

THE LEGAL AID SOCIETY

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*****FOR IMMEDIATE RELEASE*****

FOIL Documents Reveal the Extent of NYPD's Use of Clearview AI - Controversial Facial Recognition Technology

Legal Aid Reaffirms the Need for Albany, NYC Lawmakers to Ban the Use of Facial Recognition Technologies

(NEW YORK, NY) – The Legal Aid Society released documents obtained through a Freedom of Information Law (FOIL) [Article 78](#) settlement which detail the extent to which the New York City Police Department (NYPD) employed Clearview AI - controversial facial recognition technology - on unsuspecting New Yorkers.

FOIL documents: <https://tinyurl.com/ecv6dwhe>

The documents reveal that:

- various commands within the NYPD used Clearview AI on cases, despite a prior claim to the *New York Post* to the contrary. In fact, a member of the NYPD's Identity Theft Squad cataloged "success stories". It remains unknown whether any of this information was disclosed to defense attorneys on the cases where Clearview AI was used;
- approximately 50 members of the NYPD had access to or an account with Clearview AI during the time period the records cover. The ranks of members using or directing others to use Clearview ranges from police officer to deputy commissioner, including an account being created for Deputy Commissioner of Intelligence and Counterterrorism John Miller, at the apparent request of the Deputy Inspector of the FBI New York Joint Terrorism Task Force;
- at the apparent direction of Deputy Commissioner of Internal Affairs Joseph Reznick, Clearview AI was used in an attempt to identify other members of the NYPD;
- the NYPD was apparently introduced to Clearview AI by an employee of Rudin Management Company, one of the largest privately owned real estate companies in New York City.

In addition to the above, the documents revealed that NYPD officers used Clearview AI on their personal devices, and had received login name and password information in clear text from Clearview AI via e-mail, which is the touchstone of negligent cybersecurity practices. This and other factors call into question the sufficiency of both Clearview AI and the NYPD's cybersecurity measures and enforcement.

“The NYPD has purposefully kept New Yorkers in the dark on the controversial surveillance technologies that the Department deploys citywide,” said **Jonathan McCoy, Staff Attorney with the Digital Forensics Unit at The Legal Aid Society**. “Short of this litigation and these disclosures, the public would never know the extent to which NYPD employed Clearview - a controversial tool that other localities have banned outright. We need action from lawmakers in Albany and at City Hall to prohibit the use of facial recognition technologies outright to protect New Yorkers' privacy and other fundamental rights.”

This past January, Legal Aid released a [FOIL disclosure](#) revealing that Clearview AI had contracted with Staten Island District Attorney Michael McMahon's office in 2019 for eleven employees to use Clearview's services for one year.

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The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 140 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. www.legalaidnyc.org