



Clearview Ai

Stop Searching. Start Solving.

Jessica Medeiros Garrison

205.568.4371

jessica@clearview.ai

What is Clearview? Clearview's mission is to drastically reduce crime, fraud and risk in order to make communities safer and commerce secure.

Clearview provides law enforcement a revolutionary facial search engine. From a single image it can instantly and accurately return photos matching that face from the Internet and other publicly available sources.



Paul Clement Legal Implications Briefing Counsel to Clearview

KIRKLAND & ELLIS LLP

MEMORANDUM

TO: Clearview AI, Inc.

FROM: Paul D. Clement, Esq. 

DATE: August 14, 2019

RE: Legal Implications of Clearview Technology

Clearview is an investigative application that uses state-of-the-art facial-recognition technology to match the face in a user-uploaded image to faces in publicly available images. It is designed to be used in ways that ultimately reduce crime, fraud, and risk in order to make communities safer. This memorandum analyzes the potential legal implications of Clearview's use by public entities as an investigative tool. We conclude, based on our understanding of the product, that law enforcement agencies do not violate the federal Constitution or relevant existing state biometric and privacy laws when using Clearview for its intended purpose. Moreover, when employed as intended, Clearview's effective and evenhanded facial-recognition technology promotes constitutional values in a manner superior to many traditional identification techniques and competing technologies.

**Entire Memo - Attachment "A"*

(Pew, 9/19)

Trust in the Law...

Percentage of Americans who say they trust these groups to use facial recognition technology responsibly

■ A great deal ■ Somewhat ■ Not too much ■ Not at all



CHART: WIREIMAGE.COM/PEW RESEARCH CENTER

Majority of Americans find it acceptable for law enforcement to use facial recognition to assess threats in public spaces

% of U.S. adults who say the use of facial recognition technology in the following situations is ...



Amazon's Face Recognition Falsely Matched 28 Members of Congress With Mugshots



By [Jacob Snow](#), Technology & Civil Liberties Attorney, ACLU of Northern California
JULY 26, 2018 | 8:00 AM

Amazon face recognition falsely matches 28 lawmakers with mugshots, ACLU says

Test of Rekognition software links members of Congress to arrest photos and finds people of color misidentified disproportionately

TECH \ AMAZON \ ARTIFICIAL INTELLIGENCE

Gender and racial bias found in Amazon's facial recognition technology (again)

Research shows that Amazon's tech has a harder time identifying gender in darker-skinned and female faces

By [James Vincent](#) | Jan 25, 2019, 9:45am EST

ACLU's Test

Used Amazon's Rekognition

80% Confidence Interval

25,000 faces in pre-selected database

28 false IDs

Clearview Test

Used Clearview

99.5% confidence interval hard-coded

Billions of online photos

Zero false IDs

The ACLU ran its test using Rekognition's 80% 'default' confidence setting. (The program advises setting the confidence interval at 95% for law enforcement applications.) Even so, the test was highly publicized and might serve to give the general impression that facial recognition technology is inaccurate and/or biased.

Accuracy Test Report

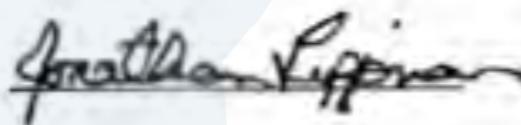
In October 2019, the undersigned Panel conducted an independent accuracy test of Clearview AI...For the purposes of this analysis, the Panel used the same basic methodology used by the American Civil Liberties Union (ACLU) in its July 2018 accuracy test of Amazon's Rekognition technology.

The ACLU's approach entailed comparing photographs of all 535 members of the U.S. House of Representatives and Senate against a database of 25,000 arrest photos. The test resulted in 28 members of Congress being incorrectly matched to arrestees from the photo database.

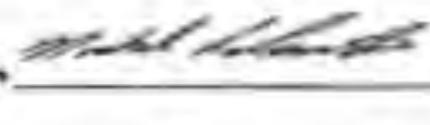
With those important concerns in mind, the Panel conducted the same test of Clearview. **Along with analyzing all 535 members of Congress, the Panel also analyzed all 119 members of the California State Legislature and 180 members of the Texas State Legislature, for good measure.**

The test compared the headshots from all three legislative bodies against Clearview's proprietary database of 2.8 billion images (112,000 times the size of the database used by the ACLU). The Panel determined that Clearview rated 100% accurate, producing instant and accurate matches for every one of the 834 federal and state legislators in the test cohort.

