

Honolulu, Hawaii

FEB 14 2020

RE: S.B. No. 3148
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and
Military Affairs, to which was referred S.B. No. 3148 entitled:

"A BILL FOR AN ACT RELATING TO FACE SURVEILLANCE,"

begs leave to report as follows:

The purpose and intent of this measure is to limit the use of
face surveillance, except under certain circumstances.

Your Committee received testimony in support of this measure
from the Department of Transportation and Office of the Public
Defender. Your Committee received testimony in opposition to this
measure from the Department of Accounting and General Services,
Honolulu Police Department, Department of Prosecuting Attorney of
the City and County of Honolulu, and one individual. Your
Committee received comments on this measure from Microsoft.

Your Committee finds that facial recognition technology has
become extremely popular as a deterrent against crime and
terroristic threats. However, your Committee further finds that
the rapid development and proliferation of facial recognition
technology has become a serious public concern. Facial
recognition technology is used worldwide in airports, stores, and
government agencies. Your Committee also finds that the accuracy
of facial recognition technology has yet to be fully vetted and is
highly dependent on the accuracy of the data entered into the
software or algorithms used by each system. The technology has



not reached the stage of development where it can successfully and accurately distinguish systematic problems with the types of biases against race, gender, and age. This measure will protect the public against unauthorized uses of information obtained through facial recognition technology by prohibiting the use of facial recognition technology, under certain circumstances.

Your Committee has amended this measure by:

- (1) Authorizing information obtained from a face surveillance system to be obtained, retained, or used, in addition to other situations, for other future public safety applications, the protection of public gatherings where mass violent threats exist, and protection of government facilities and employees; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3148, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3148, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental, and Military
Affairs,



CLARENCE K. NISHIHARA, Chair



