USES, PROBLEMS AND LITIGATION OF FACIAL RECOGNITION TECHNOLOGY

Facial recognition technology is opening up new business opportunities. But businesses should use it responsibly.

Facial recognition technology (FRT) is a form of biometrics, or automated technology that identifies people based on their facial features. How is FRT being used and what are the problems with this emerging technology?

According to Sam Hodge Jr., FRT is more prevalent than most people realize. Just some of the ways businesses are using FRT include stores using electronic menus that change based on the age of the consumer and travel websites promoting packages that elicit positive facial expressions in the consumer.

Although FRT can help businesses, they come with drawbacks. First, the creators of FRT relied mostly on pictures of middle-aged white men to create algorithms, meaning it is less effective with people of other demographics. Second, many feel that FRT is a violation of personal privacy.

23 states have passed laws restricting the use of FRT. In Illinois, a law called BIPA requires that anyone using FRT get consent before recording someone's face. There have been a flurry of lawsuits in Illinois due to BIPA, including a $650 million settlement that Facebook paid for using their "tagging" feature without consent.

MAJOR TAKEAWAYS:

● Businesses are using facial recognition technology (FRT), an automated technology that identifies people based on their facial features, more than most people realize.
● The limitations of FRT include that its algorithms are discriminatory and that it is a violation of privacy.
● Some states are creating legal restrictions on the use of FRT.

WHO NEEDS TO KNOW:

● Consumers
● Businesses
● Legal experts

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● The Legal and Ethical Considerations of Facial Recognition Technology in the Business Sector.
https://via.library.depaul.edu/law-review/vol71/iss3/2

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