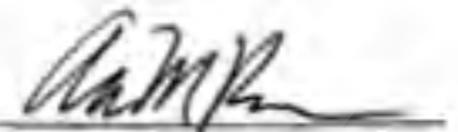
Conducted Independently By:



Hon. Jonathan Lippman



Nicholas Cassimatis, PhD

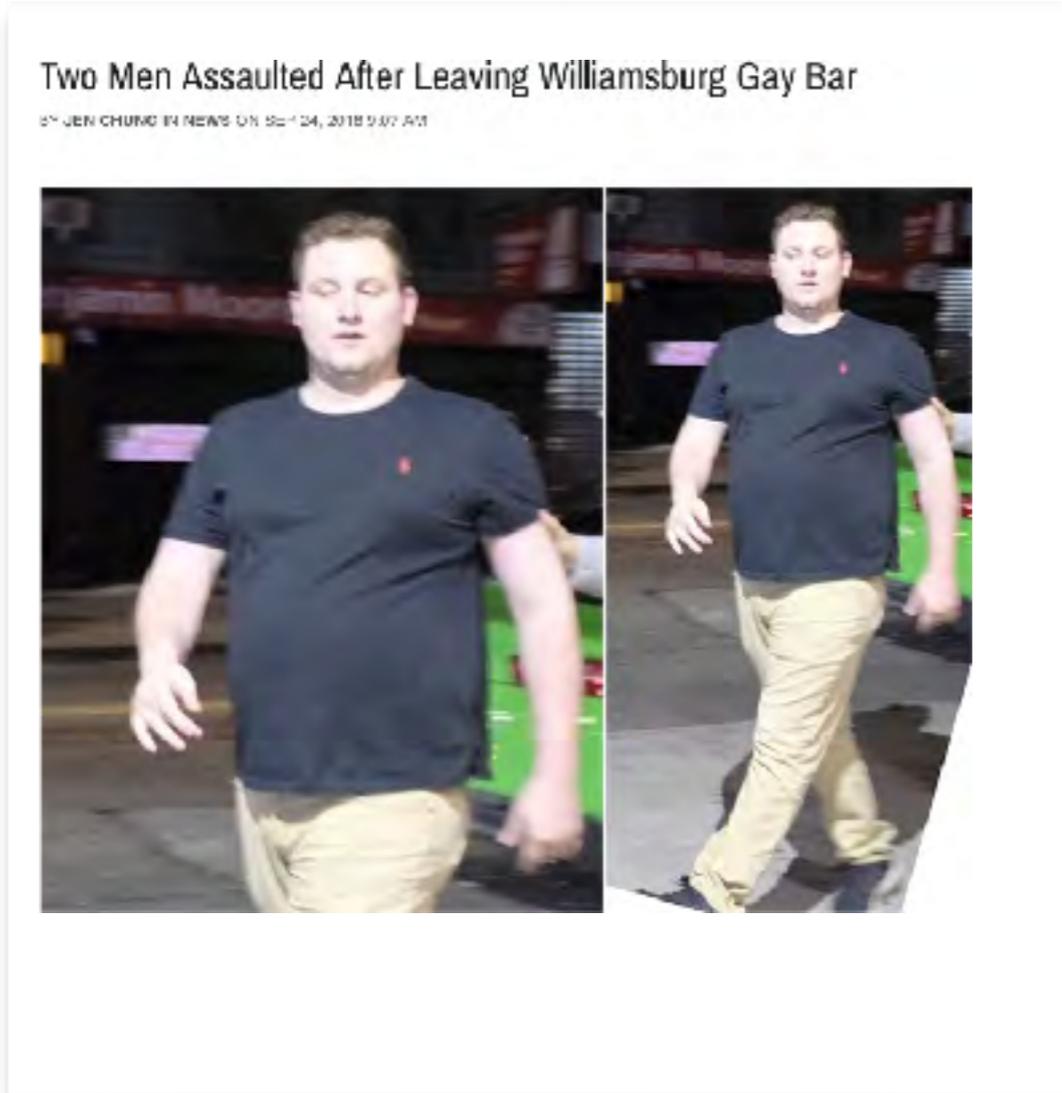


Aaron M. Renn

- **Judge Lippman** served as Chief Judge of the State of New York from 2009 to 2015....
- **Nicholas Cassimatis** is former Chief of Samsung's North American AI Research
- **Aaron Renn** is a Senior Fellow at the Manhattan Institute

In late 2018, the Clearview team began testing its technology's capability to **solve crimes** by scanning images pulled from news reports about persons of interest.

