



Van H. Wanggaard

Wisconsin State Senator

TESTIMONY ON SENATE BILL 523

Thank you Mr. Chairman and committee members for today's hearing on Senate Bill 523, creating a school safety grant program for school districts to purchase proactive threat equipment and software.

This bill, and its substitute amendment, offers schools an opportunity to obtain the latest threat detection equipment and software to help identify, and hopefully prevent threats. The safety products we're envisioning for this grant rely on human and artificial intelligence to augment security cameras and other existing equipment to identify weapons and other threats when present in a school. These products can detect threats before the human eye and sometimes threats that the human eye can't see. You will hear from people in the industry in a few minutes who can best explain how these systems work.

As I stated, there is a substitute amendment improving the bill. First, the substitute amendment gives priority for grants to schools districts which had a firearm-related incident in the last ten years. School districts must also apply jointly with the appropriate law enforcement agency in the district. To ensure that one district does not receive all the grant money, grants are capped at \$325,000 per district and require a 25% match from the school district.

We also want to be sure that we aren't just providing money to fly-by-night operators or bad actors. For that reason the bill requires that the software and/or equipment has been used successfully in other facilities. Over the last several weeks, we have heard from several vendors that the original language in the bill referencing the federal government's "Safety Act" was too tight, too specific, to the point where it excluded most products. That was not our intent, and the Safety Act language has been removed in the substitute amendment.

There is also a separate amendment which strips the money from the bill. The money is now included in a separate bill which would have been introduced last week but was delayed because of the snowstorm. The bill was submitted to the Chief Clerk yesterday, and should be introduced this week.

I would like to thank Representative Callahan for partnering with me on this bill, and for the committee's attention. I think this is a common sense bill to help improve school safety in Wisconsin and hope it has earned your support.

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Testimony in Support of Senate Bill 523 *Senate Committee on Education* January 17, 2024

Chairman Jagler and members of the committee, thank you for holding a public hearing on Senate Bill (SB) 523. This bipartisan legislation incentivizes and provides funding for schools to use new technologies that take an extraordinary step forward in protecting our students.

We hear about school shootings across the nation far too often. Back in October, we had two incidents in Wisconsin: one in Watertown in Jefferson County and one in Germantown in Washington County. In 2016 in my own Assembly District, a teen gunman shot two students outside Antigo High School during prom, but was stopped by an officer who was fortunately patrolling the parking lot at the time. We need preemptive measures in our schools that will facilitate immediate response times from law enforcement and emergency personnel, in turn saving lives.

The intent of this bill is simple: to provide school districts with the resources needed to integrate these new technologies. As part of the grant program the bill creates, school districts and local law enforcement jointly apply to the Department of Justice to obtain a grant to install software or equipment in their schools to proactively detect weapons. The grants are available to all schools, public and private, and will be awarded in order of application, taking geographical variation into consideration.

The substitute amendment makes several changes to ensure the program is as efficient and fair as possible. It eliminates restrictive language to ensure that there is ample competition amongst the products schools can contract with under the grants. It also requires a 25% match from schools when applying for the grant, and caps the grants awarded at 10 per biennium. Lastly, the school applying for the grant must demonstrate that they have had a firearm-related incident occur in the last 10 years.

Additionally, two amendments have been brought forward on the Assembly side. One of these removes the appropriation, which will be allocated through a separate standalone bill. The second addresses privacy concerns that were brought forward from Assembly committee members relating to the use of the weapon detection technology. The Assembly companion bill, along with these amendments are being moved through committee today.

As technologies emerge that enhance our schools and protect our students, we should be giving our schools the resources to take advantage of them. With that, I look forward to seeing this proposal move forward.



DATE: January 17, 2024

TO: Chairman Jagler and Members of the Senate Committee on Education

FROM: ZeroEyes

SUBJECT: Support Senate Bill 523, Grants to schools to acquire proactive firearm detection software

Thank you, Chairman Jagler and committee members, for the opportunity to provide testimony in support of Senate Bill 523. We'd like to also thank the authors, Senator Wanggaard and Representative Callahan, as well as co-sponsors Senators Cabral-Guevara, Johnson, and Quinn. On behalf of the ZeroEyes team, we thank you for spearheading this issue.

My name is Mia Link, and I am the Vice President of Strategy for ZeroEyes. It is nice to be back in Wisconsin and see so many familiar faces. ZeroEyes was founded in 2018 by military veterans with the mission of improving public safety by providing proactive firearm detection in schools, commercial buildings, and government infrastructure.

ZeroEyes was spurred into action following the events at Marjory Stoneman Douglas High School in Florida, when a former student brought a gun into the school, killing 17 and wounding an additional 17 people.

Specifically, our technology uses artificial intelligence software implemented on already existing security camera infrastructure to detect firearms and alert law enforcement within seconds. Again, these are existing cameras that are then integrated with AI technology.

Like national trends, Wisconsin has experienced an uptick in firearm-related incidents. Just over the last few months, we've seen cases of firearms being used on school property in Germantown and Watertown.

In the last five years, we have scaled the company significantly. Our software is deployed in K-12 districts in 30 states. Our service is also used and implemented within large enterprise organizations such as the Department of Defense, Meijer, Verizon, FedEx, DHL, Subaru, and Home Depot among many others.

