



May 11, 2021

The Honorable Mark Conway  
Chair, Public Safety and Government Operations Committee  
Baltimore City Council  
Du Burns Council Chamber, 4th floor, City Hall  
Baltimore, MD 21202

**Re: Urging a no vote on ordinance 21-0001 banning business and personal use of facial recognition technology**

Dear Chairman Conway and Members of the Public Safety and Government Operations Committee:

On behalf of the Security Industry Association (SIA) I am writing again to express our concerns with the proposed ordinance, which would prohibit the use of facial recognition technology by city government as well as private entities in the city, including individuals and businesses. SIA is a nonprofit trade association in Maryland representing companies providing safety and security technologies in our state and throughout the nation. Our members include most of the leading developers of facial recognition software available in the U.S. as well as companies that incorporate this technology into a wide range of government, commercial and consumer products.

The Committee has held two hearings this year during which proposed ordinance 21-0001 was discussed. Issues surrounding law enforcement use of the technology garnered considerable discussion. In the process, the Baltimore Police Department (BPD) has committed to developing and implementing a robust policy governing use of facial recognition technology, including key limitations and reporting requirements to help ensure the prevention of “intentional misuse and to reduce the possibility that an innocent individual could suffer from negative consequences” – while preserving proven public safety benefits to city residents. SIA supports implementation of such transparency and accountability measures by law enforcement agencies using the technology,<sup>1</sup> which address the underlying concerns.

However, little discussed during the hearings was the significant impact on Baltimore City businesses and residents of criminalizing private sector uses of the technology outside a narrow exception for accessing personal electronic devices and secure spaces. ***This ban would not be altered by the potential amendment discussed during the hearing on April 28.*** In fact, no justification was offered as to why prohibiting many opt-in, non-controversial applications of the technology is needed, or how subjecting business owners and residents to fines and imprisonment for violations would benefit Baltimoreans.

**Here are just a few of the many commercial and consumer applications of facial recognition technology that would be banned under the ordinance, all broadly defined as “face surveillance systems.”**

- Multi-factor identity verification for financial transactions
- Online/ATM multi-factor identity verification for account access
- Contactless payment systems – single factor or multifactor identity verification
- Anti-fraud identity proofing software for services

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<sup>1</sup> See SIA’s recommendations - <https://www.securityindustry.org/report/sia-principles-for-the-responsible-and-effective-use-of-facial-recognition-technology/>

- Online test proctoring software – identity verification (public and private schools)
- Identity verification for event ticketing/venue gate entry/enhancing queuing/reduced scalping
- In home cameras that do not control access, such as nanny cams, smart baby monitors etc.
- In home electronic systems with facial recognition features
- Increased and customized accessibility for disabled persons (to services, buildings, etc.)
- Energy efficiency and customization of heating, lighting, sound other room features based on occupant preference/needs
- Emergency systems to determine building occupant status following an evacuation order during a fire or other life-threatening event.
- COVID-19 mitigation applications for business operations, allowing users to verify their identities for vaccine validation, test results and other info when needed, and providing contact tracing information following exposure.

Under the ordinance, Baltimore would be the first and only city in the world with such a ban on private sector use of the technology. A ban hurts businesses and consumers in Baltimore by unfairly limiting their access to technologically advanced products. Only one other city, Portland, Oregon, has restricted private sector use, but more narrowly and with significant controversy.

On behalf of SIA and its members, we share the goal of ensuring responsible use of facial recognition. We would support thoughtful and reasonable regulation of advanced technologies; however, such efforts need to clearly identify the risk to be mitigated and must be tailored specifically to that risk.

Banning low-risk, opt-in consumer and business technologies that benefit users is simply the wrong approach to addressing concerns about facial recognition technology. We strongly urge you not to approve proposed ordinance 21-0001. We stand ready to provide any additional information or expertise needed as you consider these issues.

Sincerely,

Respectfully,



Jake Parker

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Security Industry Association

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<https://www.securityindustry.org/advocacy/policy-priorities/facial-recognition/>

CC: Members of the Public Safety and Government Operations Committee