On September 24, 2018, **The Gothamist** published a photo of a man who assaulted two individuals outside a bar in Brooklyn, NY.



2 similar results

Using Clearview, we instantly identified the assailant and sent the tip to the police, who confirmed his identity.

The image shows a blue background with a white checkmark on the right. In the center, there are two side-by-side portrait photos of a man with a beard and short brown hair, smiling. Above the photos is the text "2 similar results". The photos are slightly faded and have a small "5" in a circle in the top right corner of each.

Clearview begins to launch pilot programs with law enforcement.

Detectives begin breaking unsolved cases involving **pedophiles, credit-card fraud, sexual harassment, ATM theft and hate-crimes.**

Here are some of their stories...

Financial Fraud

Vineland Police:

Fraud suspect pretended to be car salesman

VINELAND – Police announced the arrest of a man who allegedly committed fraud by selling rented cars as his own. James Mero was arrested on Nov. 15. At the time of his arrest, according to reports, he was found in possession of numerous documents that lead investigators to believe there are additional victims in the South Jersey area...Mero would rent vehicles from a local car rental agency and attempt to sell them to residents, accepting down payments and deposits from the victims. Mero also allegedly took potential victims to car dealerships after hours on Sundays, claiming to be a salesperson.

Det. Sgt. Robert Powell
Raleigh Police Department
Financial Crimes Unit



Felony charges include:

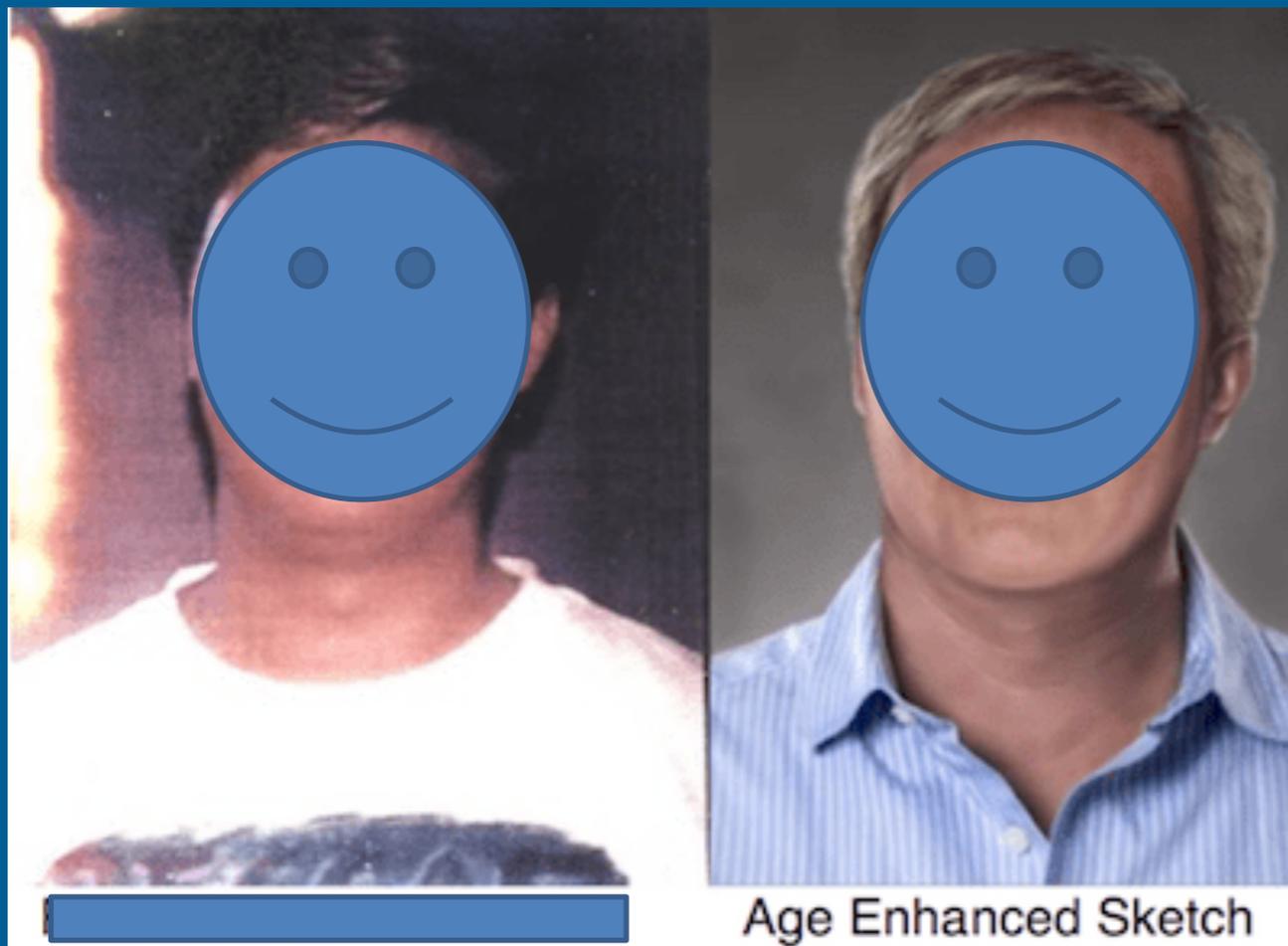
- **Obtaining Property by False Pretense**
- **Credit Card Theft**
- **Identity Theft**
- **Second Degree Sex Exploitation of Minor x 12**

