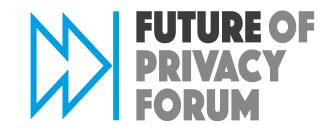
ללמוד מניסיונם של אחרים: לצרכי אכיפה בעולם FRT

המכון הישראלי





מבחינה נורמטיבית-משפטית:

1. מה קורה בעולם בנושא 2. מה ניתן ללמוד

'והכל ב-15 דק







ורמטיבית ?!

The 12 principles and ethical considerations:

- 1. Lawful authority and legal basis
- Necessity
- 3. Proportionality
- 4. Enhance public safety and public good
- Ethical behaviour
- Respect for the human rights of individuals and groups
- Justice and accountability
- 8. Encourage scientific and technological advancement
- Protection of children, young people, and vulnerable adults
- 10. Promoting privacy enhancing technology
- 11. Promote equality
- 12. Retention periods authorised by law





האיסור בסן פרנסיסקו לעשות שימוש ב-2019) FRT

CHAPTER 19B:

ACQUISITION OF SURVEILLANCE TECHNOLOGY

SEC. 19B.2. BOARD OF SUPERVISORS APPROVAL OF SURVEILLANCE TECHNOLOGY POLICY.

- (d) Notwithstanding the provisions of this <u>Chapter 19B</u>, it shall be unlawful for any Department to obtain, retain, access, or use:
- any Face Recognition Technology on City-issued software or a <u>City</u>-issued product or device;

or

 any information obtained from Face Recognition Technology on City-issued software or a <u>City</u>-issued product or device.

This subsection (d) is subject to the exceptions in subsections (e)-(g) and the qualifications in subsections (h)-(l).

המכון הישראלי



Here is a list of these 17 communities:

Berkeley, CA

Boston, MA

Brookline, MA

Cambridge, MA

King County, WA

Madison, WI

• Minneapolis, MN

· New Orleans, LA

Northampton, MA
 המכון הישראלי

Oakland, CA

<u>Pittsburgh, PA</u>

Portland, ME

Portland, OR

San Francisco, CA

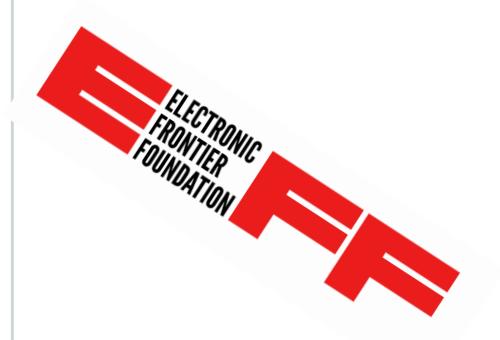
Santa Cruz, CA

Somerville, MA

Springfield, MA

עו"ד רבקי דב"ש

וב-16 ערים נוספות









Proposal for a

של ה-EU

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

LAYING DOWN HARMONISED RULES ON ARTIFICIAL INTELLIGENCE (ARTIFICIAL INTELLIGENCE ACT) AND AMENDING CERTAIN UNION LEGISLATIVE ACTS

Article 5

- 1. The following artificial intelligence practices shall be prohibited:
 - (d) the use of 'real-time' remote biometric identification systems in publicly accessible spaces for the purpose of law enforcement, unless and in as far as such use is strictly necessary for one of the following objectives:
 - the targeted search for specific potential victims of crime, including missing children;
 - the prevention of a specific, substantial and imminent threat to the life or physical safety of natural persons or of a terrorist attack;
 - (iii) the detection, localisation, identification or prosecution of a perpetrator or suspect of a criminal offence referred to in Article 2(2) of Council Framework Decision 2002/584/JHA⁶² and punishable in the Member State concerned by a custodial sentence or a detention order for a maximum period of at least three years, as determined by the law of that Member State.

