January 24, 2024

The Honorable Cory Booker
U.S. Senate
Chairman
Subcommittee on Criminal Justice and
Counterterrorism

The Honorable Tom Cotton
U.S. Senate
Ranking Member
Subcommittee on Criminal Justice and
Counterterrorism

Dear Chairman Booker, Ranking Member Cotton, and Members of the Subcommittee:

On behalf of the undersigned organizations, we thank you for your efforts in addressing the complexities surrounding artificial intelligence (AI) and its implications in law enforcement. Our comments will primarily focus on the advantages of AI in law enforcement, emphasizing its potential to save time and resources for agencies grappling with the challenges of policing needs, particularly during a nationwide crisis of police staffing shortages.

As policymakers delve into the regulation of technology, it is crucial for the judiciary, the bar, and law enforcement to engage in discussions about the real-world and real-time uses of AI. Specifically, the concept of AI in law enforcement needs to be clearly defined, taking into account various technologies, such as facial recognition, while ensuring the application of risk mitigation measures.

While examining the uses of AI in criminal investigations, the committee should also consider its role as a tool for exoneration. Technology, particularly AI, can play a critical role in uncovering the truth within the judiciary and law enforcement processes. The potential benefits of AI include greater accuracy, efficiency, and productivity, and policymakers should carefully consider these aspects before implementing any blanket regulations.

It is essential to recognize that AI-powered technology serves as an investigative assistant to law enforcement rather than a replacement for the human element. This has been particularly beneficial in conservation of time and resources. Machines can examine huge volumes of information in an accurate and timely manner. Machines do not fatigue. AI has proven valuable in assisting law enforcement in various areas, including the identification of deceased victims with facial traumas, combating identity fraud, and supporting drug trafficking investigations.

In conclusion, we urge the Subcommittee to consider the multifaceted role of AI in criminal investigations and prosecutions. By understanding its potential benefits and risks, policymakers can develop informed regulations that harness the advantages of AI while addressing concerns related to its use in law enforcement.

Thank you for your attention to this critical matter. As the committee examines all elements of these issues, we collectively urge you to consult law enforcement as a resource and include us in ongoing

discussions. It is critical to avoid hasty judgements that lead to solutions in search of vague and preventable problems. As you may know, the law enforcement community has been actively examining these issues for some time. For your reference, we have attached a previous letter from 2019 on the use of technology by law enforcement. As your work continues, we look forward to contributing further to ongoing discussions about these critical issues.

Sincerely,


Jonathan Thompson
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