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LIS 201

November, 2022

### Google Gets to Judge What Is and Is Not Acceptable Child Nudity

The continuous advancement of technology has brought about many very convenient features in communication , entertainment, and documentation that many people consider some pieces of technology as an extension of themselves. People’s continued use of technology generates massive amounts of data such as photos, social media posts, internet searches, texts, email, watch habits, and much more. These huge files of information are highly sought over by both companies and governments resulting in real violations of users' privacy and autonomy over their own data. In “A Dad Took Photos of His Naked Toddler for the Doctor. Google Flagged Him as a Criminal” Kashmir Hill examines two cases of Google falsely identifying medical photos of children as child sexual abuse content and reporting these cases to law enforcement which illustrates an example of Google employing Slack and Wise’s technological progress three key being promoting a better life, selling us something, and controlling and judging people.

In 2009, Microsoft released PhotoDNA a tool meant to curb the distribution of child pornography. This tool consisted of known child abuse images converted to unique hash values making it easy to go through a large number of images and identify these photos within a small alteration margin (Hill, 2022). In 2018, Google developed a tool that can identify new images of children through the use of artificial intelligence (AI). The AI was given two sets of images labeled as “right” and “wrong” to avoid flagging some common scenarios such as bathtub photos. Google’s new tool allowed them to not only identify known imagery of abuse but also previously unknown imagery (Hill, 2022). When a photo is flagged by the AI it gets passed on to

a human content moderator for review to see if it meets the federal definition of child exploitative content and if it does then the rest of that person's files are analyzed for any more content to be reported to the CyberTipline at the National Center for Missing and Exploited Children (Hill, 2022). This tool was also released by Google for other companies to use. Upon these tools' release, many tech companies such as Facebook used them to remove users distributing illegal exploitative imagery (Hill, 2022).

The article "A Dad Took Photos of His Naked Toddler for the Doctor. Google Flagged Him as a Criminal" starts with a story, during the COVID-19 pandemic Mark, a stay at home dad and software engineer, who is heavily integrated with Google's ecosystem using them as his calendar, email service, phone provider, phone operating system, and cloud backup host noticing that his son's penis was swollen and causing pain. After contacting their healthcare provider and upon the doctor office's request, they sent over photos of the child's penis to the doctor to review before their scheduled video call the next day. Mark's wife sent over the photos from his Android phone to her iPhone so she can upload them to the health care provider's system. Around the same time a similar scenario was playing out. Cassio, a father whose son had an infection in his privates was asked by their pediatrician to send over photos of the infection. Cassio took the photos using his Android phone which were automatically backed up to Google photos and sent them over to his wife to upload to the pediatrician using Google's chat service.

Both these incidents were flagged by Google's AI as child sexual abuse material when the photos were backed up to Google's servers resulting in the shutting down of both Mark and Cassio's services. In Mark's case this meant he lost access to his email, phone number, contacts, early photos of his son's first few years of life, and more. Furthermore, since most other online services require access to one's phone number or email to log in Google's decision to shut down

Mark's services meant that he was effectively locked out of most of his digital life and made it very hard to get in contact with him. In Cassio's case, he lost access to his email address in the midst of him signing many digital documents to buy a house making his broker suspicious. Google also reported both parents to the police who launched investigations on Mike and Cassio. Meaning that Google's fall flag resulted in consequences that crossed to the real world beyond their digital services

Nine months after Mark had his account flagged he received an envelope in the mail from the police department informing him he was investigated and that all data Google had on him was searched. Due to Google shutting down Mark's phone service and email the investigator could not get a hold of him during the investigation. Cassio was also investigated and was called to go to the police station. Both these cases ended up with bittersweet endings. Mark and Cassio were cleared from any wrongdoing by the police but Google maintained the decision of taking their accounts.