James Mero was identified using Clearview when a BOLO was disseminated using a photo from one of the victims. Mero had been released from federal prison in November 2018, serving time for fraud, and made his way to Raleigh. Total Loss Exposure was \$191,536.46 with 15 known victims. On June 3, 2019, US Marshal TFO Brian Lindsey and the US Marshals located and arrested James Mero in Henderson, NC. Mero was wanted on an outstanding federal probation warrant and several financial crimes warrants. The interview with Mero also elicited incriminating statements as well as his consent to examine his cell phone. Initial review of the cell phone found not only incriminating information to his fraudulent activity but child pornography.

Child Exploitation

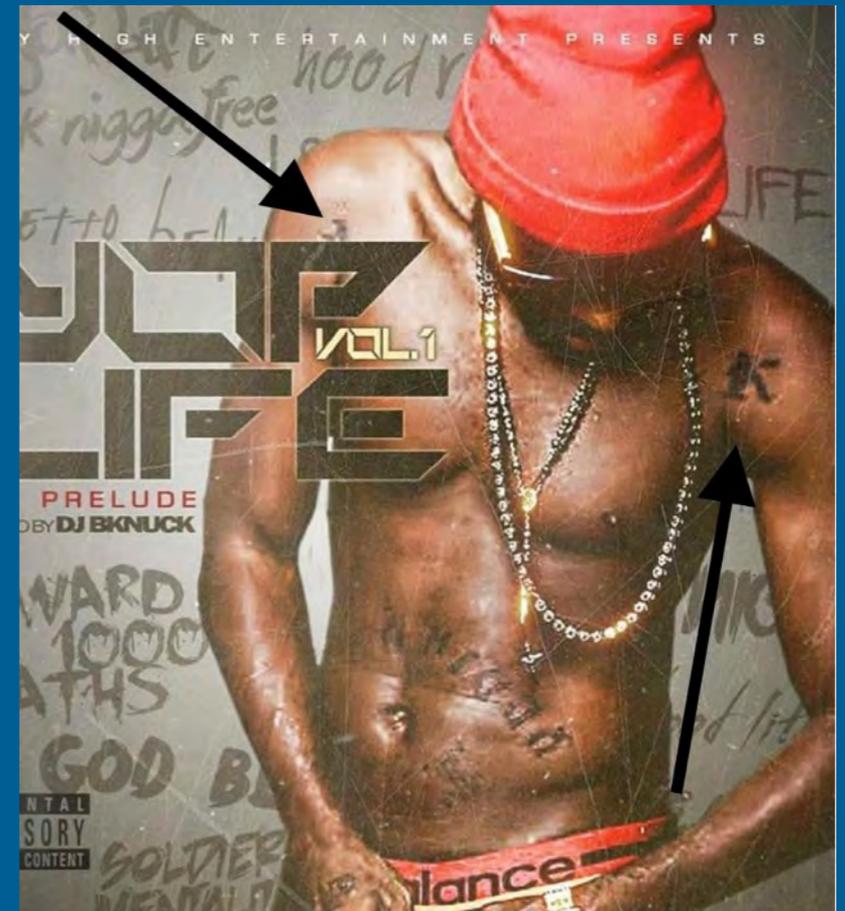
XXXXXXXXX Wanted for Alleged Lewd Acts Upon a Child.