עו"ד רבקי דב"ש







טיוטת חקיקה של ה-EU- עקרונות

נדרשת הסמכה בחקיקה

נדרש אישור שיפוטי מקדים

- בקביעת ההסמכה והאישור יש לקחת בחשבון
- 1. הצדקת הסיטואציה הספציפית ביחס למבחן ההסתברותי
- 2. המשמעות של הפגיעה בזכויות: חומרה, הסתברות והיקף
 - 3. נחיצות ופרופורציונליות: זמינות, מרחב גיאוגרפי והגבלות











Surveillance Camera Code of Practice

First Published June 2013 Amended November 2021

Biometrics and Surveillance Camera Commissioner

המכון הישראלי למדיניות טכנולוגיה

AFFILIATED WITH THE

מדיניות



המכון הישראלי



הנחיות ה-EDPB







דיהוי פנים למטרות אכיפת החוק Guidelines 05/2022 on the use of facial recognition technology in the area of law enforcement

Version 1.0

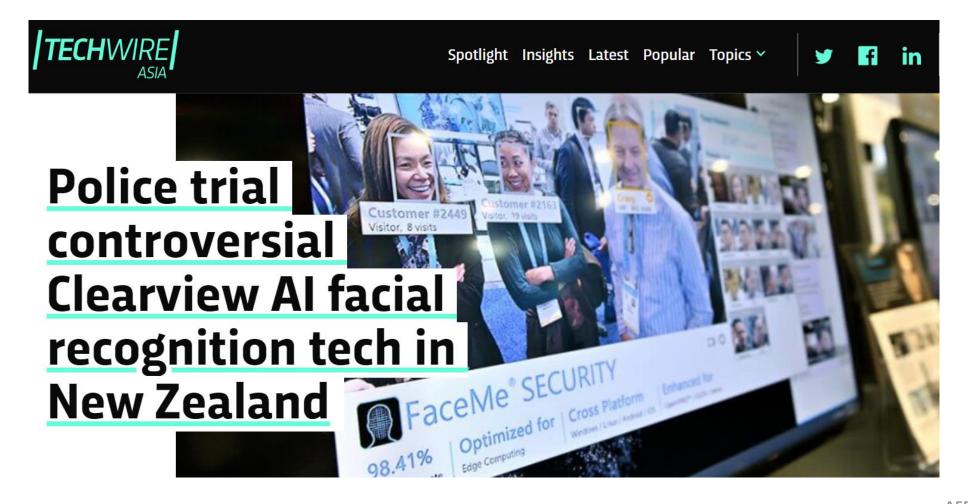
Adopted on 12 May 2022

עו"ד רבקי דב"ש



המכון הישראלי למדיניות טכנולוגיה

ביקורת ציבורית – ניו זילנד







Police release findings from independent expert review of Facial Recognition Technology

Recommendations:

- Recommendation 1 Continue to pause any consideration of live automated FRT
- Recommendation 2 Review of collection and retention of facial images
- Recommendation 3 Continue to strengthen processes for ethical commissioning of technology
- Recommendation 4 Ensure continuous governance and oversight of deployment
- Recommendation 5 Upholding Te Tiriti in partnership with Māori
- Recommendation 6 Transparency
- Recommendation 7 Policy statement on surveillance in public places
- Recommendation 8 Implement guidelines for access to third party systems
- Recommendation 9 Embed a culture of ethical use of data in the organisation
 - Recommendation 10 Implement a system for ongoing horizon scanning עו"ד רבקי דב"ש





הליכים משפטיים

PRIVACY & INFORMATION SECURITY LAW BLOG Global Privacy and Cybersecurity Law Updates and Analysis

Home » UK Court Of Appeal Finds Automated Facial Recognition Technology Unlawful In Bridges V South Wales

