

ACLU says Utahns didn't sign up to be 'guinea pigs' for Attorney General-approved scanner testing

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By Art Raymond

May 22, 2019

<https://www.deseretnews.com/article/900071765/utah-attorney-general-sean-reyes-aclu-scanner-tech.html>

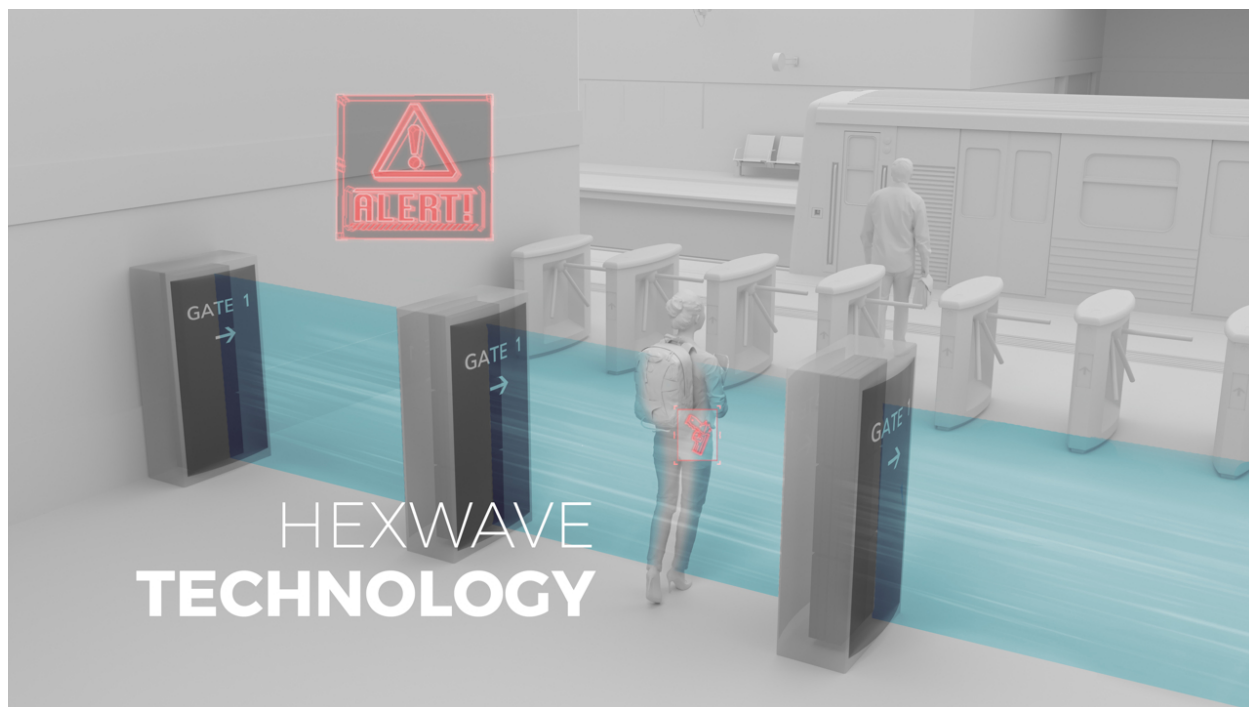
Liberty Defense

Utah Attorney General Sean Reyes signed an agreement with Atlanta-based Liberty Defense to test the company's innovative scanning technology in Utah. Hexwave uses a radar-like system to scan items concealed in clothing or bags and, using an artificial intelligence platform, determines if its a weapon, bomb or some other security contraband.

SALT LAKE CITY — Utah's top law enforcement official said an innovative scanning system that may be able to detect guns, bombs or suicide vests could help keep Utah events — like Jazz games, the Sundance Film Festival or general conference — safer and is the motivation behind a new agreement that will allow beta testing of the technology in the state.

