



March 2, 2026

RE: Written Testimony on HF3661

Dear Members of the House Judiciary Committee,

Immigrant Law Center of Minnesota (ILCM) is a nonprofit, nonpartisan 501(c)(3) organization that provides free immigration legal services to low-income immigrants and refugees across Minnesota. We write to express our support for HF3661 which seeks to prohibit the use or acquisition of facial recognition technology by government entities.

Immigration enforcement actions by the federal government have provided fertile ground for the proliferation and use of warrantless surveillance technologies, often without transparency or oversight. This has serious implications for all Minnesotans, citizens and noncitizens alike. National and local reporting, as well as ongoing lawsuits, indicate that facial recognition technology has been deployed by the federal government via a cell phone app. According to internal Department of Homeland Security documents, no one is allowed to decline a scan by the app, regardless of whether they are a U.S. citizen or not, and the photos may be stored for 15 years.¹ Reporting indicates that some iteration of this technology may have also been released to state and local law enforcement.²

One of the most enduring problems with facial recognition technology is its inaccuracy. It has led to wrongful arrests in at least five states.³ A wrongful arrest can cause significant hardship. Even a well-situated U.S. citizen could face severe disruption in their life if they had to spend time in jail while trying to prove they aren't the person that a warrantless technology says they are. For the people that our office serves, including low-income immigrant victims of domestic violence and trafficking, a wrongful arrest could be truly devastating.

This type of rapid, non-transparent expansion of surveillance should be concerning to all of us on all sides of the political spectrum. Minnesota has moved proactively to try and push back against some of the more detrimental aspects of widespread, warrantless surveillance, and we believe the state should continue to do so in light of what we are seeing at the federal level. There are serious implications not only for the communities that ILCM serves, but for each and every one of the communities that all of us serve as well.

Sincerely,

Julia Decker
Director of Public Policy and Public Affairs
Immigrant Law Center of Minnesota

¹ <https://immpolicytracking.org/policies/ice-launches-new-facial-recognition-app-to-identify-people/>

² <https://www.404media.co/cbp-quietly-launches-face-scanning-app-for-local-cops-to-do-immigration-enforcement/>

³ <https://innocenceproject.org/news/artificial-intelligence-is-putting-innocent-people-at-risk-of-being-incarcerated/>

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March 2nd, 2026

Attn: Judiciary committee

Thank you so much for taking the time to hear HF2380. The Autism Society of Minnesota would like to strongly support the passage of this bill and adoption of the DE amendment. Our organization has been a steady support to the autism community since 1971, and our core goal is to enhance the lives of autistic individuals and their family members.

This is a bill that would have a significant impact on the autism community. While our country and state offer many great protections for people with disabilities, the needs of accommodations not spelled out in the ADA or 504 act are often hard to obtain and advocating for them can cause significant hardship to individuals and families. By adding this language to our MN Human Rights Act, we are ensuring that all people with disabilities will be able to access accommodations needed to participate fully in our wonderful state, including areas such as education, health care and more.

Thank you for easing the workload for families and individuals to seek accommodations and supporting a fully accessible Minnesota.

Sincerely,
Ellie Wilson
Executive Director
ewilson@ausm.org

Minnesota's First Autism Resource®

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March 2, 2026

Chair Liebling and Members of the Committee,

On behalf of SEIU Local 26, I write to express our support for HF 3483.

SEIU Local 26 represents more than 8,000 janitors, security officers, window cleaners, and airport passenger service workers across Minnesota. Our members work and live in communities throughout the state and deserve to feel safe in their homes, workplaces, schools, and community spaces.

HF 3483 provides clear and reasonable standards by requiring a judicial warrant and probable cause before civil immigration enforcement actions may take place in protected spaces. This bill reinforces longstanding constitutional principles, promotes clarity in enforcement, and helps ensure that sensitive locations such as homes, schools, and shelters remain places where families and workers can access essential services without fear.

