

January 21, 2020

Dear Members of the House Innovation, Technology and Economic Development Committee:

We at the Seattle Chapter of the Japanese American Citizens League -- the nation's oldest and largest Asian American civil and human rights organization -- are writing to urge this Committee to oppose the 2020 WA Privacy Act (S-6281 / HB-2742) and to support the Face Surveillance Moratorium (SB 5528 / HB 1654).

As an organization dedicated to preserving the rights and well-being of all Asian Americans and others who fall victim to social injustice in the United States, we have serious concerns about the face surveillance components of the 2020 WA Privacy Act (S-6281 / HB-2742). We believe that the face surveillance provisions in the 2020 WA Privacy Act (S-6281 / HB-2742) fails to protect Washington's communities of color from over-surveillance and racially biased use of facial recognition technology.

The Japanese American community history of mass incarceration during WW II was made possible in part by policies of aggressive surveillance and racial bias. Adopting new technology will not mitigate the risk of future miscarriages of justice if we do not have adequate monitors and safeguards in place prior to implementation. It may even make things worse for communities of color. It is premature to place Face Surveillance in a data privacy bill; we as a state need to "push pause" on the use of this powerful technology so that vulnerable communities can weigh in and proper regulations can be implemented.

Beyond the face surveillance components of this bill are numerous ambiguities and loopholes that undermine safeguards for consumers and diminish accountability of vendors. All in all, the 2020 WA Privacy Act (S-6281 / HB-2742) contains many issues that require community stakeholder input to properly address. We have deep reservations about the ability of this bill to lend consumers meaningful tools to control the way their data is gathered, stored, and sold.

We believe that the 2020 WA Privacy Act (S-6281 / HB-2742) does not create meaningful protections for consumers, and particularly for the communities of color in Washington. We strongly urge this Committee to oppose the 2020 WA Privacy Act (S-6281 / HB-2742) and support the Face Surveillance Moratorium (SB 5528 / HB 1654).

Signed,

Stanley N. Shikuma, President
Japanese American Citizens League, Seattle Chapter