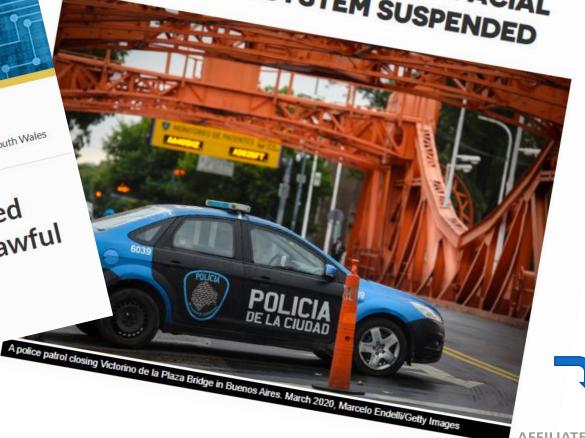
UK Court of Appeal Finds Automated Facial Recognition Technology Unlawful in Bridges v South Wales Police

Posted on August 12, 2020

המכון הישראלי

למדיניות טכנולוגיה

ARGENTINA: BUENOS AIRES' FACIAL RECOGNITION SYSTEM SUSPENDED





עו"ד רבקי דב"ש

תביעות נזיקין



How Wrongful Arrests Based on Al Derailed 3 Men's Lives

Robert Williams, Michael Oliver, and Nijeer Parks were misidentified by facial recognition software. The impact cast a long shadow.



המכון הישראלי

FUTURE OF PRIVACY FORUM

מה ניתן ללמוד?



-הגדרת המטרות ודרך השימוש

בראי מבחני המידתיות והסבירות

- עבור מה נועד השימוש סוג העבירות והשלכות של התאמה
 - הגורם המאשר ותנאי האישור
- שימוש באימות (1:1) או בזיהוי (1:N) מושהה / זמן אמת
 (EU) או לצמצם מאוד (NZ) (נטייה בעולם המערבי לאסור שימוש בזמן אמת (NZ))
 - מקור התמונות דיוק
 - מחיקת מידע
 - זכויות האדם הפרטי במידע
 - שימוש מול קטינים (?)





INTERPOL

מהימנות המערכת

— Factors in facial identification

Unlike fingerprints and DNA, which do not change during a person's life, facial recognition has to take into account different factors, such as:

- Ageing
- Plastic surgery
- Cosmetics
- Effects of drug abuse or smoking
- Pose of the subject

Working with good quality images is also crucial. Low or medium quality images may be not searchable in the IFRS system and, if they are, the accuracy of the search and the results themselves can be significantly affected.



המכון הישראלי

פערים בתוצאות בתנאי מעבדה מול תנאי שטח



Government Commercial Resources Media Compan

Consecutive NIST Tests Confirm Superiority of Clearview Al's Facial Recognition Platform

Clearview Al's facial recognition algorithm again ranks No. 1 in U.S. – tops in 1:N and 1:1 Facial Recognition Vendor Tests (FRVT)



BUSINESS INSIDER

INDIA

Home > Tech > News >> Facial-Recognition Software Fails To Correctly Identify People '96% Of The Time,'

Facial-recognition software fails to correctly identify people '96% of the time,' Detroit police chief says







