



BALTIMORE POLICE DEPARTMENT



Brandon M. Scott
Mayor

Michael S. Harrison
Police Commissioner

October 19, 2022

Honorable President and Members of the Baltimore City Council
Room 400, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

RE: City Council Resolution #22-0122R
Informational Hearing: Public Safety and Surveillance Technology

Dear Council President Mosby and Members of the City Council:

The Baltimore Police Department (BPD) has reviewed Council Bill 22-0122R for the purpose of inviting representatives from the BPD and other relevant city agencies and interested parties to discuss the acquisition and use of facial recognition surveillance technology by Baltimore City government, how data from such equipment is used and stored, and any liability the City may face if the technology or its data is misused.

Although City Council Bill #21-0001 prohibited the purchase or acquisition of certain facial recognition technology, it did permit BPD to continue to use the Maryland Image Repository System (MIRS). This system which was established by and is maintained by the Maryland Department of Public Safety and Correctional Services (DPSCS), allows BPD to generate investigative leads that contribute to the closure of all sorts of crimes including but not limited to sex trafficking, carjacking, and murder. MIRS is facial recognition software that is the functional equivalent of a digitized mug shot book. Using MIRS, law enforcement officers throughout the state, who are NCIC certified, are able to compare images of unidentified suspects to images from motor vehicle records and state and FBI mugshots of known offenders. The Department currently relies upon MIRS to serve as a force multiplier to aide good old-fashioned investigative work.

Understanding the concerns regarding the use of facial recognition technology, the BPD drastically overhauled the process by which officers were able to access and utilize MIRS. As a result, all requests are processed by a small group of highly trained individuals and all requests are tracked. While there are still more improvements that are being considered, we are excited about our overall progress and look forward to talking with you about our efforts at the hearing.

With that said, the current ban eliminated the the department's ability to acquire more effective technology as it became available, which we believe could have detrimental effects on clearance rates and crime solving in the future. We believe that rather than a prohibition against the acquisition of any new facial recognition

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technology, it would be more prudent to establish safeguards such as mandatory training, quality control checks, periodic reporting to the City Council, etc. to prevent intentional misuse and to reduce the possibility that an innocent individual could suffer from negative consequences.

The Department also believes that transparency regarding this and other technology is vital to preserving community support. In fact, in accordance with the federal consent decree and BPD Policy 606 “*Technology & Equipment Disclosure*” (which can be found at this link: <https://www.baltimorepolice.org/transparency/bpd-policies/606-technology-equipment-disclosure>), the Baltimore Police Department is required to publicly disclose any new type of technology that the Department acquires, or seeks to acquire through the public procurement process. The underlying goal of this requirement is to inform the public about new technology and/or notable new features on existing technology being utilized or proposed to be utilized in the Department’s effort to fight crime.

At a time when residents, visitors and business leaders are concerned for their wellbeing and are calling on leaders to support efforts to solve violent crimes swiftly, we should all be supporting innovative investigative techniques that could help make Baltimore a safer place to live and work. That said, we look forward to participating in a continuing dialogue regarding the merits of facial recognition technology and its place in Baltimore’s crime fight.

Very truly yours,



Michelle Wirzberger, Esq.
Chief of Staff

cc: Natwana Austin, Executive Secretary of the Baltimore City Council
Natasha Mehu, Director of Mayor’s Office of Government Relations
Nina Themelis, Special Assistant and Legislative Liaison, MOGR
Andrew Smullian, BPD Deputy Chief of Staff
Shannon Conway, BPD Legislative Coordinator