According to detectives, XXXX is alleged to have repeatedly molested a 10-year-old boy in the LaJolla area of San Diego, California. It is alleged that the crimes occurred between 1992 and 1993 after XXX befriended the boy's single mother and often babysat the boy. A state arrest warrant was issued on November 1, 1993 charging XXX with 14 counts of lewd acts upon a child. He was subsequently charged with Unlawful Flight to Avoid Prosecution in a federal warrant.

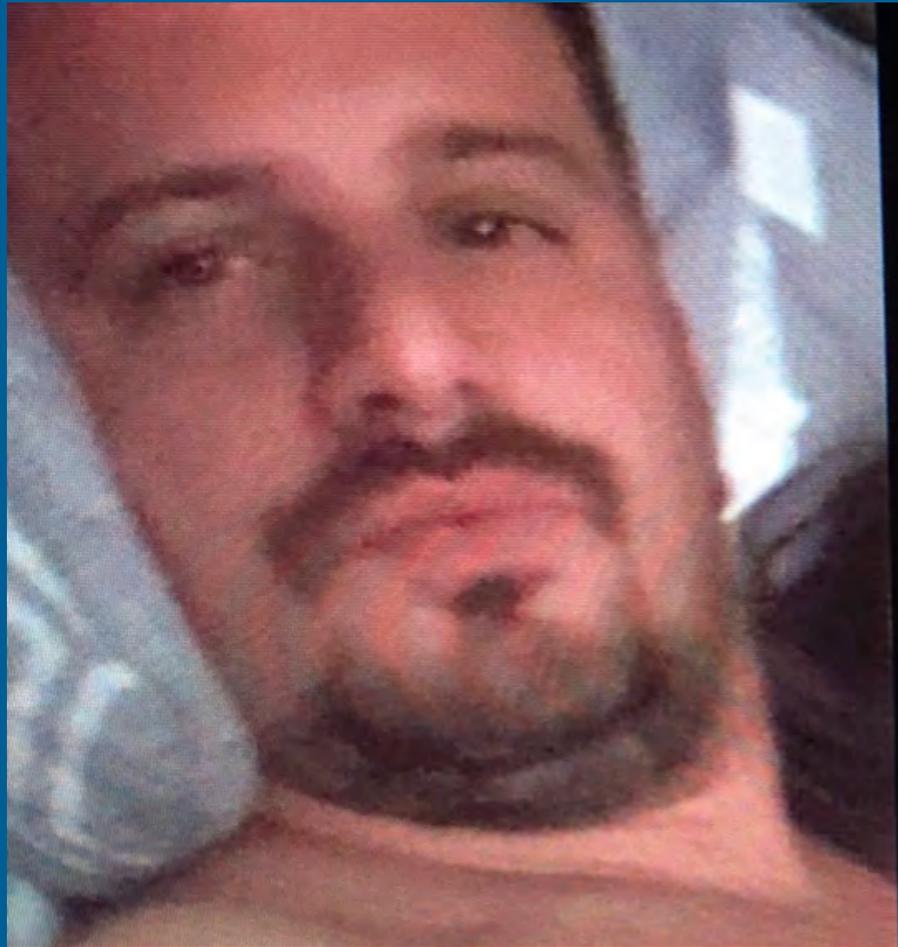


Mailbox Theft

Mail theft is a big problem in the Atlanta area. Detective Scott Harrell received a request for assistance in identifying a mailbox theft suspect. One potential victim, in a heavily hit area, installed a camera in his mailbox. When the suspect opened the mailbox, he did not get out of the car to retrieve the mail but just leaned into the mailbox. This allowed the camera to capture a full frontal facial image. The detective ran the image through Clearview. This produced positive identification based on definitive tattoos on the suspect's shoulder. Clearview returned a 10 year old mugshot and social media photos that corroborated the other evidence on file.



