

## Report on Supply Chain Compliance Volume 3, Number 3. February 06, 2020

### Facial recognition rises as threat to data privacy

---

By Sascha Matuszak

A New York Times article<sup>[1]</sup> blew open the work of Clearview AI, an artificial intelligence start-up that claims to be helping law enforcement agencies solve crimes using facial recognition technology. The article used research from MuckRock<sup>[2]</sup> and Open the Government<sup>[3]</sup> — organizations that have collected information on the technology and the agencies supposedly using the software. Another report, by Buzzfeed News,<sup>[4]</sup> dug deeper into Clearview's claims and found that many of the relationships with law enforcement agencies were exaggerated or fabricated.

Nevertheless, the claims of the company and its technology pose significant risks for data privacy. The technology is supposedly able to scrape photos from the internet, store them in a database and find matches for any photo. Clearview claims to have at least 3 billion photos. Regardless of the legality of scraping photos from online platforms, such as Facebook and Twitter,<sup>[5]</sup> the software's abilities appear to be feasible.

Taken together with a previous *New York Times* report on geolocation and privacy,<sup>[6]</sup> the outlook for data privacy appears grim. Calls<sup>[7]</sup> for a federal, if not global, regulatory framework to protect privacy have grown louder since the GDPR<sup>[8]</sup> and CCPA<sup>[9]</sup> became law. So far, the United States Congress has resisted those calls.

<sup>1</sup> Kashmir Hill, "The Secretive Company That Might End Privacy as We Know It," *The New York Times*, January 18, 2020, <https://nyti.ms/2vhF7K4>.

<sup>2</sup> MuckRock, "Police Surveillance: Facial Recognition Use in Your Backyard," accessed January 29, 2020, <http://bit.ly/38NH7Z2>.

<sup>3</sup> Beryl Lipton, "Records on Clearview AI reveal new info on police use," MuckRock, January 18, 2020 <http://bit.ly/2RChSDk>.

<sup>4</sup> Ryan Mac, Caroline Haskins, and Logan McDonald, "Clearview AI Says Its Facial Recognition Software Identified A Terrorism Suspect. The Cops Say That's Not True." *Buzzfeed News*, January 23, 2020, <http://bit.ly/2v9sAYX>.

<sup>5</sup> *BBC News*, "Twitter demands AI company stops 'collecting faces,'" January 23, 2020. <https://bbc.in/2vcKnyp>.

<sup>6</sup> Stuart A. Thompson and Charlie Warzel, "Twelve Million Phones, One Dataset, Zero Privacy," *The New York Times*, December 19, 2020, <https://nyti.ms/30PeV5d>.

<sup>7</sup> Charlie Warzel, "We Need a Law to Save Us From Dystopia," *The New York Times*, January 21, 2020, <https://nyti.ms/2RjKjpe>.

<sup>8</sup> Council Regulation 2016/679, General Data Protection Regulation, 2016 O.J. L119.

<sup>9</sup> Sascha Matuszak, "US data privacy law talks reveal key differences and similarities between US and EU data security interests," *Report on Supply Chain Compliance*, June 13, 2019, <http://bit.ly/2Nz2uFY>.

This publication is only available to subscribers. To view all documents, please log in or purchase access.

## Purchase Login