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The Challenges and Solutions for Using Surveillance Technologies at Housing Authorities



Use of Surveillance Cameras at Housing Authorities



Federal Government Study on the Use of Facial Recognition Technology in 2019

- The National Institute of Standards and Technology found “empirical evidence” that most of the facial-recognition algorithms exhibit “demographic differentials” that can worsen their accuracy based on a person’s age, gender or race
- Asian and African American people were up to 100 times more likely to be misidentified than white men, depending on the particular algorithm and type of search
- Native Americans had the highest false-positive rate of all ethnicities, according to the study, which found that systems varied widely in their accuracy
- The faces of African American women were falsely identified more often in the kinds of searches used by police investigators where an image is compared to thousands or millions of others in hopes of identifying a suspect
- Women were more likely to be falsely identified than men, and the elderly and children were more likely to be misidentified than those in other age groups, the study found
- Middle-aged white men generally benefited from the highest accuracy rates

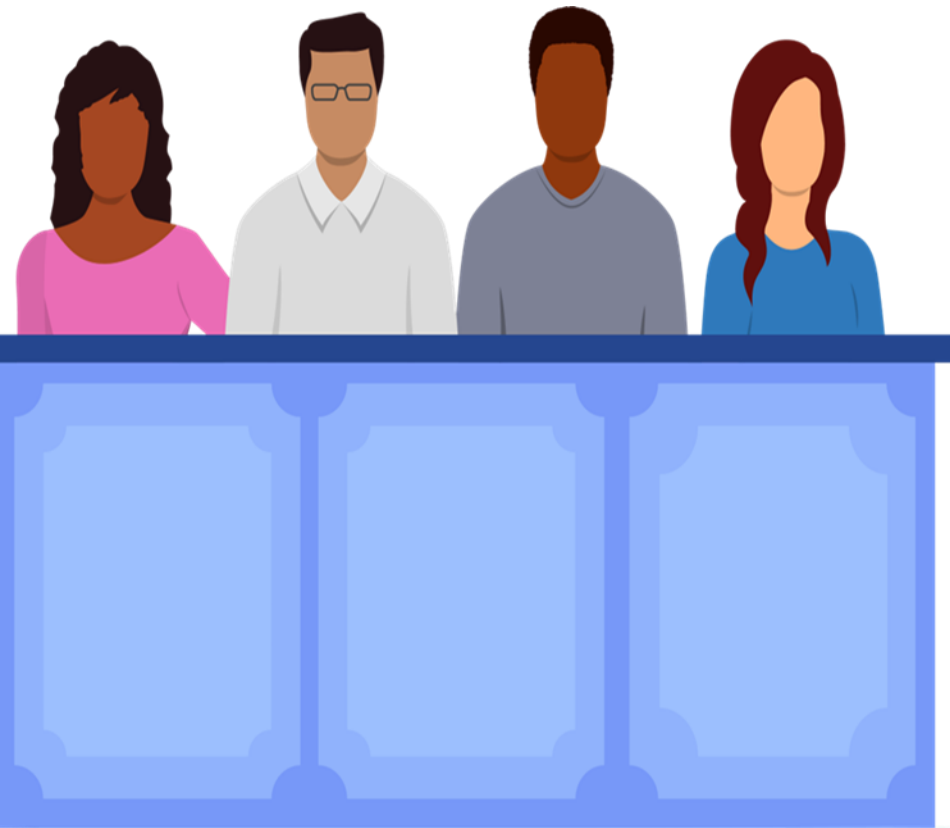
Use of Surveillance Cameras at Housing Authorities



Federal Crime-Fighting Grants from U.S. Dept. of Housing and Urban Development

- These grants are meant to keep residents safer
- But the cameras are also being used to generate evidence to punish and evict public housing residents, sometimes for minor violations of housing rules
- If evicted, former residents can face difficulties finding housing and employment for the rest of their lives
- Notice PIH 2023-10 issued on April 21, 2023 from HUD bans the use of emergency safety and security funds to purchase “automated surveillance and facial recognition technology”
- This restriction applies only to future recipients of its security grants and does not limit use of surveillance tools by authorities that have already purchased them

Capital Fund Emergency Safety and Security Grants



Federal Civil Rights Laws (24 CFR § 5.105(a)) and (24 CFR § 1.4(b)(6))

- The Fair Housing Act and implementing regulations at 24 CFR Part 100;
- Title VI of the Civil Rights Act of 1964 and implementing regulations at 24 CFR Part 1;
- Age Discrimination Act of 1975 and implementing regulations at 24 CFR Part 146;
- Section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR Part 8; and
- Title II of the Americans with Disabilities Act of 1990
- If a recipient of federal funds has previously discriminated against persons on the ground of race, color, or national origin, then the recipient must take affirmative action to overcome or correct the effects of prior discrimination in program administration