Crimes Against Children

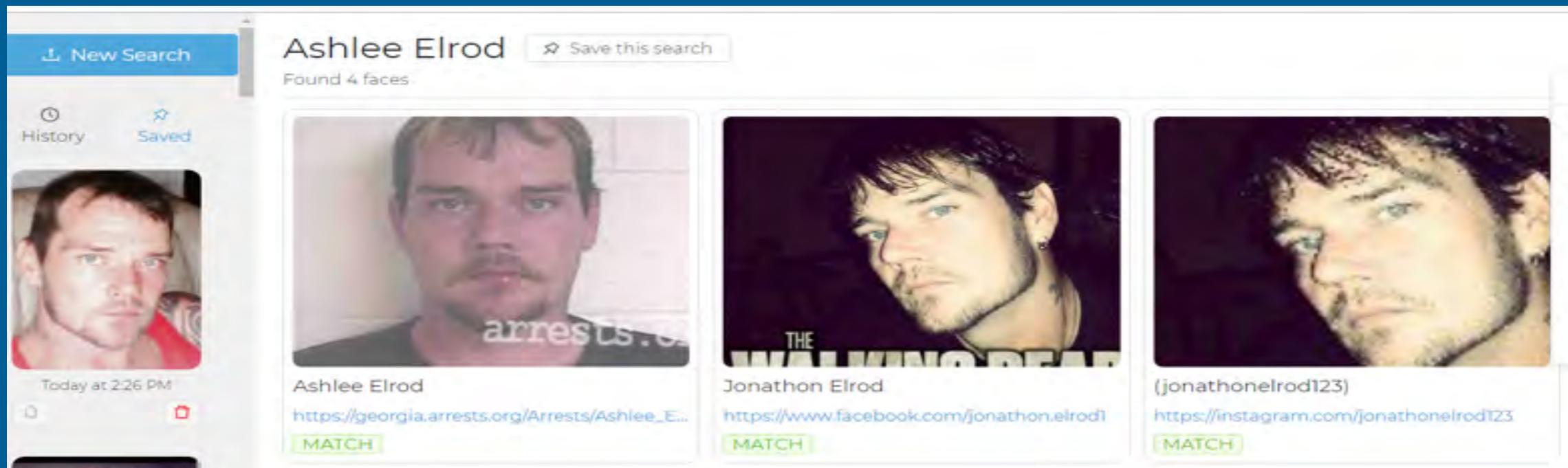


Las Vegas, Nevada – A federal Child Exploitation Investigations Unit had been investigating a major child pornography/exploitation case in Las Vegas. They were reviewing a series of 14 photographs. Two photos included the image of a John Doe in the background. Agents searched the face against available criminal databases and found nothing. A subsequent search of the image through Clearview enabled the investigators to quickly identify the man. This was a major break in this case.