Attorney General Sean Reyes said he signed a memorandum of understanding with Atlanta-based Liberty Defense to collaborate on the testing of the company's Hexwave scanning system. Hexwave bounces "energy pulses" off a person's clothing and carried items, like bags or purses, to create 3D images of items concealed within and then compares the shapes, via an artificial intelligence-driven software program, to determine if they are guns, knives, bombs or other potential security threats.

Reyes said the agreement, which does not obligate the state to any purchase or expenditures, puts Utah in the loop for testing a technology that could heighten security at a wide range of public venues and events.



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"It's an interesting technology that the state of Utah, at least one municipality and some private industries are interested to see," Reyes said. "They might want to deploy it ... to better insulate soft areas, places like concert venues, schools. The technology ... would allow private companies and law enforcement (to) see even further out and determine if there might be threats before they're able to get close enough to cause harm."

Hexwave, according to the company, combines 3D imaging technology developed at the Massachusetts Institute of Technology's Lincoln Lab with an artificial intelligence platform that takes the image created by the scanner and compares it with a massive catalog of items that could be considered a security concern. Innocuous items like cellphones, wallets or water bottles are ignored, but if a positive match is made, the system alerts security personnel to take further action. The scanner system, which looks much like those in wide use at grocers and retailers, can be placed well outside venue or event entrances as a first layer of detection security.

The agreement between Liberty Defense and the state stipulates the following could all be potential testing areas for the Hexwave system:

- Sporting and concert arenas, stadiums and Olympic venues.
- Primary, secondary and higher education facilities.
- Places of worship, facilities and property owned by or affiliated with faith entities.

- Government offices, buildings and facilities.
- Amusement parks.
- Entertainment events, conventions, shows and festivals.

American Civil Liberties Union of Utah legal director John Mejia said he has concerns about Reyes signing off on using Utahns as "guinea pigs" and is calling for more transparency about where and how the system will be tested.

"We are concerned about the lack of detail and public input behind the Utah attorney general's decision to sign an agreement that promotes testing of an experimental, see-through 3D body scanner by Utah law enforcement in our state," Mejia said in a statement. "People attending sporting events, festivals, and school campuses in Utah didn't sign up to be guinea pigs to find defects in a private company's surveillance system."

Mejia also expressed his concerns about the accuracy of the technology and the possibility that a scanned individual's private, health care-related items could be inappropriately exposed.

"If this product's rate of false positives is as high as similar active millimeter wave body scanners, we are concerned that this untested technology will subject Utahns to needless invasive searches and lengthy interrogations," Mejia said. "Additionally, this product could identify for law enforcement deeply personal and private items used by people that officers have no reason to know about, including insulin pumps, pacemakers, colostomy bags, and other medical devices.

"The 'airportization of American life,' where everyone is told to expect less privacy and more government surveillance, will erode our constitutional rights to privacy and protection, and this technology puts us further along that path."

Liberty Defense CEO Bill Riker, who has an extensive background in the defense and security industry, said the technology is safe, adaptable to a wide range of applications and steers clear of the privacy pitfalls of other technology like facial recognition software or X-ray scanners that reveal personal anatomy.

"An important aspect of the detection technology in Hexwave is that it will provide a capability for accurate, high throughput weapon screening, ideally suited for the broad range of facilities that we have in our communities," Riker said. "This ranges from stadiums and malls to schools, hospitals or places of worship. This sense of peace of mind about security includes not having to be concerned about a health or privacy risk from the Hexwave detection system. It uses similar frequency as Wi-Fi, and the power is actually 200 times less than the Wi-Fi power you use in your homes.

"The images do not have any personally identifiable information and are only used by the machine to predict whether there is a weapon present. Actual weapon images and data are then used to further train the computer to expand its learning to understand what is or is not a threat, such as a handgun versus a set of car keys."

Reyes said the Hexwave testing effort in Utah would be at a "very experimental" level but noted that, if viable, the technology could be employed at numerous events that draw large numbers of people like the annual Sundance Film Festival.