Capital Fund Emergency Safety and Security Grants



Non-Discrimination and Equal Opportunity Requirements (24 CFR § 960.103)

- Housing Authorities submit a Five -Year Agency Plan and Annual Plan Update (HUD- 50075), required by Section 5A of the 1937 Act
- Included with these plans must be a civil rights certification as specified in HUD's regulations at 24 CFR § 903.7(o)
- Housing Authorities that do not submit HA Annual Plans must submit the civil rights certification
- Housing Authorities must certify that they are affirmatively furthering fair housing in their Annual Plan

Capital Fund Emergency Safety and Security Grants



Non-Discrimination and Equal Opportunity Requirements (24 CFR § 903.7(o))

Obligations of PHAs to Affirmatively Further Fair Housing

- PHAs must certify that they are affirmatively furthering fair housing in their Annual Plan.
- The specific certification requirements detailed at 24 CFR § 903.7(o) provide that a PHA is compliant in affirmatively furthering fair housing if the PHA fulfills section 903.2(b) and takes action to:
 - Examine programs or proposed programs;
 - Identify any impediments to fair housing choice within those programs;
 - Address those impediments in a reasonable fashion in view of the resources available;
 - Work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require HA involvement; and
 - Maintain records reflecting these analyses and actions

What are the Solutions?



C.A.T. Method®

Community Empowerment

Accountability

Transparency

Success In A Community Will Require Collaboration And Partnerships



Housing Authority (HA) Officials

Housing Authority Security Personnel

Residents/Guests

Local Officials

City of Grand Rapids, Michigan's Surveillance Policy



ADMINISTRATIVE POLICY

SUBJECT	ACQUISITION AND USE OF SURVEILLANCE EQUIPMENT AND SURVEILLANCE SERVICES		
NUMBER	15-03	SIGNED DATE	3-24-2015
ISSUED BY	Mark Washington, City Manager <i>MW</i>		
PREPARED BY	Brandon Davis, Director of Oversight and Public Accountability		
REVISED	1-3-2022		
ASSOCIATED POLICIES	City Commission Policy #800-02		
CITY VALUES	<input checked="" type="checkbox"/> Accountability	<input checked="" type="checkbox"/> Collaboration	
	<input checked="" type="checkbox"/> Customer Service	<input checked="" type="checkbox"/> Equity	
	<input checked="" type="checkbox"/> Innovation	<input type="checkbox"/> Sustainability	

City of Grand Rapids, Michigan's Surveillance Policy



Community involvement in Grand Rapids, Michigan's Surveillance Technology

Mayers Strategic Solutions, LLC joins NAACP Greater Grand Rapids Branch President Cle J. Jackson, Grand Rapids Mayor Rosalynn Bliss and Grand Rapids City Manager Mark Washington at a joint press conference about the city's overhaul of its surveillance technology policy.

[Click Here](#)

or

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Governing HA Surveillance Policy

Definitions

- Surveillance Technologies and Services
- Facial Recognition Technology
- Other Remote Biometric Recognition Technology
- Extenuating Circumstances (Carve Out)
- Clear and Convincing Evidence (Legal Standard)
- Imminent Danger



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Governing HA Surveillance Policy

Operational Protocols

- How and when the HA proposes to use the surveillance equipment
- An assessment identifying with specificity:
 - any potential adverse impacts the surveillance technology, if deployed, might have on civil liberties and civil rights broken down by at least race, gender, and age; and
 - what specific, affirmative measures will be implemented to safeguard the residents and guests from potential adverse impacts

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Governing HA Surveillance Policy

Prohibited Uses

- To obtain, retain, request, access, or use:
 - Facial Recognition Technology;
 - Other Remote Biometric Recognition Technology; or
 - Information obtained from either Facial Recognition Technology, or Other Remote Biometric Recognition Technology



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Governing HA Surveillance Policy

Governance and Oversight

- **Complaints**
 - Individuals with complaints regarding misuse or overuse of surveillance equipment and/or surveillance services may file complaints with the HA
- **Resident Advisory Council**
 - Collaborate with residents on oversight



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Governing HA Surveillance Policy

Enforcement

- No data collected or derived from any use of Facial Recognition Technology and Other Remote Biometric Recognition Technology in violation of this policy and no evidence derived therefrom may be received in evidence in any proceeding in or before any department, officer, agency, regulatory body, legislative committee, or authority subject to the jurisdiction

Keep In Touch!

The logo consists of a diamond shape formed by four colored lines: orange (top-left), dark red (top-right), green (bottom-left), and red (bottom-right). The text "Mayers Strategic Solutions™" is centered within the diamond, with "LLC" centered below it.

Mayers Strategic Solutions™
LLC

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