

National Artificial Intelligence Advisory Committee Law Enforcement Subcommittee Meeting Minutes April 5, 2024

The National Artificial Intelligence Advisory Committee Law Enforcement Subcommittee (NAIAC-LE) held a virtual public meeting on Friday, April 5, 2024. The meeting was recorded and [is available online](#).

NAIAC-LE Members

- Jane Bambauer (Chair)
- Armando Aguilar
- Anthony Bak
- Jennifer Eberhardt
- Farhang Heydari
- Benji Hutchinson

NIST Staff Members

- Cheryl Gendron, Designated Federal Officer (DFO)
- Melissa Taylor, NAIAC Program Manager

Meeting Minutes

Welcome Remarks

- Gendron called the meeting to order at 3:01 PM Eastern Time and confirmed that the Law Enforcement Subcommittee is operating under the Federal Advisory Committee Act. Gendron noted that the virtual meeting is open to the public via livestream and encouraged members of the public to submit questions to the Committee and Subcommittee by emailing naiac@nist.gov.
- Taylor spoke on behalf of the U.S. Government, the Department of Commerce, and the National Institute of Standards and Technology (NIST)—the agency administering the National Artificial Intelligence Advisory Committee (NAIAC)—to welcome NAIAC-LE members and thank them for their service. NAIAC-LE advises the President through NAIAC on matters regarding law enforcement use of artificial intelligence (AI). Taylor also thanked members of the public for their participation.
- Bambauer outlined the meeting agenda: (1) introduction of new Subcommittee working group (WG) structure, (2) WG updates, and (3) discussion of draft findings and recommendations. The Subcommittee received one public comment via naiac@nist.gov which it reviewed following the meeting.

New Subcommittee WG Structure

- The Subcommittee will transition from its current model of fixed, theme-based WGs to temporary, project-based WGs. New WGs will form as the Subcommittee identifies potential workstreams, with individuals volunteering to lead WGs based on their expertise and interests. Once a WG has completed or tabled its project, it will dissolve.
- Currently, the Subcommittee has five active WGs:
 - **Three original WGs:** (1) Identification and Surveillance, led by Aguilar, (2) Performance and Bias, led by Bambauer, and (3) Process, led by Heydari
 - **Two new, project-based WGs:** (1) Accountability AI, led by Eberhardt, (2) Officer Training, led by Hutchinson.

Updates from WGs not Presenting Deliverables

- The Identification and Surveillance WG is finalizing a set of recommendations outlining best practices for the use of facial recognition technology (FRT). It is also developing guidance on the use of automated license plate readers (ALPRs), gunshot detection systems, and video analytics.
- The newly formed Officer Training WG is considering two workstreams: (1) standardizing a certification process for FRT examiners and (2) identifying federal funding sources and other resources to support state and local law enforcement training in the use of AI-based tools.

Discussion and Vote on Accountability AI WG Recommendation

Title: Encourage the Creation of Statewide Repositories for Police Body-worn Camera Footage

- **Overview:** The recommendation calls for the federal government to invest in the development of statewide repositories for body-worn camera footage so that independent researchers can access and analyze the data. The recommendation argues for a systematic, computationally driven approach to footage review, to reveal large-scale patterns and trends in police interaction with the public.
- Following a brief discussion, Bambauer motioned a vote on the recommendation, titled “Encourage the Creation of Statewide Repositories for Police Body-worn Camera Footage.” Members of the Subcommittee were polled and decided by majority vote to advance the recommendation.

Approve	Not Present
<u>6</u>	<u>3</u>
Bambauer	Bhandari
Aguilar	Ray
Bak	Rudin
Eberhardt	
Heydari	
Hutchinson	

Discussion and Vote on Process WG Recommendation

Title: Require Public Summary Reporting on Use of High-Risk AI

- **Overview:** The recommendation calls for law enforcement agencies to annually publish summary usage reports for safety- or rights-impacting AI, to be included in the agency’s AI Use Case Inventory.
- Members asked whether agency Chief AI Officers (CAIOs) might be the appropriate government actors to establish reporting standards for AI tools.
- The feasibility of the recommendation was discussed. Many vendors are capable of automating the reporting of summary statistics. However, challenges might arise in coordinating across state, local, and federal law enforcement agencies to develop standard approaches to implementing and using data collection and reporting systems.
- Bambauer motioned a vote on the recommendation, titled “Require Public Summary Reporting on Use of High-Risk AI.” Members of the Subcommittee were polled and decided by majority vote to advance the recommendation.

Approve	Not Present
<u>6</u>	<u>3</u>
Bambauer	Bhandari
Aguilar	Ray
Bak	Rudin
Eberhardt	
Heydari	
Hutchinson	

Discussion and Vote on Performance and Bias WG Findings and Recommendations

Title: Field Testing of Law Enforcement AI Tools

- **Overview:** The finding and three recommendations provide guidance on law enforcement field testing of AI tools, in accordance with the OMB requirement that the performance of rights- and safety-impacting AI be evaluated in real-world settings. The goal of the WG’s guidance is to promote field tests that can inform public discourse and debate about law enforcement AI use.
- Subcommittee members observed that Recommendation 3, Options A and B create incentives and support for state and local law enforcement agencies to conduct field testing. By contrast, Option C imposes a requirement to conduct field testing without explicitly providing resources to do so. Subcommittee members agreed that they would hold separate votes on Recommendation 3, Options A and B. They also agreed to table Recommendation 3, Option C.
- Members suggested two briefings to inform their future work: (1) on existing practices and levers that the federal government employs to influence the behavior of state and local law enforcement and (2) on methods of gathering high-quality community input regarding law enforcement activity.
- Bambauer motioned a vote on the finding, titled “Field Test Checklist.” Members of the Subcommittee were polled and decided by majority vote to advance the finding.