We have grown from 50 to 200 employees in the past two years. Most of our employees are military veterans like myself. Many of us have spent the bulk of our adult lives committed to ensuring the safety of those around us. From active combat to synthesizing intelligence, our team members are well-prepared for various scenarios.

Over the past year, we've had a great opportunity to forge relationships with many of you and demonstrate the effectiveness of the technology that we've developed. We firmly believe that



Senate Bill 523 would be a great step in preventing or mitigating the damage done by school shootings by proactively detecting the threat and giving the first responders the critical situational awareness they need to respond. In military parlance, the after-action report looks a lot different if we can respond to threats before they progress into life-threatening situations.

We are pleased that law enforcement groups, including the Wisconsin Chiefs of Police Association and the Fraternal Order of Police, have endorsed the legislation.

We look forward to the opportunity to compete for these funds should this legislation be passed and signed.

Thank you for the opportunity to *provide testimony on this issue and we're happy to take any questions at this time.*



AMERICAN CIVIL LIBERTIES UNION

Wisconsin

January 17, 2024

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Chair Jagler, Vice-Chair Quinn, and Honorable Members of the Senate Committee on Education:

The American Civil Liberties Union of Wisconsin appreciates the opportunity to provide written testimony in opposition to Senate Bill 523.

SB-523 would require the Department of Justice to award grants to schools to acquire proactive firearm detection software. A number of companies have responded to recent horrific mass shootings by touting technology that can ostensibly detect people with guns. Two companies in particular have attracted a lot of press attention for their products: one that makes AI-enhanced metal detectors, and another that sells video analytics software that "watches" surveillance camera feeds and sounds an alarm when the machine vision thinks it sees a person holding a gun. While such technologies can have their place, we need to think carefully as a society about if, how, and where we want to deploy them.

The ACLU recently released a report, "Digital Dystopia: The Danger in Buying What the EdTech Surveillance Industry is Selling,"¹ that dives into the booming multi-billion-dollar education technology (EdTech) surveillance industry and the harmful impacts these invasive, and largely ineffective, products have on students. The report looks at the deceptive marketing claims made by popular EdTech surveillance companies and breaks down how they use educators' fears and unsubstantiated efficacy claims to falsely convince schools that their products are needed to keep students safe. The report also seeks to highlight the substantial harm surveillance causes to students and gives recommendations for school districts to make better informed decisions about using surveillance technologies.

Specifically, weapon detection surveillance technology claims to be able to analyze video from surveillance cameras to detect and warn schools about the presence of a weapon.² However, false hits, such as mistaking a broomstick,³ three-ring binder, or a Google Chromebook laptop⁴ for a gun or other type of weapon, could result in an armed police response to a school. Sending police into a school with weapons drawn, thinking they are facing an armed student or potential active shooter, could have devastating and even life-threatening impacts on innocent students and school staff.

¹ "Digital Dystopia: The Danger in Buying What the EdTech Surveillance Industry is Selling," ACLU (October 2023), <https://www.aclu.org/report/digital-dystopia-the-danger-in-buying-what-the-edtech-surveillance-industry-is-selling>.

² Jay Stanley, "Are Gun Detectors the Answer to Mass Shootings?" ACLU (November 2, 2022), <https://www.aclu.org/news/privacy-technology/are-gun-detectors-the-answer-to-mass-shootings>.

³ Todd Feathers, "Facial Recognition Company Lied to School District About its Racist Tech," Vice (December 1, 2020), <https://www.vice.com/en/article/qjpkmx/fac-recognition-company-lied-to-school-district-about-its-racist-tech>.

⁴ "Opinion: Body Scanner Problems at Charlotte-Mecklenburg Schools," Charlotte Observer (editorial) (August 25, 2022), <https://www.govtech.com/education/k-12/opinion-body-scanner-problems-at-charlotte-mecklenburg-schools>.

Ultimately, we urge committee members to consider the following recommendations from the ACLU report when considering the use of student surveillance technology:

- When learning about the alleged benefits of using student surveillance technologies, state and local policymakers should not rely on unsubstantiated efficacy claims offered to them by EdTech Surveillance companies who have a financial interest in the sale of the technologies (including those that provided free technology but make money off its maintenance, data storage, or by selling related products or enhanced versions of their free product). Instead, insist on proof of efficacy from unbiased, fully independent sources that provide evidence, gathered in the education context, that has been peer-reviewed to ensure accuracy and reliability.
- State and local policymakers should make it a top priority to learn about the harmful impacts of surveillance technologies on students and other school community members, including their heightened adverse impact on already vulnerable groups. They should talk to students and other school community members about how surveillance makes them feel, and they should also be mindful that “feeling safer” is very different from actually being safer (the former is more reflective the effectiveness of the EdTech Surveillance industry’s marketing and press coverage than established facts).
- Consider adoption of legislation requiring all schools to follow best practices for student surveillance technology decision-making to ensure any surveillance technology acquired has been shown to have a significant effect on improving the health, safety, and welfare of persons in school settings, with proof of such efficacy established through independent, peer-reviewed, evidence-based research. In determining whether the technology is in the best interest of the school community, schools should investigate and consider any unintended harms or other consequences that might accompany the use of such a technology, as well as the opportunity costs of electing to acquire and use such a technology. Further, there should be a process to ensure school community member engagement in local decision-making. The ACLU drafted the “Student Surveillance Technology Acquisition Standards Act” model bill (see Appendix 2 of the report cited above for the full text of the model bill).