ASSEMBLY, No. 1210

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
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SYNOPSIS
Requires public hearing prior to use of facial recognition technology by law enforcement agency.

CURRENT VERSION OF TEXT
Introduced Pending Technical Review by Legislative Counsel.
AN ACT concerning facial recognition technology and supplementing Title 2A of the New Jersey Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. a. Prior to the use of facial recognition technology by a State, county, or municipal law enforcement agency, the Attorney General or the governing body of that county or municipality, as appropriate, shall hold a public hearing, with adequate notice to the public, concerning the law enforcement agency’s use of the technology.

b. If a State, county, or municipal law enforcement agency is currently using facial recognition technology, the Attorney General or the governing body of that county or municipality, as appropriate, shall hold a public hearing, with adequate notice to the public, concerning the law enforcement agency’s use of the technology within 60 days of the effective date of P.L. , c. (pending before the Legislature as this bill).

c. The Attorney General or the governing body of the county or municipality, as appropriate, shall identify clear objectives and goals of the use of facial recognition technology by a State, county, or municipal law enforcement agency during the public hearing required pursuant to subsection a. or b. of this section. The Attorney General or the governing body of the county or municipality, as appropriate, shall hold a second public hearing, with adequate notice to the public, five years after the initial public hearing to determine if the objectives and goals have been met.

d. As used in this section, “facial recognition technology” means a computer application which uses facial recognition algorithms to identify or verify a person from a digital image or video frame from a video source.

2. This act shall take effect immediately.

STATEMENT

This bill requires a public hearing prior to the use of facial recognition technology by a law enforcement agency.

Under the provisions of this bill, prior to the use of facial recognition technology by a State, county, or municipal law enforcement agency, the Attorney General or the governing body of that county or municipality, as appropriate, is required to hold a public hearing, with adequate notice to the public, concerning the law enforcement agency’s use of the technology. In addition, if a law enforcement agency is currently using facial recognition technology, the Attorney General or the governing body of that
county or municipality is required to hold the public hearing within 60 days of the effective date of this bill.

Under the bill, the Attorney General or the governing body of the county or municipality, as appropriate, is required to identify clear objectives and goals of the use of facial recognition technology by a State, county, or municipal law enforcement agency during the public hearing. In addition, the Attorney General or the governing body of the county or municipality, as appropriate, is required to hold a second public hearing, with adequate notice to the public, five years after the initial public hearing to determine if the objectives and goals have been met.

Finally, the bill defines “facial recognition technology” as a computer application which uses facial recognition algorithms to identify or verify a person from a digital image or video frame from a video source.