

May 23, 2023

Senator Carney, Representative Moonen, and fellow members of the Judiciary Committee, my name is Emily Gorrivan and I live in Portland, Maine. I am writing today to testify in support of LD 1705, An Act to Give Consumers Control over Sensitive Personal Data by Requiring Consumer Consent Prior to Collection of Data.

Now more than ever, our right to privacy is being threatened. Big Tech companies can collect, analyze, and sell our most sensitive data – all without our consent. This includes biometric identifiers, which include our unique facial features, our retina patterns, and fingerprints. In Maine, there are essentially no restrictions on the biometric data that Big Tech and other corporations can collect from us, and what they can do with it once they have it. We need our elected leaders to stand up and protect our privacy from this exploitation. Now is the moment to act.

Unlike other sensitive data like passwords and credit card numbers, a biometric identifier can't be changed or revoked, making us identifiable forever. Once it ends up in the wrong hands, that compromised information can be used to access our bank accounts and invade personal devices like our cell phones.

Unregulated corporate use of biometric identifiers also endangers our civil liberties and jeopardizes our freedom. Tools like facial recognition technology give companies the ability to spy on us at all times, tracking our faces at places of worship, political rallies, substance abuse treatment centers, and more. Further, this technology is imperfect and mistake-prone. We are all vulnerable to being wrongly identified, ejected from a business, or having the police called on us for a crime we did not commit. These inaccuracies don't affect everyone equally: they are most prevalent in analyzing the faces of women, children, the elderly, people of color, and LGBTQ people, disproportionately harming Black and Brown communities that are already the targets of discriminatory surveillance.

Maine has the opportunity to become a leader on the issue of unregulated corporate use of biometric identifiers. LD 1705 would require companies to get our consent before collecting or disclosing our sensitive biometric information. It would also protect against breaches by requiring companies to store this data securely and destroy it in a timely manner. It would also allow regular people to take legal action to hold corporations accountable when they don't follow the rules.

Corporations should not be allowed to track our every move without restriction, and without us ever knowing. We deserve transparency about how our data is compiled, used, and shared, in addition to how it is utilized to influence our behavior and make money.

I urge the committee to vote "Ought to Pass" on LD 1945 to defend our right to privacy and protect our future. Thank you for your consideration.