



Written by [Joe Wolverton, II, J.D.](#) on May 31, 2019

New York Public School District First to Use Facial-recognition System

Until the New York State Department of Education stepped in to stop the bad press from spreading, the Lockport (New York) City School District announced that it would become the first public school in the country to fire up a facial-recognition system that would scan its students, staff, and faculty. The district's eight schools are scheduled to start using the facial-recognition system when the new school year begins in September.



Local media reported that Lockport City School District Superintendent Michelle Bradley announced that she planned to start the "initial implementation phase" of the policy in a few days.

Additional details were provided by the *Lockport Union-Sun and Journal*:

This will involve testing the facial and object recognition system to make any necessary adjustments. District officials will be looking at camera angles and lighting and doing training.

In addition, district officials will engage in conversations with local law enforcement to coordinate responses in the event the system detects an issue that requires the issuance of an alert.

"We'll just work through those things," Bradley said.

Did you catch that? The superintendent of the country's first public school to use facial recognition technology to surveil the students and teachers told the media that if any problems crop up the administration will "work through" them. Work through them.

The story in the *Union-Sun and Journal* recounts how the school district afforded the technology:

The cameras and software suite were installed this past September, according to Bradley. Old cameras were replaced and new ones were added.

The district used \$1.4 million of the \$4.2 million allocated to it through New York's Smart Schools Bond Act to install one of the first facial and object security surveillance systems in an American school. The district's system will rely on the Aegis software suite, created by Canadian-based SN Technologies.

In other words, taxpayers are footing the bill for the privilege of putting students and teachers under the never-blinking eye of some faceless (pun intended) Canadian corporation with access to a "database of individuals."

I wonder if Superintendent Bradley could inform concerned parents where the database comes from, whose face is stored on the database, how the faces got there, who sells the database to Aegis, or, most importantly, how she plans to make the end-run around the Fourth Amendment.

Putting off the constitutional questions for a moment, it seems an ill-chosen time for a public school to



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install and implement a facial-recognition system when that technology is under scrutiny all over the country and the databases that make the devices functional have been shown to be stocked full of photos taken from government services without the consent or even knowledge of the individual whose image is stored on the servers.

BuzzFeed News reported on the opposition to the district's disturbing announcement:

After Lockport's initial announcement, the New York Civil Liberties Union investigated the effort and wrote letters to the New York State Education Department, asking it to intervene and block the project. "This is opening the floodgates," Stefanie Coyle, education counsel for NYCLU, told BuzzFeed News in an interview. "San Francisco banned this tech, and it's this major city closest to all the people who understand this tech the best. Why in the world would we want this to come to New York, and in a place where there are children?"

Meanwhile, New York State Assembly Member Monica Wallace has introduced a bill that, if passed, would force Lockport to stop the use of facial recognition for a year while the State Education Department further studied the tech.

A few months ago, I reported on the [rapid rise of facial recognition technology](#) deployment in school districts around the country. As published by *The New American* in October 2018:

RealNetworks provides its facial-recognition technology to schools free of charge in order to help make the country's schools safer.

The handbook has six policy sections: notice, consent, security, retention, transparency, and management. It includes information intended to assuage any potential concerns about privacy, and assures administrators, parents, and teachers that the purported security benefits delivered by the cameras and the facial-recognition software they use far outweighs any second thoughts about the children's rights.

"Facial recognition is a new technology for schools. Parents, teachers, and students have an interest in balancing privacy with security so we wanted to offer an introductory guide for schools to develop policies that meet all their needs," Mike Vance, senior director of product management at RealNetworks, writes. "Through our early partnerships with schools and school districts we've developed this set of key best practices for creating safer and more secure K-12 campuses. This guide delivers that knowledge to the public, for free."

While I certainly don't claim the ability to see into the future, part of that prior article hit the bullseye. SAFR, by the way, is a competitor of Aegis in the facial-recognition technology market.

In this brave new world in which we live, I imagine most school district superintendents or school board bureaucrats will sense nothing eerie in the following paragraph promoting the power of SAFR:

"SAFR from RealNetworks is highly accurate facial recognition software powered by artificial intelligence. It works with existing IP cameras and readily available hardware to match faces in real-time. Schools can stay focused and better analyze potential threats such as expelled students, and those who pose a threat from within and outside the school."

You read that right, Mom and Dad. Soon, if your cash-strapped local public school can come up with enough funding to buy surveillance cameras, then RealNetworks will happily send some software that will not only keep the kids under the close eye of administrators, but will also positively identify their faces and upload them to a database for future reference. You know, in case little Johnny ever gets in



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trouble.

Constitutionally, public schools have for decades been classified as “state actors,” that is to say, the restrictions of the Bill of Rights, including the Fourth Amendment, apply to them.

The Fourth Amendment of the U.S. Constitution guarantees that “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

So, here’s a free bit of constitutional counsel to Superintendent Bradley and the other educrats eager to bring Big Brother into the schoolhouse.

Bradley and her colleagues around the country need to discover if the data collected by the school surveillance cameras’ facial-recognition software would be afforded any additional legal protection should law enforcement — federal, state, or local — demand that the database be turned over to them.

Then, if the images were seized by police or other law-enforcement agents, will there be any constitutionally sound protocol for destroying the data after it is used?

What would become of the recorded images of the scores of children not included in a warrant?

Would those images be copied and cataloged by law enforcement and combined with the thousands of other images contained in the various government-controlled databases of faces and other biometric data?

Would that then effectively exclude those kids’ faces from the protections put in place by the school district?

Finally, BuzzFeed News’s report included an e-mail sent to them by the New York State Department of Education. In the statement, a department spokesman claimed that state education officials asked the Lockport City School District to “delay its use of facial recognition technology.”

Superintendent Bradley responded that “she made the state education department aware of the district’s intentions to activate its facial recognition system earlier this month, but no one from the department responded at the time — so Lockport assumed it could go ahead with its trial run of the technology.”

Regardless of who said what when, the fact is that facial-recognition cameras will soon be common in public and charter schools throughout the country.

There’s no question about that. The question that remains is whether such surveillance schemes will finally convince parents to pull their kids out of the government indoctrination camps known inaccurately as “schools” and deny the despots the power to brainwash another generation of Americans.

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