National Artificial Intelligence Advisory Committee Law Enforcement Subcommittee
Federal Advisory Committee Meeting Minutes
September 12, 2023

The National Artificial Intelligence Advisory Committee Law Enforcement Subcommittee (NAIAC-LE) held a virtual public meeting on Tuesday, September 12, 2023.  The meeting was recorded and is available online.

**NAIAC-LE Subcommittee Members:**
- Armando Aguilar
- Anthony Bak
- Amanda Ballantyne
- Jane Bambauer (Chair)
- Esha Bhandari
- Jennifer Eberhardt
- Farhang Heydari
- Benji Hutchinson
- Rashawn Ray
- Cynthia Rudin

**NAIAC Committee Member Q&A Participants:**
- David Danks
- Janet Haven
- Liz O'Sullivan
- Fred Oswald
- Reggie Townsend
- Miriam Vogel, Chair

**NIST Staff Members Present:**
- Melissa Taylor, Manager, NIST
- Alicia Chambers, Designated Federal Officer (DFO), NIST

# Meeting Minutes

**Welcome Remarks**
- The Designated Federal Officer called the meeting to order at 1:04 PM eastern time and confirmed the NAIAC-LE is operating under the Federal Advisory Committee Act and accessible to the public via livestream.

- Melissa Taylor welcomed NAIAC-LE and explained the goal of NAIAC: to provide advice to the President of the United States and the National Artificial Intelligence Initiative Office on matters related to the National Artificial Intelligence Initiative. Participants can email NAIAC at naiac@nist.gov and join the NAIAC mailing list at ai.gov/naiac.

- Miriam Vogel (Chair) emphasized the importance of studying law enforcement applications of AI and thanked the NAIAC-LE for sharing their expertise, guidance, and plans for work on this topic. The NAIAC-LE launched in April under a Congressional mandate and reports directly to NAIAC.

**Opening Remarks**

- Jane Bambauer, chair of the NAIAC-LE, thanked NAIAC members, NAIAC-LE members, and members of the public for joining the meeting.

**NAIAC-LE Member Introductions**
- Bambauer highlighted the diversity of NAIAC-LE members' experiences and expertise before inviting members of the NAIAC-LE to introduce themselves.

  o **Armando Aguilar** is Assistant Chief of Police with the Miami Police Department. During Aguilar's 23 years in law enforcement, he has helped develop facial recognition policy and expand real-time crime centers (RTCCs).
  o **Anthony Bak** founded the AI policy group at Palantir Technologies and has extensive experience leading the implementation of AI systems at Palantir and in a range of industries.
  o **Amanda Ballantyne** directs the Technology Institute at the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), which has broad interests in the Subcommittee's work, ranging from concerns about civil rights and liberties to concerns about the impact of AI on law enforcement work and workers.
  o **Jane Bambauer** is a Professor of Law at the University of Florida whose work assesses the social costs and benefits of AI and analyzes how the regulation of this technology will affect law enforcement and civil liberties.
  o **Esha Bhandari** is Deputy Project Director of the Speech, Privacy, and Technology project at the American Civil Liberties Union (ACLU), as well as an Adjunct Professor of Clinical Law at NYU School of Law. Bhandari has advocated for civil rights and liberties for over a decade, with a focus on government surveillance and adoption of new technologies.
  o **Jennifer Eberhardt** is a Professor of Psychology at Stanford University and the Director of Stanford SPARQ, a research organization which builds partnerships with industry practitioners to address bias and inequalities. Eberhardt's interdisciplinary, collaborative work includes developing methods to quantify racial disparities in police traffic stops.
  o **Farhang Heydari** is an Assistant Professor of Law at Vanderbilt Law School as well as the former Executive Director of the Policing Project at NYU. Heydari is a civil rights attorney and professor of criminal procedure and policing whose work addresses police use of new technologies and the impact of new technologies on policing.
  o **Benji Hutchinson** is currently the Chief Revenue Officer at Rank One Computing, which specializes in commercial and public sector biometric use cases. Hutchinson has twenty years of experience in the biometrics industry and has supported several federal agencies' biometric deployments, including the Departments of State and Defense.
  o **Rashawn Ray** is a Professor of Sociology at the University of Maryland, where he also leads the Social Justice Alliance and the Anti-Black Racism Initiative. In addition, Ray is a Senior Fellow at the Brookings Institution. Ray was unable to attend this NAIAC-LE public session.
  o **Cynthia Rudin** is a Professor of Computer Science at Duke University whose work centers on the design of interpretable machine learning algorithms and their application in social contexts such as the criminal justice system.

**Roadmap Document**
- The NAIAC-LE's first written deliverable will be a roadmap document that defines the scope and organizing principles of the Subcommittee's work.
- Bambauer summarized the sections of this roadmap document, which establishes the **scope** of the Subcommittee's work by defining *AI* and *law enforcement applications of AI*; outlines a **taxonomy of law enforcement uses of AI,** noting specific technologies currently used for those purposes; and identifies **legal and ethical issues** raised by law enforcement applications of AI.  The final document might also identify **recommendations** the NAIAC-LE plans to develop in its first year.
- The NAIAC-LE plans to organize briefings and discussions regarding its taxonomy of law enforcement uses of AI.

# NAIAC Members Question and Answer Session
- Bambauer invited NAIAC members to offer feedback on the NAIAC-LE's workplan.

  - Miriam Vogel asked whether the NAIAC-LE plans to hold public stakeholder sessions.
  - Reggie Townsend observed the difficulty of coordinating decentralized law enforcement agencies and asked how the NAIAC-LE plans to engage law enforcement stakeholders to encourage adoption of its recommendations.
  - David Danks asked whether the NAIAC-LE plans to differentiate its approach to federal and local law enforcement.
  - Janet Haven noted that the Biden Administration's prioritization of racial equity foregrounds concerns about algorithmic bias and discrimination in AI applications. Haven asked how the NAIAC-LE plans to address racial equity as it pertains to AI and law enforcement.
  - Liz O'Sullivan supported the NAIAC-LE's definition of its scope to include data collection, retention, and surveillance.  O'Sullivan asked whether the NAIAC-LE will consider recommending that some AI tools not be used because of the risk they pose to civil liberties and rights.
  - Fred Oswald asked whether the NAIAC-LE is considering how its recommendations might impact resource and staff configurations in the law enforcement workplace.

**Closing Remarks**
- Bambauer called for final comments from the NAIAC members.

- Hearing no final comments, DFO concluded the meeting of the NAIAC-LE under the NAIAC.  A summary of the meeting will be posted to ai.gov/naiac. Members of the public can email NAIAC at naiac@nist.gov and join the NAIAC mailing list at ai.gov/naiac.