When workers are afraid to send their children to school, seek shelter, or return home safely, the impacts ripple far beyond individual families and affect workplaces, communities, and our broader economy. Establishing consistent legal safeguards strengthens trust, stability, and public safety for everyone in Minnesota.

For these reasons, SEIU Local 26 respectfully urges your support for HF 3483.

Sincerely,

Samantha Diaz-Powell
Deputy Chief of Staff



Document Number: **801**
Document Name: **Facial Recognition Technology**
Effective Date: *July 20, 2023*
Document Status: *Approved*

801.1 PURPOSE AND SCOPE

Facial recognition technology involves the ability to examine and compare distinguishing characteristics of a human face using biometric algorithms contained within a software application. This technology can be a valuable investigative tool.

The Office has established the capability to conduct facial recognition investigations to support law enforcement activities. This capability is managed by the Criminal Intelligence Division (CID) and Criminal Information Sharing and Analysis (CISA) unit.

801.2 DEFINITIONS

Examiner – Personnel trained in facial comparison and identification processes.

Facial Identification – The process of assisting to help identify an unknown person from a photo database – known as the enrollment database or gallery – to answer the question, “Can this unknown person be matched to any image enrolled in the database?” It is often referred to as one-to-many matching because it compares a probe image to all images in the enrollment database.

Facial Recognition – The automated searching of a facial image as a probe in a facial recognition system, typically resulting in a group of facial images being returned to a human operator in ranked order based on a system-evaluated similarity. Also, the mental process by which an observer identifies a person as being one they have seen before.

Gallery – A facial recognition system database that typically contains all known-person biometric references (samples or templates, or both).

Morphological Analysis – A direct comparison of class and individual facial characteristics without explicit measurement.

Probe – A facial image or template searched against the gallery in a facial recognition system.

801.3 OBJECTIVES

This policy provides Office personnel with strict guidelines for the facial recognition program to ensure responsible and appropriate use. This policy ensures that all facial recognition

investigations are consistent with authorized purposes while not violating anyone's privacy, civil rights, and civil liberties. Further, this policy will delineate the way requests for facial recognition information are received, processed, cataloged, and acted upon.

The policy assists the Office's use of facial recognition with:

1. Increasing public safety and improving state, local, tribal, territorial, and national security.
2. Minimizing the threat and risk of injury to specific individuals.
3. Minimizing the threat and risk of physical injury or financial liability to law enforcement and others responsible for public protection, safety, or health.
4. Minimizing the potential risks to individual privacy, civil rights, civil liberties, and other legally protected interests.
5. Protecting the integrity of criminal investigatory, criminal intelligence, and justice system processes and information.
6. Making the most effective use of public resources allocated to public safety entities.

801.4 GENERAL USE

All applications of facial recognition must be for official use for law enforcement purposes only. A request for facial recognition analysis to the CID will only be for official investigations that have a criminal predicate or an articulated public safety concern. The following are the authorized uses of facial recognition applications:

1. To investigate a reasonable suspicion that an identifiable individual has committed a criminal offense or is involved in or planning criminal conduct or activity that presents a threat to any individual, the community, or the nation and that the information is relevant to the criminal conduct or activity.
2. To assist in an active or ongoing criminal or homeland security investigation.
3. To mitigate an imminent threat to health or safety through short-term situational awareness or other means.
4. To assist in the identification of a person who lacks capacity or is otherwise unable to self-identify (such as an incapacitated, deceased, or otherwise at-risk person).
5. To investigate or corroborate tips and leads with criminal predicate or a public safety concern.
6. To assist in the identification of potential witnesses or victims in criminal investigations.
7. To support law enforcement in critical incident responses.

The use of facial recognition for the sole purpose of intelligence gathering is prohibited. Additionally, the technology will not be used solely for identifying anyone exercising their constitutionally protected rights.

The use of facial recognition technology in conjunction with public safety cameras outside the above guidelines is prohibited. Facial recognition technology will not be used for surveillance and/or tracking of any kind.

