Pitfalls and Possibilities with Intelligence-led Policing

Jesper Lund
@je5perl

IT-Political Association
(EDRi member)

CUPP seminar, ITU
14 December 2021

My work in this area

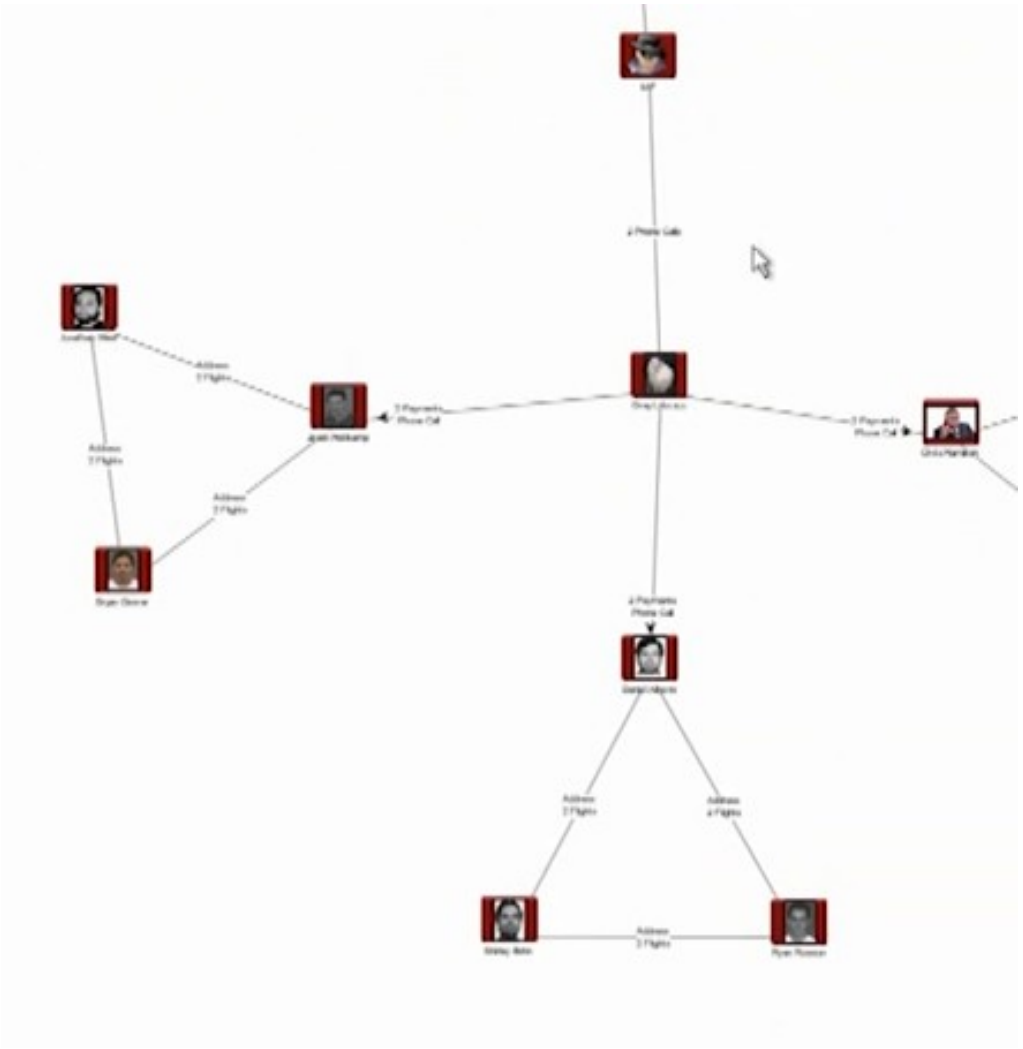
- POL-INTEL in Denmark (from 2016)
- EDRi position paper on amending Europol Regulation
  - Allow Europol to analyse large data sets (legally)
  - Research and innovation (AI)
- Data protection and law enforcement (mostly EU-level with EDRi)

POL-INTEL overview

- Interface with existing databases
- Cross-database search function (“Finder”)
- Data analysis tool (“Analyse”)
  - Links between objects (persons, events, etc)
  - Heatmaps (visualise objects in an area)
  - Investigators can find **“needle in the haystack”** by analysing vast amounts of data

Building social graph of persons

- Persons are tagged in documents
- Direct relationship if A and B are tagged in same document
- Interactions across multiple hops
- All kinds of linkages can be established



Existing databases

- **Police databases**
  - POLSAS (cases)
  - Criminal records (CKR)
  - PED (large investigations)
  - Facial images (NF)
  - SIS, Interpol
  - PNR/API
  - AML reports (banks)
  - Wiretaps and tele data
  - ANPR
- **Civilian databases**
  - Residence database (CPR/Index2)
  - Vehicle database
  - Weapons permits
  - Passport database
  - Drivers licenses

Big data for policing

- Why big data?
  - Police should collect data for criminal investigations
  - Data on suspects, victims and witnesses
- Big data systems will **incentivise "NSA style" data collection**
  - Retention of ANPR no-hits in Denmark
  - Random stops to generate field cards (US)
- "Needle in the haystack" often leads to growing the haystack..

Data analysis

- Finding the unknown connection
  - Objects links created with algorithms (opaque)
  - **All algorithms encode biases**
- Risk of finding spurious links
  - Algorithms will **amplify errors** in databases
  - Greater effect on individuals with more records in databases used by POL-INTEL
  - Risk of stigmatisation and discrimination
- Limitations of data-analytical evidence
  - Danish telecommunications data scandal

Hotspots and feedback loops

- Hotspot policing
  - More patrols in areas where crime is most concentrated (heatmap data analysis)
- Pitfalls
  - Reported crime is different from actual crime
  - More police patrols means more crime will be registered, which can lead to **feedback loops**
- Reinforce existing biases in policing
  - Marginalised communities are often overpoliced
  - This **bias affects the data used for predictions**

Political and societal context

- POL-INTEL law adopted in Spring 2017
  - Specific provisions in executive orders
  - Details in internal police regulations (non-public)
- **Limited public debate about effects on policing and society more broadly**
- Information flow tightly controlled by the police
- Media coverage of POL-INTEL reflects that
- No independent evaluation of efficacy

MP question on feedback loops

- Answer by MoJ (REU spm. 949, 2020-21)
  - The Danish National Police has understood the concept of "feedback loops" as a process in which a **system's automated output is returned as input in the same system**. POL-INTEL does not support such system technical feedback loops.
  - The Danish National Police is aware that **data showing there is a lot of crime in a certain area will often lead to increased police attention.** Through increased patrols, more crime will be detected.
  - **This must be regarded as a premise** for the police's handling of crime.