The New York Times

מעורבות הגורם האנושי ומיומנות המשתמש



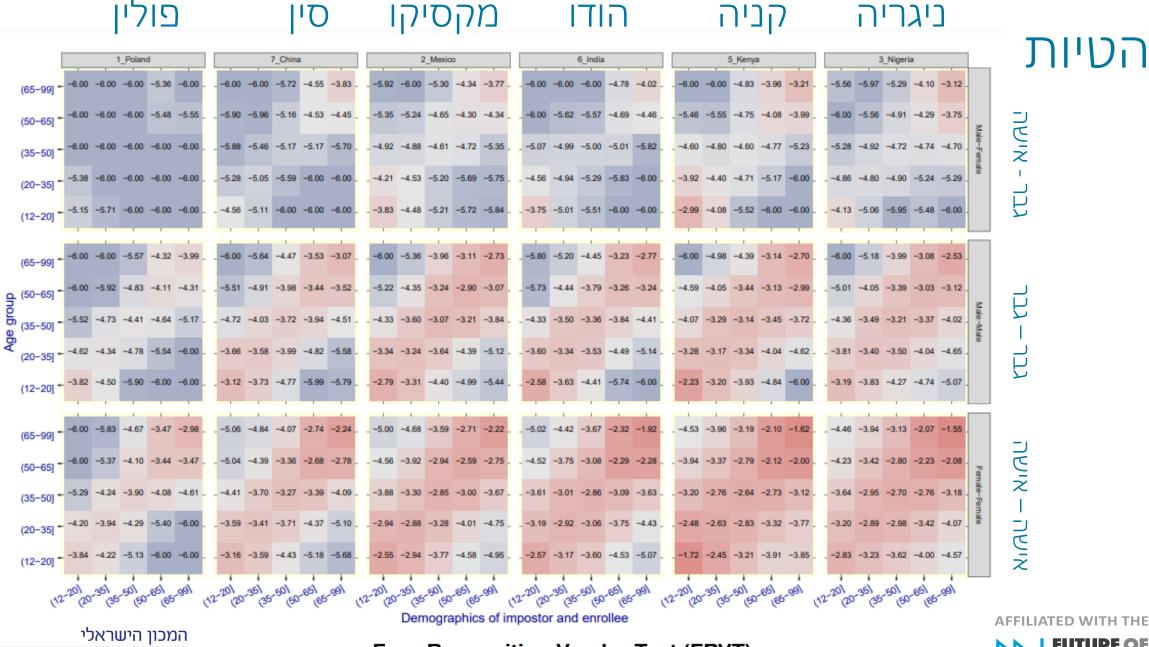
Wrongfully Accused by an Algorithm

In what may be the first known case of its kind, a faulty facial recognition match led to a Michigan man's arrest for a crime he did not commit.









Face Recognition Vendor Test (FRVT)

PRIV FOR

שקיפות

מקדימה -

מודעות לשימוש במערכת

פרסום בדיקות מהימנות וסקרי סיכונים (במיוחד ביחס להטיות)

תנאי השימוש

יכולות המערכת

- נתונים שוטפים
- בתיק הספציפי כלל המידע לסניגור







Policy documents

<u>Live Facial Recognition - Process summary</u>

<u>Live Facial Recognition - Policy</u>

<u>Live Facial Recognition - Standard Operating Procedure</u>

<u>Live Facial Recognition - Legal mandate</u>

<u>Live Facial Recognition - Data Protection Appropriate Policy Document</u>

<u>Live Facial Recognition - Deployment process summary (31 January 2022)</u>

<u>Live Facial Recognition - APD annex (30 June 2022)</u>

Impact assessments

<u>Live Facial Recognition - Data Protection Impact Assessment</u>

<u>Live Facial Recognition - Data Protection Impact Assessment Annex</u>

<u>Live Facial Recognition - Equality Impact Assessment</u>

<u>Live Facial Recognition - Equality Impact Assessment Annex</u>

עו"ד רבקי דב"ש







Deployment records

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<u>Live Facial Recognition - Deployment Record</u>

<u>Live Facial Recognition – Form 1 – Template application, written authority document and post deployment review</u>

Other LFR documents



<u>Live Facial Recognition - How we're complying with the surveillance camera code of practice</u>

<u>Live Facial Recognition - NPIA - Capture and interchange standard for facial and SMT images</u>

Live Facial Recognition: Understanding Accuracy and Bias

<u>Facial Recognition - Terminology overview</u>

<u>Live Facial Recognition - Equitability study - test strategy</u>



המכון הישראלי

San Francisco Police Department

Current Surveillance Technology Inventory

Analysis software (Genemapper, Verogen sequencing software, STRmix)

Andros Robotics w/ Camera and Audio

Automated License Plate Reader (ALPR)

Avatar Tactical Robot camera

Blackbag BlackLight

Body Worn Cameras (Axon)

Cell Hawk

Cellebrite

City Department Surveillance Cameras

Cogent ABIS (Automatic Biometric Identification System)

CommPort Tech (Under Vehicle Camera)

