FIGHT FOR THE FUTURE

To: National AI Advisory Committee
From: Caitlin Seeley George, Campaign Director, Fight for the Future

Members of the National AI Advisory Committee,

Fight for the Future is a digital rights nonprofit with over 3 million members nationwide. In recent years, we've engaged our supporters in campaigns to address the harms of artificial intelligence, including to ban law enforcement, government, and private use of facial recognition and other biometric surveillance technologies; in calls to ban invasive e-proctoring tech in schools; in fights against companies like Zoom and Spotify that want to develop and use emotion analysis to surveil and manipulate users; against worker surveillance by companies like Amazon; and in support of strong federal privacy legislation that can help minimize AI harms.

AI-powered algorithms are deeply enmeshed in many aspects of daily life, and are used to make life changing decisions related to loan and mortgage approval, job applications, and whether an individual is granted bail based on an algorithm's determination of recidivism risk. While there has been a new level of attention placed on artificial intelligence in the wake of recent releases of newer products, we think it's critical that the Committee focus on addressing the known, systemic harms of AI that are already happening across society, and which groups like Fight for the Future and other civil rights groups here have been highlighting for years. The Committee should focus its efforts on addressing this systemic discrimination in AI used by both companies and government, and should also center a rights-based approach to addressing AI harms, as was the focus of the Blueprint for an AI Bill of Rights.

Numerous studies, including those conducted by federal agencies, demonstrate that algorithms embody the biases of the cultural context in which they are developed. This is true for facial recognition and other forms of biometric data analysis. Algorithms used for financial and job assessment are known to be biased against cultural names. Known as digital redlining, algorithms are currently reinforcing and exacerbating historic biases against Black and brown people. Predictive policing and criminal risk assessment algorithms systematically rank non-white people with comparable profiles to white people as at higher risk of recidivism, resulting in increased rates of denial of bail, higher fines, and even imprisonment.

We specifically call on the Committee to prioritize convening the Law Enforcement Subcommittee to address the ways law enforcement is abusing AI to supercharge bias and racism in policing. This must be a top priority of the Committee, and we're disappointed that so much time has passed without progress on this front. The Law Enforcement Subcommittee should call for bans on facial recognition, Shot Spotter, and other technologies that have high error rates and have proven to proliferate racial and other forms of discrimination, and should take the strongest stances to limit the use of other AI in policing in light of discriminatory impacts on communities who historically and currently have been over policed and brutalized.

Thank you.