Park City Police Chief Wade Carpenter told the Deseret News his department was always on the lookout for new tools to help the city which, besides Sundance, hosts over 270 events every year.

"We're continually looking at new technology," Carpenter said. "Artificial intelligence and machine learning is clearly a path that is really on the cusp of where security is going."

Carpenter said Hexwave was an "intriguing" tool that his department was looking at, but stressed that it was still just in an evaluation/assessment stage and there were no plans in place to roll it out.

In April, Liberty Defense announced an agreement to test Hexwave this summer at Rogers Arena in Vancouver, British Columbia. The 19,000-seat indoor stadium is home to the city's NHL franchise, the Vancouver Canucks, and previously was the home arena for the short-lived NBA Vancouver Grizzlies. The venue also hosts concerts, award shows and was the hockey venue for the 2010 Vancouver Winter Olympics.

Canucks Sports and Entertainment owner Francesco Aquilini, who is also an adviser to Liberty Defense, told the Vancouver Sun one of the advantages to the Hexwave system is it doesn't slow down crowd movement.

"What this does is it increases the velocity of people moving through gates," Riker said. "It's not intrusive and doesn't have a big infrastructure."

Reyes said as criminals ratchet up their knowledge and use of high-tech tools, his office will continue to look for technology collaborations, like the one with Liberty Defense, to grow his department's resources to put offenders in jail and keep Utahns safe.

"Predators and criminals are using technology to their advantage and are always trying to stay ahead of us," Reyes said. "As long as we stay within the confines of the Constitution we'll use every chance and every bit of technology we can to try to keep up with, if not get ahead of, the criminals."

Mejia said the decision to allow Hexwave testing in Utah should have been preceded by an opportunity for both public information sharing and public input.

"To decide whether this technology is something that can or should be used in Utah, we'd like to see the attorney general's office provide more details and increased transparency about the 3D scanning system, the images it generates, the artificial intelligence software that interprets these images, how and where the images are stored and identified, and who has access to them," Mejia said. "We also believe that the public should be allowed to participate in policies governing how law enforcement uses new and invasive surveillance technology."

Comments:

<https://www.deseretnews.com/user/comments/900071765/utah-attorney-general-sean-reyes-aclu-scanner-tech.html>

Owl - Salt Lake City, UT

May 23, 2019 10:11 a.m.

The experimentation was done at MIT and field trials to test its utility should not be confused with experimentation. Using inflammatory language that borders on hysterical is not a marker of credibility for the ACLU. They may understand law, but certainly not science.

Like

Report

IJ - Hyrum, Ut

May 23, 2019 7:58 a.m.

Fact is, sometimes the ACLU is correct and this is not one of those times. Bets are that if the ACLU is for it, it only benefits the liberal side of things. Why is everyone opposed to technology that is designed to keep people safe and save lives?

Like

Report

lost in DC - West Jordan, UT

May 23, 2019 6:44 a.m.

If the aclu is opposed to it, it means it must be a good thing.

3 Like

Report

IcemanCometh - SALT LAKE CITY, UT

May 22, 2019 9:20 p.m.

Why is the government signing an agreement with a private company to use technology at private event??

Only primary, secondary and higher education facilities as well as government offices, buildings and facilities should be under consideration. The issue with such technology is that the searches are administrative and the courts have said they should be minimally invasive. The question becomes is such technology minimally invasive given what it "sees?"

Like

Report

TJ - Eagle Mountain, UT

May 22, 2019 5:27 p.m.

Another perfect example of why I think the ACLU is outdated and is a waste of time. Why would they fight against something that makes citizens safer? If you want to live in a society you need to understand that there are rules and if there is a good one that keeps your citizens safe you should darn well embrace it and enforce it

3 Like

Report

NoNamesAccepted - St. George, UT

May 22, 2019 5:16 p.m.

@Brave Sir Robin: ".. conservatives realized they're on the same side as the ACLU.."

