

January 30, 2020

Lieutenant Governor Cyrus Habib
Senator Karen Keiser
Members of the Senate Rules Committee
220A Legislative Building
Olympia, WA 98504-0466

Dear Lt. Governor Habib, Vice Chair Keiser, and Members of the Senate Rules Committee,

We are writing to you today on behalf of the Tech Fairness Coalition – a collective of community groups concerned with the just and responsible use of technology, particularly as it impacts communities of color – to urge members of the Rules Committee to **oppose Substitute Senate Bill 6280 (SSB 6280), an Act Relating to the use of Facial Recognition Services.**

We would like to communicate that we have had ongoing concerns about this bill that have not yet been addressed, and that communities such as ours have not been adequately consulted or heard. We hope you will take our concerns into serious consideration in your deliberations.

We are concerned that SSB 6280 does not create any real accountability measures that would give impacted communities the opportunity to decide if and how face surveillance technology is used. SSB 6280 creates “accountability reports” and “annual reports,” but these are simply *transparency* measures, not *accountability* measures.

We also take issue with the membership of the task force – of the 13 identified representatives, only 2 are reserved for community organizations, calling into question the effectiveness of the task force to truly represent community voices and interests.

Moreover, a task force without a ban or a moratorium does not create accountability. Experts continue to demonstrate that face surveillance technology is flawed and rife with race and gender biases. Creating a task force without a moratorium directs impacted communities to discuss harms while suffering from them.

Our concerns have been communicated to the Senate Environment, Energy & Technology Committee, on which Senator Nguyen (the bill’s Prime Sponsor) presides.

We urge this Committee to oppose SSB 6280, and to instead support a moratorium on use of facial recognition technology. We support a moratorium on facial recognition to “press pause” on this powerful technology until impacted community members can address concerns including bias, use, and accountability, in an official stakeholder, policy-writing capacity. Bans on face surveillance have already been instituted in cities in California and Massachusetts, and we urge lawmakers to join us in supporting a moratorium.

History repeatedly demonstrates that technology is often abused as a tool of oppression and we are concerned that the provisions in this bill will legitimize broader use of face surveillance. **We have continued to call for a moratorium or a ban on facial recognition technology, but it is apparent that we have not been heard.** *Meaningful* community involvement is crucial before attempting to regulate this deeply flawed technology.

Thank you for hearing our concerns. We invite you to connect with us to better understand our opposition to this bill. Please do not hesitate to reach out if you have questions.

Signed,

American Civil Liberties Union of Washington
Asian Counseling and Referral Service
Council on American-Islamic Relations Washington (CAIR-WA)
Densho
Entre Hermanos
InterIm CDA
John T. Williams Organizing Committee
Puget Sound Sage
Real Change
Seattle Chapter Japanese American Citizens League (JACL)
Washington Civil & Disability Advocate
Washington Association of Criminal Defense Lawyers