



SPD is marrying mug shots with high tech

The ACLU gives a nod of approval for a policy that would let cops compare images of suspects to a database of booking photos.

By Bill Lucia

February 07, 2014.

The Seattle Police Department has drafted a new policy to guide the use of facial recognition software.

The software would allow police to check images of suspects against a database with 350,000 mug shots from King County. Photos in the database would be of people who've been arrested, fingerprinted and booked in jail. The department would purchase the "booking photo comparison software" with pending funds from a Department of Homeland Security grant.

The department, which has been criticized over past efforts to introduce new surveillance technologies, took steps to get outside advice as the policy was developed. And while the technology might give pause to some privacy advocates, the American Civil Liberties Union has backed the policy because it narrowly limits the department's use of the computer system and sets clear rules for oversight.

Under the policy, the department can only use the software to identify "a person whom an officer reasonably suspects may be involved in criminal activity." This means that cops cannot use the technology to identify witnesses, victims or other crime scene bystanders. The department is also not allowed to connect the database to "live" surveillance feeds, including the city's currently offline "mesh network."

"It would be a great way to expedite some searching we're already doing," Assistant Chief Carmen Best told a City Council committee on Wednesday. "This only allows us to do it much more quickly and much more efficiently, with a little bit more efficacy."

Money for the software is included in a \$1.6 million Department of Homeland Security Urban Areas Security Initiative Grant. Some of the other items the grant will finance for the city's police and fire departments include protective suits for responding to chemical, biological, radiological and nuclear emergencies and structural collapse training for firefighters.

The City Council must pass a measure for Seattle to accept the grant money. Public Safety, Civil Rights and Technology chair Bruce Harrell said that the committee would likely vote on the ordinance in two weeks.

The Police Department consulted with the ACLU when crafting the software policy. "I was thrilled when they came to us," said Doug Klunder, privacy counsel at ACLU of Washington. "This policy does a good job of limiting [the software] to proper uses."

Images checked against the database might include bank robbery surveillance footage or ATM photographs of suspects.

Only one photo-unit officer would be authorized to search the database, which will be accessed through a single computer terminal. Detectives or officers would provide this officer with images of suspects. The department will maintain a log containing the names of the computer operator, the officer making the inquiry and an incident description. The booking photo database is housed in Pierce County at a facility run by the South Sound Real-Time Crime Center.

Similar software systems are used by police departments in other cities, including New York.

ACLU's Klunder said the Seattle Police Department did a good job tightening the policy as it moved toward its current version. Early drafts, he said, used nonstandard legal terms and had murkier criteria for how the booking photo comparison software could be used.

"It really was not initially clear," he said, "who they were trying to identify."

If the department were to want to link the facial recognition software to a live camera network, or use it for some similar purpose, councilmember Nick Licata seemed confident that an ordinance the council approved last year would be triggered. That legislation requires departments to get council approval before using surveillance equipment. It was passed after the police department controversially purchased aerial drones and installed video cameras along sections of the waterfront. Licata said: "We've sort of taken that path into consideration."

Bill Lucia writes about Seattle City Hall and politics for Crosscut. He worked in the film and TV business in New York City and for a microfinance nonprofit in Nigeria, before moving to Seattle two years ago to attend the University of Washington's Evans School of Public Affairs. He can be reached at bill.lucia@crosscut.com and you can follow him on Twitter @bill_lucia.

View this story online at: <http://crosscut.com/2014/02/07/law-justice/118652/seattle-police-facial-recognition-software-policy/>

© 2014 Crosscut Public Media. All rights reserved.

Printed on February 10, 2014