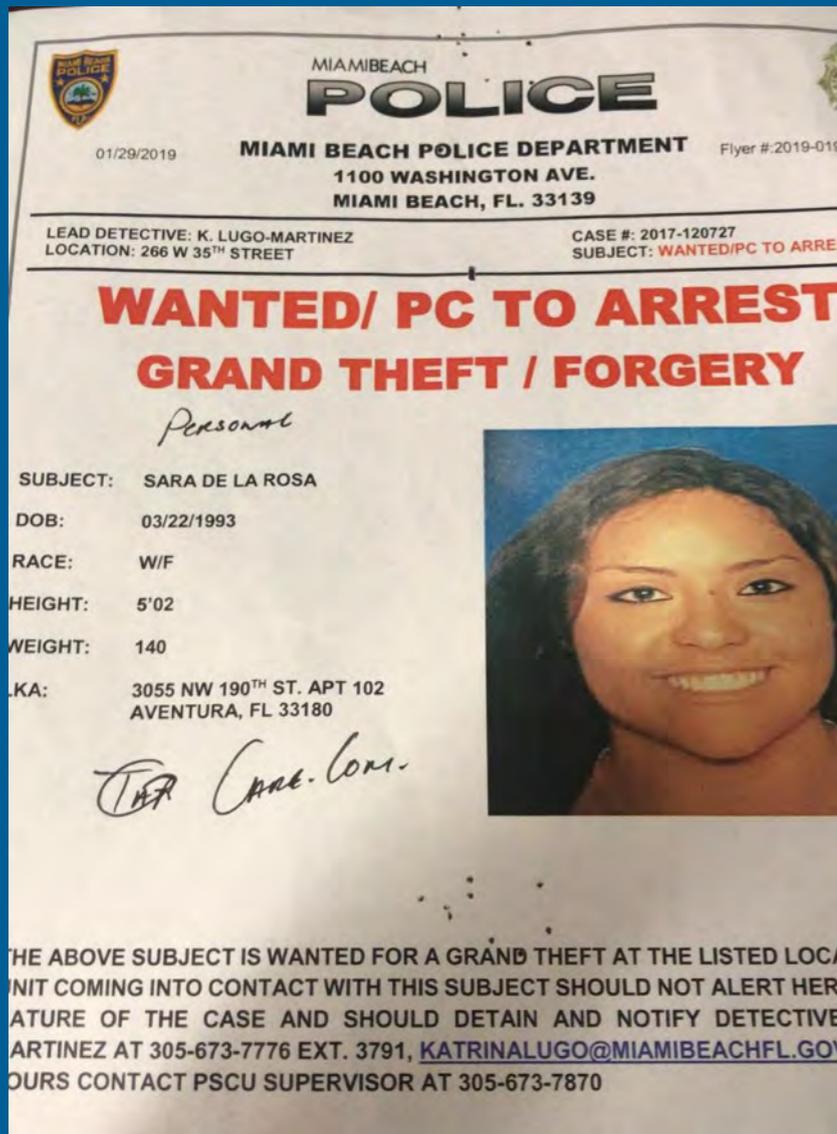


Crimes Against Children

Birmingham, Alabama – the images below were used in identifying a John Doe suspect in a child enticement case.



Grand Theft / Forgery

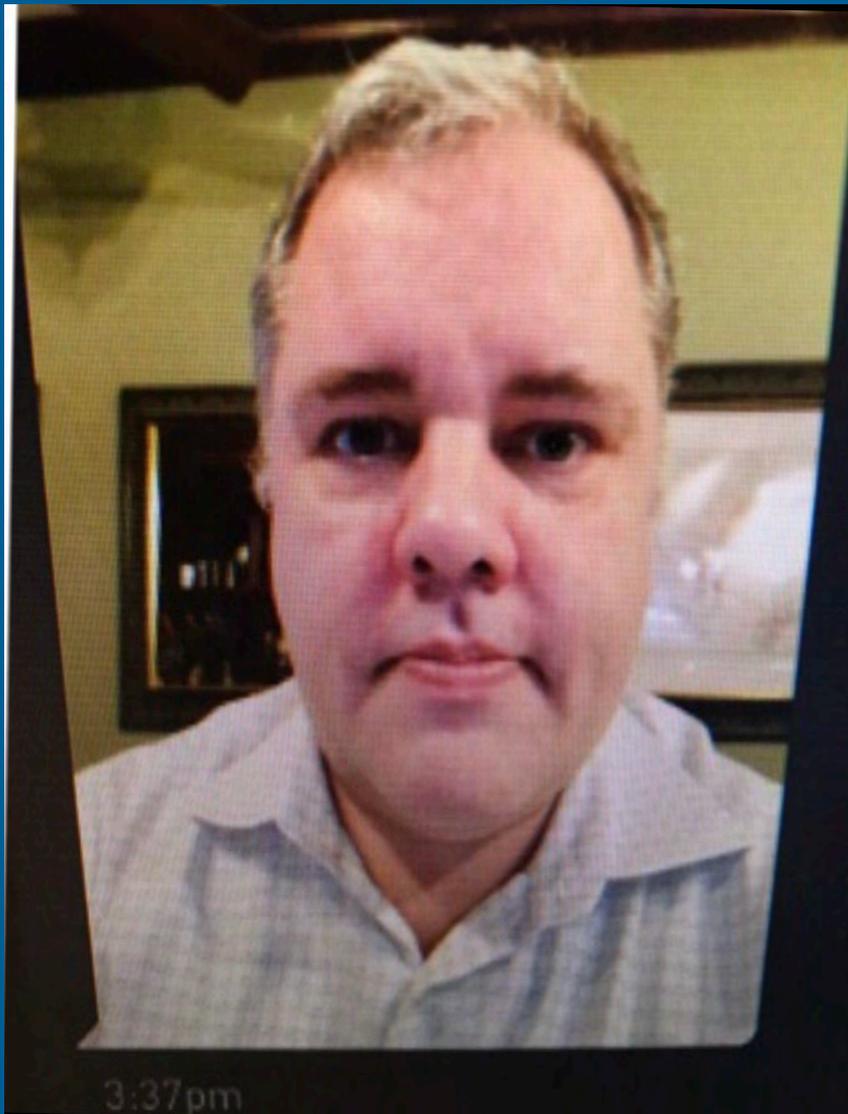


This female suspect alluded law enforcement for several years and was wanted for 17 counts of forgery. Using Clearview, the Sergeant received intelligence that led to her identification and the fact that she was returning from a trip to the Bahamas courtesy of the return ticket she had posted in a photo. The investigator notified TSA, customs and the airline. The suspect was arrested at the gate. Criminal prosecution is pending.