Valid law enforcement use of facial recognition includes:

1. As a lead generation tool to support criminal investigations.

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2. Persons who lack capacity or are otherwise unable to identify themselves and who are a danger to themselves or others.
 3. Persons who are deceased and not otherwise identified.

801.5 PROGRAM MANAGEMENT

The CID will be responsible for deploying, managing, and controlling access to the facial recognition program. The CISA unit Lieutenant will designate a program manager tasked to ensure that access, management, and use of the technology is consistent with Office policy.

The Office is authorized to access and perform facial recognition searches utilizing enrollment databases composed of booking photos only. The following are authorized enrollment databases:

1. Office booking photos gallery
2. Law enforcement shared gallery that meets the Office policy.

The Office's facial recognition gallery is strictly composed of booking photo images. The Office does not allow the use of DMV image galleries, privately sourced, non-booking photo galleries or any gallery containing images sourced from websites (i.e., social media).

Facial recognition investigations will only be performed by personnel assigned to the CID. Such investigations will be conducted only by personnel who have completed all required facial recognition training and only during lawful duties in furtherance of a valid law enforcement purpose and in accordance with this policy.

All Office facial recognition examiners will undergo facial comparison and identification training. Examiners will also be taught the use of the facial recognition system, process, protocols, and policy related to facial recognition. Continued training will also be conducted annually to ensure examiners' proficiency with the system.

Before Office personnel are authorized to request a facial recognition investigation, the Office will require participation in training on the implementation of and adherence to this facial recognition policy. Any misuse of facial recognition data may result in disciplinary action, up to termination.

801.6 PROCEDURE

Processing a facial recognition request is a technical procedure utilizing vendor-specific software. This procedure details the steps involved in the submission and analysis of probe imagery in accordance with this policy and vendor-specific specifications. All requests for facial recognition analysis will require a probe image, which is a digital image depicting the face of the subject whose identity is unknown. For the most accurate results, this photo needs to be of the best quality possible and ideally an original, not a copy of a copy.

Requesting investigator will:

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1. Make every effort to obtain the highest quality image file possible when digital photographic evidence of an unknown person is located and is authorized for submission in accordance with this policy.
 2. Complete a facial recognition request via the current established request process, ensuring all required information (incident and/or case number (ICR/CCN)) is submitted.
 3. Include digital probe imagery in all requests.

Technical operations facial recognition examiner will:

1. Receive facial recognition request and ensure proper completion.
2. Review the digital probe imagery to ensure it meets or exceeds minimum program standards. The minimum standard for submission often depends on multiple factors including camera angle, subject proximity, pose, illumination, lighting, and expression.
3. Submit the probe imagery according to the vendor-specific process.
4. Examine the returned candidates according to facial identification and comparison training and practices.
5. Document the findings of the completed facial recognition investigation.

Requesting investigator will:

1. Receive the results of the facial recognition investigation.
2. Only utilize positive findings of a facial recognition investigation as a tip or lead. A tip or lead will not be considered probable cause, which must be established separate from any facial recognition investigation findings.
3. Ensure that facial recognition investigation findings are available for discovery in the judicial process by documenting the use of the technology in case management systems and, if applicable, in the appropriate arrest reports.

801.7 FACIAL RECOGNITION RESULTS

All entities receiving the results of a facial recognition investigation must be cautioned that the resulting candidate images do not provide positive identification of any subject and are considered advisory in nature as an investigative lead only. Resulting candidate images do not establish probable cause to obtain an arrest warrant without further investigation and other facts or evidence. Any possible connection or involvement of the subject to the investigation must be determined through additional investigative methods.

801.8 USE OF EXTERNAL FACIAL RECOGNITION SYSTEMS

Facial recognition technologies depend on the use of proprietary information systems including photo databases that may be owned and managed by third parties. In certain situations, the public safety concern justifies the use of a non-HCSO facial recognition system. The use of such external systems must remain consistent with the understanding that protecting privacy, civil rights and civil liberties is critical to ensuring community trust.

