

From: [Michael Froomkin](#)
To: [City Clerk](#)
Subject: Objection to Item E-5
Date: Monday, September 13, 2021 10:57:02 PM

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Hello,

I am a Coral Gables resident, a Professor at UM Law, and I have been writing about privacy and technology for about 25 years.

I would like to speak in opposition to item E-5 on the agenda for the Sept 14 meeting, in which the City proposes to acquire biometric face recognition technology from Clearview AI. Can you tell me approximately what time it would be likely to come up and how I would best ensure I have a chance to object to it? I have a doctor's appointment early Tuesday which might conflict if it comes up very early.

My objections are that Clearview violates internationally recognized human rights, the product is easily abused, and that the company has acquired its images in shady ways that are the subject of lawsuits. Coral Gables tax money should not be spent buying this product from this company.

1. Clearview violates our right to biometric privacy. We have [a fundamental human right](#) to privacy over our personal information. But everywhere we go, we display a unique and indelible marker that can be seen from a distance: our own faces. So users of Clearview can use face surveillance technology (coupled with the ubiquity of digital cameras) to track where we go, who we are with, and what we are doing. This is Orwellian: you can get a new ID but you cannot get a new face.
2. Clearview violates our rights to free expression that depend upon privacy. These include the rights to confidentially engage in [expressive activity](#), to [speak anonymously](#), to [converse privately](#), to confidentially [receive unpopular ideas](#), and to confidentially gather newsworthy information from [undisclosed sources](#). Government officials can likewise use Clearview to identify who attended a protest planning meeting, who visited an investigative reporter, who entered a theater showing a controversial movie, and who left an unsigned pamphlet on a doorstep.
3. Clearview is too easily abused. Police elsewhere have used facial ID based surveillance to target BLM protesters, including the [U.S. Park Police](#), the [U.S. Postal Inspection Service](#), and local police in [Boca Raton](#), [Broward County](#), [Fort Lauderdale](#), [Miami](#), [New York City](#), and [Pittsburgh](#).

4. Government officials can likewise use Clearview to identify who attended a protest planning meeting, who visited an investigative reporter, who entered a theater showing a controversial movie, and who left an unsigned pamphlet on a doorstep.

5. Clearview is not an ethical company. It scrapes the billions of photos that make up its database without regard to user permissions or photographers' copyright in the photos.

The New York Times article on Clearview at <https://www.nytimes.com/2020/01/18/technology/clearview-privacy-facial-recognition.html> explains more generally some of the problems with the company and the product.

Thank you for your help in this matter.

Best regards,

Michael Fromkin

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A. Michael Fromkin

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