Dataminr First Alert

DataWorksPlus Digital Crime Scene system

DataWorksPlus Digital Photo Manager system המכון הישראלי Fiber Optic Camera

FLIR Voyager cameras

Forensic Toolkit, or FTK

GPS Tracking Device

GrayKey

HNT Throw Phone / Camera

IP Cameras (Digital Cameras)

IRobot

Life Tech 7500 or RT-PCR instruments

Life Technology 3500 and 3130xl Capillary Electrophoresis instruments

Lil Ears Microphone

MacQuisition

Magnet Forensics

MicroBlink Scanning

Non-City Entity Drone Detection System

Non-City Entity Surveillance Cameras

OpenText™ EnCase™ Forensic

Pen Link "PLX"

Pole Camera

Qiagen EZ1 or EZ2 extraction robots

Qiagen Qiacubes

QinetiQ Robotics w/ Camera and Audio

Recon Scout camera

RFID Scanner

SeaFLIR II camera

ShotSpotter

SWAT Camera

Tactical Electronics Fiber Scope camera

Thermalcyclers

Under Door Camera

Vertmax Camera



AFFILIATED WITH THE



פיקוח ובקרה

- הליך הערכת מהימנות המערכת
- הליך הערכת סיכונים לזכויות הפרט
- מנגנון לקבלת מידע פרטני, ואפשרות להגשת תלונה

וכמובן - שקיפות







MPS LFR DEPLOYMENTS 2020 – Date



Deployment	Date (DD/MM/ YY)	Purpose Reference	Watchlist Size	Total Alerts	False Alert / Confirmed False Alerts	False Alert / Confirmed False Alert Engagements	True Alerts ¹	True Alert Engagements	Arrests / Disposals	Faces seen (Estimate)	False Alert Rate
Stratford	11/02/20	1, 2	5816	0	0	0	0	0	0	4600	0.00%
Oxford Circus (technical fault stopped	21/02/20	1, 2	7316	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
deployment)											
Oxford Circus	27/02/20	1, 2	7292	8	7	5	1	1	1	8600	0.08%
Oxford Circus	28/01/22	1, 2	9756	11	1	1	10	7	4	12120	0.008%
Leicester Square	10/03/22	1, 2	6793	0	0	0	0	0	0	10740	0.00%
Oxford Circus	07/07/22	1, 2, 3	6699	4	0	0	4	3	3	34286	0.00%
Oxford Circus	14/07/22	1, 2, 3	6713	3	1	1	2	2	1	34360	0.003%
Oxford Circus	16/07/22	1, 2, 3	6747	1	1	1	0	0	0	36420	0.003%
Piccadilly Circus	28/07/22	1, 2, 3	6858	1	0	0	1	0	0	16440	0.00%





A SOCIOTECHNICAL AUDIT: ASSESSING POLICE USE OF A FACIAL RECOGNITION



Evani Radiya-Dixit October 2022

No FRT match (negative result) Incorrect match (false positive) Key: Correct match (true positive) FRT match (positive result) 7 incorrect matches False positive rate 10,000 FRT searches 3 correct matches FRT precision 10 FRT matches

Figure 3: Distinction between the false positive rate and precision of facial recognition.