Corresponds with the moment when liberals realize they are disagreeing with the ACLU. And on cue, one of the lefties alleges some financial impropriety driving this effort on the part of the Utah AG, rather than a concern for public safety.

The leftists were fine with making life difficult for lawful gun carriers. But when the ACLU reminds them there are legitimate privacy and health concerns, suddenly the liberals don't know what to do.

Fact is, sometimes the ACLU is correct and this is one of those times. Where and how these devices are used could very easily present classic legal privacy concerns. Depending on what kinds of items can be detected and the clarity of the image, additional privacy concerns may be present even in purely private use like a Jazz game. Nobody is entitled to take naked photos of me as a condition of me entering a sporting event.

And unlike metal detectors that are entirely passive, if these machines use millimeter wave, x-ray, or other transmitted energy, there may be health risks.

My positions are determined by principle. Not by who agrees or disagrees with me.

1 Like

Report

Impartial7 - DRAPER, UT

May 22, 2019 3:33 p.m.

Somebody needs to dig deeper. Remember when Reyes had to return "donations" from a Taser/vest manufacturer? I'm betting that there's another financial "consideration" for a Reyes entity. Plus, coating humans with x rays, gamma rays, etc. needs further study. Scientists need further information as to long term use and exposure. Just because the CEO says it's safe, doesn't make it so. In fact, it should raise more suspicion.

5 Like

Report

Brave Sir Robin - San Diego, CA

May 22, 2019 3:23 p.m.

That awkward moment when the conservatives realized they're on the same side as the ACLU...

By the way, they're both wrong on this one.

1 Like

Report

UtahResident - Lehi, UT

May 22, 2019 2:37 p.m.

Right now when you attend a Jazz game, you walk through a metal detector. If you have any metal on you, it goes off and you are subjected to a more invasive search. With this new technology, you walk through it, an image is created and analyzed by AI. If it detects something, you are subjected to a more invasive search.

How is this any different than what is currently happening? It is far less invasive than the x-ray at the airport.

The ACLU needs to return to defending actual constitutional rights and civil liberties rather than making up rights and then trying to defend them.

8 Like

Report

lost in DC - West Jordan, UT

May 22, 2019 1:38 p.m.

sounds less invasive than TSA's stripper-vision machines

8 Like

Report

Jim Schwartz - Fort Lauderdale, FL

May 22, 2019 1:18 p.m.

@imsmarterthanyou

I'm with Brave Sir Robin - think of all the Utah suicide bombers that this company's mildly invasive technology could have prevented at our local churches and basketball games. All we have to do is pay Liberty Defense for one of these units at every door, procure security to monitor it, forego a bit more of our rights and, Big Brother will keep us safe.

If you wonder what Reyes' exit strategy from the AG's office is, it's a safe bet that he's considering a position in sales at Liberty Defense since his political aspirations are in the toilet.

8 Like

Report

Brave Sir Robin - San Diego, CA

May 22, 2019 10:42 a.m.

@I'm smarter than you

Please elaborate on which of our freedoms will be lost due to being scanned for a suicide vest?

Personally I believe this would create freedom: Freedom to attend church or a game without fear of being stabbed, shot, maimed, dismembered, or blown up.

6 Like

Report

imsmarterthanyou - Salt Lake City, UT

May 22, 2019 9:52 a.m.

Looks like another government invasion of privacy to me. I'm all for safety but I would rather see the occasional criminal get away than have virtually all of our freedoms and privacy forfeited. At what point do we say enough?

8 Like

Report

Morgan Duel - Taylorsville, UT

May 22, 2019 7:51 a.m.

While it is a great idea to protect the Utah Public while attending public venues there are some who will object to any program that will impact their right to come and go without government oversight. Facial recognition, fingerprinting, body scans etc. that will infringe on that "right" are objected to. Yet these are the same individuals who are pushing Socialism and higher taxes for Corporate America!