This paper will, in context of the article, use Slack and Wise's lens on Technological Progress from the book *Culture and Technology*. Technological progress, as Slack and Wise define it, is humans' use of technology to inch closer towards perfection. It insinuates that technological progress is linear where more of it will result in more desirable results and that machines surpass human limitations such as bias resulting in their use in areas such as the justice system. Through that definition Slack and Wise point out the limitations and consequences of viewing technology in this light.

Slack and Wise frame the use of progress by tech companies in three key ways which are by promoting a better life, selling us something, and judging and controlling others. Firstly, tech companies promote a better life through technology to manufacture their own version of progress

where their vision and implementation is better (Slack & Wise, 2007). They then use that vision to convince their customers that their lives will improve if they buy into it. Secondly, tech companies use “selling us something” by making their product or service not only as progress, but as cool and new (Slack & Wise, 2007). Meaning that they correlate newness and coolness as a measure of progress where buying the new thing is justified as moving forward in progress. And lastly the third key which is judging and controlling others was used historically as measurement of progress where the amount of technology had determined whether or not the people were “civilized” leading the political environment favoring more technology (Slack & Wise, 2007). This can manifest today by favoring the development and deployment of more technology in an attempt to be a better civilization.

Now, a connection between Slack and Wise’s lens and Google can be established starting with the first key “promoting a better life”. Google would like its users to believe that Google’s analysis and access to private user photos backed to the cloud is necessary for the sake of reducing the creation of child sexual abuse content. Based on Google’s narrative Google will only righteously use that power to protect abused children and will not misuse their access to private user photos for Google’s, or some other entity’s, benefit.

In regards to the second key, “selling us something”, Google would like users to believe that the creation and deployment of this technology is a mark of progress. According to Google, having access to and deploying their AI on users’ private messages curbs the spread of child sexual abuse content. And, of course, Google will not abuse their access to curb the spread of what it or other entities may not approve of nor will they leverage their access to users’ private data for selfish reasons.

Lastly with respect to the third key “judging and controlling others”, Google promotes that the creation and deployment of more invasive technology and systems is better for us as a civilization. By doing so Google can inch us closer to a perfect world free of the creation or spread of child sexual abuse content. However, the world Google is actually moving towards is one where Google decides what is or is not acceptable child nudity and has final say regarding it regardless if the law agrees with it or not.

At its core, the creation of systems that flag child sexual abuse content to curb its creation and spread is an admirable goal aimed to make the world a better place and is not in itself a problem. However, Google’s implementation of this technology is where many of the drawbacks come from rendering it not as a net positive. Google is implementing an imperfect system where they get to access users' private photos and firmly judge whether what their users do privately is acceptable or not regardless of the potential collateral damage such a system may cause and disregarding the different forms this technology can be used. In the article “A Dad Took Photos of His Naked Toddler for the Doctor. Google Flagged Him as a Criminal” the two cases examined resulted in real damage to the livelihoods of Mike and Cassio despite the investigations going in their favor. However, it is not hard to imagine a world where Mike, for example, suffered more damage such as getting arrested when the investigator could not reach him initially thanks to Google’s decision of canceling his service. And Google’s refusal to reactivate the accounts of Mike and Cassio even after law enforcement concluded that it was a false flag reveals how Google cannot be held accountable for false flags.

Furthermore, Google is using the cause of stopping the creation and spread of child sexual abuse content as justification to access all private user photos as no one would speak out against such a cause. However, that same access to private photos can also be used to detect any

number of content. Google is required by law to report child sexual abuse content when they find it (Hill, 2022). Meaning it is also possible for different governments to force google to report other types of content citizens might have privately. For example, a government can attempt to pressure Google to leverage the same access they have to detect homosexual pornography and report the users in possession of it.

In conclusion, through the lens of Slack and Wise's technological progress Google is justifying the access of the private photos of users promote a better life resulting in a system where they judge whether or not private user behaviors are acceptable. Realistically speaking, Google's access to private user data can only be stopped with government regulation, which is unlikely as governments are also one of the parties benefiting from such access. Meaning that users need to make their voices heard by only opting into services with privacy policies they agree with resulting in a financial incentive for Google to change.

## References

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