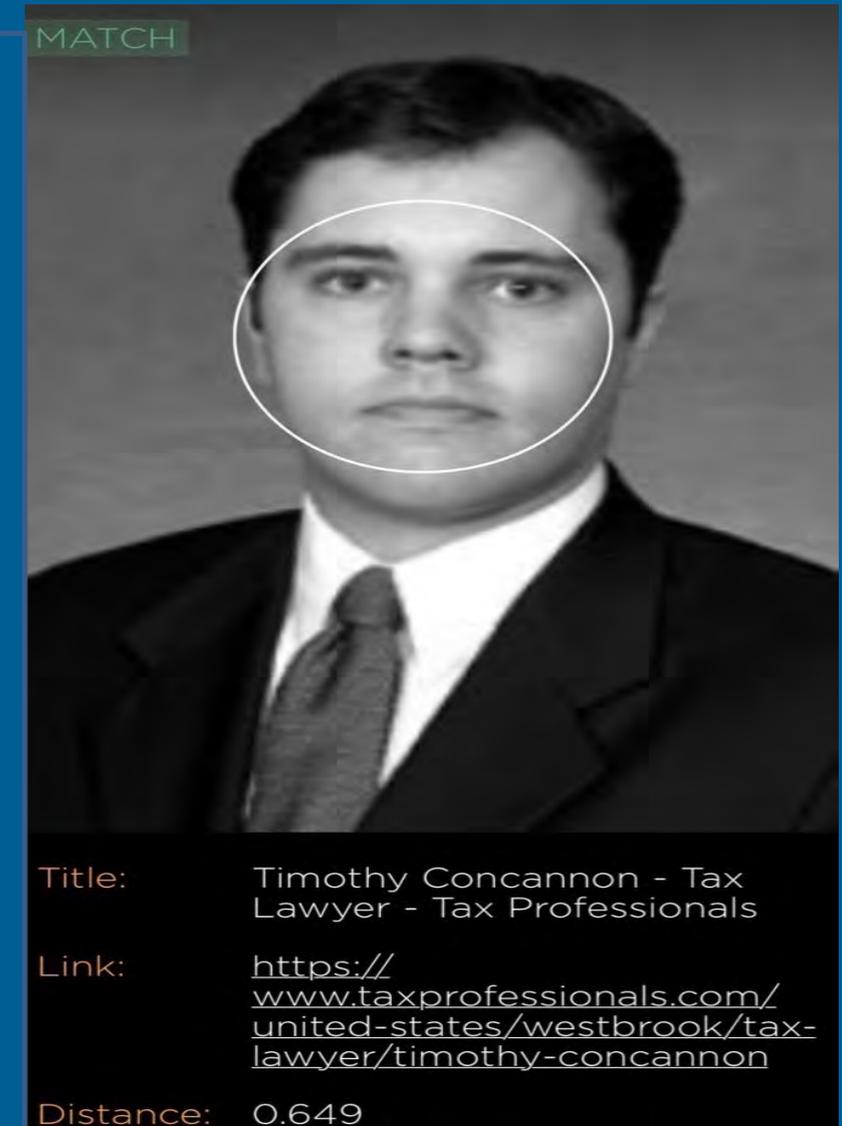


Sergeant Balceiro's unit assists multiple departments with identifying suspects of crimes ranging from drugs, prostitution and theft. In his words, "Great product! Every investigator should have this as a tool". - Sergeant Juan Balceiro, Crime Suppression Unit, Miami Beach Police Department

Pedophile



- Law enforcement was unable to identify this suspect in a NY child pedophile investigation.
- Using Clearview, they matched the facial image to a tax professional through a public website.
- After follow-up investigation, he was arrested six days later.



Deceased John Doe

This John Doe victim was found shot on a sidewalk. The officer used the Clearview app to receive information leading immediately to his identity.



Robbery

Jacks Fast Food Robbed by masked gunman. When the suspect was arrested, he was still in possession of the Regions Bank bag the money was placed in during the robbery.



X Search Results
5 Faces

Name Search No Info Found

Rakim Lubin Stoc... Rakim Lubin to Tr...

Did you find who you were looking for?

The complex block is a screenshot of a search interface. At the top, there is a close button (X) and the title "Search Results" with a subtitle "5 Faces". Below this is a search bar containing "Name Search" and a result status "No Info Found". The main area displays four face search results. The top-left result is a close-up of a man's face with the caption "Rakim Lubin Stoc...". The top-right result is another close-up of the same man's face with the caption "Rakim Lubin to Tr...". The bottom-left result is a close-up of the same man's face. The bottom-right result is a circular inset showing a man's face in a store aisle, matching the man in the second image. At the bottom of the interface, there is a question: "Did you find who you were looking for?"



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