

ALASKA STATE LEGISLATURE

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SENATOR BILL WIELECHOWSKI

Senate Bill 98

“An Act Relating to the use of biometric information”

Sponsor Statement

In 2004, the Alaska Legislature unanimously passed legislation outlawing the collection, analysis, or storage of a law-abiding citizen's genetic information without their express written consent. This legislation was drafted in response to rapidly evolving technology that holds great promise for fields such as medicine and law enforcement. However, this technology also holds the potential for misuse by those who would use a person's genetic data to obtain information about them that Alaskans would normally have a right to keep private.

Senate Bill 98 would update Alaska statutes to protect not only Alaskans' DNA, but all similar forms of biometric information. The term “biometric information” refers to any information about an individual based on their unique behavioral or physiological characteristics. The most commonly known forms of biometric information are a person's fingerprints and their DNA, but also includes such information as iris and retinal patterns, hand geometry, voice patterns, and facial characteristics.

Many potential uses of biometric information are still at the rudimentary stages of development. However, new technologies will soon be available that will be able to make use of this information with chilling consequences for individual privacy and civil liberties.

Examples of the potential misuse of biometric information include the collection of an individual's data by potential employers or insurers to weed out applicants that may have a genetic predisposition towards certain illnesses and the use of video surveillance enhanced by facial recognition technology to track citizens' movements without their knowledge.

Alaskans should bear in mind that one of the proposed requirements of the Federal REAL ID Act was that every Alaskan ID card contain a radio frequency identification (RFID) chip, which would allow a citizen's movements to be tracked without their knowledge.

Thankfully, the State of Alaska joined other states in refusing to submit to the REAL ID Act. The legislature should take a similar strong stand to protect Alaskans' biometric information and their constitutional right to privacy.