Councilmember Rod Dembowski for sponsoring this important legislation.

Facial recognition is a powerful, privacy-invasive, and racially biased technology that gives the government the power to automatically identify, locate, and track people based on images of their faces. This technology poses unprecedented privacy, civil liberties, and equity concerns. Unlike other forms of identity verification, facial recognition technology can enable invisible and persistent government surveillance on a massive scale. Government agencies can use facial recognition to track individuals' movements and associations without their knowledge or consent, chilling free speech and free association, undermining press freedom, and threatening the free exercise of religion.

Facial recognition technology powers systemic racism and injustice, whether or not this technology operates accurately. However, it is important to recognize that facial recognition technology is biased and inaccurate, and its use causes disparate impacts and can have life-or-death consequences. There are now multiple cases in the United States of facial recognition technology implicating Black men in crimes they did not commit, as in the case of Robert Julian-Borchak Williams, a Black man who was wrongly arrested and jailed due to a false facial recognition match. Many expert studies have found facial recognition technology to be less accurate at identifying people of color, women, youth, and trans and gender non-conforming individuals, increasing the risk of false matches. A December 2019 study from the National Institute of Standards and Technology on Face Recognition Software found that false positives are up to 100 times more likely for Asian and Black faces when compared to white faces.

We underscore that facial recognition causes disparate impacts when it is incorrect, and it will also lead to harm even when the results are accurate, as the technology will continue to be deployed disproportionately to surveil marginalized communities.

There is a growing movement across the United States to ban face surveillance. Cities including Portland, Boston, and San Francisco have banned government use of facial recognition technology, recognizing that facial recognition tools not only fuel discriminatory surveillance, but also threaten everyone's privacy and civil liberties. Recent state and federal proposals to ban facial recognition technology have garnered widespread support as legislators and the public have become increasingly concerned about the harmful effects of face surveillance on our civil rights and democracy.

King County has the opportunity to pass the country's first county-wide facial recognition ban. King County can be a leader in protecting people's civil rights and civil liberties and advancing racial equity.

Please support Ordinance No. 2021-0091. We the undersigned thank you for considering this pressing issue.

Signed,

Access Now
American Civil Liberties Union of Washington
Black Lives Matter Seattle-King County
CAIR-WA
Church Council of Greater Seattle
Consumer Federation of America
Densho
Eastside For All
Electronic Frontier Foundation
Fight for the Future
Future Ada
Indivisible Eastside
InterIm CDA
John T. Williams Organizing Committee
La Resistencia
MAPS-AMEN (American Muslim Empowerment Network)
Media Alliance
National Workrights Institute
OneAmerica
Puget Sound Sage
Real Change
Seattle Indivisible
Seattle JACL (Japanese American Citizens League)
Surveillance Technology Oversight Project (S.T.O.P)
Transit Riders Union
Wallingford Indivisible
Washington Association of Criminal Defense Lawyers
Washington Black Lives Matter Alliance
Washington Fair Trade Coalition
Washington State Indivisible Podcast