Testimony of Julia Brown, Immigrant Legal Advocacy Project
In Support of LD 1585, "An Act To Increase Privacy and Security by Prohibiting the Use
of Facial Surveillance by Certain Government Employees and Officials."

Senator Deschambault, Representative Warren, and distinguished members of the Criminal Justice and Public Safety Committee, thank you for the opportunity to write in strong support of LD 1585.

My name is Julia Brown, and I am the Advocacy and Outreach Director at the Immigrant Legal Advocacy Project (ILAP). ILAP is Maine's only statewide nonprofit provider of immigration law and related legal aid to Maine's low-income residents. Each year, ILAP serves over 3,000 individuals statewide, coming from approximately 100 countries around the world. On behalf of ILAP and our clients, I ask the Committee to vote "ought to pass" on LD 1585, otherwise known as "An Act To Increase Privacy and Security by Prohibiting the Use of Facial Surveillance by Certain Government Employees and Officials."

Maine has a thriving and growing immigrant community. Four percent of Mainers are immigrants, while seven percent of Maine residents are native-born U.S. citizens with at least one immigrant parent. 94 percent of ILAP's clients are people of color and are subject to systemic racism as well as anti-immigrant rhetoric and policy. As immigration attorneys, we see the disparate impact of the criminal legal system on our clients.

Structural racism and white supremacy are a central part of our criminal laws and system, and thus our immigration enforcement system as well. This racial disparity extends to Black immigrants, who are more likely than other immigrants to be detained and deported due to an interaction with law enforcement.[1] For example, a bias-based traffic stop by police could lead in some cases to someone being separated from their family and deported to a country where they may face persecution.

Face surveillance technology can be used by law enforcement and immigration enforcement to identify and track people without their knowledge or consent. This technology is racially biased -- studies show that the technology works best on middle-aged white men, and is rife with errors

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[1] NYU School of Law Immigrants Rights Clinic and Black Alliance for Just Immigration, *The State of Black Immigrants, Part II: Black Immigrants in the Mass Criminalization System*,
https://www.sccgov.org/sites/oir/Documents/sobi-deprt-blk-immig-crim-sys.pdf

for people of color, women, children, or the elderly.[2] This flawed technology could be used by law enforcement on immigrant Mainers, which could lead to their detention and deportation.

Maine must ban the use of racially biased face surveillance technology. I urge you to vote "ought to pass" on LD 1585. Thank you for your time.

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[2] Najibi, A. (2020, Oct. 4). *Racial Discrimination in Face Recognition Technology*. Science In The News. https://sitn.hms.harvard.edu/flash/2020/racial-discrimination-in-face-recognition-technology/