July 18, 2022

HJ48 Stakeholder Discussion

Responses to Questions for Department of Corrections

Facial recognition technology can be used two ways:

- Facial verification – the process of comparing an image or facial biometric data to an image database (i.e., "one-to-one matching")
- Facial identification – the process of using a computer system to compare the image or facial biometric data of an unknown individual to a database of images of known individuals (i.e., "one-to-many matching")

1. Of the two methods listed above, how are you currently using facial recognition technology and how long has it been in use? The DOC itself does not use this technology. Instead, two contractors, Compliance Monitoring Systems and Alternatives prerelease center, use this technology as part of their Enhanced/Transitional Supervision Services (ETSS) contract with the department. This technology has been in use by contractors in relation to services they are providing to the DOC since 2019.

2. Which company is providing the technology? Compliance Monitoring Systems uses Secure Continuous Remote Alcohol Monitoring (SCRAM) — which incorporates facial recognition technology — as part of two of their programs. Alternatives prerelease center in Billings also uses SCRAM as part of its ETSS services.

3. Has the technology been helpful to your department? The service is provided to the department through its ETSS contracts. ETSS is used to provide heightened monitoring for offenders who are not in compliance with supervision and need additional services and/or regular testing. This type of monitoring also allows for drug testing in rural areas where this service isn't as readily available as in in urban centers.

4. Can you tell the committee specifically who is using the technology? Compliance Monitoring Systems and Alternatives prerelease center use SCRAM.

5. What is the alternative to performing your role without facial recognition technology? Offenders who require regular drug and alcohol testing would need to report in person to the tester.

6. How would a moratorium impact your operations? A moratorium has the potential to create an undue hardship for offenders requiring testing as they would need to report in person to be tested. Barriers it would present include cost of gas, accessing transportation, absences from employment, etc.

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7. Under the proposed bill, your agency's use is grandfathered in – is this helpful to your agency?

Yes. The use of technology in community supervision is crucial and always changing and improving. The DOC constantly evaluates these options to ensure the most effective and efficient methods to supervise offenders throughout Montana.

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