המכון הישראלי למדיניות טכנולוגיה

עו"ד רבקי דב"ש



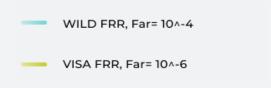
בחינה מחודשת באופן קבוע

TRUST REPORT

∴ INNOVATCICS

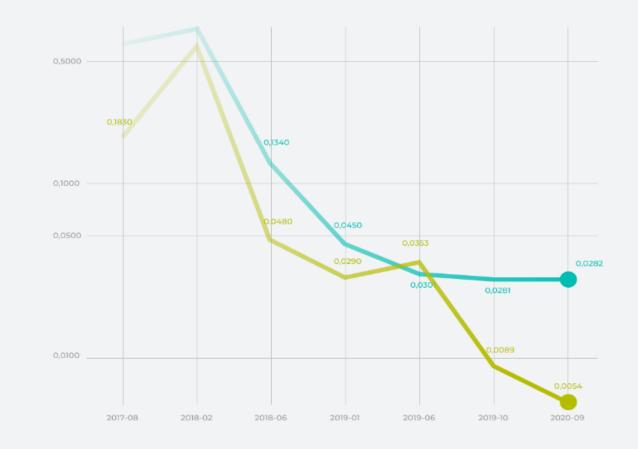
INSIGHTS INTO THE TECHNOLOGY OF TRUST

The accuracy of Face Recognition



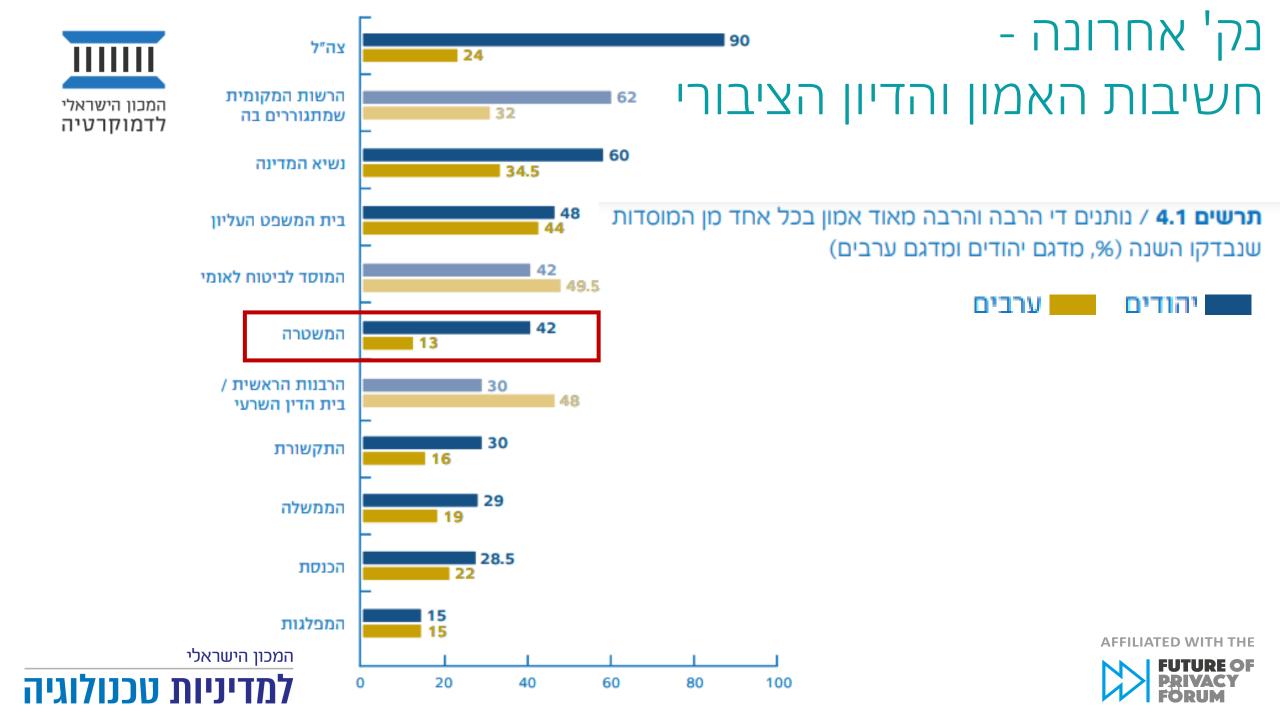
Axis x represents the year of the new algorithm was measured. Each vertical line represents the newest algorithm developed at the time.

Axis y stands for the accuracy ratio of FRR (false reject rate) and FAR (false accept rate) ratio.



המכון הישראלי למדיניות טכנולוגיה





תודה על ההקשבה

rdvash@techpolicy.org.il

המכון הישראלי

למדיניות טכנולוגיה

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