The CID is the designated division responsible for the management and use of facial recognition technologies. This centralized approach ensures all facial recognition investigations, whether they involve HCSO or non-HCSO systems, conform to Office policy.

Direct user access by Office employees to a non-HCSO facial recognition system is prohibited outside of the CID. This policy is designed to allow Office employees to seek facial recognition queries from other law enforcement entities or privately owned systems when circumstances conform to this policy.

The use and/or requested use of any non-HCSO facial recognition system will be coordinated through the CID. Additionally, more stringent criteria must be met for the use of any non-HCSO facial recognition system:

1. A request for a facial recognition investigation must have been submitted to the CID and have proven to be unsuccessful.
2. The request must be related to a criminal investigation.
3. All other investigative means and alternatives must have been reasonably considered and exhausted.

Any information received will be subject to the guidelines established in the Facial Recognition Results section above.

To Co-Chairs Scott and Liebling and the Judiciary Finance and Civil Law Committee:

My name is Danielle Indovino Cawley. I'm a disability self-advocate and mother to two young children with disabilities. I'm unable to be with you today due to my job, so I am writing in support of HF2380. We rely on the protections provided by Federal Law to fully participate in our community. Whether it is my child's school 504 plan, or my ability to access accommodations at an event, it is imperative that we be protected against the discrimination of being unable to participate in daily life. Over the past year it has become terrifyingly clear that those protections can not be relied upon to be protected at the federal level. That the often flawed but necessary protections of the ADA and Section 504 are not as strong as they once were. And that is why I'm asking you to codify the illegality of discrimination against disabled people in Minnesota law.

My daughter has ADHD. She is brilliant, but struggles with executive function emotional regulation, and memory. Through her 504 plan, she was able to go from discussions of attending a day program instead of pre-school to qualifying for our district's gifted and talented program in just 2 years. Those same accommodations have allowed her to excel at chess club, gymnastics, and competitive cheerleading. Her life went from being a small and highly regulated place to a one of endless possibilities. If that plan and the accommodations it provides were to be invalidated or unenforceable, she may not be living the full, joyful life she leads now. Her accommodations allow her to access her full self and therefore everything else in the community available to people without her disability.

So many people in this world view accommodations as cheating. They see making the world more welcoming and things possible for disabled people as too expensive or even as far as ridiculous. As our national landscape is shifting and we can't rely on the federal government to protect and include those of us with disabilities, we need to codify it here in Minnesota.

It is not only my family that this would impact. It is tens of thousands of people. Of families. I spend a lot of time with disabled people. Other self-advocates, other parents of kids with disabilities, and their children. I see how much of a difference acceptance versus discrimination makes. I see how it can mean the difference between a life lived isolated and alone and one full of love and joy and community. These protections are not redundant, they are important and powerful.

Please, as you review this bill and language, think of the people who need these protections. The people of Minnesota have made it clear that caring for and loving our neighbors is paramount. This bill does just that. It ensures the law protects the right for everyone to be a part of public life. And what is more basic a right than that?

Thank you.

Danielle Indovino Cawley

Disability Self-Advocate

Co-Chair, Minnesota Consortium of Citizens with Disabilities



House Judiciary Finance & Civil Law Committee, March 3, 2026

Re: HF 2380 – MHRA Amendments (Public Policy Clarification on Disability Accommodations)

As a state agency, Minnesota Council on Disability serves as a liaison between Minnesotans with disabilities and their elected officials, advising on disability policy matters across employment, housing, public services, public accommodations, and education.

This Legislature has long recognized that freedom from discrimination is foundational to democracy. Section 363A.02 of the Minnesota Human Rights Act affirms that individuals are entitled to full and equal participation in employment, housing, education, and public life, free from discrimination based on disability.

