



**City of Portland
Proposed Ordinances To Ban Face
Recognition Technologies (FRT)**

September 9, 2020

Bureau of Planning and Sustainability
Office of Equity and Human Rights

Privacy is a Human Right

- Article 12. UN The Universal Declaration of Human Rights.
- “right to privacy” in the US : “Refers to the concept that one's personal information is protected from public scrutiny.”
- Building robust public trust among people and organizations is essential to create a sustainable and just future.



Portland Privacy Principles¹⁹⁰¹¹⁴

June 2019



**Transparency and
accountability**



Data openness



**Equitable data
management**



**Automated
decision systems**



**Full lifecycle
stewardship**



Data utility



**Ethical and non-discriminatory
use of data**

Disparities between Surveillance,¹⁹⁰¹¹⁴ Technology and Public Trust

- Black, LatinX and Indigenous people are over-surveilled, underrepresented in tech.
- The City has an important role in the creation of safe and welcoming public spaces for all.
- Those impacted by technology must be part of how technology is deployed.



Why Ban Face Recognition¹⁹⁰¹¹⁴ Technologies?

- FRT relies on biometric information. No legal protection framework exists in Oregon. No protection for minors.
- Hundreds of technology providers use algorithms that show bias against Black people, women, the elderly and disabled.
- Algorithms can harm, discriminate and limit access to the benefits of technology.



Why Ban FRT in Portland?

- False positives can be hard to mitigate or remediate when this technology is part of the data pipeline in law enforcement.
- Use of biased and untested technology may constrain access to public spaces to Portlanders.
- Portlanders deserve technology that protects their information without creating extra risks due to privacy data breaches.



About Today's FRT Policy Proposals

- These proposals were developed in an inclusive, open and participatory process.
- These ordinances would ban the use of FRT by City bureaus and by private entities in public spaces.
- Ban on FRT use by City government would become effective immediately.
- Ban on private use of FRT would become effective on January 1, 2021.



New City Code Title: Digital Justice

- These policy proposals led to the creation of a new City Code Title 34, ‘Digital Justice’.
- Everyone has the right to be treated fairly by public (and private) entities of all kinds, particularly in technology and information systems.



Portland and Technological¹⁹⁰¹¹⁴ Innovation

- The City of Portland is elevating digital justice for groups and individuals.
- Tech solutions in Portland must comply with the higher standards in Privacy and Information technology.
- Industry and communities must collaborate to build model technologies based on trust.



Next steps

- Smart City PDX will coordinate technology literacy efforts.
- The Bureau of Planning and Sustainability and the Office of Equity and Human Rights will provide privacy assessment services for City bureaus and begin inclusive community engagement to design a comprehensive surveillance technologies policy.

