

Google's art selfies aren't available in Illinois. Here's why.

Google won't say why. But it's likely because Illinois has one of the nation's most strict laws on the use of biometrics, which include facial, fingerprint and iris scans.

By **Ally Marotti**
Chicago Tribune

JANUARY 17, 2018, 7:00 AM

The Google Arts & Culture app's new feature seems to be everywhere as social media streams are flooded with photos of friends and the great works of art that resemble them — that is, nearly everywhere but Illinois.

The state is one of two in the country where the Google app's art selfie feature — which matches users' uploaded selfies with portraits or faces depicted in works of art — is not available. Google won't say why. But it's likely because Illinois has one of the nation's most strict laws on the use of biometrics, which include facial, fingerprint and iris scans.

12 WEEKS FOR ONLY 99¢
Hurry, offer ends 2/28

SAVE NOW ›

Illinois, said Christopher Dore, a partner at
s against tech companies including

Facebook.

Some Illinois residents are finding workarounds to discover their artwork look-alikes, sending selfies to out-of-state friends who will run their photo through the feature. Chicago resident Dominic Garascia was in Omaha, Neb., over the weekend for work and used the feature with no problem.

His face was matched with an early 17th-century mural of a haloed and bearded St. Paul by artist Annibale Carracci at the Museu Nacional d'Art de Catalunya in Barcelona, Spain. But when he returned to Chicago and wanted to look for another doppelganger, the option to upload a selfie wasn't part of the app.

"It's very odd. I just kept scrolling and scrolling and it was gone," Garascia said. "I wish it would work."

The feature did work for Lakeview resident Laura Wagner over the weekend, and she spent time sending screenshots to a local friend, who then couldn't get it to work for herself.

Wagner's look-alike was a peasant woman on a stroll with a dog that Nicolae Grigorescu painted in the late 19th century. Wagner deleted the app in a space-saving effort, and when she downloaded the app again Tuesday morning, the feature was gone.

Texas is the only other state without access to the art selfies, and it, too, has a biometrics law. Illinois' Biometric Information Privacy Act mandates that companies collecting such information obtain prior consent from consumers, detailing how they'll use it and how long it will be kept. It also allows private citizens to sue, while other states have laws that let only the attorney general bring a lawsuit.

As a result, Illinois has become a hotbed of legal activity surrounding uses of biometric data, which include biological or physical characteristics. It can be gleaned by mapping someone's face from a photo or taking their fingerprints, and it is commonly deployed to tag photos. Employers are increasingly using biometric timekeeping devices for accuracy and touting the scanning of certain body parts as an additional security measure.

Numerous companies of varying sizes have faced allegations involving biometrics, from tech giants such as Facebook, Snapchat and Shutterfly to United Airlines, grocery company Roundy's and InterContinental Hotels' Kimpton chain. Google has been sued over alleged violations of Illinois' biometrics law after allegedly failing to notify users that it created a face template based off their photos.

Some companies appear to be taking note. Nest, a maker of smart thermostats and doorbells, sells a

12 WEEKS FOR ONLY 99¢
Hurry, offer ends 2/28

SAVE NOW >

, Nest, owned by Google parent Alphabet, is law.

People should be concerned about the privacy of that data because those characteristics are permanent, said Adam Schwartz, a senior lawyer at San Francisco-based Electronic Frontier Foundation. The digital rights group supports laws like Illinois'.

"If someone gets my credit card number, I can change it. I can change my Social Security number with some headaches," he said. "But without extraordinary science-fiction intervention, our faces and our fingerprints and our DNA, we're born with it and we're going to die with it."

That information could be used for nefarious purposes if it fell into the wrong hands, said Dore, from Edelson.

However, it's hard to know how much a person's privacy is harmed by allowing companies to collect biometric data like a map of his or her face, said Matthew Kugler, an assistant professor at Northwestern University's Pritzker School of Law who has published work on privacy policies related to biometrics.

"(Maybe) people would much rather have their selfie feature than this privacy protection," he said. "That's something we'll have to see."

It is unclear whether the Google app's art selfie feature even uses facial recognition. There are less advanced technologies that simply detect a face is on the screen so the app could, for example, add cat ears or a flower crown.

Google released its Arts & Culture app, which includes collections from more than 1,000 museums worldwide, in November 2015. The art selfie feature came out about a month ago, Google spokesman Patrick Lenihan said. He declined to comment on why it's not offered in Illinois.

"We're thrilled that people are enjoying this feature and exploring and finding art and artworks from around the world," he said. "We're always working to do more to connect users with art."

The app has the ability to make art accessible, said Lakeview resident and artist Julia Guettler. Finding a look-alike in a piece of art can teach people to see themselves in paintings, potentially sparking a new interest, Guettler said, and Illinois residents are missing out.

"It disadvantages a huge population of people that could be opening up to this," she said.

amarotti@chicagotribune.com

12 WEEKS FOR ONLY 99¢
Hurry, offer ends 2/28

SAVE NOW ›

12 WEEKS FOR ONLY 99¢
Hurry, offer ends 2/28

SAVE NOW ›