HF 2380 would clarify in Minn. Stat. § 363A.02—the public policy section of the Act—that reasonable accommodations enable people with disabilities to participate fully in the areas the law protects and that failure to engage in the process to determine an appropriate accommodation may itself constitute an unfair discriminatory practice. By placing this language in the public policy section, the bill reinforces legislative intent regarding meaningful access and participation.

For many Minnesotans with disabilities, discrimination does not take the form of overt exclusion. More often, it appears as a breakdown in communication when an accommodation request is not meaningfully considered. Whether in employment, housing, education, or public services, the interactive process is how equal opportunity becomes real in practice.

HF 2380 does not create a new protected class, expand covered areas, or establish a new cause of action. Rather, it clarifies expectations around good-faith engagement in determining reasonable accommodations—an expectation already reflected in disability law and practice. Clear statutory language supports consistent interpretation, provides guidance to covered entities, and reduces ambiguity that can lead to unnecessary disputes.

Most importantly, this clarification helps ensure that Minnesotans with disabilities are not denied meaningful access because accommodation requests were not addressed, while also providing employers, landlords, schools, and public entities clearer direction on how to comply with the law.

Minnesota has periodically updated its Human Rights Act to reflect evolving legal standards and lived experience. HF 2380 continues that work by reinforcing that meaningful access is central to equal protection under the law.

For these reasons, the Minnesota Council on Disability supports HF 2380.

Thank you for your consideration.

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MINNESOTA CHIEFS OF POLICE ASSOCIATION

DEDICATED TO THE IDEALS OF PROFESSIONAL POLICING

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February 23rd, 2026

Re: MCPA Letter of Opposition for House File 3661

Dear Co-Chairs and Members of the Committee,

The Minnesota Chiefs of Police Association (MCPA) represents over 300 police chiefs and over 150 command staff members from police agencies across the State of Minnesota. The MCPA respectfully submit this letter in opposition House File 3661.

Minnesota's police chiefs are committed to the responsible, transparent, and constitutional use of technology. However, the sweeping ban proposed in this legislation would eliminate an important investigative tool that, when properly used, can help solve serious crimes, identify victims, and enhance public safety.

A Total Prohibition Is Overbroad: The bill prohibits any government entity or official from obtaining, retaining, accessing, or using a "face surveillance system," and further prohibits agreements with private entities for such use. This blanket ban applies regardless of the seriousness of the crime under investigation or the circumstances surrounding its use.

Facial recognition technology is commonly used as an investigative lead-generating tool—not as sole evidence for arrest or prosecution. In cases involving homicide, sexual assault, child exploitation, financial crimes, and missing persons, it can significantly narrow suspect pools and identify unknown individuals when traditional methods are insufficient. Prohibiting its use outright would place Minnesota law enforcement at a disadvantage compared to other states and federal partners.

Exclusionary and Civil Liability Provisions Create Significant Risk: Subdivision 3 would render inadmissible any evidence derived from the prohibited use of facial recognition and require deletion of related data. It also creates a private cause of action with mandatory liquidated damages and attorney fees.

These provisions would:

- Create substantial litigation exposure for local governments;
- Increase financial liability for municipalities already facing resource constraints;
- Discourage proactive policing and interagency cooperation; and
- Risk suppression of reliable evidence in serious criminal cases.

The mandatory minimum damages and fee-shifting provisions, combined with broad definitions, could subject agencies to liability even for good-faith actions taken in rapidly evolving investigations.

Public safety and civil rights are not mutually exclusive. Minnesota's Chiefs of Police strongly support accountability and transparency. However, Section 1's complete ban on government use of facial recognition technology is overly broad, operationally restrictive, and financially risky for local governments. We respectfully urge the Committee to oppose this provision.

Respectfully,

A handwritten signature in blue ink that reads "Jeff Potts". The signature is written in a cursive style with a large initial "J".

Chief Jeff Potts (ret.)
Executive Director
Minnesota Chiefs of Police Association