

## CASE 1

## Next Generation Identification: FBI, ICE Databases Expand and Join Forces

As crime-solving aids, first there was fingerprinting; decades later came DNA analysis. Next is the US\$1.2 billion “Next Generation Identification” (NGI) database of the Federal Bureau of Investigation (FBI), used to store biometric identification ranging from palm prints to iris patterns, photos of scars and tattoos, and distinctive facial characteristics for criminal identification. In the past, fingerprints have been the most widely used means of uniquely identifying people, with the FBI keeping over 100 million sets of fingerprints in its current database dubbed “Integrated Automated Fingerprint Identification System” (IAFIS). The next step includes storing additional biometric characteristics. Unfortunately, taken alone, many of those have been proven to be rather unreliable (facial recognition accuracy in public places can be as low as 10 to 20 percent, depending on lighting conditions), such that a real increase in identification accuracy can come only from combining the results of multiple biometrics.

Similar to the FBI’s IAFIS database, the Department of Homeland Security (DHS) maintains the massive “Automated Biometric Identification System” (IDENT) database. The Immigration and Customs Enforcement Agency (ICE), part of the DHS, uses this database in its “Secure Communities” initiative to aid in capturing criminal aliens. The Secure

Communities program is a federal, state, and local government partnership that allows state and local law enforcement officials to quickly share information with ICE on captured suspects. The data forwarded to ICE are used to make immigration processing and removing more efficient if the suspect turns out to be a criminal alien. At the heart of the Secure Communities program is the automatic integration of the IAFIS and IDENT databases. When someone is arrested, local law enforcement puts the suspect’s fingerprints into the FBI’s database. However, the fingerprints are not only checked against the FBI’s IAFIS system, but also against the DHS’ IDENT database to see if the suspect is in the country legally. If the suspect isn’t legal, ICE can immediately begin the deportation process. The system also prioritizes removal of criminal aliens based on their risk to national security and the local community. The prioritization helps ensure that serious criminals (aliens or otherwise) are not inadvertently released and cuts down on the time criminal aliens must be held in custody before being returned to their home country. Since its deployment (2009–2013), nearly 32 million queries into the database have been made, with 1.7 million matches, leading to more 300,000 deportations. The FBI’s Next Generation Identification database will take this a step further, as it

will not only be based on data from both existing databases, but will also include a host of other biometric identifiers.

Both the FBI and Secure Communities programs have been criticized by privacy advocates. Critics say that Secure Communities, for example, can lead to unnecessary or prolonged detention, make accessing a lawyer difficult, and prevent release on bail. There is also a fear that there is no complaint mechanism associated with the systems. Opponents believe that victims of system errors will have little redress if they are erroneously identified as a criminal or illegal alien. In addition, opponents to the Secure Communities program argue that the integration of databases undermines the trust between immigrant communities and local law enforcement agencies. Fearing that illegal immigrants may be dissuaded from reporting crimes or may not be willing to serve as witnesses, Washington, D.C., Mayor Vincent Gray announced in June 2012 that law enforcement officers would be prohibited from asking about people’s immigration status.

While the FBI and ICE maintain that their programs are strictly limited to criminals and those in the country illegally, privacy and civil rights activists are watching the developments to ensure that the government respects the rights of its citizens.

### Questions

- 9-40. List a set of tangible and intangible benefits as well as tangible and intangible costs for the FBI database system.
- 9-41. Develop a set of faith-, fear-, and fact-based arguments to support the continued and ongoing expansion of the FBI database. Which arguments do you think are the strongest? Why?
- 9-42. Some privacy advocates argue that biometric systems can become unreliable and single out innocent people, especially over time as these databases become less accurate because of a person’s natural aging process, weight loss, weight gain, injury, or permanent disability. Discuss the problems associated with having these systems single out innocent people.

Based on:

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