Approve	Not Present
<u>6</u>	<u>3</u>
Bambauer	Bhandari
Aguilar	Ray
Bak	Rudin
Eberhardt	
Heydari	
Hutchinson	

- Bambauer motioned a vote on Recommendation 1. Members of the Subcommittee were polled and decided by majority vote to advance the recommendation.

Approve	Not Present
<u>6</u>	<u>3</u>
Bambauer	Bhandari
Aguilar	Ray
Bak	Rudin
Eberhardt	
Heydari	
Hutchinson	

- Bambauer motioned a vote on Recommendation 2. Members of the Subcommittee were polled and decided by majority vote to advance the recommendation.

Approve	Not Present
<u>6</u>	<u>3</u>
Bambauer	Bhandari
Aguilar	Ray
Bak	Rudin
Eberhardt	
Heydari	
Hutchinson	

- Bambauer motioned a vote on Recommendation 3, Option A. Members of the Subcommittee were polled and decided by majority vote to advance the recommendation.

Approve	Not Present
<u>6</u>	<u>3</u>
Bambauer	Bhandari
Aguilar	Ray
Bak	Rudin
Eberhardt	
Heydari	
Hutchinson	

- Bambauer motioned a vote on Recommendation 3, Option B. Members of the Subcommittee were polled and decided by majority vote to advance the recommendation.

Approve	Not Present
<u>6</u>	<u>3</u>
Bambauer	Bhandari
Aguilar	Ray
Bak	Rudin
Eberhardt	
Heydari	
Hutchinson	

Closing Remarks

- Gendron thanked Subcommittee members for their work and members of the public for their participation.
- Members of the public are encouraged to share comments and questions with NAIAC and NAIAC-LE by emailing NAIAC@nist.gov. They can visit ai.gov/naiac to subscribe for Committee updates. A summary of the meeting will also be posted on ai.gov/naiac.
- Gendron adjourned the meeting at 4:24 PM Eastern Time.

**National Artificial Intelligence Advisory Committee's Law Enforcement Subcommittee
Public Comments**

April 5, 2024

The National Artificial Intelligence Advisory Committee Law Enforcement Subcommittee held a virtual public meeting on Friday, April 5, 2024. The meeting was recorded and is available online. The following pages are public comments received connected to this meeting.

From: [Marcella Brady](#)
To: [naiac](#)
Subject: Question and comment
Date: Friday, April 5, 2024 3:28:47 PM

Hello,

I am attending the conference, however I am not able to remain logged on. The chat and Q&A feature is disabled. I would like to post the following question and recommendation to the committee. Are you able to relay this?

A) If the recommendations of documenting AI tools and use do not extend into the intelligence community, then this National committee is not being used to its full potential. At the bare minimum all recommendations should apply to all intelligence community entities that use and do work in conjunction with law enforcement entities. Dual use technologies using artificial intelligence especially in “peacetime” practices (homeland), being deployed in society, and used in conjunction with law enforcement technologies that also have commercial purposes should be documented and reported as well. AI that is used secondary, tertiary or at any level other than primary use during operations, investigations, research and in training (involving law enforcement and/or intelligence components especially during peacetime operations) should be included in documenting its use.

B) There also should be personnel knowledgeable about commercial and sensitive/classified AI tools at least at state level. Reporting its misuse and abuse cannot happen effectively if no one knows what is out there. Clear guidance is required on what entity is responsible for investigating instances of fraud, waste, abuse, and civil rights violations for these sensitive forms of technologies/AI.

C) There should also be ethical guidance and consent practices for sensitive forms of technology requiring human trials, human research subjects and the use of remote biofield technology in law enforcement and intelligence operations (especially in peacetime ops on US soil).

Are these concerns covered within the recommendations of this committee?

I have personally reported the fraud, waste, misuse and abuse of what I believe to be a sensitive form of AI technology used in the law enforcement and intelligence community. Several federal entities report that it is not in their scope to investigate. There is no accountability. This needs to change.

I will request a recording of this session to see if my question is answered.

Marcella Brady

From: [Marcella Brady](#)
To: [naiac](#)
Subject: Question
Date: Friday, April 5, 2024 4:19:05 PM

So if there's a grant supporting shot spotter or an artificial intelligence technology that is supposed to detect for instance, forest fires, but they are detecting more than that. They're detecting human bio fields or detecting, in general “thermal activity” in certain areas; thermal/human activity to certain businesses and certain areas of our population, how is that on the radar at all?

Law enforcement thinks that they are field testing one thing, however, they are allowing something greater into their territories that can affect the way that they police and handle situations.

Again, from experience, and a general question.