1   H.195

2   Introduced by Representative Grad of Moretown

3   Referred to Committee on

4   Date:

5   Subject: Public safety; use of facial recognition technology by law

6   enforcement

7   Statement of purpose of bill as introduced: This bill proposes to permit law

8   enforcement to utilize facial recognition technology in the investigation of

9   certain crimes provided the search is solely confined to locating images of an

10   individual within electronic media legally seized by law enforcement in

11   relation to the specific investigation.

12   An act relating to use of facial recognition technology by law enforcement
13   in cases involving sexual exploitation of children, ~~sexual assault, homicide,~~
14   ~~or kidnapping~~

15   It is hereby enacted by the General Assembly of the State of Vermont:

16   ~~Sec. 1. USE OF FACIAL RECOGNITION TECHNOLOGY BY LAW~~

17   ~~ENFORCEMENT IN CASES INVOLVING SEXUAL~~

18   ~~EXPLOITATION OF CHILDREN, SEXUAL ASSAULT,~~

19   ~~HOMICIDE, OR KIDNAPPING~~

1   ~~Notwithstanding 2020 Acts and Resolves No. 166, Sec. 14, the General~~

2   ~~Assembly authorizes the use of facial recognition technology by law~~

3   ~~enforcement during a criminal investigation into sexual exploitation of~~

4   ~~children under 13 V.S.A. chapter 64, sexual assault under 13 V.S.A. chapter~~

5   ~~72, homicide under 13 V.S.A. chapter 53, or kidnapping under 13 V.S.A.~~

6   ~~chapter 55, where law enforcement is in possession of an image of an~~

7   ~~individual they believe to be a victim, potential victim, or suspect in the~~

8   ~~investigation, and the search is solely confined to locating images, including~~

9   ~~videos, of that individual within electronic media legally seized by law~~

10   ~~enforcement in relation to the specific investigation.~~

11   Sec. 2. EFFECTIVE DATE

12   ~~This act shall take effect on July 1, 2021.~~

Sec. 1. USE OF FACIAL RECOGNITION TECHNOLOGY BY LAW

  ENFORCEMENT IN CASES INVOLVING SEXUAL

  EXPLOITATION OF CHILDREN~~, SEXUAL ASSAULT,~~

  ~~HOMICIDE, OR KIDNAPPING~~

(a) Notwithstanding 2020 Acts and Resolves No. 166, Sec. 14, the General
Assembly authorizes the use of facial recognition technology by law
enforcement during a criminal investigation into sexual exploitation of
children under 13 V.S.A. chapter 64.

(b) Use of facial recognition technology authorized by subsection (a) of this section shall be utilized only where law enforcement is in possession of an image of an individual they believe to be a victim, potential victim, or identified suspect in the investigation, and the search is solely confined to locating images, including videos, of that individual within electronic media legally seized by law enforcement in relation to the specific investigation.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.